

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE
RESOLUTION 30

By: Paxton

AS INTRODUCED

A Resolution urging federal action to reform United States processes relating to permitting and environmental review in order to expedite the deployment of modern energy infrastructure; and directing distribution.

WHEREAS, Oklahoma recognizes that abundant, resilient, and diversified domestic energy production in the United States enhances American national security, economic competitiveness, and energy independence; and

WHEREAS, environmental stewardship that keeps our air and water clean, protects public health, ensures biodiversity and species protection, and conserves public lands is a worthy goal that is important to achieve; and

WHEREAS, the excessively complex federal permitting and environmental review processes that have built up around our nation's environmental laws - including the National Environmental Policy Act of 1969, the Endangered Species Act of 1973, the National Historic Preservation Act, the Clean Water Act, and dozens of other federal requirements - have grown to be so cumbersome that they

1 often unnecessarily slow or prevent the construction of essential
2 new energy infrastructure and therefore discourage domestic energy
3 production without advancing the goals of these laws; and

4 WHEREAS, energy is produced in the United States at a much
5 higher environmental standard than is typically the case in the
6 countries from which energy is imported, so prevention of domestic
7 energy production undermines environmental stewardship; and

8 WHEREAS, delays caused by permitting inefficiencies inhibit the
9 building of all of the essential components of a low-cost, reliable,
10 and modern energy infrastructure that is needed to support economic
11 competitiveness and domestic manufacturing, to enhance reliability
12 and prevent blackouts, to lower costs for consumers and businesses,
13 and to achieve the goals of our nation's environmental laws; and

14 WHEREAS, after nearly two decades of flat electricity demand,
15 demand for electricity in the United States is projected to
16 dramatically increase in the coming decades, requiring major
17 increases in domestic energy production and a more than doubling of
18 domestic electricity transmission grid capacity; and

19 WHEREAS, regulatory barriers today mean that more than two
20 thousand gigawatts of energy production and storage - more than the
21 entire current American electricity capacity combined - are stuck in
22 electricity interconnection queues and the average amount of time to
23 interconnect new energy resources has nearly doubled from about two
24 years to nearly four years; and

1 WHEREAS, the average time it takes to process an environmental
2 impact statement under the National Environmental Policy Act of 1973
3 for major infrastructure projects has risen to an excessive length
4 of four-and-a-half years; and

5 WHEREAS, the United States is highly reliant on China and other
6 countries that do not share our interests to mine and process
7 critical minerals, with demand for some of these minerals
8 potentially growing by more than forty times by 2040; and

9 WHEREAS, other developed nations that share our goals to protect
10 the environment while producing abundant energy resources, such as
11 Canada and Australia, have shown that they can permit new mines
12 within two to three years instead of nearly ten years, as is often
13 the case in the United States; and

14 WHEREAS, both linear infrastructure - such as pipelines and
15 transmission lines - as well as energy generation infrastructure
16 each face extraordinary and indefensible delays due to
17 overlitigation, inappropriate blocking of nationally important
18 projects by unrepresentative and often radical groups that hold
19 those projects hostage, and excessive use of our court system to
20 hamstring worthy projects; and

21 WHEREAS, major delays in projects caused by inefficient
22 permitting or overlitigation can dramatically increase costs and
23 make projects less viable, costing consumers, businesses, and
24 taxpayers money and making our energy system less reliable; and

1 WHEREAS, unnecessary permitting and regulatory delays also
2 increase American dependence on energy produced by foreign dictators
3 and authoritarian regimes; and

4 WHEREAS, unnecessary permitting delays limit investments made in
5 modernizing our nation's infrastructure that would result in a more
6 efficient energy system with reduced emissions and environmental
7 impact; and

8 WHEREAS, overlapping federal permitting requirements lack the
9 flexibility to allow for efforts that reflect the spirit and intent
10 of traditional environmental laws by protecting human health and the
11 environment instead of procedural compliance with outdated
12 regulations; and

13 WHEREAS, failure to reform federal permitting laws is already
14 resulting in fewer jobs, reduced security, and higher prices for
15 Americans without providing additional benefits for the environment;
16 and

17 WHEREAS, failing to reform these laws in the coming months will
18 result in even greater limitations on our energy infrastructure,
19 costing even more American jobs while raising costs for consumers
20 and businesses and leaving the United States vulnerable to
21 unreliability, blackouts, and the resulting severe harm to the
22 American people.

23 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 2ND SESSION
24 OF THE 59TH OKLAHOMA LEGISLATURE:

1 THAT the Oklahoma State Senate urges federal legislators to work
2 in good faith to enact legislation that reforms federal permitting
3 and environmental review processes to promote economic and
4 environmental stewardship by expediting the deployment of modern
5 energy infrastructure.

6 THAT these reforms should enable faster and lower-cost
7 construction of energy infrastructure of all kinds, without
8 prejudice, including by considering steps to: 1) limit excessive
9 use of judicial processes to slow projects inappropriately; 2)
10 prevent inappropriate usage of the Clean Water Act and other laws to
11 hamstring the lawful building of linear energy infrastructure, such
12 as pipelines and transmission lines; 3) enact reforms to plan,
13 permit, and pay for the necessary build-out of electricity
14 transmission infrastructure to support a more reliable energy grid
15 that lowers costs for consumers and businesses; and 4) enable the
16 domestic build-out of the full array of modern energy technologies,
17 including nuclear, emissions management, hydrogen, critical mineral
18 mining and processing, and all other needs for a modern energy
19 system. These legislative reforms should also strive to ensure
20 accountability for federal agencies conducting federal permitting
21 and environmental review processes, including better data, more
22 aggressive timelines, and permitting shot clocks. These legislative
23 reforms must be accompanied by a redoubling of efforts to streamline
24

1 federal regulations to support the efficient building of new energy
2 infrastructure.

3 THAT failure to act to update our federal permitting system to
4 support building new energy infrastructure will further harm
5 consumers, workers, and businesses, while making the United States
6 less competitive and more vulnerable to both foreign adversaries and
7 domestic outages. Congress must act with urgency in the coming
8 months to fix our broken permitting system.

9 THAT copies of this resolution be distributed to the President
10 Pro Tempore of the United States Senate, to the Speaker of the
11 United States House of Representatives, and to the members of
12 Oklahoma's Congressional delegation.

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