



# REGULATORY ROUNDUP

NATURAL RESOURCE USERS LAW & POLICY CENTER  
COLLEGE OF AGRICULTURE & LIFE SCIENCES AND COLLEGE OF LAW

## REGULATORY ROUND-UP

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### Climate Change

***Climate Change Mitigation Legislation:*** The Inflation Reduction Act (IRA) - \$740 B, CHIPS and Science Act - \$53 B, and the Infrastructure Investment and Jobs Act (IIJA) - \$47 B, all should work together to help reduce GHG emissions by 40% by 2030 and to mitigate impacts from climate change. The IRA also amends the Clean Air Act to define greenhouse gases to include carbon dioxide, hydrofluorocarbons, methane, nitrous oxide, perfluorocarbons, and sulfur hexafluoride as air pollutants and establishes programs to reduce GHG with funding to states to develop reductions plans. According to Vermont Law School professor, Patrick Parenteau, the IRA does not undo the result of the Supreme Court decision in [West Virginia v EPA](#). However, it does enable EPA to “take stronger actions to reduce GHG” (Parenteau 2022). Here are some highlights of what the two most recent bills do for natural resources.

#### ***The Inflation Reduction Act:***

- \$20 billion to several NRCS programs: the Agricultural Conservation Easement Program ([ACEP](#) – \$1.4 billion), Conservation Stewardship program ([CSPP](#) – \$3.25 billion), Environmental Quality Incentives Program ([EQIP](#) - \$8.45 billion) and the Regional Conservation Partnerships Program ([RCPP](#) - \$6.75 billion) for climate-smart agriculture.
- \$1 billion for NRCS conservation technical assistance.
- \$14 billion for rural renewable electric cooperatives, energy efficiency and loan programs, biofuels and sustainable aviation fuel infrastructure, and tax credits.
- \$1.8 billion to USFS wildland-urban interface hazardous fuels reduction
  - \$450 million for grants to support implementation of climate mitigation and forest resilience practices on private lands.
- \$5 billion for wildfire fighting, carbon sequestration projects and urban community tree planting.
- \$1.5 billion to the [Urban and Community Forestry Assistance program](#) for tree planting and related activities through multi-year grants.
- \$700 million to states for grants through the [Forest Legacy Program](#).
- \$700 million to the [USFS Forest Legacy Program](#).



- \$4 billion to drought mitigation in Western Reclamation states with priority to the Colorado River Basin. Includes compensation for voluntary reduction of water uses and ecosystem and habitat restoration projects.
- \$25 million to Bureau of Reclamation to cover water canals with solar panels to increase water conveyance efficiency while also enhancing renewable energy.
- \$720 million specifically applied to Tribes and Native communities for climate resilience, fish hatcheries, high efficiency electrification, energy loans and emergency drought relief in addition to inclusion for application to funding sources listed above.
- \$125 million to USFWS to develop and implement recovery plans under paragraphs (1), (3), and (4) of subsection (f) of section 4 of the Endangered Species Act of 1973 ([16 U.S.C. 1533\(f\)](#)).
- \$121.3 million to USFWS for rebuilding and restoring units of the National Wildlife Refuge System and state wildlife management areas to increase resiliency of habitats.
- \$32.5 million to [Council on Environmental Quality](#) (CEQ) for (1) data collection on “A) disproportionate negative environmental harms and climate impacts; and (B) cumulative impacts of pollution and temperature rise; (2) to establish, expand, and maintain efforts to track disproportionate burdens and cumulative impacts and provide academic and workforce support for analytics and informatics infrastructure and data collection systems; (3) to support efforts to ensure that any mapping or screening tool is accessible to community-based organizations and community members” (IRA 2022).
- \$30 million to CEQ for efficient and effective environmental reviews.
- \$150 million to the Department of Interior (DOI) for environmental review processing.
- \$1.2 billion to the National Park Service and Bureau of Land Management lands for conservation, resilience, ecosystem restoration, personnel and maintenance activities.

