



Wyoming County Commissioners Association

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THE WHITE HOUSE

— **President signs executive order cutting federal government's carbon emissions by 40% by 2025**

President Obama [signed an executive order](#) that will help the United States stay on track to meet the new target pledged in China and ensure that the federal government leads by example as the United States moves boldly to reduce greenhouse gas emissions while boosting clean energy. This new sustainability plan for the next decade directs federal agencies to cut their greenhouse gas emissions by 40 percent by 2025. That means big cuts to the emissions driving climate change. [Link](#)

Related — Report commissioned by the Wilderness Society: Minerals from federal tracts generate 21% of U.S. emissions

Specifically, the report mentions that:

- Federal lands accounted for as much as 24 percent of all America's energy-related greenhouse gas emissions in 2012
- Coal extracted from federal lands alone accounts for over 57 percent of all potential emissions from fossil fuel production on federal lands
- Methane wasted by venting and flaring practices on federal land rose more than 51 percent between 2008 and 2013

Go [here](#) to access the report and issue brief.

CONGRESS

— **House passes new restrictions for EPA, targets what Republicans call 'secret science'**

WASHINGTON — The House has passed two Republican-backed bills that would place new restrictions on the Environmental Protection Agency.



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A bill approved Wednesday would require the EPA to disclose scientific data behind proposed regulations, while a measure passed Tuesday would prohibit the agency from appointing registered lobbyists to the EPA's Science Advisory Board.

Both were approved largely along party lines. The scientific data bill was approved 241-175, while the advisory board measure was approved 236-181.

Republicans said the bills would increase transparency at the EPA and make it more accountable to the public.

"Right now, the EPA is trying to impose harmful regulations based on scientific studies that no one can check — not the public, not independent scientists, not even the United States Congress," said House Majority Leader Kevin McCarthy, R-Calif. "It's called 'secret science' and it's wrong."

If the EPA or any other agency proposes a rule that adds costs to businesses or infringes on private property, "the people have every right to know why," McCarthy said.

The White House has threatened to veto the measures, saying they could delay or prevent environmental decisions and hurt the ability of the science board to advise the agency.

If adopted into law, the bill on scientific data could be used to prevent EPA from proposing or finalizing a regulation until legal challenges about the legitimate withholding of certain scientific and technical information are resolved, the White House said in a statement. Releasing data underlying some scientifically important studies could violate the privacy of test subjects or compromise confidential business information, the White House said.

Similarly, the White House said the measure restricting service on the EPA's Science Advisory Board could preclude the nomination of scientists with significant expertise in their fields.

Rep. Alcee Hastings, D-Fla., dismissed the bills as attempts by "corporate interests to compromise the EPA's integrity" and stock its science review board with business sympathizers.



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The claim of "'secret science' might sound scary, but the rhetoric has outpaced the reality," Hastings said. "This bill will not improve EPA science or make it more transparent."

Rep. Frank Lucas, R-Okla., said some members of the EPA's Science Advisory Board have received grant money from the agency or expressed policy preferences in the same areas they are asked to study independently.

"The heavy costs of EPA's regulations warrant some degree of public oversight to ensure SAB's findings are free from bias or conflicts of interest and not simply provided by a set of hand-picked advisers," Lucas said.

Both bills now go to the Senate. [Link](#)

— **Democratic lawmakers make another attempt with 'Frack Pack' of oil, gas environmental bills**

A group of bills called the "Frack Pack" announced Thursday by four Democratic congressmen would impose more stringent federal environmental regulations on a domestic petroleum industry lately suffering from its own success amid a persistent downturn in oil prices.

The Western Energy Alliance petroleum industry group criticized the measures as unnecessary in part because they duplicate existing state regulations.

"All of these bills are based on false information about supposed gaps in state and federal regulations that are actually talking points from the environmental lobby, and not based on reality," the Denver-based group's vice president of government and public affairs, Kathleen Sgamma, said in a statement.

States with significant oil and gas development have adopted their own regulations to address pollution from the oil and gas industry.

Wyoming, for example, recently implemented a rule that requires oil and gas developers to test nearby groundwater for pollution before, during and after drilling. Wyoming also was the first state to require companies to disclose to state regulators the ingredients in the chemical products used during fracking.



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"All other states with oil and natural gas production have stringent rules and exemplary safety records that don't require new, redundant federal regulations," Sgamma said.

The bills all have been introduced before without success. They attempt to address problems associated with a recent surge in domestic oil and gas development made possible by advances in techniques including hydraulic fracturing, the process of blasting pressurized volumes of water mixed with fine sand and chemical products underground to crack open oil- and gas-bearing deposits.

