Empower States to Control Energy Production on Federal Lands

#106

Heritage Recommendation:

Open access to energy exploration and development on non-park, non-wilderness lands, and remove bans on drilling off America's territorial waters.

Rationale:

Much of the growth is occurring on private and state-owned lands, while oil and gas output on federal lands has been in decline. States are in the best position to promote economic growth and to protect the environment, which is why state regulators should manage energy production and resources in their respective states. The federal government owns nearly one-third of United States territory. Congress should consider privatizing some of that land, and in the meantime, transferring the management of federal lands to state regulators would encourage energy resource development on the federal estate while maintaining a strong environmental record.

States should be able to control the environmental review and permitting process to develop energy resources on federal land that is not Indian land, part of the National Park System, the National Wildlife Refuge System, or a congressionally designated area. The proposed Federal Land Freedom Act[71] would allow states to develop programs that satisfy all applicable federal laws required to produce energy on federal lands. Therefore, states would have complete control of their energy programs. Further, states would submit a declaration of their program to the Departments of Agriculture, Energy, and the Interior, and the program would not be subject to judicial review. Doing so would reduce the budgets for those federal agencies conducting the environmental review and permitting.

Additional Reading:

- Nicolas Loris, "Energy Production on Federal Lands: Handing Keys Over to the States," Heritage Foundation *Issue Brief* No. 3979, June 27, 2013, http://www.Heritage.org/research/reports/2013/06/energy-production-on-federal-lands-handing-keys-over-to-the-states.

Calculations:

No specific savings are assumed for this proposal.