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### 1. Republicans press for Zinke travel details

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<http://bit.ly/2fRfSa9>

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<http://bit.ly/2xWcXBG>

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The Trump administration wants to give the oil and gas industry an extended break from Obama-era restrictions on methane emissions.

<http://bit.ly/2fMx2lu>

### **4. States to court: Keep BLM out of climate change policy**

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The Bureau of Land Management has no business fighting climate change, Western states told a federal court this week.

<http://bit.ly/2kmf6n6>

### **5. States see chance to gain permit authority on federal land**

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PITTSBURGH — Oil and gas regulators from Western states are renewing their push to take over permitting for drilling on federal land.

<http://bit.ly/2xhGrYN>

### **6. Royalty review begins today**

Pamela King, E&E News reporter

Published: Wednesday, October 4, 2017

Industry, state and academic representatives gather today at Interior Department headquarters to carry out a vision Secretary Ryan Zinke has held since his days in Congress.

<http://bit.ly/2knnbYC>

## **7. Fate of sportsmen's package uncertain after Las Vegas**

Kellie Lunney and Geof Koss, E&E News reporters

Published: Wednesday, October 4, 2017

Stripping provisions from a broader sportsmen's package that would make it easier to obtain gun silencers won't necessarily improve the bill, Rep. Rob Bishop (R-Utah) said yesterday.

<http://bit.ly/2y1Yje4>

## **8. Mostly praise for 'clearly bipartisan' recreation bill**

Scott Streater, E&E News reporter

Published: Wednesday, October 4, 2017

A House Natural Resources subcommittee was unified at a hearing yesterday in support of a public lands recreation bill that Republicans say is part of a broader effort to free up federal lands for hiking, rafting and other uses.

<http://bit.ly/2xZ2IOq>

## **9. House panel approves 5 bills targeting ESA overhaul**

Michael Doyle, E&E News reporter

Published: Wednesday, October 4, 2017

Led by Western lawmakers, the House Natural Resources Committee today approved on mostly party-line votes five bills that seek to corral the Endangered Species Act.

<http://bit.ly/2xhUxJt>

## **10. Bishop: 'Romantic' Antiquities Act needs to be serious**

Jennifer Yachnin, E&E News reporter

Published: Wednesday, October 4, 2017

A pair of Utah lawmakers today reiterated their vows to seek "wholesale reform" of the Antiquities Act but offered few details beyond a desire to curtail unlimited presidential authority to establish new monuments on public lands.

<http://bit.ly/2hLrtIn>

#### **11. Greens eye stopping 441M-ton mine expansion**

Dylan Brown, E&E News reporter

Published: Wednesday, October 4, 2017

Environmentalists set their sights on derailing an expansion at the nation's third-largest coal mine after a recent legal victory against operations at No. 1 and No. 2.

<http://bit.ly/2y1vJtt>

#### **12. Defendant argues Vegas shooting will skew Bundy trial**

Published: Wednesday, October 4, 2017

The lawyers for Ryan Payne, a defendant in the Nevada standoff case, argued that his trial should be delayed after the mass shooting in Las Vegas by a man who lived near Bundy Ranch.

<http://bit.ly/2xVJ5Fp>

#### **13. Solar fastest-growing source of power — IEA**

Published: Wednesday, October 4, 2017

Solar energy was the fastest-growing power source in 2016, the International Energy Agency announced today.

<http://bit.ly/2xT8HoE>

#### **14. Climate policy whistleblower resigns**

Brittany Patterson, E&E News reporter

Published: Wednesday, October 4, 2017

Top Interior Department official-turned-whistleblower Joel Clement resigned today, pledging to continue to be an "outspoken advocate for action" from outside the agency.

<http://bit.ly/2gd2JFj>

#### **15. Grijalva tries legislative maneuver to get review details**

Jennifer Yachnin, E&E News reporter

Published: Wednesday, October 4, 2017

Arizona Rep. Raúl Grijalva, the top Democrat on the House Natural Resources Committee, today renewed his efforts to force the Trump administration to disclose the details of its review of dozens of national monuments, introducing a resolution of inquiry in an effort to force the issue on the House floor.

<http://bit.ly/2xTeSt3>

#### **16. Rule rollbacks part of federal culture — Trump's reg czar**

Maxine Joselow, E&E News reporter

Published: Wednesday, October 4, 2017

Deregulation should be a top priority at all federal agencies, the Trump administration's regulatory czar told a Heritage Foundation gathering today.

<http://bit.ly/2xTl840>

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### **1. Republicans press for Zinke travel details**

Kellie Lunney and Michael Doyle, E&E News reporters

Published: Wednesday, October 4, 2017

Two top House Republicans now have joined the chase for information about Interior Secretary Ryan Zinke's travel.

Democrats have for days been escalating their **demand** for details. Now Natural Resources Chairman Rob Bishop (R-Utah) wants documents on Interior's overall travel policies, as well as the particulars on Zinke's use of private chartered aircraft.

"Federal officials should be held to the highest ethical standard in adhering to these rules," Bishop said in a statement accompanying his **letter** to the department, which was also signed by Arkansas Republican Rep. Bruce Westerman, who leads the Subcommittee on Oversight and Investigations.

"When violations occur, the public deserves to know," Bishop continued. "When willful violations occur, there should be consequences. When partisan opportunists conflate diligent conformance to scandal, no one wins. Let's get all facts on the table, ensure taxpayers are protected and proceed with the peoples' business."

The lawmakers want by Oct. 17 documents related to policies and guidelines for secretary travel when using government-owned, rented, leased or chartered aircraft as well as each use of those aircraft by a secretary since Jan. 20, 2009.

The Interior inspector general is also investigating the secretary's travels (*E&E News PM*, Oct. 2). Ahead of a scheduled policy address at the Heritage Foundation on Friday, Zinke spent several minutes defending his use of noncommercial airplanes on three occasions since being sworn into office (*Greenwire*, Sept. 29).

"Before we get started, I'd just like to address, in the words of Gen. [Norman] Schwarzkopf, a little B.S. on travel," Zinke said.

News reports surfaced last week that Zinke took a charter flight from Las Vegas to Montana in late June after speaking to a political donor's professional hockey team in Nevada. Taxpayers were billed \$12,375 for the flight through Choice Aviation LLC.

Zinke defended that trip, as well as two other charter flights involving travel in the Arctic with the Senate Energy and Natural Resources Committee and between St. Croix and St. Thomas of the U.S. Virgin Islands. He noted the agency's ethics office had approved each of the trips.

### **'Sitting in coach'**

Reporters yesterday asked Bishop if he thought Zinke's use of chartered planes was appropriate.

"You can't always get a commercial jet that goes from Puerto Rico to St. Thomas. Using [military aircraft], if it's already going in the [same] direction, that makes some kind of sense," the chairman said.

Bishop, who flies regularly to his Utah district, said he's been seated before near Zinke on commercial flights out West.

"When I have seen Zinke, he is sitting in coach," said Bishop. "I've been stuck across the aisle from him, which really ticks me off, too."

Bishop yesterday said he didn't know whether he was going to send a letter to Interior asking for more information on the matter. But he indicated interest in travel practices at the department and whether Zinke's use of noncommercial flights deviated from the norm.

