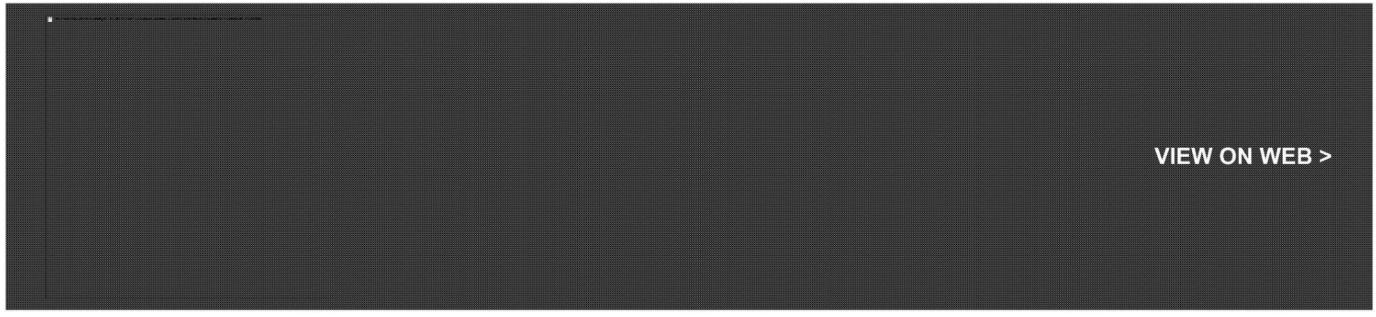


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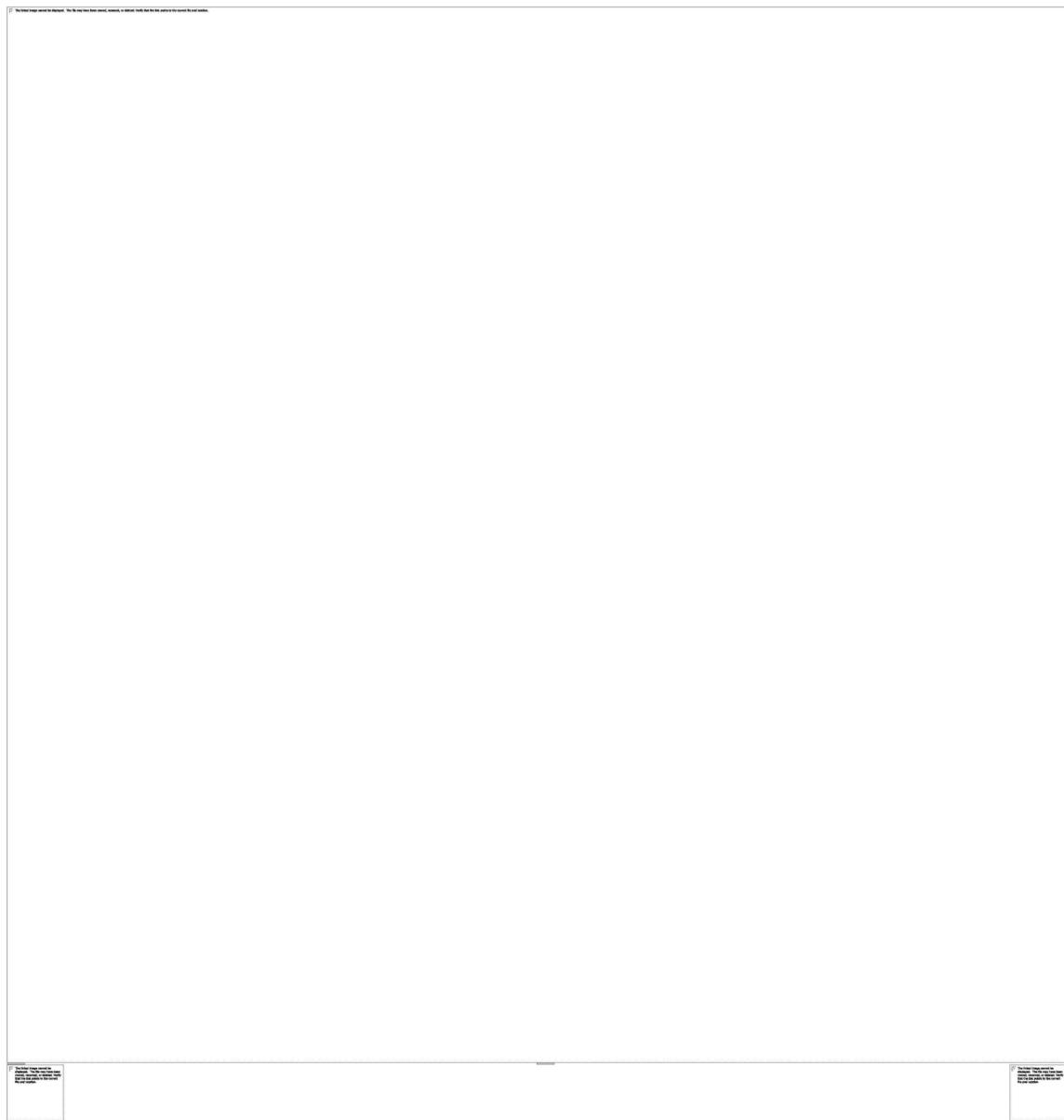
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Subject: FW: The Energy 202: FERC is up and running again. That means Trump gets more of the pipelines he wants.

