

GOVERNMENTAL AFFAIRS REPORT

FEDERAL – Legislative

H.J. Res. 35 – Methane Emissions Charge Repeal.

(Update to 2/10/25 Report) In a victory for the oil and gas industry, on February 27, the Congress passed [H.J. Res. 35](#), which repeals the Biden administration's Waste Emissions Charge. As provided in the congressional legislative summary, "This joint resolution nullifies the Environmental Protection Agency (EPA) rule titled Waste Emissions Charge for Petroleum and Natural Gas Systems: Procedures for Facilitating Compliance, Including Netting and Exemptions and published on November 18, 2024. The rule outlines compliance requirements under the Methane Emissions Reduction Program. Under the program, the EPA collects an annual charge on emissions of methane and other greenhouse gases from entities in the oil and gas sector if their emissions exceed specified waste emissions thresholds." (See [89 Fed. Reg. 91094](#)) At passage, House Speaker Mike Johnson (R-LA) said, "Today, House Republicans rolled back the disastrous natural gas tax imposed by Democrats. This overreach has driven up energy prices, hurt domestic natural gas production, and increased reliance on foreign energy without delivering any so-called environmental benefit." [Read more](#). For background, "The methane fee was mandated by the 2022 Inflation Reduction Act, which directed the EPA to set a charge on methane emissions for facilities that emit more than 25,000 tons per year of carbon dioxide equivalent. The fee started at \$900 per metric ton of methane emitted in 2024, and increased to \$1,200 in 2025, and \$1,500 for 2026 and beyond." [Read more](#). The measure seeking repeal of the charge, or tax, was first introduced in early February by Rep. August Pfluger (R-TX) and Sen. John Hoeven (R-ND) introduced an identical Senate version, [S.J. Res. 12](#). Independent Petroleum Association of America (IPAA) President & CEO Jeff Eshelman said, "the measure had not yet gone into effect but would have added significant

burden to America's independent producers, with initial estimates finding it could increase costs 'as high as \$14.4 billion, increasing 5 percent above inflation annually.' Further, it was estimated that the tax would increase costs for consumers by 17 percent on average, or more than \$100 per year for an average American family." [Read more](#). The measure now heads to President Trump for his signature.

S. 796 – Book Minimum Tax Repeal Act. On February 27, Sen. John Barrasso (R-WY) introduced [S. 796](#), known as the Book Minimum Tax Repeal Act. The tax was made part of the 2022 Inflation Reduction Act "that introduced a new corporate minimum tax on book income that became effective January 1, 2023." [Read more about the tax here](#). As noted by advisory firm PricewaterhouseCoopers, "This provision imposes a 15% minimum tax on adjusted financial statement income (AFSI) for corporations with average annual AFSI over a three-tax year period in excess of \$1 billion." [Read more](#). Amanda Eversole, American Petroleum Institute Executive Vice President and Chief Advocacy Officer said, "The book minimum tax harms U.S. competitiveness and undermines our industry's ability to meet growing demand for affordable, reliable energy. We thank Senator Barrasso for his leadership in repealing this punitive tax and urge Congress to pass this important legislation." And IPAA President & CEO Jeff Eshelman said, "Raising taxes on energy means raising costs for working families. IPAA applauds Senator Barrasso's efforts to keep energy reliable and affordable for all Americans." [Read more](#).

House Committee on Energy & Commerce Hearing on Meeting the Demand for Reliable, Affordable Electricity. On March 5, the U.S. House Committee on Energy & Commerce Subcommittee on Energy held a hearing titled, *Scaling for Growth: Meeting the Demand for Reliable, Affordable Electricity*. The hearing

explored “the challenges faced by utilities and grid operators to deliver reliable, affordable electricity to meet the growing demand for power across the nation.” The committee majority staff wrote in their hearing memorandum that regarding the expanding threats to reliability, “The retirement of dispatchable generating sources (e.g., coal, natural gas, and nuclear) and the relative increase in intermittent generation from wind and solar resources have created reliability challenges.” Witnesses included multiple regional energy providers. To access a full video recording of the hearing and witness testimony, [Read more](#).

