Top 5 Issues for 2015: Energy and Environment

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Rebekah Fitzgerald, Program Manager for Energy and Environmental Policy, outlines the top five issues in energy and environmental policy for 2015, including new proposed federal air and water regulations, grid reliability, the Endangered Species Act, and the use of science-based decision making.

Federal Air Regulations
Two new air regulations proposed by the Environmental Protection Agency have states busy analyzing rules, submitting comments and developing plans to comply. In June 2014, the EPA proposed a rule to reduce carbon emissions by 30 percent by 2030. Each state has a different target, with some required to reduce carbon emissions by more than 30 percent, some by less. States can meet their targets through upgrading power plants, switching from coal to natural gas, increasing use of renewable energy sources or improving energy efficiency. States are required to submit individual or multi-state plans by June 2016. States also will be analyzing EPA’s new proposal to lower the National Ambient Air Quality Standards for ozone from the current level of 75 parts per billion to a range of 65 to 70 parts per billion. Where the EPA sets the standards will determine how many areas within a state will fall under nonattainment, requiring states to draft state implementation plans to bring those areas back into compliance.

Grid Reliability
Grid reliability is becoming an increasingly important topic of conversation, especially as new federal regulations cause shifts in the predominant fuels used in America’s power supply. Infrastructure is a key component for grid reliability, whether it be building new supply infrastructure like natural gas pipelines, or optimizing and modernizing existing transmission infrastructure in the wake of increasing
use of wholesale and consumer-distributed energy. Security of the physical grid components always
has been a concern, but with continued efforts to develop a smarter and more automated grid,
cybersecurity is becoming increasingly important.

**Waters of the United States**
In response to two U.S. Supreme Court cases, the Environmental Protection Agency, along with the
U.S. Army Corps of Engineers, proposed a new rule in April 2014 to clarify and define what waters are
protected under the Clean Water Act. The rule clarifies that most seasonal and rain-dependent
streams, as well as wetlands near rivers and streams, are protected. The proposed rule acknowledges
other waters may have a connection to protected waters, and coverage under the rule would be
determined on a case-by-case basis. Agriculture and business groups have been adamant that the
language in the proposal is too broad, encompassing things like ditches and runoff.

**Endangered Species Act**
Conversations about the Endangered Species Act are often localized because a species and the
location of its habitat are usually quite specific. Occasionally, a species on the list makes the news
because its listing affects industry and jobs—like the Northern spotted owl’s impacts on the Oregon
timber industry in the 1990s. Environmental groups settled a lawsuit in 2011 with the U.S. Fish and
Wildlife Service, which agreed to make a listing determination for 757 species by 2018. The Fish and
Wildlife Service in 2015 will decide if the greater sage grouse will be listed as an endangered species.
That decision could impact 174 counties in the 11 Western states the bird utilizes as habitat. The
grouse’s potential listing has drawn attention because of the potential impacts it could have on land
uses like mineral extraction and agriculture.

**The Use of Science-Based Decision Making**
Policymakers are bombarded by information in today’s ever-connected, fast-paced world. Advances in
communication platforms, like social media, have brought a sea change in the public’s ability to
access data at unimaginable depths and speeds. This interconnectedness also can pose challenges
for state officials trying to solve already difficult issues by adding another layer of complexity to the
public policymaking process. As information becomes more available and immediate, the necessity
for policymakers to determine and utilize sound science to make decisions is becoming a vital skill in
the realm of policymaking.

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