

July 30, 2024

The Honorable Martin Heinrich  
United States Senate  
Washington, DC 20510

**Re: Oppose The Manchin-Barrasso Energy Permitting Reform Act of 2024**

Dear Senator Heinrich,

The Energy and Permitting Reform Act of 2024 is a climate and environmental justice nightmare. This legislation is more akin to Project 2025 than a supposedly bipartisan compromise. Its provisions in support of fossil fuels could rubber-stamp new extraction and export projects at the expense of our communities and the planet.

As New Mexicans, alongside allies from across the country, we are deeply disappointed that you have lent your reputation to this effort. Any further support for the Manchin-Barrasso permitting bill is completely at odds with the pretense of climate leadership.

The following attacks on our lands, climate, and bedrock environmental laws are especially dangerous to communities across New Mexico and the southwest:

- **Industry Profits over Public Lands and Waters:** The Manchin-Barrasso bill attempts to restrict the Bureau of Land Management's ability to manage leases in response to concerns from communities and Tribes by limiting the agency to outdated resource management plans. The bill could also force the agency to fast track coal lease sales and curb its ability to choose oil and gas lease parcels that will not harm other activities on our shared public lands. By removing "split estate" parcels from critical oversight, leases and wells on up to 57 million acres of lands could be exempted from bedrock environmental and historic preservation laws. The bill even attempts to expand the lifespan of drilling permits at a time when industry is already hoarding nearly 7,400 unused [permits](#). Furthermore, the bill seeks to mandate offshore fossil fuel lease sales of at least 60 million acres per year between 2025-2029. All these provisions could lock us into decades of fossil fuel extraction and worsen climate chaos.
- **Reckless LNG Export Bonanza:** The US is already the largest producer of Liquefied Natural Gas (LNG) in the world, with operating and under construction projects representing the annual emissions equivalent of 475 coal plants. The Manchin-Barrasso bill could eliminate the Department of Energy's ability to meaningfully review whether

new export proposals are in the public interest, including by forcing reliance on outdated and deeply flawed studies published by the Trump Administration. The reckless rubber-stamping of LNG in the Gulf and along Mexico's Pacific Coast will be felt in our communities—particularly as fossil gas from the Permian Basin helps to feed the boom.

- **Undercutting Bedrock Protections:** The Manchin-Barrasso bill directs the Department of Agriculture and Department of the Interior to expand the use of categorical exclusions for emerging energy production projects, attempting to gut meaningful National Environmental Policy Act (NEPA) processes for uncharted proposals. It also aims to exempt the Federal Energy Regulatory Commission from conducting NEPA analysis for interregional transmission plans. While it is of paramount importance to facilitate a justly-sourced, renewable energy future for our country, we cannot allow agencies to flout our bedrock environmental laws in doing so - especially for emerging technologies with potentially unknown risks. NEPA is critical for examining environmental, health, and safety impacts of federal projects, but also for giving communities and stakeholders a line of communication in the process.
- **Undermines Your Own Bill:** Instead of making the critical updates to our 150-year-old mining law included in bills like your Clean Energy Minerals Reform Act, the Manchin-Barrasso bill could allow industry to claim unlimited mill sites on public lands. We need modern laws to meet today's energy needs, promote recycling, and build a clean energy economy, not more land grabs that potentially worsen the generational harm caused by unmitigated mining.

As the climate crisis accelerates, we need champions in Congress to protect our communities and our planet. As the future of the Energy and Natural Resources Committee, our message to you is simple: please do better.

Sincerely,

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Center for Biological Diversity

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