House Committee on Oversight and Government Reform Hearing on Strengthening America’s Energy Reliability. On February 26, the U.S. House Committee on Oversight and Government Reform Subcommittee on Economic Growth, Energy Policy, and Regulatory Affairs held a hearing titled, *Leading the Charge: Opportunities to Strengthen America’s Energy Reliability*. The hearing focused on energy policy issues that promote reliability, certainty, and greater project and infrastructure approval to support domestic energy needs. Witnesses included industry experts such as former AAPL/NAPE speaker and author Alex Epstein. To access a full video recording of the hearing and witness testimony, [Read more](#).

House Committee on Energy & Commerce Hearing on Biden Administration’s Energy and Environment Spending Push. On February 26, the U.S. House Committee on Energy & Commerce Subcommittee on Oversight & Investigations held a hearing titled, *Examining the Biden Administration’s Energy and Environment Spending Push*, covering committee “concerns about some of the risks associated with new and expanded federal energy and environment programs.” Specifically, the hearing addressed financial awards programs at the Department of Energy and Environmental Protection Agency under the Biden administration and what strategies Congress and agencies should employ to monitor new or expanded programs. Witnesses included representatives from various federal agencies. To access a full video recording of the hearing and witness testimony, [Read more](#).

Carbon Capture and Sequestration Class VI Well Primacy – Texas. On February 28, Rep. August Pfluger (R-TX) led a Republican delegation delivering a letter to U.S. Environmental Protection Agency (EPA) Administrator Lee Zeldin expressing their “strong support for the Texas Railroad Commission’s (RRC) application for primary enforcement responsibility (‘primacy’) of Class VI underground injection control (UIC) wells.” [Read the letter here](#). As noted in the correspondence, “Review of RRC’s primacy application is critical to the timely deployment of carbon capture, utilization, and storage (CCUS) projects not only throughout the state of Texas, but also throughout the country and across the world. These projects will help reduce emissions, provide jobs for hardworking Texans, and drive investments in new and innovative technologies in the State.” The representatives said, “We strongly believe that the RRC is well-equipped to manage the regulation of Class VI wells, ensuring they are operated safely, effectively, and with a strong commitment to environmental protection. We encourage the EPA to quickly review this application and continue supporting state-level leadership in environmental regulation.” If approved, Texas would join Louisiana, North Dakota, West Virginia, and Wyoming as those states with the authority to regulate and permit these wells themselves. [Read more](#).

FEDERAL – Regulatory

President Trump Highlights Energy Dominance in Joint Session Address to Congress. On March 5, President Trump addressed the nation during a joint session of Congress. In his speech, Trump highlighted his administration’s commitment to domestic energy production and dominance. Interior Secretary Doug Burgum, among others, praised the president’s speech, saying, “The previous administration used a whole-of-government approach to oppose reliable, affordable U.S. energy production in favor of unreliable, unaffordable intermittent sources. The Trump administration is working overtime to undo all the damage done during the Biden years and we are fast-tracking America’s path to a New Golden Age through Energy Dominance!” [Read more](#). American

Petroleum Institute President and CEO Mike Sommers “commended the administration for taking steps to unleash U.S. oil and natural gas resources and outlined policy solutions to secure the nation’s energy future.” And IPAA President & CEO Jeff Eshelman said, “President Trump’s address today comes at a historic time; last week both chambers passed the first Congressional Review Act resolution of the year which nullifies the methane tax regulations on energy producers put in place by the Biden Administration, an issue IPAA has [been] active in since the tax’s wrongful inclusion in the Inflation Reduction Act.” [Read more.](#)

BLM Resource Advisory Council Meetings – Colorado. On March 3, the Bureau of Land Management (BLM) announced that the Northwest, Southwest and Rocky Mountain Resource Advisory Councils (RACs) will meet jointly on April 2, 2025, and individually on April 3, 2025. According to the BLM, “Planned agenda items for joint RAC meetings include discussions about outdoor recreation and range management. The individual RAC meetings may include field office updates, as well as presentations on business plans, recreation, energy and minerals, range management, or other appropriate topics.” RAC meetings are open to the public and offer virtual attendance availability. [Read more.](#)

