

From: [Lefton, Charna](#)
To: [FW2 RDTPlus](#)
Cc: [Chris Tincher](#); [Jeff Humphrey](#); [Lesli Gray](#); [Nancy Brown](#); [Nicole Haskett](#); [Tom Buckley](#)
Subject: Items from various news sources
Date: Wednesday, November 27, 2013 11:59:51 AM

FYI... Items from various news sources on topics including:

Snowbirds Head to South Texas for Warm Weather, Bountiful Wildlife

Higher U.S. methane emissions, with oil and gas the likely culprit

Who's afraid of the American gray wolf?

White House releases its agenda for hundreds of new rules

-Charna

Charna Lefton
Assistant Regional Director for External Affairs
US Fish & Wildlife Service Region 2
505-248-6285
505-248-6915 Fax

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Motorhome Magazine

Fly Away to the the Magic Valley

Snowbirds Head to South Texas for Warm Weather, Bountiful Wildlife and a Little Taste of Mexico

By Bobbie Hasselbring
November 25, 2013

They call it "El Magico Valle del Rio Grande" (The Magical Valley of the Rio Grande) and thousands of RVers who flock here every year for warm weather, bargain-priced living and loads of wildlife, agree.

For years, we'd heard about "Winter Texans," intrepid RVers from the Midwest and East Coast who trade icy, cold winters in their home states for the tropical climate of the Rio Grande Valley in South Texas. We wanted to discover the magic of this valley for ourselves so we headed to the Lone Star State.

We started our adventure in Mission, a little town in the upper Rio Grande Valley (RGV), what locals call "The Valley." The RGV is an area in the southernmost tip of South Texas along the northern bank of the Rio Grande that separates the United States from Mexico. It's not really a valley, but rather a delta or floodplain. The area's woodlands and dry thorny landscape are dotted with oxbow lakes or resacas, U-shaped bodies of water formed by pinched-off meanders of the Rio Grande. These waterways, the subtropical latitude (the same as Miami, Fla.), and the Valley's location at the confluence of two major flyways between North America and South America, make it a hot birding spot.

Birding is Big

With more than 500 documented species, the Valley hosts one of the most spectacular convergences of birds on earth, and it attracts RVing bird enthusiasts like John Kaye, a retired computer programmer formerly from Menasha, Wisc. Fifteen years ago, Kaye and his wife discovered the Rio Grande Valley and became RVing Winter Texans. Now they've moved full-time to the Valley.

"We're bird-watchers and this is one of the best bird-watching places in the United States," he says. "We just fell in love and found it's an ideal place for nature lovers to retire."

The RGV's World Birding Center (WBC) — a joint partnership between the Texas Parks and Wildlife Department, Rio Grande Valley communities and the U.S. Fish and Wildlife Service — is a network of nine distinctly different birding sites set along a 120-mile historic river road. We're at Bentsen-Rio Grande Valley State Park, the WBC's headquarters.

It's also where RVers Jack and Peggy Halpin volunteer. Each fall, they drive from Maine and volunteer for two months at Bentsen. They lead bird walks and teach a Birding 101 class a few hours a week and, in exchange, pay nothing to park their motorhome here.

"We come for the birds," says Peggy. She and Jack are guiding a group of a dozen visitors on one of the park's daily bird walks and they've stopped at a feeding station where several chachalacas, large brown birds that are second cousins to wild turkeys, have gathered. As we watch, three bright green jays with dramatically marked blue and black heads fly in, causing several smaller kiskadees and sparrows to take flight.

"With so many colorful birds, I feel like I'm living in a tropical paradise."

In addition to 8 miles of birding trails, bike rentals and free tram shuttles, Bentsen-Rio Grande Valley State Park boasts a two-story hawk observation tower with a 210-foot-long wheelchair-accessible ramp that gives visitors a bird's-eye view of the tree canopy. In addition, two enclosed bird blinds and a birding wall allow visitors to see birds up close and watch their behaviors.

