

COMMITTEE ON NATURAL RESOURCES
113th Congress Disclosure Form
As required by and provided for in House Rule XI, clause 2(g) and
the Rules of the Committee on Natural Resources

Committee on Natural Resources
Oversight Field Hearing on: *“The Northern Long Eared Bat: The Federal Endangered Species Act and*
Impacts of a Listing on Pennsylvania and 37 Other States”
September 8, 2014

For Individuals:

1. Name:
2. Address:
3. Email Address:
4. Phone Number:

* * * * *

For Witnesses Representing Organizations:

1. Name:

Lou D’Amico

2. Name of Organization(s) You are Representing at the Hearing:

Pennsylvania Independent Oil & Gas Association (PIOGA)

3. Business Address:

115 VIP Drive Suite 210
Wexford, Pennsylvania

4. Business Email Address:

5. Business Phone Number:

For all Witnesses

Name/Organization: Louis D. D'Amico/PA Independent Oil & Gas Association

Title/Date of Hearing Committee on Natural Resources Oversight Field Hearing on *"The Northern Long Eared Bat: The Federal Endangered Species Act and Impacts of a Listing on Pennsylvania and 37 Other States"*

September 8, 2014

- a. Any training or educational certificates, diplomas or degrees or other educational experiences that are relevant to your qualifications to testify on or knowledge of the subject matter of the hearing.
- b. Any professional licenses, certifications, or affiliations held that are relevant to your qualifications to testify on or knowledge of the subject matter of the hearing.
- c. Any employment, occupation, ownership in a firm or business, or work-related experiences that relate to your qualifications to testify on or knowledge of the subject matter of the hearing.

Production Engineer – The Peoples Natural Gas Company 1972-1978

Eastern Division Production Manager – Wainoco Oil and Gas Company 1978-1991

President and Executive Director – IOGA of PA/PIOGA 1995-present

President and Executive Director – PIOGA

- d. Any federal grants or contracts (including subgrants or subcontracts) from the Department of the Interior or United States Department of Agriculture that you have received in the current year and previous four years, including the source and the amount of each grant or contract.

No.

- e. A list of all lawsuits or petitions filed by you against the federal government in the current year and the previous four years, giving the name of the lawsuit or petition, the subject matter of the lawsuit or petition, and the federal statutes under which the lawsuits or petitions were filed.

None.

- f. A list of all federal lawsuits filed against you by the federal government in the current year and the previous four years, giving the name of the lawsuit, the subject matter of the lawsuit, and the federal statutes under which the lawsuits were filed.

None.

- g. Any other information you wish to convey that might aid the Members of the Committee to better understand the context of your testimony.

None.

Witnesses Representing Organizations

Name/Organization: Louis D. D'Amico/PA Independent Oil & Gas Association

Title/Date of Hearing Committee on Natural Resources Oversight Field Hearing on “*The Northern Long Eared Bat: The Federal Endangered Species Act and Impacts of a Listing on Pennsylvania and 37 Other States*”

September 8, 2014

h. Any offices, elected positions, or representational capacity held in the organization(s) on whose behalf you are testifying.

President and Executive Director

i. Any federal grants or contracts (including subgrants or subcontracts) from the Department of the Interior or United States Department of Agriculture that were received in the current year and previous four years by the organization(s) you represent at this hearing, including the source and amount of each grant or contract for each of the organization(s).

None.

j. A list of all lawsuits or petitions filed by the organization(s) you represent at the hearing against the federal government in the current year and the previous four years, giving the name of the lawsuit or petition, the subject matter of the lawsuit or petition, and the federal statutes under which the lawsuits or petitions were filed for each of the organization(s).

I. *Duhring Resources v. U.S. Forest Service*, Civil Action No. 1:07 cv 314, W.D. Pa., filed November 2007

PIOGA v. U.S. Forest Service, et al., Civil Action No. 1:08-cv-0162 Erie, W.D. Pa., filed 2008; 2014 U.S. Dist. LEXIS 21601 (W.D. Pa, Feb. 21, 2014)

Minard Run Oil Co. and PIOGA v. U.S. Forest Service, Civil Action No. 09-125, W.D. Pa., filed 2009; *Minard Run Oil Co. and PIOGA v. U.S. Forest Service*, 670 F.3d 236 (3rd Cir.2011)

Forest Service Employees for Environmental Ethics (FSEEE) and the Sierra Club v. U.S. Forest Service, No. 08-323, W.D. Pa., filed 2008 (intervenor)

Although these lawsuits were filed more than four years ago, they were pending within the past four years, the lead case (Minard Run) having been finally resolved within the last four years.