"My supposition is that it's not abnormal," Bishop said. "That's a supposition; I don't know if that's accurate or not," he said, adding, "that's why we need to get some data."

Bishop sent the missive late yesterday and made it public today.

Interior did not immediately respond to questions about the Republicans' request. But spokeswoman Heather Swift stressed that Zinke's trips obtained approval and said the secretary had no intention of reimbursing operators.

"The secretary's official government travel is paid for by the department like other secretaries before him," she said.

The House Republicans' request underscores the potential political risks for Zinke, coming not long after the resignation of Health and Human Services Secretary Tom Price following revelations of his extensive travel on private planes.

The spotlight now is on all secretarial travel. White House budget chief Mick Mulvaney on Friday issued a memo to agency leaders reminding them of the administration's policies on travel.

"With few exceptions, the commercial air system used by millions of Americans every day is appropriate, even for very senior officials," he wrote.

### **Boat trip**

Sea travel could also emerge as a problem for Zinke.

The group Public Employees for Environmental Responsibility today released documents that show Zinke used a National Park Service boat to take him, family members and two fishermen for a three-hour tour of the Channel Islands National Park after a Junior Ranger swearing-in ceremony in April.

Use of the government ship cost taxpayers about \$4,000. NPS asked Zinke to pay \$142 for his wife and another family member, something the secretary in June, according to the documents obtained under the Freedom of Information Act.

<http://bit.ly/2fRfSa9>

## **2. Former Utah Hill aide named deputy director**

Scott Streater, E&E News reporter

Published: Wednesday, October 4, 2017

The Bureau of Land Management has appointed Utah Republican Rep. Chris Stewart's former chief of staff as the agency's new deputy director of programs and policy.

Brian Steed, who served as Stewart's chief of staff since 2013, has already started the job, according to sources. He is listed in the position on an organizational chart on the agency's website.





Brian Steed. Steed/LinkedIn

Steed's connection to Utah and its Republican-led congressional delegation is no accident. His appointment comes as Interior Secretary Ryan Zinke has recommended that President Trump reduce the size of the Grand Staircase-Escalante and Bears Ears national monuments in Utah. Grand Staircase-Escalante is managed by BLM, and Bears Ears is overseen by BLM and the Forest Service.

Stewart and other members of Utah's congressional delegation have been vocal critics of those national monument designations by Presidents Clinton and Obama, respectively. Steed would likely be in charge of overseeing any changes in management if both monuments are reduced in size or eliminated altogether.

BLM's deputy director of programs and policy position is a political appointment and separate from acting Deputy Director of Operations John Ruhs, a career Senior Executive Service employee who oversees the day-to-day functions of the agency's roughly 10,000 employees.

It's not clear what Steed's specific duties will be, though he is expected to help the agency carry out Trump administration priorities, including increasing oil and gas drilling and mining activities on federal lands.

As a political appointee, Steed likely will be heavily involved in the ongoing effort by the Interior Department to reorganize BLM and other agencies. That reorganization effort has already resulted in the removal of three BLM state directors in Alaska, Colorado and New Mexico.

A BLM spokeswoman declined to answer questions about Steed, referring inquiries to Interior. The department's communications staff did not respond to requests for comment on this story in time for publication.

But Steed was introduced to members of BLM's executive leadership team during a conference call this week, and sources said he made a positive first impression on the career employees.

Prior to becoming Stewart's chief of staff in January 2013, Steed served as the congressman's campaign manager, according to his LinkedIn profile.

Before that, he taught economics at Utah State University's Jon M. Huntsman School of Business, as well as political science at the university. He served as deputy county attorney in Iron County, Utah, from May 2003 to August 2005, according to the LinkedIn profile.

Steed was the co-author with other Utah State University researchers of a paper published in the fall 2016 edition of the *Journal of Private Enterprise* titled "Boon or Bust: Wilderness Designation and Local Economics."

Its authors concluded there is "no evidence that wilderness land designations result in positive economic outcomes for local economies." Rather, wilderness designations "impose costs on local economies" that call for the need to develop "a consensus-building approach to new wilderness area designations."

He earned a doctorate in public policy from Indiana University Bloomington in 2010 and a law degree from the University of Utah in 2002.

Sources said it is unusual for the agency to name a permanent top political deputy prior to the appointment of a permanent director.

BLM is currently being led by acting Director Mike Nedd.

Steed's duties are likely to be similar to his predecessor in the Obama administration, Linda Lance.

Lance was heavily involved in energy policy, helping BLM develop a rule regulating hydraulic fracturing on federal lands and mitigation plans for large-scale solar power projects.

Lance had decades of Beltway policy experience that was the polar opposite of Steed's.

She was senior counsel for former Senate Energy and Natural Resources Chairman Jeff Bingaman (D-N.M.) before joining BLM. She was associate director at the White House Council on Environmental Quality during the Clinton administration and, after that, a lobbyist for the Wilderness Society from 2001 to 2008 (*Greenwire*, Jan. 14, 2014).

While at CEQ, Lance worked with then-Chairwoman Kathleen McGinty on the Clinton administration's designation of the 1.7-million-acre Grand Staircase-Escalante National Monument.

<http://bit.ly/2xWcXBG>

### 3. BLM moves to freeze methane standards

*Ellen M. Gilmer*, E&E News reporter

Published: Wednesday, October 4, 2017

The Trump administration wants to give the oil and gas industry an extended break from Obama-era restrictions on methane emissions.

The Bureau of Land Management today unveiled its formal proposal to suspend key provisions of its 2016 Methane and Waste Prevention Rule, which sets limits on venting and flaring from energy operations on public and tribal lands.

The **proposal**, set for publication in the *Federal Register* tomorrow, would suspend the methane rule's main requirements until early 2019 while the Trump administration undertakes a broader effort to revise or rescind the rule entirely.

"As we strengthen America's energy independence, we intend to evaluate regulations to determine if they unnecessarily encumber energy production, constrain economic growth, or prevent job creation," acting BLM Director Michael Nedd said in a statement.

"Our proposal would give the BLM sufficient time to review the 2016 final rule and consider revising or rescinding its requirements."

The document comes as the Trump administration defends a shorter delay of the methane restrictions in court. Interior Secretary Ryan Zinke in June postponed upcoming compliance deadlines using a provision of the Administrative Procedure Act.

Environmental groups challenged that delay, and the U.S. District Court for the Northern District of California is expected to issue a ruling any day. Many court watchers expect BLM to lose the case (*Energywire*, Sept. 26).

Today's proposal goes a step further than the June delay. In addition to postponing compliance deadlines, it would suspend elements of the methane rule that are already in effect.

The proposal targets "requirements of the 2016 final rule for which immediate regulatory relief appears to be particularly justified" and leaves some minor provisions in effect.

"The BLM wants to avoid imposing temporary or permanent compliance costs on operators for requirements that might be rescinded or significantly revised in the near future," the agency said in the notice. "The BLM also wishes to avoid expending scarce agency resources on implementation activities ... for such potentially transitory requirements."

Supporters of the Obama administration's rule slammed the proposal as a gift to industry.

"This is little more than a giveaway to the worst-operated companies in the oil and gas industry," Matt Watson, associate vice president of climate and energy for the Environmental Defense Fund, said in a statement.