BLM Oil and Gas Lease Sale – Colorado. On February 14, the BLM Colorado State Office announced the opening of “a 30-day public scoping period to receive public input on 61 oil and gas parcels totaling 51,068 acres that may be included in a December 2025 lease sale in Colorado. The comment period ends March 17, 2025.” [Read more.](#)

BLM Oil and Gas Lease Sales – Montana; North Dakota. On February 28, the BLM Montana-Dakotas State Office announced, “an oil and gas lease sale scheduled for April 29, 2025, to offer 11 oil and gas parcels totaling 4,266 acres in Montana and North Dakota.” The 30-day public protest period to receive additional input is open through March 30, 2025. [Read more.](#)

BLM Oil and Gas Lease Sale Results – New Mexico.

On February 21, the BLM announced that for its February 2025 oil and gas lease sale, the BLM New Mexico State Office “leased seven parcels totaling 1,317.29 acres for \$20,671,801 in total receipts for its quarterly oil and gas lease sale. The combined bonus bids and rentals from the lease will be distributed between the federal government and the State of New Mexico.” [Read more.](#)

BLM Oil and Gas Lease Sale – New Mexico.

On February 24, the BLM New Mexico State Office, “announced an oil and gas lease sale scheduled for May 22, 2025, to offer three oil and gas parcels totaling 1,261 acres in New Mexico” The 30-day public protest period to receive additional input is open through March 26, 2025. [Read more.](#)

BLM Oil and Gas Lease Sale – Nevada. The BLM has announced an oil and gas lease to be held on March 18, 2025, in Nevada. The sale offers 12 parcels covering 23,202.36 acres available for lease. [Read more.](#)

BLM Federal Land Exchange – Utah. On February 21, the BLM announced the signing of an agreement with the Utah Trust Lands Administration “to complete the final step of a historic land exchange.” For background, “Congress mandated the exchange as part of the John D. Dingell, Jr. Conservation, Management, and Recreation Act of 2019, known locally as the Emery County Land Exchange. Through the exchange, the State of Utah will gain 47 water rights; approximately 83,000 acres with sub-surface mineral estate; approximately 4,000 surface-only acres; and approximately 5,000 acres of sub-surface mineral, oil and gas, and coal-only estate.” The BLM reports that these parcels “are estimated to contain approximately 32 million recoverable tons of coal, approximately 2.5 million barrels of oil, and approximately 25,800 million cubic feet of natural gas.” [Read more.](#)

BLM Geothermal Lease Sale – Utah. The BLM has announced a geothermal lease sale in Utah to be held on April 8, 2025. The sale offers 15 parcels covering 50,812.670 acres available for lease. [Read more.](#)

BLM Oil and Gas Lease Sale – Utah. On February 25, the BLM announced it “opened a 30-day public scoping period to receive public input on 25 oil and gas parcels totaling 39,868 acres that may be included in a September 2025 lease sale in Utah.” The public comment period is open through March 28, 2025. [Read more.](#)

BLM Oil and Gas Lease Sale – Wyoming. On March 4, the BLM announced that the “Wyoming State Office leased 4 parcels totaling 2,443.11 acres for \$6,725,713 in total receipts for its quarterly oil and gas lease sale.” The lease sale was held on March 4, 2025. [Read more.](#)

BOEM Rescinds Expanded Protections for Rice’s Whale. On February 20, the U.S. Department of the Interior’s Bureau of Ocean Management (BOEM) announced it is rescinding Biden-era expanded protection for the Rice’s whale in offshore oil and gas producing regions. [Read more.](#) See “Notice to Lessees and Operators of Federal Oil and Gas, and Sulphur Leases in the Gulf of Mexico Outer Continental Shelf” ([BOEM NTL No. 2023-G01](#)). The rescission comes as a result of Interior Department [Secretarial Order No. 3418](#), *Unleashing American Energy*. [Read more.](#)