The production surge has contributed to a global slump in oil prices that in recent months has led to a sharp decrease in drilling nationwide.

One of the reintroduced bills addresses fracking directly: Colorado Rep. Diana DeGette's FRAC Act, which would regulate fracking under the Safe Drinking Water Act. The bill also would require public disclosure of chemicals used during hydraulic fracturing.

"I support fracking so long as it's done responsibly. Unfortunately, the current regulatory framework does not make sure this is the case. Our laws are riddled with loopholes that exempt fracking from protections that are vital to the safety of people and communities," DeGette said on a conference call hosted by the Environment America federation of environmental groups.

A bill brought by Colorado Rep. Jared Polis, the BREATHE Act, would end exemptions to federal air pollution rules for the petroleum industry. The bill would require air pollution from many small sources to be regulated collectively rather than just individually.

"One or two fracking pads might not make much of a difference. But you suddenly put thousands of them in a limited area, it has an enormous impact on air quality which is currently exempt from the Clean Air Act," Polis said.

Rep. Jan Schakowsky of Illinois wants to require pollution testing of water sources before and during petroleum development under her SHARED Act.

Under the FRESHER Act, oil and gas producers would need to get permits for development that would increase stormwater runoff. There is no good reason to exempt



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the oil and gas industry from federal environmental regulations that apply to other industries, said the bill's sponsor, Rep. Matt Cartwright of Pennsylvania.

"It's not like the oil and gas companies are less likely to pollute than other companies. It's just that they are more able to strong-arm amendments and grant themselves exemptions here on Capitol Hill," Cartwright said. [Link](#)

DEPARTMENT OF INTERIOR

— Final hydraulic fracturing rule released

WASHINGTON, D.C. – Secretary of the Interior Sally Jewell today released final standards for hydraulic fracturing on public lands.

There are more than 100,000 oil and gas wells on federally managed lands. Of wells currently being drilled, over 90 percent use hydraulic fracturing. The rule applies only to development on public and tribal lands and includes a process so that states and tribes may request variances from provisions for which they have an equal or more protective regulation in place. This will avoid duplication while enabling the development of more protective standards by state and tribal governments. Other reforms will also include important measures to target where oil and gas leasing occurs and protect sensitive areas that are too special to drill.

“Current federal well-drilling regulations are more than 30 years old and they simply have not kept pace with the technical complexities of today’s hydraulic fracturing operations,” Secretary Jewell said. “This updated and strengthened rule provides a framework of safeguards and disclosure protocols that will allow for the continued responsible development of our federal oil and gas resources. As we continue to offer millions of acres of public lands for conventional and renewable energy production, it is absolutely critical the public have confidence that transparent and effective safety and environmental protections are in place.”

Key components of the rule, which will take effect in 90 days include:

- Provisions for ensuring the protection of groundwater supplies by requiring a validation of well integrity and strong cement barriers between the wellbore and water zones through which the wellbore passes;



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- Increased transparency by requiring companies to publicly disclose chemicals used in hydraulic fracturing to the Bureau of Land Management through the website FracFocus, within 30 days of completing fracturing operations;
- Higher standards for interim storage of recovered waste fluids from hydraulic fracturing to mitigate risks to air, water and wildlife;
- Measures to lower the risk of cross-well contamination with chemicals and fluids used in the fracturing operation, by requiring companies to submit more detailed information on the geology, depth, and location of preexisting wells to afford the BLM an opportunity to better evaluate and manage unique site characteristics.

“This rule will protect public health and the environment during and after hydraulic fracturing operations at a modest cost while both respecting the work previously done by the industry, the states and the tribes and promoting the adoption of more protective standards across the country,” said Assistant Secretary for Land and Minerals Management Janice Schneider. “It will be implemented in the most efficient way possible to avoid duplication or unnecessary activities by industry, other regulators, or BLM staff. We know how important it is to get this right.”

“This rule was informed and shaped by the technical expertise, interests and concerns of all of our partners, and builds on the work of states and tribes to ensure best practices on a nationwide basis,” said BLM Director Neil Kornze. “The new regulations are essential to our mutual efforts to protect the environment and the communities that depend on vital water, land and wildlife resources. This rule is good government.”

The BLM oversees about 700 million subsurface acres of federal mineral estate and carries out regulatory duties of the Secretary of the Interior for an additional 56 million acres of Indian mineral estate across the United States. The Indian Mineral Leasing Act and other laws require that Indian lands and communities have the same protections as U.S. public lands. [Link](#)

To view the final rule, click [here](#).