Just a mile up the road is the National Butterfly Center (NBC), the only such site dedicated to protecting butterflies and the largest native plant propagation garden in the country. As we stroll through the raised beds, flashes of color — black, orange, red, blue — dart around the plants. Max Munoz, our guide, points out the tiny red-bordered pixie and the Mexican silverspot. Forty percent of the nation's 700 butterflies come to the Rio Grande Valley and more than 200, many rare breeds, are seen here at the National Butterfly Center.

"Until recently, people haven't thought of butterflies as wildlife," Executive Director Marianna Wright tells us. "But they are an indicator species, even more so than honey bees, and they're wonderful pollinators. Our goal is to get people to plant native gardens in their own backyards to attract butterflies."

The NBC's 100-acre property features a bright-green exhibit building, gardens with native plants alive with butterflies, a wooded area with trails and butterfly feeding stations, and a birding area with a water feature and picnic tables. Munoz regularly fills the butterfly feeders with a mixture of ripe banana, brown sugar, and dark, non-pasteurized beer — and judging from the dozens of butterflies flitting about, they love the stuff.

We pull into Bentsen Palms RV Resort, a motorhome park popular with nature lovers. Most RVers here come for the season, but we find a rare empty site for a few nights. This RV park attracts a lot of bird-watchers who walk or ride free bikes into Bentsen-Rio Grande Valley State Park, which is next door. They also like the full hookups, swimming pool and spa, fitness center, wood shop, dog runs and organic garden. As the sun sets, a live Western band begins playing and we can't resist joining other RVers for a bit of West Texas line dancing.

While Bentsen Palms RV Resort is usually full during winter's high season, the Valley has hundreds of RV parks where you can stay for a day, a week, a season, or a lifetime. Some are modest and inexpensive; others are quite elegant and charge higher rates. A number cater to the 55-and-older crowd and, in many, people return year after year and create close-knit

communities. In all the parks, we find people are incredibly friendly and welcoming.

History, Grapefruit, Tamales

Nothing in the Rio Grande Valley is far away. Towns like Pharr, Edinburg, Harlingen, Hidalgo, McAllen, and Weslaco are strung like pearls connected by Highway 83, a modern freeway that runs the length of the Valley. We motor north just off 83 to Edinburg, home to the Museum of South Texas History. Located in a beautiful Mexican-style building decorated with colorful tile and wrought iron, this museum traces the history of the area from its origins as an ancient sea through original peoples, Spanish exploration, the Mexican War, cattle ranching and the expansion of the railroads, and how irrigation and farming shaped the Valley.

We head over to McAllen, one of the Valley's largest towns, to Quinta Mazatlan, a historic adobe home built in the 1930s and now owned by the City of McAllen. It's a 20-acre urban birding preserve and part of the World Birding Center. As we walk along Quinta Mazatlan's winding paths, chachalacas scurry underfoot and a screech owl pokes its head out of a hole in a palm tree. Despite a busy street and the McAllen International Airport just across the road, Quinta Mazatlan feels quiet, protected and natural.

"Even though we're an urban sanctuary, you'll see 20 different species of birds that don't migrate north of the Valley," says Colleen Hook, public relations director for the site.

We pass a recently added pond area and a belted kingfisher swoops in and scoops up a small fish. Next door is a green-built education building where homeowners learn how to transform their own backyards into wildlife sanctuaries. "We're changing the world one backyard at a time," Hook says.

Another piece of Rio Grande history can be found at the Old Hidalgo Pumphouse Museum and World Birding Center a few minutes away in the little town of Hidalgo. Irrigation has played a huge part in the development of the Valley, and this old pump house is where it all started in 1909. The Hidalgo Pumphouse, once run by giant steam engines, delivered 25,000-acre-feet of water to grow citrus and vegetables, and much of the old machinery, pipes and pumps are still intact.

