

IN THE HOUSE OF REPRESENTATIVES

HOUSE JOINT MEMORIAL NO. 2

BY ENVIRONMENT, ENERGY AND TECHNOLOGY COMMITTEE

A JOINT MEMORIAL

1
2 TO THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CON-
3 GRESS ASSEMBLED AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE
4 STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

5 We, your Memorialists, the House of Representatives and the Senate of
6 the State of Idaho assembled in the First Regular Session of the Sixty-eighth
7 Idaho Legislature, do hereby respectfully represent that:

8 WHEREAS, Idaho recognizes that reliable, resilient, and diversified
9 domestic energy production in the United States enhances American national
10 security, economic competitiveness, and energy independence; and

11 WHEREAS, the excessively complex federal permitting and environmental
12 review processes that have built up around America's environmental laws,
13 including the National Environmental Policy Act (NEPA), the Endangered
14 Species Act (ESA), the National Historic Preservation Act (NHPA), the Clean
15 Water Act (CWA), and dozens of other federal requirements, have grown to be
16 so cumbersome that they often unnecessarily slow or prevent the construction
17 of essential new energy infrastructure and therefore discourage domestic
18 energy production without advancing the goals of these laws; and

19 WHEREAS, delays caused by permitting inefficiencies inhibit the build-
20 ing of all of the essential components of a low-cost, reliable, and modern
21 energy infrastructure that is needed to support economic competitiveness
22 and domestic manufacturing, to enhance reliability, to lower costs for con-
23 sumers and businesses, and to achieve the goals of America's environmental
24 laws; and

25 WHEREAS, demand for electricity in the United States is projected to
26 dramatically increase in the coming decades, requiring major increases in
27 domestic energy production and a more than doubling of domestic electricity
28 transmission grid capacity; and

29 WHEREAS, the average time it takes to process an environmental impact
30 statement under NEPA for major infrastructure projects has risen to an ex-
31 cessive length; and

32 WHEREAS, major delays in projects caused by inefficient permitting or
33 excessive litigation can dramatically increase costs and make projects less
34 viable, costing consumers, businesses, and taxpayers money and making our
35 energy system less reliable; and

36 WHEREAS, unnecessary permitting and regulatory delays also increase
37 American dependence on energy produced by foreign countries; and

38 WHEREAS, unnecessary permitting delays limit investments made in mod-
39 ernizing the nation's infrastructure that would result in a more efficient
40 energy system with reduced emissions and environmental impact; and

41 WHEREAS, overlapping federal permitting requirements encourage proce-
42 dural compliance with outdated regulations and lack the flexibility to allow

1 for efforts that reflect the spirit and intent of traditional environmental
2 laws by protecting human health and the environment; and

3 WHEREAS, failure to reform federal permitting laws is already resulting
4 in fewer jobs, reduced security, and higher prices for Americans; and

5 WHEREAS, failing to reform these laws in the coming months will result
6 in even greater limitations on our energy infrastructure, costing even more
7 American jobs while raising costs for consumers and businesses and leaving
8 America vulnerable to unreliability and blackouts.

9 NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Ses-
10 sion of the Sixty-eighth Idaho Legislature, the House of Representatives and
11 the Senate concurring therein, that the Legislature hereby urges the United
12 States Congress to enact much-needed reforms to federal permitting policies
13 to accelerate deployment of new energy infrastructure.

14 BE IT FURTHER RESOLVED that the Legislature urges federal lawmakers
15 to work in good faith to enact legislation that reforms federal permitting
16 and environmental review processes to promote economic and environmental
17 stewardship by expediting the deployment of modern energy infrastructure.
18 These reforms should enable faster and lower-cost construction of energy
19 infrastructure of all kinds, without prejudice, including by considering
20 steps to: (1) limit excessive use of judicial processes that slow projects
21 inappropriately; (2) prevent inappropriate usage of the CWA and other laws
22 that hamstringing the lawful building of linear energy infrastructure, such
23 as pipelines and transmission lines; (3) enact reforms to plan, permit, and
24 pay for the necessary build-out of electricity transmission infrastructure
25 to support a more reliable energy grid that lowers costs for consumers and
26 businesses; and (4) enable the domestic build-out of the full array of modern
27 energy technologies, including nuclear, emissions management, hydrogen,
28 critical mineral mining and processing, and all other needs for a modern
29 energy system. These legislative reforms should also strive to ensure ac-
30 countability for federal agencies conducting permitting and environmental
31 review processes, including better data, more aggressive timelines, and
32 permitting shot clocks. These legislative reforms must be accompanied by a
33 redoubling of efforts to streamline federal regulations to support the effi-
34 cient building of new energy infrastructure. Congress must act to modernize
35 the broken permitting system.

36 BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representa-
37 tives be, and she is hereby authorized and directed to forward a copy of this
38 Memorial to the President of the Senate and the Speaker of the House of Repre-
39 sentatives of Congress and to the congressional delegation representing the
40 State of Idaho in the Congress of the United States.