"It comes at the direct expense of taxpayers and tribal communities, who own these resources, and to the distinct disadvantage of energy companies that are trying to operate responsibly."

Environmental groups have long championed the standards' potential to slash greenhouse gas emissions from the oil and gas sector. The rule was part of President Obama's 2013 Climate Action Plan.

A coalition of ranchers, taxpayer advocates and others have joined with the environmental community to defend the rule against administrative delays, legal challenges and a failed attempt to scuttle it via the Congressional Review Act.

"Today's action from Secretary Zinke ignores the will of Westerners who want to see an end to natural gas waste on federal lands," New Mexico rancher and advocate Don Schreiber said in a statement.

"Our three year fight against natural gas waste and pollution resulted in a sensible rule that protects taxpayers and our health. We've already wasted \$1.7 billion in taxpayer-owned natural gas since 2013. Zinke's delay tactics have lost in court, have lost in Congress, and have resoundingly lost in public opinion polls. Enough is enough. He must stop dragging his feet and cut the waste."

The oil and gas industry, meanwhile, celebrated the plan.

"We welcome BLM's efforts to get this right and encourage the agency to develop an achievable rule in the months ahead that serves to prevent waste and conserve resources while encouraging energy production on federal lands," the American Petroleum Institute's Erik Milito said in a statement.

The proposal will be open for 30 days of public comment.

Separately, industry groups and several Western states are still challenging the Obama rule in federal court in Wyoming. The Trump administration is expected to ask the court to delay proceedings in light of the proposal (*Energywire*, Oct. 4).

<http://bit.ly/2fMx2lu>

#### **4. States to court: Keep BLM out of climate change policy**

Ellen M. Gilmer, E&E News reporter

Published: Wednesday, October 4, 2017

The Bureau of Land Management has no business fighting climate change, Western states told a federal court this week.

In briefs to the U.S. District Court for the District of Wyoming, attorneys for Wyoming and Montana argued that the Obama administration's BLM overstepped its authority when it crafted a rule to reduce methane emissions on public and tribal lands.

They say the rule strays far afield from BLM's traditional oversight of public lands.

"Congress has not assigned the burden of solving the problem of global climate change to the Bureau of Land Management, and yet that is transparently what the Bureau sought to do when it promulgated the rule at issue here," the states wrote.

Several states and industry groups have been challenging the Methane and Waste Prevention Rule in court since the Obama administration finalized it last year. Though Trump officials postponed key provisions in June, that delay may soon be overturned by a California court — potentially leaving the rule's short-term fate in the hands of the Wyoming district court.

Separately, the Trump administration is working on a broader freeze of the entire rule and an eventual rescission. The proposed freeze appeared in the *Federal Register* this morning, and the final rollback of the rule is expected next year.

The Wyoming litigation has been chugging along in the meantime. The petitioner-states say BLM has taken a Mineral Leasing Act duty to "prevent waste" of oil and natural gas and stretched it into broader power to regulate air quality issues. States and industry say that authority rests with U.S. EPA, states and tribes.

The states argue that the MLA and other statutes were never designed to address greenhouse gas emissions. They note that the only reference to air quality standards in the laws setting out BLM's responsibilities is a brief mention in the Federal Land Policy and Management Act, which directs BLM to require compliance with pollution control measures set by other state and federal agencies.

BLM's methane rule requires oil and gas companies to reduce methane venting and flaring, upgrade equipment, measure flared gas, and control leaks. The Obama administration performed a cost-benefit analysis, finding that the regulation would set industry back \$110 million to \$279 million per year in operational costs but would include benefits that save operators \$20 million to \$157 million a year. The rule's environmental benefits, meanwhile, were valued at \$189 million to \$247 million a year, using a global social cost of methane calculation.

Rule challengers say it was inappropriate for BLM to justify the rule based on environmental benefits when its authority for the regulation stems from the MLA's waste-reduction mandate.

"It is only when the ancillary benefits associated with greenhouse gas reductions are added to the calculus that the Bureau can assert that this rule results in a net benefit," the states told the court. "However, ancillary benefits irrelevant to the problem the Bureau purports to address cannot justify this agency action.

"It may be that the emission of methane into the atmosphere during oil and gas production causes 'negative externalities' and 'market inefficiencies,' but these are not the Bureau's concern," they added later.

Federal methane regulation, the states say, is squarely in EPA's jurisdiction. They note that EPA just last year crafted its own standards for methane emissions from new oil and gas operations. Oddly, the brief repeatedly asserts that EPA successfully stayed the rule, despite a July court decision that rejected the stay.

### **'Politically driven'**

The Independent Petroleum Association of America and the Western Energy Alliance piled on with similar critiques of the Obama methane rule, arguing that the Obama administration crafted the rule because it wanted to meet goals set out in the White House's 2013 Climate Action Plan but wanted to act more quickly than the Clean Air Act's process for regulating existing sources would allow.

BLM's methane rule for existing sources on federal lands was finalized a few months after EPA unveiled its standard for methane emissions from new sources located on and off federal lands. Obama's EPA was gathering information for eventual restrictions on emissions from existing sources, too, though the Trump administration scuttled that effort.

"Ultimately, the Rule's development and timing reveals a politically driven purpose of addressing climate change, not preventing waste," industry lawyers told the court.

In a separate brief, lawyers for North Dakota and Texas argued that BLM's methane rule also treads on states' regulatory turf because it applies to private and state oil and gas interests that are lumped into development pools with federal oil and gas.

"BLM's Final Rule would displace North Dakota and Texas from their role as the primary regulator over state, private, and (by agreement) tribal mineral interests that are pooled with any federal mineral interests, and instead place that authority in the hands of the BLM. Preventing the 'waste' of the state's oil and gas resources is a central purpose of North Dakota's and Texas's oil and gas laws," they wrote.

In a preliminary injunction decision in January, Judge Scott Skavdahl was sympathetic to the challengers' claims. He declined to freeze the rule at the time but agreed that BLM may have "hijacked EPA's authority under the guise of waste management."

Responses to this week's briefs are due Nov. 6 from the Trump administration and environmental groups that support the Obama BLM rule. Government lawyers will likely move to freeze court proceedings before then.

<http://bit.ly/2kmf6n6>

## **5. States see chance to gain permit authority on federal land**

Mike Lee, E&E News reporter

Published: Wednesday, October 4, 2017

PITTSBURGH — Oil and gas regulators from Western states are renewing their push to take over permitting for drilling on federal land.

The idea has been around for years, but regulators gathered here for a meeting of the Interstate Oil and Gas Compact Commission said they see a new opportunity in the Trump administration.

"It is a unique time in history that we can cooperate together with an administration in Washington, with governors that understand the role of the states, to really have an appropriate cooperative federalism initiative," said Arkansas Gov. Asa Hutchinson (R), who serves as chairman of the IOGCC.

The IOGCC serves as a trade association for state energy regulators. Its members have opposed new federal regulations on oil and gas, and passed a resolution in 2015 asking for permitting authority on federal land.

The state agencies say the Bureau of Land Management takes months, sometimes years, to issue permits that the local agencies can do in weeks. In many cases, oil companies have to get permits from both the state agency and the BLM.