Downstairs, there's a fascinatingly detailed model rail exhibit documenting the railroad's influence on the Valley. Built with countless hours by model rail enthusiast Arthur Nemes and valued at more than \$100,000, the rail cars and tiny towns on display are accurate miniatures of railroading in South Texas in the 1950s and '60s.

Hidalgo Pumphouse has spurred our interest in the Valley's agricultural past, so we go in search of Texas Reds, the area's super-sweet red grapefruit. They're in season and we want to buy them from the source, so we drive a few miles out of McAllen to Klement Grove & Country Store. This family-owned farm sells 20 different varieties of citrus fruit, including grapefruit, oranges, tangerines, tangelos, kumquats, limes and lemons. While the Valley's agricultural land is threatened by development, farmers like the Klements are hanging on. We buy a half-bushel of Rio Star grapefruit at the bargain price of \$7.50.

Another unique characteristic of the Rio Grande Valley is that it's a country-within-a-country. Nearly 80 percent of the RGV's population is Hispanic, so you'll find plenty of beautiful Mexican architecture and Talavera tile, lively Tejano music and deliciously authentic Mexican food. Twice we stop at Delia's, a small local chain selling handmade tamales by the dozen, to load up our motorhome's freezer. We also stock our refrigerator with handmade tortillas and super-melty Oaxaca cheese.

We shop downtown McAllen with stores catering to Mexican tastes, including elaborate, sparkly dresses for girl's sweet-15 parties (Quinceañeras). Even grocery stores in the RGV are fun to shop, with plenty of Mexican and international foods and goods you don't usually find.

Our time in the RGV is nearly over and we want one last chance to see the area's birds. We drive to Estero Llano Grande State Park and World Birding Center, at 230-acres, home to the largest wetland network in the WBC. Because of the many shallow lakes, woodlands, and thorn forest, this park attracts a spectacular array of water birds. We join a group of 40 or so birders and six volunteer leaders and, before we travel 10 feet, we spot green-, blue-, and yellow-crowned herons in the shallow ponds. Then there are neo-tropic cormorants, American coots, stilts, white pelicans, laughing gulls and more.

It's hard to imagine that this area was once cultivated farm fields. Through a cooperative effort by several agencies and nonprofits, including the Texas Parks Department and Ducks Unlimited, and countless hours put in by RVing volunteers like Mary Elder and her husband, Dave, of Ontario, Estero Llano has become the crown jewel of the World Birding Center.

"This is the best little park in Texas," Dave says, peering through his binoculars at a blue heron dressed in elegant mating plumage. "We have a lot of water here and a concentration of birds that makes it really easy and fun for anyone to see."

Those birds are just one of many great reasons we'll be flying back to the Rio Grande Valley again and again.

Bobbie Hasselbring is a frequent contributor to MotorHome and editor of www.realfoodtraveler.com, which covers authentic food and travel. Bobbie owns a Class C Jayco Greyhawk SS.

ClimateWire & EnergyWire

New survey finds much higher U.S. methane emissions, with oil and gas the likely culprit

Gayathri Vaidyanathan, E&E reporter

Published: Tuesday, November 26, 2013

U.S. EPA's methane emissions inventory underestimates the releases nationwide by as much as 50 percent, according to a new study.

Part of the discrepancy is due to the oil and gas sector, which is likely emitting about five times more methane in Texas and Oklahoma than is currently assumed, according to the study.

"There are very large methane emissions out of south-central United States, parts of Texas and Oklahoma, and the emissions from those regions seem to be at odds with the existing estimates of emissions that we have," said Scot Miller, a graduate student in the Department of Earth and Planetary Sciences at Harvard University and lead author of the study.

The study, published yesterday in *Proceedings of the National Academy of Sciences*, adds to the body of work on emissions from the oil and gas sector. Natural gas is usually promoted as a bridge to a post-carbon world, but there are concerns that large emissions of methane, a potent greenhouse gas that traps 70 times more heat in the atmosphere than carbon dioxide over a 20-year time scale, could negate the benefits. EPA estimates that the oil and gas sector is the largest emitter of methane in the United States.