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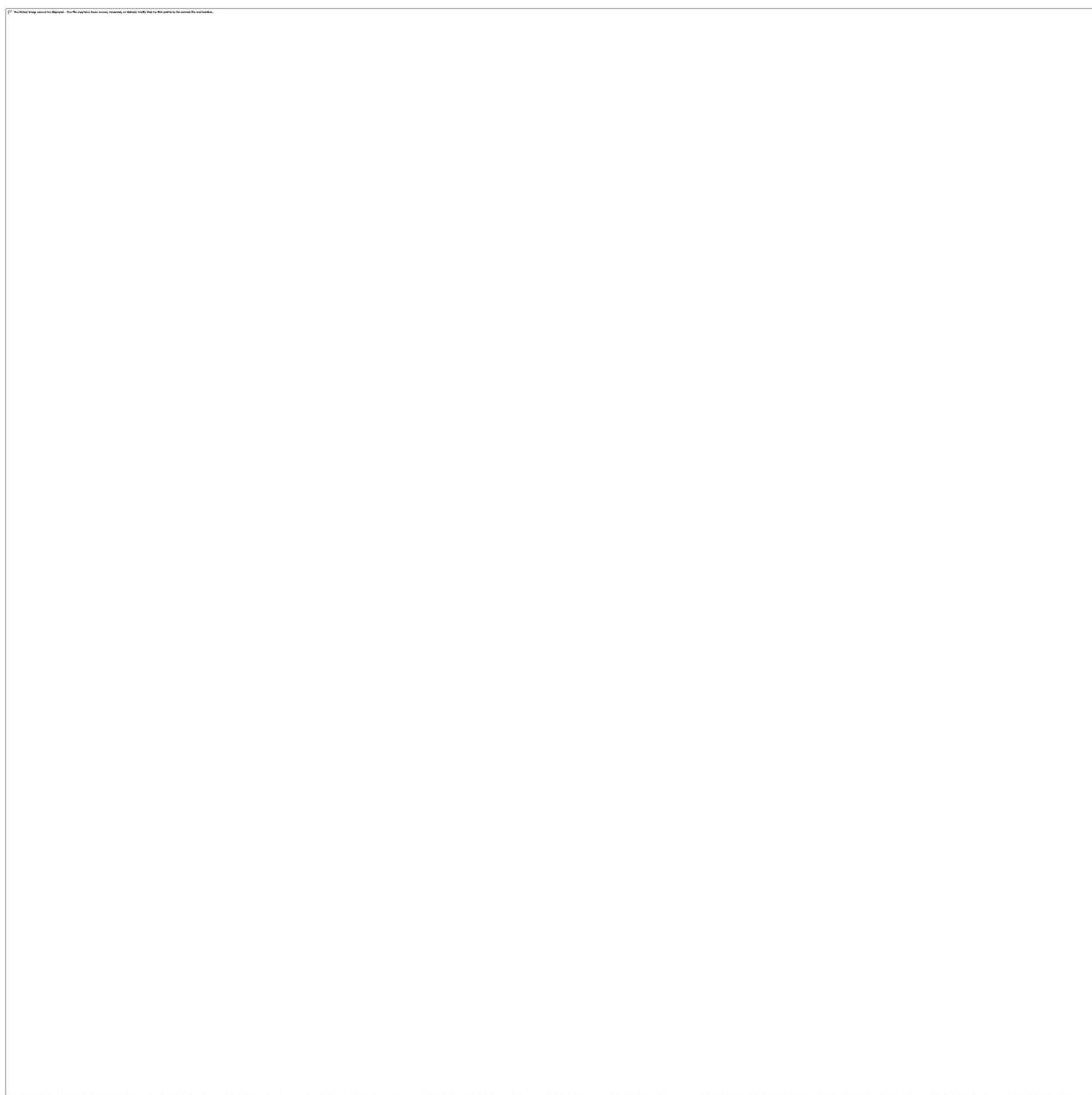
From: The Washington Post [mailto:██████████@washingtonpost.com]
Sent: Tuesday, September 19, 2017 8:29 AM
To: Khalilov, Seymour <██████████@bp.com>
Subject: The Energy 202: FERC is up and running again. That means Trump gets more of the pipelines he wants.