Giving the local agencies primacy on federal land would speed up oil production and eliminate bureaucracy, said John Baza, director of Utah's Division of Oil, Gas and Mining.

Environmental groups say putting the states in charge would give up control of publicly owned land and wouldn't necessarily speed up oil production.

"Just because the states are in charge doesn't mean you're going to change the geology of these land and find more oil," said Athan Manuel, director of the land protection program for the Sierra Club.

The Sierra Club and other environmental groups have been trying to get BLM to slow down oil development on federal land, saying the government should consider how drilling contributes to global climate change.

State agencies also have been criticized over the years for lax environmental enforcement, and many of them are tasked with both promoting and regulating the oil industry (*Greenwire*, Nov. 30, 2011).

"It's a fundamentally different perspective," said Jeremy Nichols, director of the climate and energy program at WildEarth Guardians.

It would almost certainly require a new law to put the states in charge, since the government has held the authority over most federal land since the West was settled. The House Natural Resources Committee is scheduled to hold a hearing Oct. 13 on a draft bill, H.R. 3565 by Rep. Diane Black (R-Tenn.), that frames the issue as helping boost energy independence.

The bill would give states authority to regulate drilling on any land that the BLM or Forest Service have identified as available for oil and gas leasing, provided it's not part of a tribal trust, national park, wildlife refuge or wilderness area.

Implementing any new legislation would probably vary from state to state, depending on the local agency's relationship with the BLM.

In Utah, for instance, drilling on federal land requires both a state and federal permit. In New Mexico, the BLM approves drilling permits in its territory, and the state reviews them and sometimes adds permit conditions.

In North Dakota, most oil production takes place on private land, but the BLM is still involved in about one-third of drilling units because of historic foreclosures on federally backed mortgages (*Energywire*, May 20, 2015).

Some states, including Wyoming and Utah, already have permitting authority for coal mining on federal land.

Baza, the Utah regulator, said the best place to start would be a pilot program on a section of land, so that BLM and his agency could work out any problems.

"Those are ideas we'd be happy to discuss with BLM," he said.

<http://bit.ly/2xhGrYN>

## 6. Royalty review begins today

Pamela King, E&E News reporter

Published: Wednesday, October 4, 2017

Industry, state and academic representatives gather today at Interior Department headquarters to carry out a vision Secretary Ryan Zinke has held since his days in Congress.

The former Montana lawmaker last year proposed a bill with language to revive a long-defunct committee to review royalties charged for energy production on public lands (*E&E Daily*, May 18, 2016). Zinke again floated the idea in one of his first actions as Interior secretary (*Greenwire*, March 29).

Today, the members of the Royalty Policy Committee come together for their first meeting. Their agenda? To be decided.

"Nothing is predetermined," said Zinke's energy policy adviser Vincent DeVito. "That would defeat the purpose of the committee."

While the group's priority list is not yet set, a couple of topics will almost certainly be on the table.

The committee has been touted by Interior in its efforts to repeal the 2017 Valuation Rule, which sought to address non-arm's-length transactions that artificially suppressed coal prices (*Greenwire*, Aug. 4).

John Northington, principal of Northington Strategy Group and a former Interior official under President Clinton, said the panel could be a back-end justification for getting rid of the regulation.

"It appears now that the re-establishment of the Royalty Policy Committee is more about giving Interior some 'after the fact' validation for its decision to repeal the 2017 Valuation Rule," said Northington, who applied to be on the committee.

"The biggest winner of the repeal is the coal industry, given that the repealed rule would pretty much do away with non-arm's-length sales of federal coal."

Dan Bucks, a former Montana revenue official and another committee applicant, said he questioned Interior's decision to bring back the committee after doing away with the Valuation Rule.

"The 2017 Valuation Rule embodied the recommendations that came out of the prior Royalty Policy Committee in the Bush administration and developed in the Obama administration," he said. "It was a bipartisan consensus that something needed to be done."

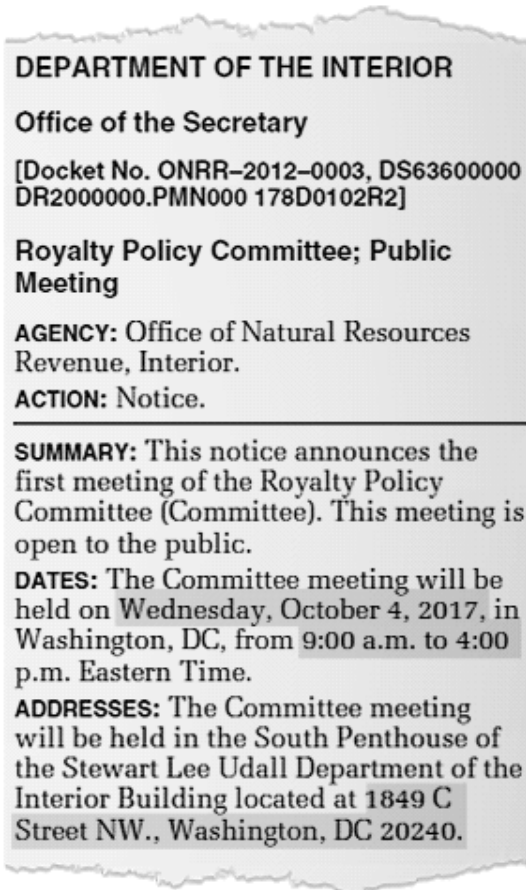
"Now that rule's been repealed without a clear indication of what is going to be addressed or how."

## Oil and gas

One way the oil and gas industry compensates the public lands states where it operates is through royalty rates, which have generally stagnated at 12.5 percent, despite higher charges on state and private property.

Lynn Helms, North Dakota's chief oil regulator and an alternate member of the royalty committee, said he was pleased to see Interior reaching out to states for input.

"This committee is a great opportunity to maximize the value of federal royalties for North Dakota citizens," Helms said in a statement following an announcement of the committee's membership. "North Dakota has a long history of oil, natural gas and coal production from Federal lands and royalties from those lands are a large part of revenue returned to the state, counties and Tribes."



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Kathleen Sgamma, president of the Western Energy Alliance and an alternate committee member, said royalties shouldn't even be part of the discussion until the federal government eases other burdens for operators on federal lands.

"Raising royalty rates always comes up anytime someone mentions federal oil and gas royalties," she said. "The prior administration has so devalued the federal mineral estate that it's really hard for it to compete with other areas because it's so much more time-consuming and costly to operate on federal lands.

"Any discussion of raising rates is premature until there's more certainty on federal lands."

One way President Trump's Interior Department has helped to increase certainty is to put time and page limits on environmental reviews, Sgamma said (*Greenwire*, Sept. 6).

"If they could actually get National Environmental Policy Act time frames down to a year or two, and if permit timelines were on the order of a couple months, not a couple years, then I think companies will have renewed interest in federal lands, and that conversation [on royalties] could ensue," she said.



Other industry groups, such as the American Petroleum Institute and the Independent Petroleum Association of America, said in statements that they will also be monitoring the committee's discussions around royalties.

Although those associations won't directly participate in the royalty committee, member companies such as ConocoPhillips Co. and Anadarko Petroleum Corp. are represented.

## Transparency

Watchdog groups and Democrats on Capitol Hill have questioned whether the committee's membership, which appears heavily weighted toward the fossil fuel industries, will be able to take an objective look at the issues (*Greenwire*, Sept. 6).

