HOT TOPICS

Biden Bans Bulbs
The Biden administration is usurping consumer choice again by setting new efficiency standards for a range of light bulb types. Page 3

Oil Boosts Employment
A new study indicates the oil and gas industry is vital to the U.S. economy, supporting more than 11 million jobs throughout the country in 2019. Page 13

Biden’s EV Push
President Joe Biden signed an executive order mandating emission standards that will result in half of all cars sold in the United States by 2030 being zero-emissions vehicles. Page 5

Spokane Citizens Stymied
A citizens’ initiative to guarantee consumers the right to use natural gas in new buildings in Spokane has been blocked by a Superior Court judge. Page 15

CA Country Sues State
Kern County, California is suing Gov. Gavin Newsom over his administration’s “discretionary” rejection of fracking permits, which the county says are authorized under state law. Page 14

Heartland Institute to Host International Climate Conference on ‘Great Reset’

By Kenneth Artz
The Heartland Institute is hosting the 14th International Conference on Climate Change (ICCC-14), featuring approximately 50 top experts in climate and energy presenting their research on climate change policy.

The theme of ICCC-14 is “The Great Reset: Climate Realism vs. Climate Socialism.” The conference will respond to the push by international leaders to exploit the supposed existential threat of climate change to “reimagine capitalism,” as World Economic Forum
The global climate agenda, as promoted by the United Nations, is to overhaul the entire global economy, usher in socialist programs, and forever transform society into one in which individual liberty and economic freedom are crushed.

This will be the most important event of the year countering climate alarmism. It will feature the best scientists and experts from around the world. Join us as we take a stand against those attempting to exploit climate change fears as part of a larger effort to obtain even greater power over all of us.
Biden Sets New Light Bulb Efficiency Standards, Banning Many Popular Bulbs

By Kenneth Artz

The U.S. Department of Energy (DOE) proposed a new set of stricter energy efficiency standards for approximately two billion light bulbs, many of which were previously unregulated.

The scheme would set new efficiency standards for multiple types of bulbs and would change the definitions of certain lamps to bring more bulbs under federal rules.

Billions of popular light bulbs would be banned if the rule is finalized, because many of the most popular types of bulbs would be unable to meet the new efficiency standards.

DOE says it is still considering whether it should initiate a “backstop,” or minimum efficacy standard, to bring an additional 3.4 billion bulbs—practically the entire market for common bulbs—under federal standards.

Off the Shelves

The planned rule would take whole classes of incandescent and halogen bulbs off the shelves. Manufacturers are requesting DOE allow a transition period in order to allow retailers to sell bulbs that would become noncompliant under the proposed rules.

DOE’s plan is part of the Biden administration’s efforts to reduce greenhouse gas emissions from energy use. The Appliance Standards Awareness Project, which favors the stricter regulations, estimates the new proposal and the “backstop” proposal under consideration would reduce annual carbon-dioxide emissions in the United States by up to 9.5 million metric tons.

In early 2017, just before former President Barack Obama left office, his administration extended energy efficiency rules to more types of bulbs. The Trump administration reversed the Obama-era expansion in response to a lawsuit filed by the National Electrical Manufacturers Association in 2017.

‘Arbitrary Exit Deadline’

The Biden administration is setting a random timeline to rob consumers of choice, says Merrill Matthews Jr., Ph.D., a resident scholar at the Institute for Policy Innovation.

“The Biden administration has set another arbitrary exit deadline that experts claim is too rapid, saying the administration needs to allow a little more time for a smooth transition in order to avoid confusion and waste,” Matthews said. “In this case, it’s not the U.S. exit from Afghanistan, but the U.S. exit from standard, incandescent light bulbs. ... What is this administration’s problem with allowing for smooth transitions?”

Progressives vs. Consumers

The Biden administration claims it wants to accelerate the transition from incandescent light bulbs to more energy-efficient bulbs to help consumers save money, especially for low-income households. But, consumers are capable of making their own decisions about what products provide the best value for their money, says Matthews.

