

Congress of the United States

Washington, DC 20515

July 27, 2016

The Honorable Sally Jewell
Secretary
U.S. Department of the Interior
1849 C Street, NW
Washington, D.C. 20240

Dear Secretary Jewell:

Earlier this year, Speaker Paul Ryan assembled several committee Chairmen in the U.S. House of Representatives to establish a Task Force aimed at reducing regulatory burdens to grow our economy. Of the principles outlined, we found that it is absolutely critical for the federal government to regulate smarter while also delivering affordable and reliable energy to American families and businesses. The findings of the Task Force's recently released white paper took months to assemble, and incorporated ideas from many Members of Congress, individuals, small business owners, and recognized regulatory experts.

We call your attention to the important findings of this white paper because the Department of the Interior has been a major offender of these principles – promulgating thousands of duplicative and burdensome rulemakings that do little to offer measurable impacts on the safety, security or economic well-being of our nation's citizens. Rather, many of the Department's regulations penalize and discourage entrepreneurship, overstep state jurisdiction, and drive up costs for developing energy resources on federal lands. The net effect of these burdensome rules is to make energy development on federal lands cost prohibitive and ultimately to penalize the citizens and economies of many states whose lands remain largely in federal control. A recent example of this is the Bureau of Land Management's (BLM) proposed Waste Prevention, Production Subject to Royalties, and Resources Conservation Rule (81 Fed. Reg. 6616) to further regulate methane emissions.

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The BLM lacks Clean Air Act jurisdiction – a law that clearly charges the Environmental Protection Agency (EPA), in partnership with states, to regulate emissions. Moreover, according to the EPA’s own data, U.S. emissions from natural gas systems are lower than they were in 2005 – despite our nation’s vast increase in natural gas development over the same period. Similarly, a recent study conducted in part with scientists from the National Oceanographic and Atmospheric Administration (NOAA) found that global methane increases since 2006 are likely from biogenic sources, rather than thermogenic emissions such as those associated with natural resource production - contradicting emissions inventories.¹

We are concerned that the BLM has rushed forward to finalize new methane emissions measures as a solution in search of a problem. Unfortunately, these regulations fail to address BLM’s ongoing permitting delays for natural gas gathering line rights-of-way. The best method to capture methane emissions from a well site is through the construction of natural gas gathering lines and pipelines. According to the BLM manual, BLM aims for a 60-day review of pending right-of-way permits so companies can construct pipelines. Yet, in data submitted by the BLM itself to the House Natural Resources Committee, not a single field office has been able to meet this target. In many cases, BLM is taking over six months to process a permit. This is unacceptable.

This rule adds another layer of duplicative federal regulation on top of already existing federal and state regulations. The rule oversteps BLM’s regulatory jurisdiction, and completely fails to address crucial failures by the BLM to capture methane emissions through common sense methods such as timely right-of-way permitting. For these reasons, we urge the agency to withdraw this misguided effort.

The development of oil and natural gas on federal lands remains a critical component of our nation’s renewed status as a global energy leader. Energy development is a generator of jobs and revenue that impact federal, state and local budgets. Most importantly, domestic energy production has helped to lower energy prices for American families, manufacturers, and businesses, which in turn have helped to further stabilize our economy. Rather than put all of these benefits in jeopardy, the BLM should continue to work collaboratively to drive more innovative technologies that build upon existing methane emissions decreases, while also promulgating common sense reforms to address the ongoing delays that plague the current right-of-way permitting process.

¹ H. Schaefer et al., *Science* 10.1126/science.aad2705 (2016).

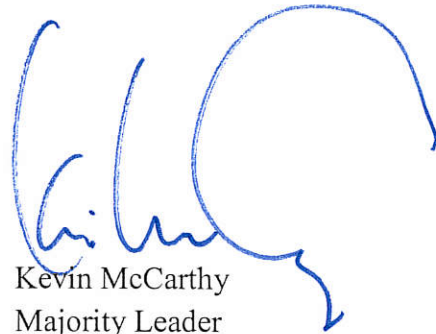
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We appreciate your consideration of a better way to regulate responsible oil and natural gas exploration and production on federal lands and greatly look forward to your prompt reply to this letter that includes in detail what measures the Department is taking to address these right-of-way permitting backlogs.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rob Bishop".

Rob Bishop
Chairman
House Natural Resources Committee

A handwritten signature in blue ink, appearing to read "Kevin McCarthy".

Kevin McCarthy
Majority Leader

Cc: The Hon. Raul Grijalva, Ranking Member, Committee on Natural Resources

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