"Zinke has stacked his committee with trade associations and individual companies that stand to benefit from weakened royalty collection policies," according to an analysis yesterday from the Center for American Progress.

Records from the Office of Natural Resources Revenue show that committee members Anadarko, Shell Oil Co. and Chevron Corp. have underpaid millions of dollars in royalties owed on the natural resources they draw from federal lands, CAP found.

"These are very knowledgeable people, but I'm not sure — if the intent is to balance an industry perspective — that they're going to be doing that," said Danielle Brian, executive director of the Project on Government Oversight. "Historically, industry has never been in favor of increasing what they pay for natural resources."

That's not an unreasonable position for industry, Brian added. The concern, she said, is that there are natural consequences to extraction, and communities should be compensated for that impact.

"Are the people who are at the table going to make sure that the costs of extraction are accounted for?" she asked.

Bucks said he would like to see members submit documentation on their royalty payments.

"If this information were disclosed publicly by the federal lessees, I think that would help clear the air and enable people to evaluate whether the recommendations were affected by any conflicts of interest," he said. "That way, the members who've been appointed can still serve, but people would know what their employers' interests are."

During today's meeting, members will receive instruction on the ethics of their participation in the group, DeVito said.

## Renewables

For the first time in its history, the Royalty Policy Committee contains representation for alternative energy, which appears to be in keeping with renewables' increasing share in the nation's energy mix.

Last time the committee met, wind and solar power contributed roughly 1 percent of U.S. energy, according to data from the U.S. Energy Information Administration. Last year, that figure rose to 10.5 percent, EIA wrote this summer.

One member — Marisa Mitchell, who handles solar energy permitting for Intersect Power — has a specific focus on renewables. Others look at the industry as part of their larger portfolio.

Ryan Alexander, president of Taxpayers for Common Sense, said she's not sure if a lone member is the best representation of the wind, solar and hydropower industries.

The United States is only going to increase its power production from renewable sources, said Alexander, who had applied to be on the royalty committee. That is almost certainly not true of coal, which is well-represented on the panel, she added.

"This should be forward-looking," Alexander said. "In that context, it seems to me that making sure there's a strong representation of industries that might do business on public lands in the future is important."

Interior has offered few specifics on what the committee's discussions around renewable energy might look like.

Zinke said last week that solar, for example, will require a technological breakthrough before it can supplant widespread oil and gas development on public lands (*Energywire*, Oct. 2).

DeVito said he has run some metrics on how the department can increase its revenue from renewables.

"It's on the menu," he said.

After today's meeting, the Royalty Policy Committee is expected to assemble at least quarterly, DeVito said.

<http://bit.ly/2knnbYC>

## 7. Fate of sportsmen's package uncertain after Las Vegas

Kellie Lunney and Geof Koss, E&E News reporters

Published: Wednesday, October 4, 2017

Stripping provisions from a broader sportsmen's package that would make it easier to obtain gun silencers won't necessarily improve the bill, Rep. Rob Bishop (R-Utah) said yesterday.

The chairman of the Natural Resources Committee told reporters outside the House chamber that the language on gun suppressors in the legislation "actually helps people" and to remove it "is not helping anybody out. It would be silly to do that."

The "Sportsmen's Heritage and Recreational Enhancement (SHARE) Act" would make it easier to buy silencers, also called suppressors, for firearms to protect hunters' hearing by making them subject to the same background checks required to purchase handguns. Silencers are more heavily regulated than handguns and include a \$200 transfer tax.

After Sunday's mass shooting in Las Vegas that killed at least 59 people and injured more than 500, gun control advocates and many Democrats have said the silencer provisions in the "SHARE Act" would make it harder for potential victims to hear gunshots and for law enforcement to quickly respond in such crises.

Democratic Reps. Raúl Grijalva of Arizona and John Conyers of Michigan asked House Speaker Paul Ryan (R-Wis.) on Monday to dismiss the bill, which the Natural Resources Committee passed last month, from further consideration (*E&E Daily*, Oct. 3).

The Republican leadership has not yet scheduled **H.R. 3668** for a floor vote, and it's not clear when the legislation will come up. GOP leaders pointed out earlier in the week the bill was not scheduled for a vote. House Majority Leader Kevin McCarthy (R-Calif.) sends out the upcoming weekly floor schedule every Friday and the "SHARE Act" was not included on this week's agenda.

"That bill's not scheduled now. I don't know when it's going to be scheduled," Ryan told reporters yesterday after the weekly Republican caucus meeting. "Right now, we're focused on passing our budget."

Asked whether he would go along with getting rid of the language on gun silencers if it helped the legislation's prospects for a floor vote, Bishop deployed his trademark dry humor.

"To get a floor vote for things, I would strip naked if I had to," the Republican said. "That doesn't actually help anything. If you need to do something to the bill, make it better. Don't actually take out the things that help people."

Bishop said it's "out of his hands" as far as scheduling a floor vote goes, and leadership hasn't given him a specific date, he added.

Guns are not the only hot-button issue in the wide-ranging House bill, which touches on the use of wildlife-poisoning lead ammunition and fishing tackle and the continued federal protection of gray wolves in the western Great Lakes and Wyoming.

### **'It's really about access to our lands'**

While the House sportsmen's package has been a magnet for controversy, the Senate version does not contain gun silencer provisions.

Energy and Natural Resources Chairwoman Lisa Murkowski (R-Alaska) noted yesterday she does not have jurisdiction over that aspect anyway.

"In fairness, I haven't been engaged with the House guys on their version of the sportsmen's bill," she told reporters.

But Murkowski added she's concerned the issue could once again trip up efforts to enact the bill.

"We have tried for three Congresses now to advance a sportsmen's bill," she said. "And for me, it's really about access to our lands, to allow for more hunting, fishing, use of our public lands."

The package "should not be viewed as a vehicle for the gun control debate," Murkowski said. "I think that is what has sidelined it in years past. And my hope is that we'll be able to avoid that. We shall see."

<http://bit.ly/2y1Yje4>

## **8. Mostly praise for 'clearly bipartisan' recreation bill**

Scott Streater, E&E News reporter

Published: Wednesday, October 4, 2017

A House Natural Resources subcommittee was unified at a hearing yesterday in support of a public lands recreation bill that Republicans say is part of a broader effort to free up federal lands for hiking, rafting and other uses.

"This particular bill, I'm excited about. It is clearly bipartisan," Natural Resources Chairman Rob Bishop (R-Utah) said of his bill, H.R. 3400.

Oregon Sen. Ron Wyden (D), who did not attend yesterday's Subcommittee on Federal Lands hearing, has sponsored a companion bill, S. 1633, in the upper chamber.

The Bishop-Wyden legislation seeks to encourage recreational activities on federal lands by easing permitting for tour guides, simplifying permitting for tour trips across multiple federal agency jurisdictions and promoting access for military veterans.

It would also require the Bureau of Land Management and Forest Service to identify lands with "remarkable recreational values" and to develop comprehensive management plans for these areas. The secretaries of the Interior and Agriculture would also be required "to identify and maintain lists" of areas that could be added to the recreation area system.