“Once again, progressive bureaucrats are on a mission to tell consumers what’s best for them and to ensure they have few or no other options if consumers don’t agree,” Matthews said. “Ironically, light bulb manufacturers have been transitioning to the new type of light bulbs for some time. “Many bulbs available on store shelves today already comply with the new requirements, so consumers can choose them if they want them,” Matthews said. “So, it’s not clear why the need for a forced, rapid transition to the newer bulbs unless the Biden administration is once again engaged in virtue-signaling to its progressive base.”

‘Regardless of the Cost’

What the Biden administration is doing is illegal and contrary to the wishes of consumers, says Thomas Pyle, president of the Institute for Energy Research.

“Congress never intended the DOE to force all types of light bulbs to be LED, but that’s exactly what the Obama administration [tried] and now the Biden administration [is] trying to do. Americans should be able to choose the light bulbs that make the most sense for their applications.”

THOMAS PYLE
PRESIDENT
INSTITUTE FOR ENERGY RESEARCH

‘Congress never intended the DOE to force all types of light bulbs to be LED, but that’s exactly what the Obama administration [tried] and now the Biden administration [is] trying to do. Americans should be able to choose the light bulbs that make the most sense for their applications.’
Federal Government Starts Permitting Process for NC Offshore Wind Project

By Bonner R. Cohen

The U.S. Department of Interior’s Bureau of Ocean Energy Management (BOEM) has begun the permitting process for the first stage of a proposed wind energy project off the North Carolina coast.

The Kitty Hawk North project, developed by Avangrid Renewables, would be located about 27 miles offshore from Corolla, North Carolina and would deploy up to 69 large wind turbines in a federal lease area of approximately 200 square miles.

The portion of the Kitty Hawk project currently under consideration for approval could produce 800 megawatts (MW) of electricity upon completion. The entire wind project is projected to produce up to 2,500 MW of electricity upon completion, enough to power approximately 700,000 homes.

Capacity Versus Production

The first phase of the project, Kitty Hawk North, would connect to Virginia Beach. It would count towards North Carolina’s offshore wind capacity target and the offshore wind procurement target set by Virginia.

North Carolina set a goal of 2.8 gigawatts (GW) of offshore wind capacity by 2030 and eight GW of capacity by 2040.

Capacity targets are not to be confused with production targets, much less actual production, says Craig Rucker, president of the Committee For A Constructive Tomorrow (CFACT), which co-publishes Environment & Climate News.

“Wind and solar projects are all said to have a certain ‘capacity,’ the maximum amount of power they can produce under ideal conditions, but because they are intermittent, their actual production is almost always less than their stated capacity,” Rucker said. “Looking ahead, based on past experience, problems with Kitty Hawk North could arise if coastal residents object to ocean-based transmission lines being laid through their neighborhoods.”

‘Pump the Brakes’

North Carolina will receive none of the power but will bear all the environmental costs of Kitty Hawk’s development and operation, says Jon Sanders, a senior fellow in regulatory studies and research at the John Locke Foundation.

“Our marine ecology, environment, and economy, especially our fishing communities, will face an unknown and barely studied amount of disruption,” Sanders said. “At the very least, BOEM should pump the brakes until researchers have had time to study fully the issues at stake.

“In general, any environmental gains are likely to be offset by intermittent wind power’s need to be backed up by a fossil-fuel source when the wind isn’t blowing and turbines aren’t operating, as they have been frequently, including now, at the nation’s first offshore wind power project, Block Island Wind Farm off Rhode Island, which is currently delivering power from old diesel generators,” Sanders said. “Given that the levelized cost of new wind power with backup generation is so high, [and] even higher for offshore wind, the project would necessarily lead to higher costs of electricity to everyone, which would fall especially hard on poor families.”

Bonner R. Cohen, Ph.D. (bcohen@nationalcenter.org) is a senior fellow at the National Center for Public Policy Research and a senior policy analyst with CFACT.
Biden Signs Executive Order Establishing Zero-Emissions Vehicle Targets

By Linnea Lueken

President Joe Biden signed an executive order (EO) directing two federal agencies to make regulations to ensure half of all U.S. car sales are zero-emissions vehicles by 2030.