Energy Secretary Throws Support Behind Geothermal Energy. Speaking at a Making America Geothermal: Modern Advances event last Tuesday, Energy Secretary Chris Wright told attendees that while geothermal “hasn’t achieved liftoff yet, it should and it can.” Wright touted geothermal as “one of his department’s primary areas of focus, and it was one of the zero-carbon forms of energy — along with nuclear and hydropower — specifically cited by President Trump in his National Energy Emergency executive order.” Wright added, “I want to be a service provider and help the government get out of the way. Make it easier to get regulatory approvals, easier to do innovations, easier to take that next step.” [Read more.](#)

National Environmental Policy Act Rulemaking. On February 25, the White House Council on Environmental Quality (CEQ) published an interim final rule, *Removal of National Environmental Policy Act*

Implementing Regulations ([90 Fed. Reg. 10610](#)) to effectuate President Trump’s executive orders seeking to rescind certain National Environmental Policy Act (NEPA) rulemaking under the prior administration. As reported by law firm Reed Smith, “the Biden administration implemented steps to reverse the changes made during the first Trump administration, including many substantive updates published in the May 1, 2024, final rule titled [National Environmental Policy Act Implementing Regulations Revisions Phase 2](#). Additionally, President Biden issued an executive order directing federal agencies to review and revise their NEPA procedures to ensure thorough environmental reviews and robust public participation, including a focus on climate change and environmental justice. Now, CEQ’s Rule is the latest attempt by the Trump administration to achieve its policy goal of federal de-regulation.” The public comment period is open through March 27, 2025. [Read more.](#)

White House Council on Environmental Quality Rulemaking. Related to the above, the White House Council on Environmental Quality (CEQ) provided guidance that also provides instructions to federal agencies regarding the implementation of President Trump’s executive orders, “which directed each federal agency, within the next year, to revise its NEPA implementing procedures (or establish such procedures) to expedite and streamline the permitting process consistent with the 2023 congressional amendments to NEPA. Further, the guidance indicates that NEPA documents should not include an Environmental Justice analysis.” [Read more.](#) The CEQ also sent a memorandum on February 19 to all heads of federal departments of agencies regarding the “Implementation of the National Environmental Policy Act,” and providing that “Federal agencies must revise or establish their NEPA implementing procedures (or establish such procedures if they do not yet have any) to expedite permitting approvals and for consistency with NEPA as amended by the FRA, including the deadlines established in NEPA.” [Read the CEQ memorandum here.](#) As reported by law firm Holland & Hart, “The memorandum directs the Council on Environmental Quality (CEQ) to propose rescinding all NEPA implementing regulations established since

1977. CEQ is instructed to issue non-binding guidance to federal agencies on implementing NEPA. This shift aims to provide flexibility and expedite the permitting process for energy and infrastructure projects. The memorandum emphasizes the need to streamline the permitting process for energy projects, including oil, natural gas, coal, hydropower, biofuels, critical minerals, and nuclear energy resources. Agencies are directed to eliminate delays and utilize emergency authorities when necessary to support the nation's energy supply. Agencies should not carry out 'environmental justice analysis.'" [Read more](#). For further analysis, [Read more](#). As noted above, the public comment period for the proposed interim rule closes on March 27, 2025. [Read more](#).

FEDERAL – Judicial

EPA Clean Water Act Permits – U.S. Supreme Court.

On March 4, the U.S. Supreme Court delivered a decision in [City and County of San Francisco, California v. EPA](#) (Case No. 23–753), "holding that EPA exceeded its authority by including 'end-result' provisions in pollutant discharge permits issued pursuant to the Clean Water Act. 'End-result' provisions generally prohibit permit recipients from contributing to water pollution without specifying actions or objectively defined effluent limits that the permittee must meet to comply with the Clean Water Act." This case involved "a challenge to 'end-result' requirements—permit provisions that do not spell out what a permittee must do or refrain from doing but instead make a permittee responsible for the quality of the water in the body of water into which the permittee discharges pollutants. The City of San Francisco operates two combined wastewater treatment facilities that process both wastewater and stormwater." In 2019, the EPA issued the city a renewal permit that added two end-result requirements that were challenged in this case. The court held "that EPA may not establish permit requirements that simply prohibit discharges that contribute to a violation of a water quality standard. Rather, EPA must affirmatively define in the permit what steps are required or what limitation must be met by a permittee to prevent such a violation in a receiving body of water." According to law firm Michael Best & Friedrich LLP, "Going forward, EPA- and state-issued pollution