In September, scientists from the University of Texas, Austin, and the Environmental Defense Fund analyzed emissions from natural gas drilling, specifically from pneumatic controllers, green completions and other processes. Their results were widely interpreted as confirmation that the EPA inventory of the oil and gas sector is accurate ([EnergyWire](#), Sept. 17; [EnergyWire](#), Nov. 6).

The present study suggests this may not be the case.

David Allen, author of the UT Austin study, stressed that his research focused only on specific processes of natural gas drilling. In contrast, the Harvard study released yesterday looks at emissions across entire

regions.

Experts have said that both types of studies -- inventories at the ground level, as done by UT Austin, and broader methane measurements, as done by Harvard and scientists at the National Oceanic and Atmospheric Administration -- are needed to resolve how much methane is emitted by the industry.

"They conclude that methane emissions from ... fossil fuel production and processing are underestimated in current emission inventories," Allen said. "A logical follow-up question is which sources within these sectors are responsible for the emissions. Some emission sources may be more important than others."

Different methods

The Harvard study used measurements of methane taken by aircraft and a network of towers as tall as the Empire State Building. The data are collected by the Department of Energy and NOAA throughout the United States.

Miller and his colleagues used 12,700 measurements made in 2007 and 2008, before the natural gas drilling boom really accelerated. They used wind and weather modeling to trace the methane back to the source.

In contrast, EPA scientists use an accounting method in which they count the numbers of cows, pipelines, wellheads, landfills and other sources and list how much each must emit. From that, they extrapolate to generate an inventory for the United States as a whole.

This inventory does not leave room for real-world scenarios, such as malfunctions at landfills or unanticipated blowouts at well pads, that suddenly spit out large amounts of methane.

"The total emissions [in the atmosphere] are not in line with the total coming from these accounting-based methods," said Anna Michalak, a professor in the Carnegie Institution for Science's Department of Global Ecology at Stanford University and a co-author of the study. "This really means we need to go back and work on those inventories to see what is missing."

The modeling method employed by the scientists is not used by EPA because of the complexity of the effort, Michalak said.

Moreover, EPA's inventory method is the best way to get detailed information about hundreds of subcategories of emitters, which would be needed for policymaking and regulation, said David McCabe, an atmospheric scientist with the Clean Air Task Force.

Livestock, oil and gas

The discrepancy between the Harvard study and EPA's inventory is due to livestock and, predominantly, the oil and gas sector, said Marc Fischer, a scientist at the Lawrence Berkeley National Laboratory and a co-author of the study.

"Even if we made emissions from livestock several times higher than inventory estimates would suggest for the southwest, you still don't get enough to cover what's actually being observed," he said in a statement. "That's why it looks like oil and gas are likely responsible for a large part of the remainder."

The scientists found that Texas and Oklahoma emitted more methane than is currently assumed. The study found the region emits an average of 3.7 terragrams of carbon in the form of methane every year.

That is higher than the 0.75 terragrams of carbon recorded in the EDGAR methane inventory of the European Commission. EDGAR is roughly similar to EPA's inventory, Miller said.

The scientists also found propane -- which is emitted only during fossil fuel extraction -- in the atmosphere, which strongly suggested that the emissions recorded in the region were coming from the oil and gas industry, said McCabe of the Clean Air Task Force.

"This adds up to a pretty clear qualitative signal that oil and gas is a significant portion of the undercount of methane," he said.

<http://www.theguardian.com/commentisfree/2013/nov/16/american-gray-wolf-endangered-species-debate>

The Guardian

Who's afraid of the American gray wolf?

As the US debates whether to remove the wolf from the endangered species list, the fangs and fans are coming out

BY Lance Richardson

There is no wild animal in America today more revered and reviled than the gray wolf. In Yellowstone National Park, [wolf watchers](#) line up along the Lamar Valley like paparazzi stalking pop stars. Meanwhile, in Catron County, New Mexico, schools build cages around bus stops, and a doctor [sends a paper](#) (pdf) to the federal government warning of the potential for PTSD among children living near wolves.

