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TODD YOUNG
CHIEF OF STAFF

U.S. House of Representatives
Committee on Natural Resources
Washington, DC 20515

Opening Statement of
Chairman Doug Lamborn
Subcommittee on Energy & Mineral Resources

On Wednesday, February 05, 2014
1324 Longworth House Office Building

Oversight Hearing on "Energy in America: BLM's Red-Tape Run Around and its Impact on American Energy Production"

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PENNY DODGE
DEMOCRATIC STAFF DIRECTOR

I'd like to thank our witnesses for being with us today. Today we are meeting to discuss the impact the Bureau of Land Management's red-tape and expanding regulatory footprint has on energy development.

Since taking office, the Obama Administration has made oil and natural gas development so burdensome and uncertain that companies continue to avoid federal land for energy development. The companies that do develop on federal land are subject to multiple regulatory hurdles, permit approval delays and increasingly duplicative and burdensome regulations. Additionally, the BLM is gradually expanding its regulatory footprint by regulating aspects of oil and gas production that falls under the jurisdiction of the states or other federal agencies. The BLM does not have the authority, resources, or expertise to manage these aspects of production.

For example, the BLM is proposing Resource Management Plans that would implement aggressive air quality objectives and restrictions. However, the EPA and the relevant states, under the authority given to them by the Clean Air Act, are simultaneously developing and enforcing air quality control measures. Yet the BLM continues to pursue a separate, yet duplicative path in monitoring emissions that are not within their jurisdiction nor do they have the resources or expertise to enforce these regulations.

Additionally, the BLM is attempting to regulate water use through hydraulic fracturing regulations and Resource Management Plans. However, it is widely accepted that groundwater is the property of the states. The BLM's attempt to assert regulatory authority through the regulation of groundwater is a direct invasion upon the state's rights to protect and regulate their own water resources.

The Administration has repeatedly canceled lease sales, added additional lease terms after a lease has been issued, and taken months, if not years, to issue APDs. Most recently, five days before a lease sale, the BLM unexpectedly deferred 57 leases encompassing nearly

100,000 acres after conceding to the concerns of one group that filed their concerns two months after the protest period had ended.

In my home state of Colorado, RMPs threaten to restrict oil and gas operations with a variety of mechanisms – no surface occupancy stipulations, right-of-way avoidance and exclusion areas, wildlife emphasis areas, and lands with wilderness characteristics all create layers upon layers of hurdles and restrictions that serve to limit and eliminate oil and natural gas development on federal land.

For several years our Committee has highlighted the fact that while the Administration continues to take credit for the increase in American energy production, the numbers tell a different story. It is no secret that American energy production is increasing – on state and private land. Production continues to decrease on federal land as the Administration's regulations continue to increase. And with the BLM continuing to slow walk APD approvals and lease fewer and fewer acres for development, this trend does not appear to be reversing itself anytime in the near future. The BLM will soon release the final production numbers for 2013, and while we unfortunately have not yet seen these numbers as they were not released in time for this hearing, I have no doubt we will again see proof that the Administration's assault on energy production continues.

I'd like to thank the witnesses for appearing before our Committee today and I look forward to your testimony.

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