

ACEC Environment & Energy Committee
Winter Meeting
ACEC Headquarters
1015 15th Street, N.W., Washington, DC
February 8th & 9th, 2017

Agenda

Context

This EEC Winter meeting takes place in an atmosphere of uncertainty in environmental and energy policy.

Congressional priorities start with health care and tax reform each tied to major budgetary actions for the remainder of FY 2017 and FY 2018. Senate confirmation hearings have highlighted partisan differences on federal energy, water and environmental regulatory reach including: ozone standards, carbon emissions (Clean Power Plan, methane), “waters of the United States,” and oil and gas pipeline infrastructure permitting. **William Kovacs** will cover the relevant administrative and congressional regulatory reforms underway in Congress.

Don Santa, Marty Durbin, and James Hoecker will speak to the challenges posed to natural gas and electricity transmission infrastructure. **Catherine Landry** will present the INGAA communications program to support gas pipeline project developments.

Among states, major energy business model and market disruption (natural gas, renewables, DERs) is driving some (NY, IL) to undertake measures to avoid premature retirements of substantial nuclear capacity. Transmission and storage developments raise more questions. These are broad market defining regulatory/legislative decisions that are disruptive to the status quo. A panel including **Deana Dennis, Chris Villarreal, Jesse Rodriguez, Sharon Segner,** and will provide both regulatory and business perspectives of the impacts of these developments.

Consent decrees, and integrated planning concerning waste water and CSO infrastructure are expected to get scrutiny in this Congress. **Rich Anderson, Fredric Andes, and Ben Grumbles** will provide insights into the likely clean and drinking water policy developments.

The electricity sector is confronting a complex set of changes and challenges, including: aging infrastructure; a changing generation mix; growing penetration of variable generation; low and in some cases negative load growth; climate change; increased physical and cybersecurity risks; and in some regions widespread adoption of distributed energy resources (DER). **Michael Pesin** will cover the DOE grid research and development to address cyber security and other threats and challenges.

Finally there will be a committee discussion of infrastructure permitting issues led by **Lauren O'Donnell** (TRC), **John Zimmer**, (TRC) and **Karen Bennett** (Clark-Hill).

<p>Wednesday, February 8, 2017</p>

8:00 a.m. **Breakfast**

8:15 a.m. **Opening Remarks, Introductions & Announcements**

[Jack Hand](#) Chairman, ACEC Water, Environment & Energy Committee
Chairman, POWER Engineering

[Lynn Schloesser](#), Director, ACEC Water, Environmental & Energy Programs

8:30 a.m. **Governmental Affairs - Federal Overview: Executive, Legislative, Regulatory, Judicial**

- [Steve Hall](#) Vice President Government Affairs, ACEC, and Lynn Schloesser

9:15 a.m. **Regulatory Reform** –The President-elect and his nominees to head DOE and EPA have, at one time or another, proposed dramatic changes in both the departmental organization and regulatory policies concerning federal energy and environmental issues. As the new Administration and Congress take shape and the courts process related energy and environmental litigation, what is realistic near-term federal regulatory reform for environment and energy policy? What does this mean for infrastructure?

- [William Kovacs](#) Senior Vice President, Environment, Technology & Regulatory Affairs, U.S. Chamber of Commerce (confirmed)

10:15 a.m. **Break**

10:30 a.m. **Energy Infrastructure Market – Plans and Permitting**

Demand for oil and gas pipeline electricity and transmission infrastructure looks strong for the near term, at least \$25B annually for the next three to five years. What are the major near-term development plans? Are the permitting processes reliable, e.g., FAST Act? How will the lack of a FERC quorum affect these investments? How do we align actions to meet our mutual interests?

- **Oil and Gas -**
 - [Don Santa](#) President and CEO, INGAA (confirmed)
 - [Marty Durbin](#) Executive Vice President and Chief Strategy Officer, API (confirmed)
- **Electricity Transmission-**
 - [James Hoecker](#) Counsel and Advisor to WIRES (confirmed)

12:00 Noon **Lunch**

12:30 p.m. [Energy Infrastructure Communications](#) - pipeline projects –[Catherine Landry](#) , Vice President, Communications, INGAA (confirmed)

1:20 p.m. [Developments in Electricity Policy: Nuclear, Transmission and Distributed Energy Resources](#) - [Illinois](#) , [New York](#) – Each of these states has major changes underway in policies affecting electricity markets. Both states have undertaken measures to save existing nuclear capacity. New York has undertaken major business model changes through its Public Service Commission. NARUC recently published a [DER Manual](#). FERC continues to implement [Order 1000](#), but where is that effort now? What are the major technology, regulatory and corresponding market changes?