"Wolves are symbols," explained John Vucetich, a population biologist at Michigan Tech, when I asked him about the animal's peculiar power.

When we're talking about wolves we're often talking about our relationship with nature over all. That, as I'm sure you know, is not a subtle sort of thing in our country.

Symbols and nature. The truth of Vucetich's statement came into sharp focus on 13 June, when the US Fish and Wildlife Service released [radical proposals](#) to alter its management of wolves. Since then, scientists, conservationist, ranchers, and rural communities have largely responded with censure.

As an inner-city liberal, my instinct here is probably predictable: protect the wolves at all costs. Never mind that I don't live near them and have never seen one in the wild. Simply knowing they exist gives me satisfaction; they are part of the imagined wilderness I use to reconcile my urban lifestyle. Anybody anti-wolf is ignorant and wrong.

But I also know this is a knee-jerk reaction, ignorant in its own way. Indeed, it is crucial to step back and recognize how emotions and fantasies color debates about wildlife. Reactions to the agency proposals show a wolf with split personality disorder: icon of the wild by day, malevolent monster by night. Either the wolf is nature's Jekyll and Hyde, or there's more at play in this discussion than just the *Canis lupus*.

Here are the facts. Gray wolves already have been removed from the endangered species list in seven states of the Northern Rockies and Western Great Lakes, where the combined population sits at around 6,100. Now the agency proposes to remove federal protection across the remaining lower 48 states – in effect, to "delist" wolves entirely. It also proposes to relist the Mexican gray wolf as an endangered subspecies in Arizona and New Mexico and to increase recovery efforts.

So far the Federal Register has logged more than 31,000 responses, with the [comment period](#) recently extended until 17 December. Although many comments count as personal pleas ("they are gods animal" [sic]), some are detailed legal arguments from rancher and game coalitions. A group of 16 conservation biologists has also [released a letter](#) (pdf) of "serious concerns".

Gary Frazer is assistant director for Ecological Services and heads up the Endangered Species Program at the US Fish and Wildlife Service. In a telephone interview, he explained that the agency made its proposals so it could shift resource to "the only other population of wolves that is in danger of extinction" – the Mexican gray wolf.

Taking the facts, many perspectives on wolves today infuse them with a measure of myth. For example, at the sympathetic end of the spectrum wolves are wilderness incarnate, sometimes appearing on t-shirts howling at the moon or framed by an Ojibwe dreamcatcher. The ancestor of domestic dogs, "man's best friend", the wolf is easy to anthropomorphize because of its intelligence and family groups (it is like us). Those wolf watchers in Yellowstone have even been known to follow the ins and outs of inter-pack relations like the twists of a daytime soap opera.

Biologists may take a less romantic view, but much scientific discussion also treats the animal as intrinsically valuable. Wolves are "apex predators", which means, as Vucetich explained, "they have disproportionate effects on the ecosystems in which they live".

Biologists see this in a positive sense, but the effects of wolves – both real and imagined – motivate the side of opinions where the wolf is seen as "the beast of waste and desolation" (a concept discussed by Barry Lopez in his seminal book, [Of Wolves and Men](#)). The wolf is something threatening now: the wild, unpredictable element in dogs; an uncivilized mirror of man; a pernicious competitor for livestock. "The US Fish and Wildlife Service can say that the wolf is never going to attack a person, but they've got their fingers crossed," said Jess Carey, Wildlife Investigator in Catron County, when I asked him about a passionate document subtitled "[A County in Crisis](#)" (pdf) that he submitted to the Secretary of the Interior in 2012.

The main question, of course, is whether coexistence is possible given the polarity of these views. True, the situation is not exactly black and white. Advocacy groups like [Defenders of Wildlife](#) acknowledge the problem of wolves preying on livestock. Paul Schlegel, director of environment and energy policy at the [Farm Bureau](#), is also open to the idea of ranchers adapting to the presence of wolves on the range. "I don't see that that's a dead end at all," he told me.