"It recognizes very clearly that recreation is a key element for why we have public lands in the first place. And indeed, if we are not opening public lands for use, there is no purpose in having them," Bishop said at the hearing.

"There are people out there that simply think you should lock everything up and allow you to look at it from afar, but actually never to touch," he said. "That's wrong, and we've got to do something."

Bishop, referencing long-standing GOP criticisms of Obama-era land-use policies that they said favored conservation over other uses, said the "Recreation Not Red-Tape Act" should be viewed as part of a package of bills that includes Rep. Doug LaMalfa's (R-Calif.) H.R. 289.

LaMalfa's bill, which the full House approved by voice vote Monday, would authorize the Interior and Agriculture secretaries to issue permits for recreation services on federal lands (*E&E Daily*, Oct. 3).

"I don't see this bill as perfection," Bishop said. "I see this as one of a set of things we have to do to make sure that recreation is open to Americans and is not going to be just arbitrarily detained or derailed or outlawed or not permitted simply because some agency somewhere thinks they have a higher standard than to allow people to recreate on public lands."

Democrats urged caution on broader moves but expressed strong support for the Bishop-Wyden legislation.

"H.R. 3400 contains a lot of great ideas, and I hope we can work together to turn this bill into a bipartisan victory," said Rep. Colleen Hanabusa (D-Hawaii), the subcommittee's ranking member.

The only partisan bickering at the hearing occurred after Rep. Tom McClintock (R-Calif.), the subcommittee's chairman, referenced an incident in which he said a hiker picked up an old horseshoe on a trail, leading law enforcement officials to "raid" his house.

"I hope we can spend most of our time talking about this bipartisan opportunity in front of us. It's a good thing; it's a rare thing," said Rep. Jared Huffman (D-Calif.). "I think we ought to be working together to try to make this happen instead of talking about urban legends of overzealous park police and exaggerated claims that bureaucracy is what's stifling recreation."

Rep. Niki Tsongas (D-Mass.) said she agreed.

"The bipartisan legislation before us today demonstrates that debates over public land management don't have to divide the country into ideological or regional camps," she said. "We can come together to support conservation, recreation, economic development on our public lands, and I appreciate Chairman Bishop's efforts in this regard."

A list of witnesses, including Brian Merrill, the CEO of Western River Expeditions in Salt Lake City, expressed support for the legislation. But Merrill said the wording in several sections of the bill "needs significant adjustment."

The section establishing a system of recreation areas, he said, calls for "maximizing protection and enhancement of remarkable recreation values" on federal sites, "including natural features that support the recreation experiences."

While that's good, Merrill said, he is concerned that "natural features" could be interpreted to give more weight to conservation over recreation.

"We fear that as written now it will just become another tool that many environmental groups can use to litigate this legislation ad nauseam out in the future," he said.

Bishop said his staff would correct the issue in the bill's final draft.

"I have every indication to think that this Interior Department will be very positive in the way they would make the application of this stuff," he said. "But I want to make sure that we write it in there [so] that some future administration does not change the vision that we have at this time."

<http://bit.ly/2xZ2IOq>

## **9. House panel approves 5 bills targeting ESA overhaul**

Michael Doyle, E&E News reporter

Published: Wednesday, October 4, 2017

Led by Western lawmakers, the House Natural Resources Committee today approved on mostly party-line votes five bills that seek to corral the Endangered Species Act.

The individual bills are short, covering discrete topics in just a few pages each. One, for instance, would tighten lawyers' fees. Another would add economic costs to the consideration of whether to protect a species. A third addresses only the gray wolf.

Added up, the package is a hefty 21st century critique of the current law that was written in 1973 (*Greenwire*, July 19).

"The ESA is a landmark statute enacted with noble intent," said Chairman Rob Bishop (R-Utah). "It also includes fatal design flaws that inhibit greater success."

Many, though not all, Democrats remain skeptical.

"Republicans have a strange, obsessive need to attack the Endangered Species Act every few weeks even though they never identify a problem they're actually trying to solve," said Rep. Raúl Grijalva of Arizona, the committee's senior Democrat.

About 2,300 plant and animal species are listed as threatened or endangered under the ESA.

Underscoring the stakes, the Fish and Wildlife Service today announced it would not add 25 species to the ESA list of threatened or endangered species. Following extensive study, the agency said federal protections for the Pacific walrus, the Great Sand Dunes tiger beetle and other species were "not warranted at this time."

During the morning markup, committee Democrats took turns extolling specific species that require protections, such as the wolverine and tufted puffin. The tone of the debate, though, remained generally genial, and lawmakers avoided the heated rhetoric that sometimes populates ESA discussions.

The atmospheric exception came on a non-ESA matter when an exercised Rep. Don Young (R-Alaska) declared he was "sick and tired" of the "progressive and liberal" approach toward Native American tribal concerns.

By a 22-13 vote, the panel approved a bill (**H.R. 717**) from Rep. Pete Olson (R-Texas) that would for the first time require review of the economic cost of adding a species as endangered or threatened. Though only four pages long, this legislation could significantly change the ESA landscape.

The Fish and Wildlife Service and NOAA Fisheries could decline to list species due to "the likelihood of significant, cumulative economic effects that would result from listing" under Olson's bill. Currently, the federal agencies take cost into account when designating critical habitat for a listed species.

"Since the [ESA] was enacted, times have changed," said Rep. Jim Costa (D-Calif.), who broke with other Democrats to vote for the bill.

By a 22-16 vote, the committee approved a bill authored by Rep. Bill Huizenga (R-Mich.), **H.R. 3131**, that would adjust the hourly rates awarded to lawyers in Endangered Species Act-related litigation.

Currently, a court can award costs, including attorneys' and expert witness fees, to private parties in Endangered Species Act lawsuits. The ESA places no cap on hourly attorneys' fees. Huizenga's bill would limit the fees to \$125 an hour, which is the same cap set in most other circumstances by another federal law, the Equal Access to Justice Act.

"For too long, litigating attorneys representing nongovernmental entities have taken advantage of the Endangered Species Act, raking in millions of dollars in taxpayer-funded money," Huizenga said.

The other ESA-related bill include:

- **H.R. 1274**, from Rep. Dan Newhouse (R-Wash.), to require making available to states affected by ESA determinations all data used in the federal decisionmaking, and to ensure use of state, local and tribal data. It was approved by a 22-14 vote.
- **H.R. 2603**, from Rep. Louie Gohmert (R-Texas), to provide that nonnative species in the United States shall not be treated as endangered or threatened under the ESA. It was approved by a 22-16 vote.
- **H.R. 424**, from Rep. Collin Peterson (D-Minn.), to require the Interior Department to reissue final rules to delist the gray wolf as a protected species in the western Great Lakes and Wyoming. The bill was approved by a 26-14 vote.

"These bills are making it tougher to protect endangered species," said Rep. Jared Huffman (D-Calif.).