discharge permits will need to include specific effluent limits, best management or operational practices, and/or effluent control technologies in permits rather than imposing general outcome-based goals. This decision will also impact other regulatory programs, including the Clean Air Act. Clean Air Act permits often contain similar 'end-result' provisions, preventing permit recipients from significantly contributing to an exceedance of an ambient air standard or otherwise causing 'air pollution.' These general air permit directives provide no guidance or specific actions that the permittee must undertake to comply with this type of aspirational end-result permit term. The SCOTUS holding in *San Francisco* seems to squarely prohibit these types of limitation in air permits as well." [Read more](#). For further case analysis from law firm Jackson Walker LLP, [Read more](#).

STATE – Legislative

Carbon Dioxide Pipeline Moratorium – South Dakota.

On March 4, [HB 1085](#), a bill establishing a moratorium on carbon dioxide pipelines in the state unless certain other conditions are met involving rulemaking by the federal Pipeline and Hazardous Materials Safety Administration (PHMSA), died in Senate committee. The bill required final rules by PHMSA, [Pipeline Safety: Safety of Carbon Dioxide and Hazardous Liquid Pipelines](#), which are currently only in the proposed rule stage. Once those rules were finalized the state would lift the moratorium. The bill passed the House on February 25, but was met with opposition in the Senate as well as by certain property rights advocates. [Read more](#).

Eminent Domain for Carbon Dioxide Pipelines – South Dakota.

On March 6, Gov. Larry Rhoden (R) signed [HB 1052](#) into law. The bill bans the use of eminent domain for carbon dioxide pipelines. As reported by the *South Dakota Searchlight*, "Supporters of the bill said it's necessary to protect landowners from having their property accessed and developed by a private corporation against their will. The bill's opponents said it could harm the ethanol industry, which is seeking ways to lower its carbon footprint as some states and countries limit sales of

carbon-intensive fuels.” The Act takes effect July 1, 2025. [Read more.](#)

For the nearly 600 bills AAPL is currently monitoring and tracking for members, please see the continuously updated member-exclusive AAPL Governmental Affairs Bill Tracking Summary spreadsheet, available through the AAPLConnect LANDNEWS and Governmental Affairs Network member forums [here](#) or on the AAPL website [here](#).

STATE – Regulatory

California State Lands Commission Renewable Lease Opportunities. The California State Lands Commission has announced renewable lease opportunities through March 31, 2025. Parcels include those in Riverside and Kern counties for biomass and wind leases. [Read more.](#)

Oil and Gas Operations Emissions – Colorado. On February 21, the Colorado Air Quality Control Commission announced it “has [approved updates](#) to further reduce methane emissions and other air pollution from Colorado’s oil and gas sector.” According to the Commission, they “adopted a new rule that updates [Air Quality Control Commission Regulation 7](#). The rule addresses natural gas-driven pneumatic controllers and pumps used in oil and gas pre-production and early production operations. These are devices that use natural gas to control variables like pressure and liquid levels while moving liquids through a process. Using these devices can release natural gas, or methane, into the air, especially if the device malfunctions. The commission approved measures to phase out the use of natural gas-driven pneumatic devices at oil and gas facilities statewide. Operators can use natural gas-driven pneumatic devices that are self-contained or routed to process (i.e., do not emit emissions to atmosphere) or replace them with pneumatic devices that run on electricity, nitrogen, or compressed air.” As far as implementation, “Oil and gas operators with facilities located in Colorado areas that do not meet federal health standards for ground-level ozone pollution must phase

out the use of these devices more quickly. Those facilities must achieve a 50% phase out by May 2026, then a 100% phase out by May 2027.” The announcement provides further phase out dates running through 2029. [Read more.](#) Michael Ogletree, senior director of state air quality programs at the Commission, said that “Colorado continues to lead the nation in protecting air quality and tackling climate change. ‘We didn’t wait for federal deadlines. We acted early to advance these protections for our environment and communities. These standards reflect Colorado’s commitment to cleaner air and a healthier future, backed by thoughtful, state-specific solutions.” [Read more.](#)