But as the US Fish and Wildlife Service deliberates over its next move, the conflict around wolves hints at an even older question: What is the place and value of wilderness in modern America?

GreenWire

White House releases its agenda for hundreds of new rules

Nick Juliano, E&E reporter

Wednesday, November 27, 2013

Page down to see the report on anticipated rules for Interior

Federal agencies have a packed schedule for the coming year that includes expected rules targeting greenhouse gas emissions from power plants, tightening control over hydraulic fracturing on public lands and updating efficiency requirements on a variety of appliances, according to a sweeping plan released by the White House today.

The fall issue of the biannual "Unified Agenda of Federal Regulatory and Deregulatory Actions" -- which typically is published in October -- was not nearly as delayed as this year's spring version, which came out in July instead of its traditional April release ([Greenwire](#), July 8). At the same time, its publication right before Thanksgiving will dampen the attention it receives.

The document contains the long- and short-term plans for every agency in the executive branch, detailing both the marquee and the mundane plans being carried out across the federal government.

But notably absent from the agenda is any mention of a controversial Securities and Exchange Commission rulemaking to force resource extraction companies to disclose payments to governments in the United States and abroad.

A U.S. district court judge this summer tossed SEC's original rule, which was developed pursuant to a mandate in the Dodd-Frank Wall Street reform law. The agency's next steps remain unclear.

EPA

U.S. EPA has a full plate with more than 140 items on the docket, including its high-profile regulations tightening carbon dioxide emissions from both new and existing power plants. The rule for future power plants -- proposed earlier this fall -- does not have a finalization date listed but is expected to be done next year.

The rule for existing power plants is on pace for a proposal in June 2014 with finalization in June the following year, according to the agenda.

EPA also lists plans for a long-awaited review of National Ambient Air Quality Standards (NAAQS) for ozone pollution, although there is no date for a proposed rulemaking. EPA has said it is still performing analytical work on the rule, and observers expected a proposal would not be issued until late 2014.

The previous attempt to tighten the ozone standards was squelched by the White House in 2010, and environmental groups have expressed concern about the potential for EPA's plans to slip further.

The agency is also considering a NAAQS for lead, which is due to be proposed in July 2014. An implementation rule for the 2012 NAAQS for fine particulate matter (PM 2.5) is scheduled for May.

The agenda also confirms a February finalization date for the agency's Tier 3 rule lowering the level of sulfur in gasoline. The rule was expected to be done by the end of the year, but a high volume of comments will push it until February.

The agency's controversial proposal to scale back renewable fuel targets for the first time as part of the 2014 renewable fuel standard is listed to be finalized in February. Under the decision announced earlier this month, EPA will require that refiners blend 15.21 billion gallons of renewable fuels into petroleum-based gasoline and diesel next year, a step back from previous targets.

Also on tap: revisions to lead renovation rules, policies in response to Freedom of Information Act requests, regulations on refrigerants used in automobile air conditions and regulations on reporting the chemicals used in hydraulic fracturing.

Interior

The Interior Department's regulatory agenda contains few surprises.

The agency, which oversees energy development, wildlife protections and recreation on roughly one-fifth of the nation's land and nearly all of its oceans, is still working on rules governing hydraulic fracturing, Arctic drilling, oil shale management and endangered species, among hundreds of others.

High-profile actions include the finalization of the Bureau of Land Management's sweeping hydraulic fracturing regulations, targeted for May 2014.

The rules, released in draft form last May, would require operators to disclose the chemicals used in hydraulic fracturing and demonstrate plans to maintain well-bore integrity and the management of flowback water.

BLM is also still mulling a new onshore oil and gas order that would establish limits for the venting and flaring of natural gas. The order, which would address the escape of methane, a potent greenhouse gas, could align with President Obama's plans to take executive action to curb global climate change.

A proposed rulemaking is scheduled for August 2014.