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FERC is up and running again. That means Trump gets more of the pipelines he wants,



BY DINO GRANDONI
with Paulina Firozi

THE LIGHTBULB



Miles of pipe ready to become part of the Keystone Pipeline are stacked in a field near Ripley, Okla. in 2012. (AP Photo/Sue Ogrocki, File)

Leaders of blue states such as New York and California have positioned themselves as bulwarks against Trump administration efforts to roll back environmental regulations. Where the federal government steps away, these governors say, states will step in.

After President Trump announced he would pull the United States out of the Paris climate accord, for example, New York's Democratic governor, Andrew Cuomo, recommitted his state to fulfilling its emissions-cutting share of the Paris deal after what Cuomo called "the White House's reckless decision."

But governors like Cuomo are learning that state power has its limits.

Late last week, the Federal Energy Regulatory Commission (FERC) ruled to stop the state of New York from halting construction of a natural-gas pipeline being built through the state's Hudson Valley.

In August, the New York State Department of Conservation, the state's environmental regulator, denied a water permit the Millennium Pipeline Company needed to begin construction on its Valley Lateral Project through New York's Hudson Valley upon hearing residents voice environmental concerns.

But in its first major decision under its new chairman, Neil Chatterjee, FERC decided that New York had taken too long to issue the water permit, thereby waiving its authority under the Clean Water Act — a move that environmentalists said broached new territory for the commission.

"FERC has historically served as a rubber stamp for gas pipeline projects, refusing to consider the full scope of environmental impacts and allowing companies to use eminent domain to take people's private property," said Elly Benson, staff attorney at the Sierra Club. **"The Valley Lateral order signals that we can expect FERC to take an even more aggressively pro-pipeline stance in the Trump era."**

As the federal agency in charge of approving interstate energy infrastructure, FERC will play a crucial role in approving oil pipelines, natural-gas export terminals and other projects the Trump administration says will deliver the nation's oil and gas resources to market and make the United States, in Trump's parlance, "energy dominant."

Trump has demonstrated since being inaugurated that he will be friendlier to pipeline advocates, reviving the controversial Dakota Access and Keystone XL oil pipelines through an executive order issued during his first week in office.

But for months, three seats on the commission remained unfilled as the White House was slow to field nominees for positions across the federal government. Trump's industry allies begged him to fill the seats and give FERC the quorum it needed to begin approving new projects.

Though the five-member commission is independent, FERC is structured so that two Democrats and two Republicans serve alongside the chairman, who is a member of the same party as the president. FERC approval requires a majority vote.

In Chatterjee, who became chairman last month, Trump chose a longtime energy adviser to Senate Majority Leader Mitch McConnell (R-Ky.), who is expected to be broadly supportive of industry.

The Valley Lateral Project offers the first hint of how the new FERC, finally with a quorum, will rule. (The Senate Committee on Energy and Natural Resources will consider the nominations for the final two FERC seats on Tuesday.)