Oil and Gas Lease Sale – New Mexico. The New Mexico Office of the Commissioner of Public Lands has announced an oil and gas lease sale to be held on March 18, 2025. The sale offers 6 tracts covering 1,640.76 net mineral acres available for lease. [Read more.](#)

Oil and Gas Lease Sales – Oklahoma. The Oklahoma Commissioners of the Land Office announced an oil and gas lease sale scheduled for March 26, 2025. The sale offers 54 tracts covering 6,073.710 gross/ 5,089.360 net acres available for lease. [Read more.](#) The Oklahoma Department of Wildlife Conservation has also announced a lease sale for March 26, 2025, for one tract covering 49.8 gross/49.8 net acres available for lease. [Read more.](#)

Geothermal Wells – Texas. On February 26, the Texas Railroad Commission (RRC) announced it “issued its first permit for a deep geo-pressured, geothermal well to Sage Geosystems in Atascosa County. Located south of San Antonio in the Anaconcho Formation, this well permit marks a significant milestone in Texas’ energy sector as the first deep geo-pressured, geothermal permit issued since the Texas Legislature transferred regulatory authority for these types of wells from the Texas Commission on Environmental Quality to the RRC. The well will be utilized in electricity generation by the San Miguel Electric Cooperative to serve its customers. Sage Geosystems has entered into a land

use agreement with the cooperative to develop a three-megawatt Geopressed Geothermal System energy storage facility.” [Read more.](#)

Utah School and Institutional Trust Lands

Administration Land Sale – Utah. The Utah School and Institutional Trust Lands Administration (SITLA) has announced a land sale auction scheduled for April 24, 2025. The SITLA sale offers 4 parcels covering approximately 1,645.27 acres in Iron County. [Read more.](#)

STATE – Judicial

Deed Reservations; Leasing – Ohio. On February 6, in [Mineral Development, Inc. v. SWN Production \(Ohio\), LLC](#) (Case No. 2025-Ohio-395), the Ohio Court of Appeals, Seventh District, addressed a dispute over a royalty reservation in a 1918 deed. Pursuant to a 2012 Lease, SWN drilled three horizontal wells that passed directly underneath the subject parcel. As noted by law firm Houston Harbaugh, P.C., “It is important to note that the well pad from which the SWN Wells were drilled was not located on the Subject Parcel. In other words, the top hole of each well was located thousands of feet away from the Subject Parcel.” The dispute then turned on whether drilling was “on the premises.” The appellate court “observed that it was undisputed that the term ‘premises’ in the 1918 Deed included *both* the surface and the sub-surface. Moreover, the panel noted that the Steiding Reservation did not say that it was limited to wells only drilled on the ‘surface’ – that limiting term does not appear in the reservation itself. This omission was significant as the Seventh Appellate District opined that the Steiding Reservation ‘does not restrict the royalty interest to a particular entry point.’” In affirming the trial court decision, the appellate court held that “a horizontal well traversing beneath the surface plainly qualifies as a well drilled on the premises for purposes of this deed reserving a royalty interest in oil and gas production. Moreover, a landowner’s pooling and unitization agreement in a lease does not exclude the royalty interest from lease royalties.” [Read more.](#)