BLM by May 2014 also plans to release a proposed rule to implement a competitive process for commercial-scale wind and solar development on public lands. BLM has historically processed applications on a first-come, first-served basis, a process the agency has said stifles competition and has led to bureaucratic delays. An advanced notice of the proposed rules was issued in late 2011.

BLM next May will also finalize a rule governing royalties for oil shale development in the West, the agenda says.

The Fish and Wildlife Service is mulling a bevy of Endangered Species Act regulations, including the near-term finalization of a draft rule to clarify the definition for when species qualify for "threatened" or "endangered" status.

By next month, the agency along with the National Oceanic and Atmospheric Administration is expected to issue a final policy interpreting the phrase "significant portion of its range" in the 1973 law.

The policy, which has drawn intense opposition from environmental groups and some Democrats, would essentially raise the threshold for when species can receive federal protections, but once they are listed, it would ensure those protections apply more broadly.

Fish and Wildlife next month is also scheduled to issue a proposed rule to redefine the ESA term "destruction or adverse modification" of critical habitat, which could largely influence which areas the agency sets aside for species' survival and recovery.

The bureaus of Ocean Energy Management and Safety and Environmental Enforcement in early 2014 are also expected to issue new rules updating standards for blowout preventers and codifying rules for oil and gas exploration off the Alaskan coast.

DOE

The Department of Energy will maintain its renewed focus on energy efficiency requirements for various consumer and industrial appliances, according to its agenda. Among the 82 activities listed on the agenda are new or updated rulemakings covering a variety of products, including residential boilers, vending machines and commercial ice makers.

Energy Secretary Ernest Moniz has made efficiency a key focus of his tenure at DOE and has pushed the department to get back on track with efficiency rules that were delayed. Earlier this week, DOE published a proposal to make electric motors more efficient, marking the fourth efficiency rule rolled out since August ([E&ENews PM](#), Nov. 25).

DOE says in a statement accompanying the agenda that its "regulatory activities are essential to achieving its critical mission and to implementing major initiatives of the President's National Energy Policy," which includes a major push to reduce greenhouse gas emissions to confront climate change.

The department also points to its recently proposed efficiency standards for metal halide lamp fixtures, commercial refrigeration equipment, and walk-in coolers and freezers. Cumulatively, those rules would save consumers \$11.1 billion to \$31.6 billion in reduced energy costs, according to the agenda.

DOE also is undertaking a retrospective analysis on three rulemakings: efficiency standards for battery chargers and external power supplies, procedures to obtain a waiver from certain testing requirements, and potential identification of alternative methods to rate appliance efficiency and determine compliance with applicable standards.

The agenda also shows continued delays for a rule to phase out fossil fuels as an energy source in new or renovated federal buildings. The requirement established in the 2007 energy law has proved especially vexing to implement, and supporters of the coal and natural gas industries say it should be scrapped.

DOE over the summer seemingly acknowledged difficulties implementing the law and said it would produce a supplemental phaseout rule by this fall ([Greenwire](#), July 9). Now, according to the updated agenda, a supplemental rule is not scheduled to be proposed until at least January.

NRC

The Nuclear Regulatory Commission also has a busy agenda, working on about a dozen proposed rules and eight final rules that touch on everything from security issues to nuclear waste storage and reactor designs.

On the safety front, NRC is working through a host of rules to firm up U.S. reactors' plans for withstanding flooding and severe earthquakes.

The rules reflect lessons the agency learned from a 2011 nuclear disaster in Japan that erupted after the island country was hit with a magnitude-9 earthquake and 45-foot tsunami, crippling three reactors at the Fukushima Daiichi plant.

NRC has said all top-tier actions stemming from Fukushima should be finished by the end of 2016 ([ClimateWire](#), March 7, 2012).

The commission issued a notice of proposed rulemaking last March, dubbed the "station blackout" rule, to ensure power-hungry nuclear plants in the United States have the right strategies or equipment on- and off-site -- to cool a reactor's core and hot, spent fuel in nearby pools for an indefinite amount of time if outside power is cut. Comments on the proposed rule were due May 4.