But criticism of FERC from the environmental community, even under President Barack Obama, is nothing new. **Environmentalists point to the fact that only twice in the past 30 years has FERC rejected a proposed pipeline, according to an analysis by the Center for Public Integrity and StateImpact Pennsylvania.**

Even so, some environmental groups argued that FERC broke new ground in its decision in New York.

“Historically, FERC has been careful not to tread over state decisions and state prerogatives,” said John Moore, senior attorney for the Sustainable FERC Project at the Natural Resources Defense Council. Moore added that he expected “close calls” to go more in pipeline companies’ favor going forward.

Given the success that environmentalists had -- at least while Obama was in office -- in halting construction on the Keystone XL and Dakota Access oil pipelines, some attention in the world of pipeline politics is being turned toward natural-gas pipelines.

But gas pipelines present a different messaging challenge to protesters than oil pipelines. With oil pipelines, like Dakota Access, protesters can focus on the easy-to-grasp potential of oil spills.



Little Thunder of the Lakota Tribe in Mission, South Dakota, performs a prayer dance during the Dakota Access Pipeline protest outside the White House on March 10, 2016 in Washington, DC. (Photo by Ricky Carioti/The Washington Post)

But with natural-gas pipelines, spills are not the issue.

Environmentalists instead point to the pollution generated by gas-fired

power plants and hydraulic fracturing, or "fracking," that such pipelines support. In addition, some green groups -- like the Sierra Club and others in a report Tuesday calling for FERC to "halt all permitting of interstate gas pipelines" -- argue that electricity customers will be on the hook for pipelines built long after demand for natural gas may wane.

Monique Watson, formerly deputy director of the Office of Energy Market Regulation's Division of Pipeline Regulation, said she could not "recall a time when the commission responded to a petition from an applicant seeking a ruling from the commission that a state has waived its authority under the Clean Water Act."

But even if the decision is unprecedented, Watson said FERC hasn't faced many decisions like the Valley Lateral Project case and that FERC is just interpreting a statute.

"The commission historically has not been a political body," said Watson. Under Chatterjee, she added, **"I don't anticipate the commission will take a political bent."**

But that won't be for lack of political pressure.

In August, the Energy Department, FERC's parent agency, released a study on electric grid reliability. The study, requested by Energy Secretary Rick Perry, recommended that FERC explore ways of compensating power plants for not just the electricity they supply but for their ability to supply it at all hours of the day.

The concern is that as older coal and nuclear plants are priced out of the electricity market by cheaper renewables, the electric grid will less reliably be able to produce power 24/7 since wind and solar only generate power when the wind is blowing or the sun is shining.

Last week, Rep. Kevin Cramer (R-N.D.), an early Trump endorser, pushed Chatterjee during a House Energy and Commerce Committee hearing to commit to providing such support for baseload generators, given the reliability concerns.

"We need to respond to establish a path for baseload generation, especially coal," Cramer said. "I worry about the forced shutdown of baseload generation."

But Chatterjee didn't make any promises. "We will closely monitor and watch whether transitions in the grid do lead to vulnerabilities," he said.

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POWER PLAYS



EPA Administrator Scott Pruitt. (AP Photo/Pablo Martinez Monsivais, File)

Red-team ramp-up: On Fox News Tuesday morning, Environmental Protection Agency chief Scott Pruitt said: "We know the climate's always changing. **We know that humans contribute to it in some way.** To what

degree, to measure that with precision is very difficult. What we don't know is, are we in a situation where it's an existential threat?"

Pruitt added: "Let's have a debate about that. Bring scientists in, red-team scientists, blue-team scientists, have a discussion about the importance of this issue."

It's not the first time the EPA chief has said that humans have an impact on the climate. In March, for example, he said: "Measuring with precision human activity on the climate is something very challenging to do, and there's tremendous disagreement about the degree of impact." In April, Pruitt said: "There's a warming trend, the climate is changing, and human activity contributes to that change in some measure."



What's different this time: Pruitt now makes that argument to justify a military-style "red team-blue team" exercise to debate the science of climate change.



