



Former Bernhardt And Brownstein Hyatt Clients Poised To Benefit From NEPA Roll Backs

Interior Secretary David Bernhardt said the President was making the most significant regulatory rollback of his term:

The Washington Post

“Let me tell you, this is a really, really big proposal,” Bernhardt said, turning to Trump. “The proposal affects virtually every significant decision by the federal government that affects the environment.”

Westlands Water District stands to directly benefit after Bernhardt’s Bureau of Reclamation **issued** a faulty cost-allocation study that would pave the way for the powerful irrigation district to **lock in** some ‘1.15 million acre-feet of water a year, enough to supply 2 million California families’ in perpetuity without NEPA review. In addition, Westlands is pushing for the Shasta Dam project that previous Interior **studies** have found would harm wildlife and be “too costly” at \$1.5 billion. Westlands’ participation in the Shasta Dam project is currently on **hold** after California state courts blocked their involvement.

Cadiz, Inc. is [pushing](#) a controversial project that would pump water from the Mojave Desert into Southern California cities. In September 2017, Interior's Acting Solicitor and Principal Deputy Solicitor wrote an [opinion](#) that removed federal oversight on projects that affected corporations like Cadiz, which may become the norm under the proposed NEPA revisions. Cadiz has already [paid](#) BHFS some \$2.75 million in lobbying fees and stands to earn 200,000 shares of stock if the water pipeline project is completed, in addition to the 200,000 shares it has already earned.

Halliburton already received NEPA [approval](#) for the expansion of a Nevada Barite Mine in September 2019 from the BLM that was presumably reviewed under the parameters of Bernhardt's previous NEPA rollbacks. As part of the [approval](#), Halliburton can expand open pits, develop new pits, and build infrastructure to support the mine and disturb 1,854 acres of public land.

UR-Energy is [working](#) to explore, develop, and mine uranium. The uranium mining corporation joined with EPA Administrator Andrew Wheeler's [former client](#), Energy Fuels Inc., in petitioning the Trump administration to impose uranium import quotas and has been keenly interested in Trump's [nuclear working](#) group's recommendations. If the group's recommendations do indeed expand uranium mining opportunities, UR-Energy could benefit from a limited NEPA process.

Statoil Wind, now called Equinor, is [working](#) on a controversial commercial-scale offshore wind development. Secretary Bernhardt [met](#) with Massachusetts Republican Gov. Charlie Baker to discuss approval for the wind project that would be located off the coast of Martha's Vineyard.



Jordan Cove Energy Project is a pipeline proposal by the Canadian energy giant Pembina that would transport fracked natural gas to the international port at Coos Bay in Oregon. The project would have been subject to a NEPA review, but that is uncertain under the newly proposed revisions. The project is being represented by Bernhardt's former lobby firm BHFS. Emails **revealed** that Bernhardt has been deeply involved in the project despite likely violating ethics rules.

Independent Petroleum Producers of America (IPAA), U.S. Oil and Gas Association, and National Ocean Industries Association are all **seeking** to continue opening up new oil and gas drilling areas. IPAA even went as far as to openly ask Interior to reinstate a categorical exemption to NEPA; Sec. Bernhardt agreed and issued a **memo** stating that these sorts of exclusions should be “fully and properly” considered before any NEPA review took place. Not surprisingly, IPAA President and CEO Barry Russell is **cheerleading** the move to rollback the environmental review process.

Garrison Diversion Water Conservancy District has a project under **NEPA review** with the Bureau Of Reclamation seeking to divert more water for its Red River Valley Water Supply Project. Previously, the district got NEPA **approval** for a decades-stalled plan to pipe water out of the Missouri River and into the Red River Valley. NEPA rollbacks will continue to **greenlight** dangerous projects like this one with little to no input from the public or impacted communities.

The Northeast Maglev is a company committed to building a “superconducting magnetic levitation train in the Northeast Corridor,” connecting Washington D.C., Baltimore, Philadelphia, New York City, and Boston, that employees BHFS energy lobbyist Luke Johnson. **Calendars** and **emails** discovered that in December 2017, Catherine Gulac, who scheduled for then-Deputy Secretary David Bernhardt, arranged a meeting between top Interior officials Todd Willens and Acting Solicitor Daniel Jorjani and Maglev's BHFS lobbyist Luke Johnson.



Rosemont Copper Company, owned by Canadian mining corporation Hudbay Minerals, paid about \$1.8 million in **lobbying fees** from 2011 to 2016 to BHFS; Bernhardt's previous lobbying firm bio stated that he advised "the company on all aspects of obtaining NEPA and Endangered Species permitting issues." On March 8, 2019, "the federal government issued the final permit... allowing the Rosemont Mine to be built despite written EPA warnings that the mine will pollute surface water and shrink, if not dry up, two nationally important streams." The project is on **hold** after a recent ruling but it is being appealed by the company.

Samson Resources, another former **lobbying client** of Bernhardt's, has applied to expand several of its public land oil drilling leases. The oil and gas corporation has four NEPA projects currently in the "**analysis & document preparation**" or "**preparation and planning**" stage.

Noble Energy has applied to reinstate a terminated oil & gas lease in Wyoming that is **pending** NEPA review. The former Bernhardt client has already received a favorable NEPA **decision** on its East Pony Oil Project in August of 2018. Phase 2 of the project, some 23 new oil wells in Weld County, CO, was greenlit by BLM after a NEPA review ruled a 'finding of no significant impact.'