#### ***The CHIPS Act:***

- \$8.9 billion to the Department of Energy Science for the Future. Investing carbon reducing energy technologies including bioenergy research.
- Authorizes funding for Bioeconomy Research and Development including the development of advanced biofuels and the optimization of end uses of biomass. This includes “supporting research on plant and tree growth, productivity, performance, adaptation and resilience in changing environmental conditions” (Chips and Science Act 2022).
- Authorizes funding for the National Science Foundation Rural STEM Activities.

#### **Citations:**

Parenteau, P. (2022). [The Inflation Reduction Act doesn't get around the Supreme Court's climate ruling in West Virginia v. EPA, but it does strengthen EPA's future abilities](#). The Conversation.

Inflation Reduction Act, [Public Law No: 117-169](https://www.congress.gov/bill/117th-congress/house-bill/5376/text). (2022). <https://www.congress.gov/bill/117th-congress/house-bill/5376/text>

Supreme Court Security Funding Act (CHIPS and Science Act), Pub. L. No. 117-167 (2022). <https://www.congress.gov/bill/117th-congress/house-bill/4346/text>

## Wildfire Management

**[Community Wildfire Defense Grant \(CWDG\)](#)** for wildfire risk reduction. This IJA created program provides \$1 billion dollars through 2026 for projects that help wildland urban interface (WUI) communities to: restore and maintain landscapes, create fire adapted communities and improve wildfire response. **Applications are due by October 7.**

**[Interagency Fuel Treatment Decision Support System \(IFTDSS\)](#)**: This local to landscape level tool provides a step-by-step process for testing impacts of fuels treatment (thin, clear cut, prescribed burn) on fire behavior. Then compares results to determine the modeled treatment that achieves reduced fire behavior potential. The tool has been used for NEPA specialist reports, Community Wildfire Protection Plans, Quantitative Wildfire Risk Assessments, fuel treatment prioritization, as well as for fuels and fire behavior training and education. To learn more, view the [IFTDSS Overview webinar link](#).

## EPA

[The U.S. Environmental Protection Agency \(EPA\)](#), released the [draft ecological risk assessment](#) for dicamba herbicide for a 60-day public review. **Comments due by October 17, 2022, 87 Fed. Reg. 50854.**

## ESA

[USFWS request for input on Establishing Objectives and Standards for Conservation Banking](#) as a guide to a proposed rulemaking on the practice of [conservation banking](#), a market-based system for conserving species and their habitat. **Public comments due by September 26, 2022, Fed. Reg. Docket No. FWS-HQ-ES-2021-0137-0001.**

## Online Planning Tools

[BLM Geospatial Business Platform](#) – an online hub for BLM GIS data and information for natural resource users.

[EPA RE-Powering America's Land Initiative Mapper](#) – this online mapper and data query has over 190,000 brownfields, superfund, landfill, mine sites and other contaminated lands to help users identify sites for renewable energy development.

[New Interactive Map For AZ Water Rights Claims Now Online](#) – In ADWR's Adjudications Division [online map](#) – allow users to search the Statement of Claimant Locator GIS data.

[Rapid Regulatory and Permitting Information Desktop Toolkit](#) - assists users in navigating federal and state regulations for renewable energy projects.

## USDA

[Rural Energy for America Program Loans & Grants in Arizona](#) This program offers funding for Renewable Energy Systems (\$2500 - \$500,000) and Energy Efficiency Improvement (\$1500 - \$250,000) to agricultural producers and rural small businesses. **Next applications due October 31, 2022.** See the title link for more information.

[The U.S. Department of Agriculture \(USDA\) 2022 Conservation Innovation Grants Program.](#)

This program provides grants up to \$2 million to private landowners for projects focused on addressing climate-smart agriculture, invasives and urban agricultural systems. **See the grant applications [webinar](#) and submissions due date is October 11.**

## MINING

According to EE News, mining companies receive a 10% tax break for the cost of production of [critical minerals](#) from the Inflation Reduction Act. Additionally, \$500 million is budgeted to the Defense Production Act funding for minerals that are required by electric vehicle batteries.