

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE PRINCIPAL CLERK

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HOUSE SIMPLE RESOLUTION DRHR30527-LG-200

Sponsors: Representative Pickett.

Referred
to:

1 A HOUSE RESOLUTION URGING THE UNITED STATES CONGRESS TO ENACT MUCH
2 NEEDED REFORMS TO FEDERAL PERMITTING POLICIES TO ACCELERATE
3 DEPLOYMENT OF NEW ENERGY INFRASTRUCTURE.

4 Whereas, North Carolina recognizes that abundant, resilient, and diversified domestic
5 energy production in the United States enhances American national security, economic
6 competitiveness, and energy independence; and

7 Whereas, environmental stewardship that keeps our air and water clean, protects
8 public health, ensures biodiversity and species protection, and conserves public lands is a worthy
9 goal that is important to achieve; and

10 Whereas, the excessively complex federal permitting and environmental review
11 processes that have built up around America's environmental laws – including the National
12 Environmental Policy Act (NEPA), the Endangered Species Act (ESA), the National Historic
13 Preservation Act (NHPA), Clean Water Act (CWA), and dozens of other federal requirements –
14 have grown to be so cumbersome that they often unnecessarily slow or prevent the construction
15 of essential new energy infrastructure and therefore discourage domestic energy production
16 without advancing the goals of these laws; and

17 Whereas, energy is produced in the United States at a much higher environmental
18 standard than is typically the case in the countries from which energy is imported, so prevention
19 of domestic energy production undermines environmental stewardship; and

20 Whereas, delays caused by permitting inefficiencies inhibit the building of all of the
21 essential components of a low-cost, reliable, and modern energy infrastructure that is needed to
22 support economic competitiveness and domestic manufacturing, to enhance reliability and
23 prevent blackouts, to lower costs for consumers and businesses, and to achieve the goals of
24 America's environmental laws; and

25 Whereas, after nearly two decades of flat electricity demand, demand for electricity
26 in the United States is projected to dramatically increase in the coming decades, requiring major
27 increases in domestic energy production and a more than doubling of domestic electricity
28 transmission grid capacity; and

29 Whereas, regulatory barriers today mean that more than 2,000 gigawatts of energy
30 production and storage – more than the entire current American electricity capacity combined –
31 are stuck in electricity interconnection queues and the average amount of time to interconnect
32 new energy resources has nearly doubled from about 2 years to nearly 4 years; and

33 Whereas, the average time it takes to process an environmental impact statement
34 under the National Environmental Policy Act (NEPA) for major infrastructure projects has risen
35 to an excessive length of four and a half years; and



1 Whereas, the United States is highly reliant on China and other countries that do not
2 share our interests to mine and process critical minerals, with demand for some of these minerals
3 potentially growing by more than 40 times by 2040; and

4 Whereas, other developed nations that share our goals to protect the environment
5 while producing abundant energy resources, such as Canada and Australia, have shown that they
6 can permit new mines within 2 to 3 years instead of nearly 10 years, as is often the case in the
7 United States; and

8 Whereas, both linear infrastructure – such as pipelines and transmission lines – as
9 well as energy generation infrastructure each face extraordinary and indefensible delays due to
10 overlitigation, inappropriate blocking of nationally important projects by unrepresentative and
11 often radical groups that hold those projects hostage, and excessive use of our court system to
12 hamstring worthy projects; and

13 Whereas, major delays in projects caused by inefficient permitting or overlitigation
14 can dramatically increase costs and make projects less viable, costing consumers, businesses, and
15 taxpayers money and making our energy system less reliable; and

16 Whereas, unnecessary permitting and regulatory delays also increase American
17 dependence on energy produced by foreign dictators and authoritarian regimes; and

18 Whereas, unnecessary permitting delays limit investments made in modernizing our
19 nation's infrastructure that would result in a more efficient energy system with reduced emissions
20 and environmental impact; and

21 Whereas, overlapping federal permitting requirements lack the flexibility to allow for
22 efforts that reflect the spirit and intent of traditional environmental laws by protecting human
23 health and the environment instead of procedural compliance with outdated regulations; and

24 Whereas, failure to reform federal permitting laws is already resulting in fewer jobs,
25 reduced security, and higher prices for Americans without providing additional benefits for the
26 environment; and

27 Whereas, failing to reform these laws in the coming months will result in even greater
28 limitations on our energy infrastructure, costing even more American jobs while raising costs for
29 consumers and businesses and leaving America vulnerable to unreliability, blackouts, and the
30 resulting severe harm to the American people; Now, therefore,

31 Be it resolved by the House of Representatives:

32 **SECTION 1.** The North Carolina House of Representatives urges federal legislators
33 to work in good faith to enact legislation that reforms federal permitting and environmental
34 review processes to promote economic and environmental stewardship by expediting the
35 deployment of modern energy infrastructure.

36 **SECTION 2.** The House of Representatives urges that these reforms should enable
37 faster and lower cost construction of energy infrastructure of all kinds, without prejudice,
38 including by considering steps to (i) limit excessive use of judicial processes to slow projects
39 inappropriately, (ii) prevent inappropriate usage of the Clean Water Act and other laws to
40 hamstring the lawful building of linear energy infrastructure, such as pipelines and transmission
41 lines, (iii) enact reforms to plan, permit, and pay for the necessary build-out of electricity
42 transmission infrastructure to support a more reliable energy grid that lowers costs for consumers
43 and businesses, and (iv) enable the domestic build-out of the full array of modern energy
44 technologies, including nuclear, emissions management, hydrogen, critical mineral mining and
45 processing, and all other needs for a modern energy system. These legislative reforms should
46 also strive to ensure accountability for federal agencies conducting permitting and environmental
47 review processes, including better data, more aggressive time lines, and permitting shot clocks,
48 and these legislative reforms must be accompanied by a redoubling of efforts to streamline
49 federal regulations to support the efficient building of new energy infrastructure.

50 **SECTION 3.** The House of Representatives believes that failure to act to update our
51 federal permitting system to support building new energy infrastructure will further harm

1 consumers, workers, and businesses, while making the United States less competitive and more
2 vulnerable to both foreign adversaries and domestic outages. Congress must act with urgency in
3 the coming months to fix our broken permitting system.

4 **SECTION 4.** The Principal Clerk shall transmit a copy of this resolution to North
5 Carolina's congressional delegation.

6 **SECTION 5.** This resolution is effective upon adoption.