NRC is also revamping seismic studies for U.S. reactors, and agency officials had hoped that any changes in plant designs based on new evaluations of seismic risks would be complete by the end of 2019. Industry, however, has asked for more time to incorporate guidance from the Electric Power Research Institute.

The commission is also continuing the difficult work of revamping its policies for waste storage, even in the absence of a national repository. The commission in September proposed a rule in response to a federal court ruling that

found existing policies for waste storage violated the National Environmental Policy Act by failing to adequately consider the implications of storing spent fuel at reactors for years after operations had ceased ([Greenwire](#), Sept. 13).

The analysis NRC issued alongside the proposed rule concluded there are no environmental issues that would preclude the storage of hot, radioactive waste near reactors for up to 60 years after plants are closed. The rule has drawn the support of the nuclear industry and proponents of nuclear power, while sparking concern among environmental groups that say the analysis is limited and flawed.

Coal and mining

EPA may in the coming weeks release a rule first proposed in 2011 to exempt certain underground CO2 injections from Resource Conservation and Recovery Act hazardous waste regulations. The idea is to promote carbon capture and sequestration efforts.

The agency also listed in the regulatory agenda potential actions to increase oversight of uranium extraction facilities and radon emissions from conventional uranium milling facilities. Environmentalists have for years been pressing for the rules.

Listed under "long term actions" is EPA's rulemaking on the disposal of coal combustion waste material. The agency, by court order, is scheduled to file a timeline for completion in the coming weeks.

Also tucked away in long-term actions is an effort to boost financial assurance requirements for hardrock mines under the Superfund law. Environmental advocates worry about the agency abandoning the effort.

BLM signaled its intent to move forward next year with new rules to govern methane releases from underground coal mines on federal land. Environmental groups want the regulators to mandate capture and possible sale of the powerful greenhouse gas.

BLM is also reviewing a proposal to boost the royalty rate for highwall coal mining, often described as a hybrid between underground and surface coal extraction.

The Office of Surface Mining is moving forward with a plethora of high-interest proposals, including measures to govern the use of coal ash in mine reclamation, boost rules for coal slurry impoundments, encourage the use of coal reclamation dollars for hardrock mine cleanups through liability protection and prevent mine operators from idling projects to delay cleanups.

However, the most controversial rulemaking in OSM's roster remains the so-called stream protection rule to protect waterways from strip coal mining. OSM has promised to release a proposal next year.

NOAA

The National Oceanic and Atmospheric Administration plans to tackle more than 140 proposed and final rules regarding fisheries management, from catch-share quotas and electronic monitoring to the establishment of critical habitat for endangered species.

Of note is one regulation that would soon reopen federal waters that were closed to fishing after the 2010 Deepwater Horizon disaster.

Following the explosion of the BP Macondo well and subsequent oil spill, an emergency rule to ban fishing was issued in May 2010 to prevent interference with safety personnel. The regulation has been in effect ever since.

The rule will be terminated because the emergency no longer exists, the agenda said.

DOT

The agenda also lists a series of forthcoming hazardous material regulations required by the surface transportation bill signed into law in 2012. MAP-21 requires the Pipeline and Hazardous Materials Safety Administration to set new benchmarks for the evaluation and approval of special permits for the transportation of chemicals and other hazardous materials.

The agency will also consider stricter safety rules for the transportation of hazardous material by rail and regulatory changes that cover liquids transported in onshore pipelines.

According to the agenda, the Department of Transportation is also moving forward with the second phase of a rule intended to alert consumers about the benefits of alternative fuel vehicles. DOT is required to raise awareness about hybrid and electric vehicles under the Energy Independence and Security Act of 2007. The change would require alternative fuel vehicles to display a special label and include updated energy efficiency information in the cars' owner's manuals.

Reporters Jason Plautz, Phil Taylor, Manuel Quiñones, Hannah Northey, Daniel Bush and Jessica Estepa contributed