Court Filings – Texas. On February 21, the Texas Supreme Court issued an important holding regarding a clarification on what filing “with the court” means for purposes of timing. Although not specifically an AAPL-related case, the holding is important for those seeking clarity on when the clock starts running when a filing is made in the Texas judicial system. In [REME, L.L.C. v. Texas](#) (Case No. 23-0707), the Texas Supreme Court specifically was addressing an issue regarding a deadline to object to a commissioners’ award in a condemnation case from the time of filing the commissioners’ findings “with the court.” Here, “the State filed the commissioners’ award with the court clerk, and the trial court judge acknowledged receipt of it three days later. The trial court ruled that the statutory period to object to the award began to run upon the State’s filing of the award with the court clerk, and it disallowed the State’s tardy objection to it. The court of appeals reversed, concluding that filing ‘with the court’ is complete only upon the judge’s receipt of the award.” The Texas Supreme Court held “that filing ‘with the court’ includes the court clerk; thus, the statutory period for raising an objection to the commissioners’ award commenced on that date. The trial court correctly ruled that the State’s objection was untimely.” [Read more.](#)

TCEQ Air Pollution Control Methods – Texas. On February 14, the Texas Supreme Court, in [Port Arthur Community Action Network v. Texas Commission on Environmental Quality](#) (Case No. 24-0116), addressed whether the phrase “has proven to be operational” in Texas’s definition of “best available control technology” [BACT] codified at [Section 116.10\(1\) \[Control of air pollution by permits for new construction or modification\]](#) of the Texas Administrative Code require an air pollution control method to be currently operating under a permit issued by the Texas Commission on Environmental Quality, or does it refer to methods that TCEQ deems to be capable of operating in the future?” Here, the court “noted that the Texas Clean Air Act requires that a permit must be issued if an applicant proposes ‘at least’ BACT, noting that a permit applicant could propose emission controls that are not currently available so long as those controls exceed BACT. Thus, whether a

technology was previously permitted is not the end of the BACT inquiry.” By focusing on the statutory language, the court held “that the plain meaning of available means ‘currently available’ and that technology that may be available in the future is not BACT.” As noted by law firm Haynes Boone, “This ruling has important implications for businesses seeking environmental permits in Texas. TCEQ must now ensure that proposed pollution control technologies have demonstrated real-world operability and effectiveness. The decision underscores that theoretical or speculative future capabilities are insufficient to meet BACT requirements.”

[Read more.](#)

INDUSTRY NEWS FLASH

► EIA expects U.S. natural gas, petroleum, and renewables consumption to rise in 2025.

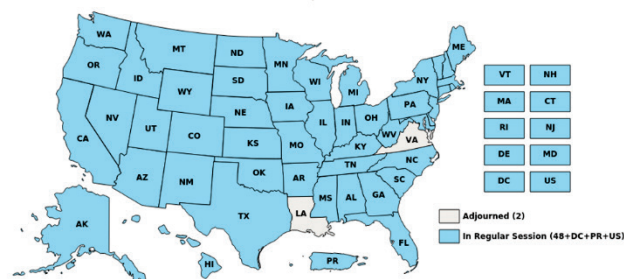
On February 27, *Rigzone* reported that “the U.S. Energy Information Administration (EIA) expects U.S. natural gas, petroleum, and renewables consumption to rise in 2025.” According to the EIA, “The figures forecast that, this year, U.S. natural gas consumption will hit 34.2 quadrillion British thermal units (Btu), U.S. petroleum demand will come in at 35.0 quadrillion Btu, and U.S. renewables consumption will come in at 9.2 quadrillion Btu.” [Read more.](#)

► **OPEC+ agrees to gradually increase oil production.** As reported by the *Oil & Gas Journal*, “OPEC+ members said Mar. 3 that they would proceed with the plan to gradually unwind voluntary production cuts of 2.2 million b/d starting Apr. 1. However, the group emphasized flexibility, stating that the increase could be paused or reversed depending on market conditions. This adaptability is aimed at ensuring continued support for oil market stability.”

[Read more.](#)

LEGISLATIVE SESSION OVERVIEW

States in Session



Session Notes: Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Washington, West Virginia, Wisconsin and Wyoming are in regular session. The U.S. Congress is also in session.

Louisiana is expected to convene for its 2025 legislative session on April 14.

The following states adjourned their 2025 legislative sessions on the dates provided: **Wyoming** (March 6) and **Utah** (March 7).

Louisiana is currently holding interim committee hearings or studies for the 2025 session. ■

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