In addition to the Endangered Species Act measures, the committee approved these other bills:

- **H.R. 210**, from Young, to facilitate the development of energy on Indian lands by "reducing Federal regulations that impede tribal development of Indian lands." The bill was approved by a 25-15 vote.
- **H.R. 1488**, from Rep. Pete Visclosky (D-Ind.), to retitle Indiana Dunes National Lakeshore as Indiana Dunes National Park. The bill was approved by voice vote.
- **H.R. 2600**, from Rep. David Young (R-Iowa), to provide for the conveyance to the state of Iowa of the reversionary interest held by the United States in certain land in Pottawattamie County, Iowa. The bill was approved by voice vote.
- **H.R. 2897**, from Del. Eleanor Holmes Norton (D-D.C.), to authorize the D.C. mayor and the National Park Service to enter into cooperative management agreements for the operation, maintenance and management of units of the National Park System in the District of Columbia. The bill was approved by voice vote.

**<http://bit.ly/2xhUxJt>**

## 10. Bishop: 'Romantic' Antiquities Act needs to be serious

Jennifer Yachnin, E&E News reporter

Published: Wednesday, October 4, 2017

A pair of Utah lawmakers today reiterated their vows to seek "wholesale reform" of the Antiquities Act but offered few details beyond a desire to curtail unlimited presidential authority to establish new monuments on public lands.

Both House Natural Resources Chairman Rob Bishop (R) and Sen. Mike Lee (R) spoke at a Heritage Foundation event on national monuments, arguing for reforms to the 1906 law that allows presidents to set aside monuments to protect areas with cultural, historic or scientific importance.

But neither lawmaker outlined specific legislative changes to the law, which has remained largely unchanged since its creation.

"In many ways, the Antiquities Act is my old [baseball] glove: There is nostalgia to it, there is romance to it, it is old," Bishop said.

During his remarks, Bishop repeatedly used his father's decades-old baseball glove as a metaphor for the monuments law. He noted that his children provided him with a new baseball glove about a decade ago. "It doesn't have the romance the old one did, but this one's much better."

Bishop has long been a critic of the Antiquities Act, and in particular President Obama's use of the law. During his eight years in office, Obama set aside half a billion acres of public lands, including the 1.5-million-acre Bears Ears National Monument in southeast Utah.

"When it comes to the Antiquities Act, it is very clear about four presidents have abused it," Bishop said. "And that is the problem with the Antiquities Act: What started as something noble and grand like my father's glove turned into something far different, far less, and it is time now to reform it and make it useful again."

Bishop did note that he believes the law should not apply to preserving non-man-made items, remarking: "A fish is not an antiquity; a tree is not an antiquity."

He later added: "The bottom line is still we have created a situation in which no longer is the Antiquities Act used to save ... an antiquity that is threatened and needs to be preserved for the future. It is now used for political purposes."

In separate remarks, Lee asserted that Congress must have more input into the monument designation process.

"Reforming the Antiquities Act to limit the president's authority is a no-brainer," he said. "It's a policy that is consistently supported by a majority of Utahans ... and I'm confident that it's supported by a majority of residents of the Intermountain West, where so much federal public land can be found."

Lee appeared to endorse a requirement that state or local governments approve monument designations, although he did not offer specifics.

"What's needed is wholesale reform of the Antiquities Act, to return its monumental power to where it belongs: to the people who reside closest to the proposed monuments," Lee said.

Although Lee also asserted that Congress should be allowed to "review monument designations," lawmakers actually already have that ability. Congress has opted to rescind fewer than a dozen monuments since the law's enactment more than 111 years ago ([Greenwire](#), Feb. 8).

"I hope my colleagues in Congress will heed the outcry coming from the West," Lee said.

<http://bit.ly/2hLrtIn>

## **11. Greens eye stopping 441M-ton mine expansion**

Dylan Brown, E&E News reporter

Published: Wednesday, October 4, 2017

Environmentalists set their sights on derailing an expansion at the nation's third-largest coal mine after a recent legal victory against operations at No. 1 and No. 2.

WildEarth Guardians wants the Interior Department to deny Cloud Peak Energy Inc.'s application for 441 million additional tons at the Antelope mine in Wyoming. At 2015 production levels, the new lease would add more than 12 years to the strip mine's life span.

Last month, the 10th U.S. Circuit Court of Appeals ruled that the Bureau of Land Management had failed to conduct adequately climate analysis for leases expanding both Peabody Energy Corp.'s North Antelope Rochelle mine and Arch Coal Inc.'s Black Thunder mine, both also in Wyoming's Powder River Basin (*[Climatewire](#)*, Sept. 18).

Shannon Hughes of WildEarth Guardians, one of the groups that brought that challenge, said the impacts would be the same if Antelope is allowed to expand.

"This doesn't just defy the public interest, it completely eviscerates it," she said.

The Trump administration has said exactly the opposite during its quest to resurrect the industry to help mining communities after coal's calamitous recent decline.

But Interior Secretary Ryan Zinke's order ending the leasing moratorium imposed by his predecessor has failed to trigger a resurgence.

Major companies, most of them fresh out of bankruptcy, are still recalibrating their leasing strategies in a still-shrunk market, despite an uptick in demand and production this year (*[Greenwire](#)*, Aug. 29).

Most recently, Arch Coal gave up one of its requests for more coal at the Black Thunder mine — the 440.4-ton lease known as West Hilight.

"We currently have more than 1.1 billion tons of Powder River Basin reserves under lease, and are targeting annual production of 70 [million] to 80 million tons per year at Black Thunder," Arch spokeswoman Logan Bonacorsi told SNL Energy. "The decision to withdraw the application was made after careful evaluation of our near-term needs and a commitment to a judicious capital allocation approach."

<http://bit.ly/2y1vJtt>

## **12. Defendant argues Vegas shooting will skew Bundy trial**

Published: Wednesday, October 4, 2017

The lawyers for Ryan Payne, a defendant in the Nevada standoff case, argued that his trial should be delayed after the mass shooting in Las Vegas by a man who lived near Bundy Ranch.



The massacre could prejudice jurors and Payne would not get a fair trial, according to the motion to continue the trial in two months or more.

Stephen Paddock killed 59 people and wounded more than 500 at a country music festival Sunday. He lived in Mesquite, Nev., not far from Bundy Ranch, where Cliven Bundy and his supporters engaged in an armed standoff with federal agents in 2014.

Many of the accused participants face gun charges and are accused of aiming weapons at Bureau of Land Management agents.

Payne's lawyers said Bundy's supporters "passionately believe in the right to bear arms" and jurors might associate them with Paddock.

Payne, Bundy and his sons Ammon and Ryan, and independent broadcaster Pete Santilli are set to go on trial Tuesday.

U.S. District Judge Gloria Navarro set a Friday hearing on the motion to delay (Maxine Bernstein, Portland Oregonian, Oct. 3). — **NB**

<http://bit.ly/2xVJ5Fp>

### **13. Solar fastest-growing source of power     IEA**

Published: Wednesday, October 4, 2017

Solar energy was the fastest-growing power source in 2016, the International Energy Agency announced today.

Solar was responsible for nearly two-thirds of new net capacity around the world, the IEA said in a report.

This marks the first time solar has overtaken all other fuel sources. In recent years, coal had kept growing despite global greenhouse gas emission goals.

Solar's growth can be largely attributed to surging rooftop installations in China, lower prices and more supportive government policies, the agency said.