Gary Cohn adjusting his tie before a Bloomberg Television interview outside the White House (Andrew Harrer/Bloomberg)

-- **"I made the president's position unambiguous:"** President Trump's top economic adviser Gary Cohn sought to clear up confusion over the administration's plan to withdraw from the Paris climate deal. Despite headlines over the weekend to the contrary, the United States position on Paris hasn't changed since Trump announced in June that the country would pull out of the global emissions agreement.

"Consistent with the President's announcement in June, we are withdrawing from the Paris agreement unless we can reengage on terms more favorable to the United States," a White House official told

reporters Monday. "This position was made very clear during the breakfast."

Cohn added, according to the New York Times: "I made the president's position unambiguous to where the president stands, where the administration stands on Paris."



French President Emmanuel Macron and President Donald Trump shake hands before a meeting at the U.N. General Assembly. (BRENDAN SMIALOWSKI/AFP/Getty Images)

-- But foreign leaders are still hoping to change Trump's mind.

French President Emmanuel Macron will attempt to persuade Trump to reconsider his decision on the accord, The Post's Anne Gearan reported. Without mentioning Trump by name during his opening remarks, French Foreign Minister Jean-Yves Le Drian lamented an "increasing breakdown of international cooperation" and "withdrawal out of fear or selfishness."

"We consider that this agreement needs to be implemented, and it will be," Le Drian added. "We have heard the declarations made by President Trump and his intention not to respect the agreement, and we can only hope to convince him in the long run."

But remember that Macron tried to persuade the president before — to no avail. Consider this anecdote from a June story by The Post's Ashley Parker, Philip Rucker and Michael Birnbaum on how Trump came to his Paris decision:

...the president's mind was largely made up: He would withdraw from the Paris accord.

If he needed a nudge, though, one came from France over the weekend. Macron was quoted in a French journal talking about his white-knuckled handshake with Trump at their first meeting in Brussels, where the newly

elected French president gripped Trump's hand tightly and would not let go for six long seconds in a show of alpha-male fortitude.

"My handshake was not innocent," Macron said. He likened Trump to a pair of authoritarian strongmen — Russian President Vladimir Putin and Turkish President Recep Tayyip Erdogan — and said that he was purposefully forceful because he believed his encounter with Trump was "a moment of truth."

Hearing smack-talk from the Frenchman 31 years his junior irritated and bewildered Trump, aides said.

A few days later, Trump got his revenge. He proclaimed from the Rose Garden, "I was elected to represent the citizens of Pittsburgh, not Paris."

Admittedly, though, relations between Trump and Macron seem to have improved since the French president invited his U.S. counterpart to a Bastille Day celebration in France the following month (now, Trump wants to imitate that country's military parade here on the Fourth of July).



Gov. Brown: 'America is not run by Donald Trump'

-- But U.S. governors are not waiting for Trump to change his mind: California Gov. Jerry Brown (D) met with a handful of global leaders ahead of UNGA. Others planned to take a "prominent role on climate change at the annual General Assembly," the New York Times reported, to convey that they will lead the U.S. commitment to the goals of the Paris agreement regardless of what the Trump administration does.

"You have allies in the United States. You shouldn't put your foot on the brake or even tap it just because we have a climate denier in the White House. You're not alone," Washington Gov. Jay Inslee (D) said he would tell global leaders.

“That’s why we have governors here. Because we don’t have someone from Washington, D.C.,” Brown added. “The states are picking up the baton.”



The sun sets over Valley of the Gods in Bears Ears National Monument. (Photo by Katherine Frey/The Washington Post)

-- **Fight out West:** Environmental and outdoor groups are threatening to sue if Trump agrees to Interior Secretary Ryan Zinke’s proposed changes to nearly a dozen national monuments, The Post’s Juliet Eilperin reported on Monday. Following Zinke’s leaked plan to shrink at least four monuments in the West and make modifications to the management at another six, some groups hope to create legal obstacles for the administration.

Evidence of spills at toxic site during floods

The U.S. government received reports of three spills at one of Houston's dirtiest Superfund toxic waste sites in the days after the drenching rains from Hurricane Harvey.