- [Deana Dennis](#), EPRI organizer/moderator (confirmed)
- [Chris Villarreal](#) Policy Director, Minnesota Public Utilities Commission Chairman, NARUC Subcommittee on Rate Design (confirmed)
- [Jesse Rodriguez](#) , Director of Energy Policy Analysis, Exelon Corp– Nuclear (confirmed)
- [Sharon Segner](#), Vice President LS Power Development (confirmed)

2:50 p.m. **Break**

3:00 p.m. [Water Infrastructure](#): Waste water and storm water - integrated planning and permitting, consent decrees, and finance. In the last congress, integrated planning was passed in the Senate but ultimately dropped from the enacted WRDA bill. This congress Rep. Gibbs (R. OH) introduced [HR 465](#) , a more detailed integrated water measure than the Senate’s previous version. The need to bring alternative finance, integrated planning and permitting into practice is evidenced by [consent decrees](#), trends in local spending on water and sewer infrastructure, and the rising burdens on median household income. What are the trends in spending on water and sewer infrastructure? How has the EPA endorsed policy on [integrated planning been implemented](#) across the Regions (e.g., [Lima, Ohio](#))? What is behind the legislation? What can ACEC do to move projects though new regulatory and financial policies?

- [Rich Anderson](#), US Council of Mayors (confirmed)
- [Fred Andes](#), Barnes & Thornburg LLP (confirmed)
- [Ben Grumbles](#), Maryland Secretary of Environment (confirmed)

5:00 p.m. **Adjourn**

6:00 p.m. **Committee Dinner**
Lincoln Restaurant
1110 Vermont Ave, NW
Washington, DC

<p><i>Thursday, February 9, 2016</i></p>
--

8:15 a.m. **Breakfast**

9:00 a.m. [U.S. Department of Energy Electricity Grid Research and Development](#) –The electricity system we have today was developed over more than a century and includes thousands of generating plants, hundreds of thousands of miles of transmission lines, distribution systems serving hundreds of millions of customers, a growing number of distributed energy resources, and billions of end-use devices and appliances. The electricity sector is, however, confronting a complex set of changes and challenges, including: aging infrastructure; a changing generation mix; growing penetration of variable generation; low and in some cases negative load growth; climate change; increased physical and cybersecurity risks; and in some regions widespread adoption of distributed energy resources (DER). How these changes are managed is critical and could fundamentally transform the electricity system’s structure, operations, customer base, and jurisdictional framework. The Department of Energy’s advanced grid research portfolio is aimed at addressing the challenges of the 21st century.

- [Michael Pesin](#), Deputy Assistant Secretary, Advanced Grid Research and Development, Office of Electricity Delivery & Energy Reliability (confirmed) see [Enabling a Smart Power Grid](#)

10:00 a.m. **Break**

10:15 a.m. [Discussion – Environmental:](#) Following on the presentations and discussions from the previous day, now more than ever, development of energy infrastructure is constrained by both public sentiment and regulation. States have become savvy on using the existing regulatory framework to delay or deny projects while public and NGO opposition levels seem to be at an all-time high. This session will discuss some of the current issues facing project development and implementation and how they are affecting the design and permitting processes. Where are the battle-lines taking shape? What battles should we choose to join? With whom do we choose to collaborate? How should collaboration unfold?

- FERC as Lead Agency: Exploring FERC's role as Lead Agency for NEPA and how it coordinates with other agencies. [Lauren O'Donnell](#) – TRC
- Federal and State Permitting – How the 401 Water Quality Certificate became the most important permit –[John Zimmer](#) - TRC
- Tribal consultations in energy infrastructure permitting: U.S Army Corp, National Historic Preservation Council –[Karen Bennett](#) , Clark Hill
- NEPA, the EIS/EA (CEQ role) – Karen Bennett, Clark Hill

12:00 p.m. **Lunch - Discussion Continued**

Suggested Advocacy/Awareness/Education Action Items:

- NERC supply chain cyber security standard and guidance
- Regulatory reform: NEPA, NHPA, CWA, SDWA, FAST Act
- other

Topics and Date for Committee Summer Meeting:

- Suggested date: August 23-24 (W-Th), 2017, Denver, CO.
- Engage membership at the Spring Convention with messages on action items in development of topics.

1:00 p.m. **Adjourn**

- Next meeting Spring Conference, Tuesday, April 25, 11:00 am

Handouts

- [Pipeline Projects](#)
- [Atlantic Coast Pipeline \(ACP\) Update and Path Forward](#)
- [Atlantic Sunrise \(ASR\) Pipeline Update and Background](#)
- [New Administration Orders Federal Agency Action to Reduce Regulatory Burden on Manufacturing](#)

References

Energy Delivery:

- Natural gas pipelines: [2015 INGAA Infrastructure Investment Study](#)
- Oil and gas: [2014 API Infrastructure Investment Study](#)
- Transmission: [2017 NREL Wind and Transmission Study](#)

Electricity:

- [DOE Supply Chain Procurement Language, April 2014](#)
- [NARUC DER Manual](#)
- [QER 1.0 First Installment](#)
- [QER 1.2 Second Installment](#)
- [QTR 2011](#)
- [QTR 2015 Framing Document](#)

Water Infrastructure:

- [Affordability Assessment Tool, AWWA](#)
- [CRS - EPA Integrated Planning](#)
- [HKS 2017 Federal Water Resources Report - P3](#)

Environmental Regulatory:

- [Clean Air Act Issues in the 115th](#)
- [CRS WOTUS Report 01.04.17](#)

End