

# Energy Producing States Coalition

EPSC

2211 Norfolk Street, Suite 410

Houston, TX 77098

[www.energystates.org](http://www.energystates.org)

**Report to the Utah Legislature's Interim Natural Resources, Agriculture and Environment Committee by Rep. Stephen G. Handy, Executive Committee Member, EPSC. July 15, 2015**

**Who are we?**



The Energy Producing States Coalition (EPSC) is a group of like-minded state legislators working together to develop positions and areas of common interest on policies and issues that affect domestic energy production and transmission. The group was founded in 2011 and currently includes legislators representing Alaska, Arizona, Arkansas, Colorado, Florida, Idaho, Indiana, Kentucky, Mississippi, Nevada, North Dakota, Ohio, Oklahoma, Pennsylvania, Texas, Utah, Wisconsin and Wyoming. (Former Utah Representative Roger Barrus was intimately involved in the organization and early vision of EPSC.) These legislators work together to develop and advocate for sound public policy in areas of shared interests between energy producing states. EPSC uses its collective voice to help advocate for and increase domestic energy production for the betterment of our states' job creation and economic future.

EPSC's Guiding Principles: Coalition members endorse the development of strategies and supporting actions that effectively support states' rights and domestic energy production as follows:

- Promote Development of Domestic Energy Sources;
- Streamline and Harmonize Energy-Related Regulatory Processes;
- Influence Federal Energy-Related Policy from a Producer State Prospective;
- Help develop New Energy Transmission Systems;

- Promote Maximization of Existing Energy Sources; and
- Act Cooperatively to Overcome Energy-Related Economic, Legal, Policy and Technology Challenges.

### **What we do**

In order to achieve true energy security as well as provide the greatest benefit to our economy, energy producing states must have the ability to develop policies and strategies which benefit responsible energy production. Coordination amongst the members of EPSC will enhance the success of these strategies.

The EPSC helps its members to share ideas and coordinate state policy objectives through face to face meetings and events. EPSC works to coordinate, streamline and simplify federal regulatory processes in the various members' states, with a focus on increasing efficiency and reducing redundancy. We work to increase state primacy where possible, and increase cooperation between state and federal agencies.

EPSC also seeks to use the collective voice of its members in negotiations and coordination with the federal government where it impacts our states. EPSC drafts official comments and letters on various federal actions and helps to work with federal legislators to develop legislation.

### **EPSC Report Key Issues and 2015 Work Plan**

At the in-person meeting of the EPSC at the Utah Office of Energy Development in 2013, the Coalition and its Executive Committee members developed a list of priority areas for member involvement via comment letters and public engagement for the following year. Those topics included:

- EPA's sweeping 111(d) Rulemaking to reduce greenhouse gas emissions from existing fossil fuel plants;
- The Obama Administration's "Waters of the US"/Water Transfer Rule;
- Hydraulic Fracturing regulations and prescriptive local control prohibitions that conflict with state law;
- Interior's Outer Continental Shelf (OCS) 5 Year Plan for offshore development – seismic studies, leasing opportunities; and
- The National Petroleum Reserve- Alaska (NPRA) Lease Comment Period.

At the meeting, the members held a work plan discussion that suggested efforts focused on the following efforts:

- Legislation – Support the bipartisan Equal Access to Justice Act (Lummis), and the bipartisan Regulatory Fairness Act (Vitter/Manchin); urge regular order for the consideration of the Interior Appropriations bill;
- Outreach – Improve outreach to the Western Congressional Caucus with quarterly calls, develop coordinated action plans, reach out to specific legislators in each state and recruit more members into the EPSC; explore deeper partnerships with other state organizations and plan future meetings around their events; look for more speaking opportunities on behalf of EPSC; and
- Communication – Use more visuals when discussing issues and enhance EPSC’s social media presence.

## **Results and Milestones**

In Anchorage, Alaska EPSC successfully negotiated an agreement in August 2014 with policy leadership staff of the Council of State Governments (CSG) that would the Coalition to begin holding an in-person meeting in conjunction with CSG’s national meetings beginning in 2015. The agreement stipulated that CSG would not be endorsing the programming our policy outcomes of the EPSC meetings, but would provide a meeting space (at EPSC’s expense) and include the session on its public agenda and marketing materials. This will significantly improve the public awareness of the organization and its work product to other state legislative and regulatory colleagues across the country. Further, it will help reduce the burden of travel costs for many members who pay to attend meetings to have them co-located with other high-level state gatherings.