The subject matter of these lawsuits was the lawful scope of the US Forest Service’s authority over private mineral development.

The federal statutes involved were:

Organic Act, 30 Stat. 11, 34, codified at 16 U.S.C. § 475

Weeks Act, Pub. L. No. 61-435, 36 Stat. 961, as amended 37 Stat. 828, 855 (1913), codified at 16 U.S.C. §§515-21 (1976)

Energy Policy Act of 1992, Pub. L. No. 102-486 § 2508, 106 Stat. 2776, 3108, codified at 30 U.S.C. § 226(o).

National Environmental Policy Act, Pub. L. No. 91-190, 83 Stat. 852 (NEPA), codified at 42 U.S.C. §§ 4321 *et seq.*

National Forest Management Act, 16 U.S.C. § 1600 *et seq.*

Administrative Procedure Act, 5 U.S.C. § 551 *et seq.*

Minard Run Oil Co. and PIOGA v. U.S. Forest Service, et al., Case No. 1:09-cv-00125-SJM, filed November 2013.

The subject matter of this petition is attorney fees and expenses.

The federal statute involved is the Equal Access to Justice Act.

II. Independent Petroleum Association of America, Independent Oil and Gas Association of West Virginia, Inc., Kentucky Oil & Gas Association, Inc., Pennsylvania Independent Oil & Gas Association, Ohio Oil and Gas Association, Illinois Oil and Gas Association, and Indiana Oil and Gas Association v. United States Environmental Protection Agency, Case No. 12-1405, US Court of Appeals for the District of Columbia Circuit, filed October 2012.

The subject matter of this lawsuit is the d National Emissions Standards for Hazardous Air Pollutants Reviews for the oil and natural gas sector.

The federal statute involved is the Clean Air Act, specifically Section 112(d)(2), 42 U.S.C. § 7412(d).

III. Independent Petroleum Association of America, Independent Oil and Gas Association of West Virginia, Inc. Kentucky Oil & Gas Association, Inc., Pennsylvania Independent Oil & Gas Association, Ohio Oil and Gas Association, Illinois Oil and Gas Association, Indiana Oil and Gas Association, and Virginia Oil & Gas Association v. United States Environmental Protection Agency, Case No. 13-1108, US Court of Appeals for the District of Columbia Circuit, filed November 2013.

The subject matter of this lawsuit is the New Source Performance Standards for storage vessels for the oil and natural gas sector.

The federal statute involved is the Clean Air Act, specifically Section 111(b)(1)(B), 42 U.S.C. § 7411(b)(1)(B).

IV. Emergency Petition for Programmatic “No Jeopardy” Finding for the Northern Long-Eared Bat, EPA, February 2014 (referenced in PIOGA’s written testimony).

The subject matter of this lawsuit is the conferencing reviews requirement for proposed species listings.

The federal statute involved is Endangered Species Act, specifically Section 7(a)(4), 16 U.S.C. § 1536(a)(4).

k. A list of all federal lawsuits filed against the organization(s) you represent at the hearing by the federal government in the current year and the previous four years, giving the name of the lawsuit, the subject matter of the lawsuit, and the federal statutes under which the lawsuits were filed.

None.

l. For tax-exempt organizations and non-profit organizations, copies of the three most recent public IRS Form 990s (including Form 990-PF, Form 990-N, and Form 990-EZ) for each of the organization(s) you represent at the hearing (not including any contributor names and addresses or any information withheld from public inspection by the Secretary of the Treasury under 26 U.S.C. 6104)).

Enclosed below (embedded files) are the three most recent public IRS Form 990s for PIOGA – 2010, 2011, 2012.



PIOGA 2010 Public
Inspection Copy-990.



PIOGA 2011 Public
Inspection Copy-990.



PIOGA 2012 Public
Inspection Copy-990.