



May 1, 2023

The Honorable Joe Manchin
Chairman
Committee on Energy and Natural Resources
304 Dirksen Senate Office Building
Washington, DC 20510

The Honorable John Barrasso
Ranking Member
Committee on Energy and Natural Resources
304 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Tom Carper
Chairman
Committee on Environment and Public Works
410 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Shelley Moore Capito
Ranking Member
Committee on Environment and Public Works
410 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairmen Manchin and Carper and Ranking Members Barrasso and Capito,

The Natural Gas Council, on behalf of the individuals and companies who produce, transport, and deliver natural gas across the nation, urges you to advance policies that would expedite permitting under key statutes by establishing clear timelines, clarifying the scope of agency review, and reducing the uncertainty associated with judicial review. Importantly, Congress can take these steps *without* compromising the United States' environmental protections or our nation's commitment to a clean-energy future.

Our critical infrastructure systems are fundamental to a reliable, secure, and affordable clean energy future. According to the Energy Information Administration, between 2005 – 2019, carbon dioxide emissions from the U.S. power sector declined by more than one-third while electricity generation increased roughly two percent, with fuel switching to natural gas accounting for more than half of those reductions. Natural gas also supports the growth of renewable energy by providing reliable, dispatchable fuel and storage that minimizes the risk of power disruptions during times of intermittent load. Therefore, expanding modern natural gas networks is essential to safely deliver energy to businesses and consumers while lowering greenhouse gas emissions.

Clear, predictable infrastructure permitting processes remain instrumental to achieving our shared energy, economic, security, and climate-related goals. Unfortunately, the current processes to site and approve new and expanded infrastructure remain cumbersome, often stalling projects for years with duplicative reviews, unnecessarily burdensome approvals, and unending legal challenges. These inefficiencies hamper access to domestic natural gas resources, creating reliance on imports, raising energy costs in certain regions, and, in the worst cases, limiting access to energy during periods of extreme weather.

To address these problems, Congress must reform the Clean Water Act (CWA) certification process to promote efficiency, properly scope state reviews and conditioning of permits, eliminate inconsistent results across agencies, and ensure that agencies use the process only to protect water quality, not pursue unrelated goals. Congress should also eliminate unnecessarily long and unduly burdensome National Environmental Policy Act (NEPA) reviews by clarifying agencies should only analyze reasonably foreseeable environmental effects causally related to the proposed project, focusing analyses on feasible alternatives, and establishing review schedules. Finally, Congress should end pointless, project-killing delays by establishing timelines for judicial review of CWA certifications and NEPA reviews and requiring a clear connection between the project and effects on water quality before a court can vacate a certificate and prolong the review process.

To fulfill America's energy, economic, security, and climate-related goals, the Natural Gas Council and the companies we represent stand ready to work in a bipartisan manner to enact durable permitting provisions that enable development of the energy infrastructure needed to continue delivering the benefits of natural gas to the American people.

Sincerely,



Karen Harbert
President & CEO
American Gas Association



Frank Macchiarola
Senior Vice President
American Petroleum Institute



Amy Andryszak
President & CEO
Interstate Natural Gas Association
of America



Jeff Eshelman
President & CEO
Independent Petroleum Association
of America



Dena Wiggins
President & CEO
Natural Gas Supply Association