Associated Press • [Read more »](#)

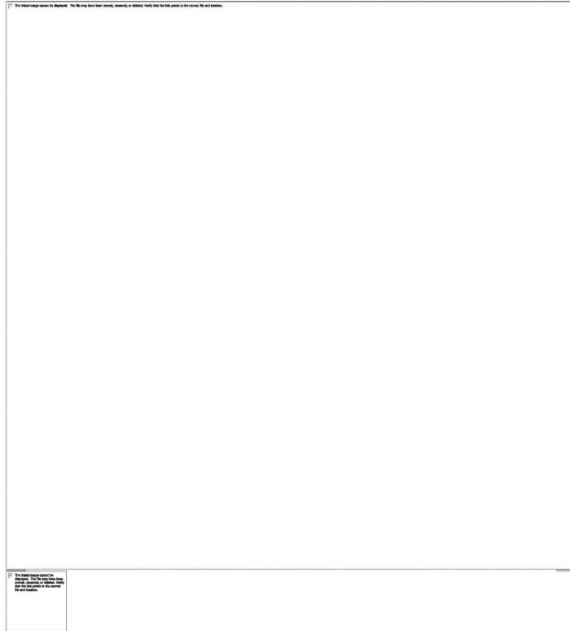


Florida's insured losses from Irma total nearly \$2 billion to date

Florida policyholders so far have filed nearly \$2 billion in claims to insurers for damage from Hurricane Irma, the state's insurance regulator said on Monday.

Reuters • [Read more »](#)





THERMOMETER



Hurricane season isn't over. Here's what you need to know about Hurricanes Maria and Jose.

-- The 2017 hurricane season is unrelenting: Hurricane Maria made landfall Monday night in the island nation of Dominica as a Category 5 storm, the most extreme level, with 160 mph winds.

Dominica Prime Minister Roosevelt Skerrit posted on Facebook as the storm ravaged the island overnight, warning of "widespread devastation." "We will need help, my friend, we will need help of all kinds," the prime minister wrote.

After briefly dropping to a Category 4 hurricane this morning, Maria continued to move toward Puerto Rico after restrengthening to a Category 5 storm. The National Hurricane Center said it would affect Puerto Rico

and the U.S. and British Virgin Islands as an "extremely dangerous major hurricane tonight and Wednesday," warning of life-threatening storm surges, flash floods and mudslides across the region.

"You have to evacuate. Otherwise you're going to die," Puerto Rico's public safety commissioner Hector Pesquero said on Monday. "I don't know how to make this any clearer."

Meanwhile, **Hurricane Jose** will likely resemble "a strong Nor'easter -- rather than a devastating hurricane" from near Long Island to eastern Massachusetts, Capital Weather Gang's Jason Samenow reports. "Any deviation to the left of the Hurricane Center forecast track would increase the likelihood and magnitude of impacts elsewhere along the U.S. east coast from Delaware to southern New England," the Hurricane Center reported this morning.

Florida Gov. Rick Scott (R) tweeted that he had spoken with the Puerto Rican governor:



Sen. Bill Nelson (D-Fla.) said he called for capped airfares ahead of the storm:



Meteorologist Eric Holthaus called Maria "one of the fastest intensifying hurricanes in history:"



-- Still in the dark: Some residents in Florida are still without power about a week after Hurricane Irma hit the state. Reuters reported Monday that Florida utilities restored power to more than 95 percent of nearly 8 million

homes and businesses that experienced outages due to the storm. There are still 371,000 customers without power.

The Palm Beach Post reported that Florida Power & Light had restored power for 98 percent of customers in Palm Beach County by Sunday. In Miami-Dade County, 4 percent of households were still in the dark, according to the Miami New Times. The company has a Power Tracker map on its site that details the status of power in specific counties. The company tweeted last week that it estimated it would have power restored statewide over the weekend. Miami-Dade commissioner Xavier Suarez tweeted Monday morning called on residents to email him directly if they were still experiencing outages:



-- **Swan song:** New York Times climate reporter Justin Gillis is hanging up his reporter's cap, and has published his final piece as a regular reporter for the paper.

For his final story, Gillis chose to drive home the point that the greatest uncertainty when it comes to calculating the magnitude of climate change is our own behavior:

The truth is that the single biggest uncertainty in climate science has nothing to do with the physics of the atmosphere, or the stability of the ice, or anything like that. The great uncertainty is, and has always been, how much carbon pollution humans are going to choose to pump into the air.