A series of periodic conference calls was set up with the staff of the Congressional Western Caucus beginning in August of 2014 to share and exchange information on federal and state legislation.

EPSC membership expanded nationally into more non-Western states, including Kentucky and Pennsylvania. Additional membership informational packets have been sent to legislators in Michigan and New Mexico as well.

## **Comment Letters**

Below is a list and link to the comment letters the EPSC Executive Committee has issued on federal rulemakings over the past calendar year:

The 5 Year Plan for Outer Continental Shelf Oil and Natural Gas Leasing – Department of Interior Request for Information

<http://energystates.org/read-epsocs-letter-boem-fiver-year-program-manager-kelly-hammerle/>

Comment Letter to EPA/U.S. Army Corps of Engineers on the “Waters of the U.S.” Rulemaking

<http://energystates.org/read-epsocs-letter-epa-proposed-changes-clean-water-act/>

Comment Letter to EPA on the Section 111(d) Rule for Existing Power Plants

<http://energystates.org/read-epsocs-letter-epa-proposed-rules-regulating-greenhouse-gas-emissions/>

Lease Sale 193 EIS Letter – Arctic Exploration

<http://energystates.org/read-epsocs-letter-boem-draft-supplemental-impact-statement-lease-sale-193/>

Draft Proposed Plan for Offshore Exploration

<http://energystates.org/read-epsocs-letter-boem-epa-draft-proposed-ocs-oil-gas-leasing-program-programmatic-eis/>

Letter to Interior on Oil & Gas Requirements for Arctic Exploration

<http://energystates.org/read-epsocs-letter-to-boem-on-exploratory-drilling-in-the-arctic-ocs/>

### **EPSC's Upcoming July Meeting**

EPSC will have its next meeting on July 27<sup>th</sup> from 3pm-6pm in Vail, Colorado the day before the CSG West meeting begins on July 28<sup>th</sup>. The meeting will take place in the Vail Cascade Ballroom and will be at the same venue as the CSG West meeting. A draft agenda is included for your review, but speakers will offer remarks and presentations on the following key issues:

- An update on state implications with EPA's final 111(d) Rule;
- Next steps for agriculture and public lands with EPA's Waters of the US Rule;
- New opportunities for states in ESA proposals;
- Sage Grouse Conservation Plans and impacts to states; and
- A legislative ideas exchange and planning discussion for the remainder of 2015 and next year.

# **EPSC Summer Meeting**

## **Vail Cascade Resort**

### **July 27, 2015**

### **3PM – 6 PM**

#### **Welcome Remarks (3:00 PM)**

- EPSC Chair, Senator Cathy Giessel (Alaska)

#### **EPA's Section 111(d) Rulemaking: State Implications, Grid Reliability, and Consumer Impacts**

- Matt Larson, former official with the Colorado Public Utilities Commission, Wilkinson, Barker, Knauer, LLP

#### **"Waters of the U.S." Briefing and Update on Public Lands and Agriculture (3:30 PM)**

- Dustin Van Liew, Executive Director of the Public Lands Council at the National Cattlemen's Beef Association

#### **Opportunities for States in ESA Proposals (4:00 PM)**

- David Bernhardt, Natural Resources Department Co-Chair, Brownstein Hyatt Farber Schreck LLP (invited)

#### **Sage Grouse Conservation Plans and Impacts to States (4:30 PM)**

- Jerimiah Rieman, Natural Resources Policy Director, Office of Wyoming Governor Matt Mead (invited)

#### **State Legislative Ideas Exchange (5:00 PM)**

- EPSC Chair-Elect, Senator Chuck Winder (Idaho)

#### **EPSC Planning and Issues Discussion (5:30 PM)**

- Senator Giessel and EPSC Executive Committee
  - Review of Past/Current Issue Set
  - 2015 Remainder and Horizon Issues

#### **Wrap-up and Closing Remarks (6:00 PM)**

#### **Reception – Cascade Ballroom Foyer (6:30 PM – 8:30 PM)**