



Codifying Regulatory Reform

America's independent oil and natural gas producers support the efforts of the Trump Administration to streamline the administrative state. Now, Congress must codify these important reforms.

ACCESS: Congress plays a key role when it comes to oversight and placing limits on the executive branch. IPAA supports legislation to expand access and streamline permitting, such as the *SECURE American Energy Act* (H.R. 4239) and the *ONSHORE Act* (S. 2319). These and other common-sense initiatives help foster an environment that allows states to work in partnership with the Bureau of Land Management (BLM) and other federal agencies to manage the development and production of oil and natural gas on available public land. Furthermore, IPAA supports legislative efforts by Congress to limit broad, one-size-fits-all regulations that provide no net safety gain or environmental protection, such as a nationwide regulation on hydraulic fracturing for public lands. IPAA continues to believe that states are in the best position to safely and effectively regulate these activities given their own unique geologic and hydrologic makeups.

INFRASTRUCTURE: A strong, safe energy infrastructure network is vital to America's independent oil and natural gas producers. While much of the discussion regarding infrastructure focuses on traditional projects such as bridges, highways, and roads, the importance of oil and natural gas pipelines cannot be overlooked. The benefits of clean-burning, reliable natural gas will continue only if pipelines can be built to deliver reliable energy to American consumers safely and efficiently. For example, as recent as January, a tanker carrying Russian gas was imported to a terminal in Boston Harbor because of a lack of domestic infrastructure to get American gas where it is needed. Most pipeline projects are supported through private investment—not government funding. But these private-sector projects would still benefit from legislative action that curbs lengthy and aggressive permitting processes.

WILDLIFE: While IPAA members are located throughout the nation, the single largest hinderance stifling independent producers is the application and enforcement of the *Endangered Species Act* (ESA). IPAA members take species conservation seriously and work actively to protect species and their ecosystems, but the ESA is not a successful tool in achieving that goal. IPAA supports efforts to update and improve the ESA through targeted legislation. Along the same lines, IPAA supports current legislation that clarifies criminal liability for the accidental take of unlisted migratory birds by oil and natural gas producers.

FEDERAL-STATE BALANCE: Most federal environmental laws hinge on the balance between the federal role and the state role. States have the dominant responsibility to develop the regulation and permitting of facilities under their jurisdiction. Past efforts to federalize these actions undermine the states' role. Congress needs to work with federal agencies to assure that federal laws provide for appropriate delegation to states and to assure that adequate funds are available. At the same time, Congress needs to assure that states are not abusing delegation of federal authority to undermine activity that is federal in nature, such as the recent abuses of Section 401 of the *Clean Water Act* to hamper interstate pipeline development.

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