In fact, calculations have been run on this. If you want, say, a forecast for global temperature in 2100, the uncertainty about how much pollution we will spew out is at least twice as large as any uncertainty about the physical response of the climate to those emissions.

So despite arguments like Mr. Pruitt's, a century of climate science has brought us to the point where we can say this definitively: We are running enormous risks. We are putting nothing less than the stability of human civilization on the line.

And yet most of us have still not bestirred ourselves to care, much less to march in the streets demanding change. We are like the people in Texas who did not take those flood warnings seriously enough, except that the stakes are so much larger.

Is this failure to act the legacy our generation wants to leave for the generations yet to come?

LOCAL ENVIRONS



Animal care technician Kathryn Nassar wears a costume and holds a crane puppet as she interacts with a 2-month-old whooping crane at the Patuxent Wildlife Research Center. (Salwan Georges/The Washington Post)

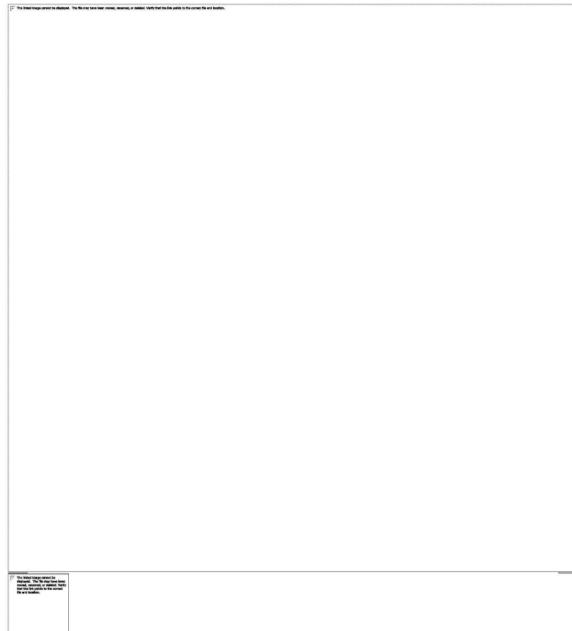
-- One last whoop for this whooping crane project: Funding to raise endangered whooping cranes will run out this month, marking the end of a 50-year and \$1.5 million project at the Patuxent Wildlife Research Center in Laurel, Md. The Post's Karin Brulliard details the effort, which began as a way of doing research to establish a breeding program for the cranes that were on the brink of extinction. The program's 75 cranes will move to other institutions to continue breeding.

Brulliard writes:

[T]he whooping crane program's end is a profound shift at Patuxent, which does plenty of other research but none so central to its identity. News of

the closure stunned employees, some of whom have devoted nearly three decades to the program...

All seven full-time employees in the program will be assigned new duties. But "some of those folks have only ever worked on whooping cranes, so it's going to be kind of existential to them. I don't want to downplay the personal difficulty that some people feel," he said. He added: "The thing I wonder about the most is how Patuxent will think about itself without the whooping cranes."



DAYBOOK

Today

- The Southwestern Tribal Climate Change Summit begins.

- The Energy Department's Energy Efficiency and Renewable energy office holds the National Hydropower Association Alaska Regional Meeting
- The Senate Energy and Natural Resources Committee holds a business meeting on various DOE, FERC and Interior nominees.
- The Senate Energy and Natural Resources Committee holds a hearing on land management requirements for electricity assets.

Coming Up

- The Senate Environment and Public Works committee holds a hearing on the nominations of **Michael Dourson, Matthew Leopold, David Ross, and William Wehrum** to be assistant administrators of the Environmental Protection Agency, and **Jeffery Baran** to be a member of the Nuclear Regulatory Commission on **Wednesday**.
- The Institute of World Politics holds an event on energy security on **Wednesday**.

EXTRA MILEAGE

Hurricane Maria delivers a blow to the French Caribbean island of Martinique:



Hurricane Maria delivers a blow to the French Caribbean island of Martinique

Maria rips through the Caribbean:



Hurricane Maria rips through the Caribbean

Who Spun it Best: Former White House staffers fight for influence:



Who Spun it Best: Former White House staffers fight for influence

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Democracy Dies in Darkness