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OTHER NEWS:

— Colorado and the Southwest: Colorado's river basins short on snow

Snowpack in the mountains and valleys where the Colorado River originates has been shrinking since the beginning of March, a federal water expert said Tuesday.

The snow ranged between 89 and 91 percent of the long-term average, depending on which measurement is used.

“We dried out relatively significantly here since the beginning of March,” said Brian Domonkos, supervisor of the Colorado Snow Survey for the U.S. Agriculture Department.

In Southwest Colorado, the Natural Resources Conservation Services reported as of Tuesday that the current percentage of normal snowpack is at 70 percent, 80 percent of the snowpack at this time last year, for the San Miguel, Dolores, Animas and San Juan river basins.

The water in Southwest Colorado reservoirs ranged from 49 percent of capacity at McPhee Reservoir near Dolores to 79 percent of capacity at Vallecito Reservoir. Lemon Reservoir is at 58 percent of capacity, and Navajo Reservoir is at 65 percent.

Domonkos told the state task force on water availability that recent warm weather had begun to melt the snow at lower elevations in parts of the Colorado River basin.

Colorado's snowpack closely is watched because it provides water for four major river systems that originate in the state: the Platte, the Arkansas, the Rio Grande and the Colorado.

The Colorado River is under especially close scrutiny because it helps supply California, which is in the middle of a historic drought. The most recent assessment available showed 40 percent of California was in an exceptional drought, the driest of five categories used by the federal government's U.S. Drought Monitor. Nearly 28 percent was in an extreme drought, the second-driest category. [Link](#)



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— Wyoming: Economic study says EPA regulations threaten Wyoming coal

A new economic study says pending federal regulations to limit carbon emissions from existing coal-fired power plants threaten to hit Wyoming's coal industry hard in coming years.

The Wyoming Infrastructure Authority on Thursday released a study prepared by the University of Wyoming that predicts federal regulations could force a decline of up to 45 percent in Powder River Basin coal production by 2030.

Wyoming is the nation's leading coal-producing state. It's among several states pressing a federal lawsuit challenging the U.S. Environmental Protection Agency's proposal to require existing power plants to cut carbon emissions by 30 percent by 2030. The case is set for arguments next month in Washington, D.C.

Wyoming Gov. Matt Mead wrote to EPA Administrator Gina McCarthy in December saying that the EPA proposal would cut the demand for coal and drive up costs by requiring more electricity production from natural gas and other sources.

"Wyoming supplies 40 percent of the coal used in the United States — distributed to some 30 states annually," Mead wrote. "The mining industry employs — directly and indirectly — thousands of people in Wyoming."

The UW study says Wyoming would benefit from opening coal exports to Asia. Wyoming has been unsuccessful so far in efforts to access ports in the Northwest for coal exports. The prospect of trains hauling coal through Oregon or Washington to ports there has prompted stiff opposition from environmental groups and state regulators so far.

Mead this month signed into law a bill that gives the infrastructure authority the power to issue up to \$1 billion in bonds to finance the construction of coal ports. Loyd Drain, executive director of the authority, said this week that the state is waiting for environmental review of proposed coal-port projects.

Drain said Thursday that he expects the EPA to issue its final rule regarding carbon limits on existing power plants this summer. The new economic study is the first of its kind to evaluate Wyoming's coal industry in over 20 years, he said.



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"It's timely relative to new regulations as Wyoming looks to the impact of these new rules that are coming out in the summer," Drain said.

It should help shape the direction and emphasis the state needs to place on coal initiatives, such as exports, he said.

According to the report, coal production in Wyoming has fallen by 17 percent since 2008 as a result of factors including falling natural gas prices, slow national economic growth and increasing production of renewable energy. In 2008, the state produced a record 466 million tons.

Total state revenue from coal mining is \$1.3 billion a year, or just over 11 percent of all government revenues in the state, based on 2012 figures, the report states.

The report analyzes a variety of environmental-regulation scenarios including the prospect of a carbon tax on coal production. It estimates that coal production in the state could drop from 20 percent to 45 percent and that state tax revenues could drop by up to 46 percent. Under the worst-case scenario, it states that one in 10 jobs in the Powder River Basin could be lost.

Exporting 100 million tons a year of coal to overseas markets would mean a \$1.2 billion increase in the gross state product and spell an increase of 4,000 jobs at an annual total income of \$345 million a year, the report estimates. [Link](#)