China in particular has emerged as a front-runner in solar, accounting for nearly half of new global panel capacity last year (Associated Press, Oct. 4). — **MJ**

<http://bit.ly/2xT8HoE>

### **14. Climate policy whistleblower resigns**

Brittany Patterson, E&E News reporter

Published: Wednesday, October 4, 2017

Top Interior Department official-turned-whistleblower Joel Clement resigned today, pledging to continue to be an "outspoken advocate for action" from outside the agency.

Formerly Interior's leading official working on climate change, Clement filed a series of complaints in July, including one that alleged the Trump administration removed him from his position as director of the Office of Policy Analysis in retaliation for speaking publicly about the dangers of climate change to Alaska Natives.

## PEOPLE

The Senior Executive Service employee, who was one of dozens who learned they were being reassigned in June, lambasted both President Trump and Interior Secretary Ryan Zinke for "poor leadership" in his resignation letter.

"You have disrespected the career staff of the Department by questioning their loyalty and you have played fast and loose with government regulations to score points with your political base at the expense of American health and safety," he wrote. "Secretary Zinke, your agenda profoundly undermines the DOI mission and betrays the American people."



Joel Clement. Clement/Special to E&E News

Clement — a policy expert and scientist who spent the last 15 years working on climate change issues in the Arctic — was transferred to Interior's Office of Natural Resources Revenue as a senior adviser, a position he claimed was "a job title with no duties."

Interior's Office of Inspector General is investigating the department's decision to transfer personnel (*Greenwire*, Sept. 11).

Clement praised his new colleagues at ONRR, noting they went to great lengths to find a role for him in the office that collects and disperses rents and royalties collected from fossil fuel leasing. In the end, Clement wrote, the resources that would be needed to train him as an auditor, an area in which he has no background, would incur significant taxpayer expense.

"Secretary Zinke, you and your fellow high-flying Cabinet officials have demonstrated over and over that you are willing to waste taxpayer dollars, but I'm not," he wrote, alluding to recent news reports that Zinke took a private chartered flight costing taxpayers \$12,375 from Las Vegas to Montana after speaking to a political donor's professional hockey team in Nevada in June (*Climatewire*, Sept. 29).

Clement also blasted Zinke, Trump and Deputy Interior Secretary David Bernhardt for failing to acknowledge climate change and take steps to adapt and mitigate its effects. He characterized the leaders as "shackled to special interests such as oil, gas and mining."

"You are unwilling to lead on climate change, and cannot be trusted with our nation's natural resources," he wrote.

Clement pledged to continue fighting and urged current Interior staff to do the same from inside the department when possible.

Interior today said it "does not comment on ongoing matters such as whistleblower complaints."

Interior officials characterize the reassignments as good management practice and in keeping with the regulations that permit transfers of the highly paid SES personnel.

"Personnel moves among the Senior Executive Service are being conducted to better serve the taxpayer and the Department's operations," the department has said in a statement.

<http://bit.ly/2gd2JFj>

## 15. Grijalva tries legislative maneuver to get review details

Jennifer Yachnin, E&E News reporter

Published: Wednesday, October 4, 2017

Arizona Rep. Raúl Grijalva, the top Democrat on the House Natural Resources Committee, today renewed his efforts to force the Trump administration to disclose the details of its review of dozens of national monuments, introducing a resolution of inquiry in an effort to force the issue on the House floor.

The resolution marks Grijalva's latest attempt to force Interior Secretary Ryan Zinke to release a detailed agenda from his recent review but also an official copy of the report Zinke submitted to Trump in late August recommending reductions to a half-dozen monuments.

Although that report leaked to the media last month, the White House has refused to comment on the document and Zinke has not offered information about his decision, beyond acknowledging that he recommended a "handful" of reductions (*Greenwire*, Sept. 19).

"The Trump administration wants to wipe out our national monuments without an explanation or plan," Grijalva said in a statement announcing the resolution's introduction. A copy of the bill, H. Res. 555, is not yet publicly available.

He added: "The truth is that Secretary Zinke is choosing to appease his special interest friends instead of listening to the American people, and the ROI will prove just that. The American people rely on our national monuments to provide a place for families to enjoy the outdoors and they drive economic growth for local businesses owners that count on the tourism industry. Too many hard-working people's livelihoods depend on Secretary Zinke's decision so we won't stop fighting until we get answers."

Under House rules, the resolution of inquiry, which is co-sponsored by 25 Democrats, must be considered by the House Natural Resources panel within 14 legislative days. At that time, Grijalva could use a privileged motion to discharge the bill from committee and force its consideration on the House floor.

A spokeswoman for the Interior Department did not return a request for comment by publication time but has previously defended the secretary's review process, pointing to his public agenda and regular meetings with media during trips to states including Utah, Maine and Nevada.

House Natural Resources Chairman Rob Bishop (R-Utah) — who has endorsed the reduction of monuments including Bears Ears in southeast Utah and Grand Staircase-Escalante in southwest Utah — has previously mocked Grijalva's demands for more information about the review.

In late June, Bishop responded to a request from Grijalva for details about Zinke's travel schedule and meetings, suggesting he had located the information with "a few cursory Google searches" ([Greenwire](#), June 21).

<http://bit.ly/2xTeSt3>

## 16. Rule rollbacks part of federal culture Trump's reg czar

Maxine Joselow, E&E News reporter

Published: Wednesday, October 4, 2017

Deregulation should be a top priority at all federal agencies, the Trump administration's regulatory czar told a Heritage Foundation gathering today.

"We're pushing agencies to identify as many deregulatory actions as possible," said Neomi Rao, administrator of the Office of Information and Regulatory Affairs. "We're working hard to fundamentally change the culture at agencies so that they're thinking first and foremost about how to reduce costs and lift burdens."

Her remarks offered a window into how President Trump's February executive order on regulations is playing out.

The [order](#) established reform task forces at agencies to identify regulations that should be rolled back, replaced or changed ([Greenwire](#), Feb. 24).

Nearly eight months since Trump signed the order, few details have surfaced about the reform task force at U.S. EPA, which is on the front lines of the Trump administration's anti-red-tape agenda.

EPA's task force is being led by Samantha Dravis, an attorney and Clean Power Plan foe who serves as Administrator Scott Pruitt's top policy aide.

The Southern Environmental Law Center sued EPA in August over its failure to release information about the task force under the Freedom of Information Act ([Greenwire](#), Aug. 24). The group was seeking any clues on which rules are being targeted for repeal.

Top House Democrats also argued the regulatory reform task forces lack transparency in an August letter to Rao and Office of Management and Budget Director Mick Mulvaney ([Greenwire](#), Aug. 7).

Rao defended the administration's transparency, saying, "We're trying also to proceed with our deregulation efforts in a transparent and open manner. Agencies for months have been seeking public comments on deregulatory ideas."

She also maintained agencies are ahead of schedule in complying with a January executive [order](#) that required two rules to be revoked for every new one issued.

"For fiscal year 2017, across the administration, we have more than met the two-for-one requirement," she said, echoing her remarks during a Friday call with reporters.

Chrissy Harbin, spokeswoman for Americans for Prosperity, praised Rao's performance as regulatory czar after the event.

"Setting out a two-for-one goal in the initial executive order was certainly applaudable and ambitious," Harbin said in an interview. "I think OIRA and the Trump administration in general have certainly exceeded many of the initial expectations on reining in these overreaching regulations."

<http://bit.ly/2xTl840>