Biden’s order, “Strengthening American Leadership in Clean Cars and Trucks,” directs the Environmental Protection Agency (EPA) and Department of Transportation (DOT) to “consider beginning work on a rulemaking” toward the administration’s zero-emissions goals.

The EPA and DOT have already proposed stricter emissions standards to carry out Biden’s order. Under these proposed regulations, all passenger cars and light- and heavy-duty vehicles would have to meet stricter emissions standards and higher fuel-economy standards, starting with 2027 model year vehicles.

‘Existential’ Threat
In his signing statement, Biden said his EO is intended to boost the economy while averting a “climate crisis.”

“It is the policy of my administration to advance these objectives in order to improve our economy and public health, boost energy security, secure consumer savings, advance environmental justice, and address the climate crisis,” Biden said.

Biden indicated executive action was warranted and regulations justified because climate change is an “existential” threat and the world does not have time to wait for Congress to decide to impose zero-emissions limits on passenger cars and light trucks.

Higher Costs for Drivers
A zero-emissions vehicle mandate will cost Americans dearly, said Rep. Cathy McMorris Rodgers (R-WA), minority leader of the House Energy and Commerce Committee, in a statement released after Biden issued his order.

“As people struggle to stretch their last dollar to afford reliable transportation amid rising gasoline prices, this administration is now asserting more control over the vehicles we drive to work, take our children to school, and live our lives,” McMorris Rodgers said.

“It’s unfair to people whose car is not a luxury but a necessity.

“To secure a cleaner American energy future, Democrats would be wise to work with Republicans to unleash innovation for cleaner emitting vehicles, such as [autonomous vehicles], to keep our roadways safe and vehicles affordable,” McMorris Rodgers said.

Dependent on Chinese
Biden’s zero-emissions vehicle EO is dangerous because it will make the United States more dependent on China for our transportation needs, said Rep. David McKinley (R-WV) in a Twitter statement.

“President Biden’s Executive Order establishing an arbitrary timeline to transition to 50 percent electric vehicles by 2030 will drive up prices for cars and trucks while making us more dependent on China for production of parts and batteries for EVs,” McKinley said. “Combined with proposed emissions standards and soaring gas prices, everyone who drives will be paying much more.”

Electric ‘Pipedream’
Zero-emissions vehicle goals are undesirable and unrealistic, in part because of the materials required and the limited ability to dispose of those materials safely, says William Shughart II, research director at The Independent Institute and the J. Fish Smith Professor in Public Choice at Utah State University.

“Making half of our new vehicles electric by 2030 is a pipedream for several reasons: battery technology is still evolving, it currently hinges on rare-earth minerals sourced mainly from China because of mining regulations here, and spent auto batteries cannot just be dumped into standard landfills,” Shughart said.

High Costs, No Benefit
Biden’s zero-emissions vehicle mandate will increase the prices electric power ratepayers have to pay for electricity, limit opportunities for low-income drivers to travel, and do nothing for the environment, Shughart says.

“Installing a sufficient number of charging stations will be expensive, and the poorly regulated public utilities required to provide them will pass the costs onto utility customers, rather than those costs being borne fully by EV owners,” Shughart said. “Biden’s regulation will be shouldered disproportionately by low-income households, pricing new and used vehicles beyond their financial reach.

“Proponents of EVs seem to think EVs are produced with no carbon footprint, that they’re manufactured in 100 percent wind- and solar-powered factories and that 100 percent of the power used to charge EVs comes from the non-emitting power sources, but the truth is an EV is only as clean as the grid used to power it, which nowadays is pretty dirty on the East Coast and in the Mountain West,” Shughart said.

‘Environmental Catastrophe’
Combined with Biden’s push to move the United States to 100 percent carbon-dioxide-free electricity generation, the zero-emissions vehicle mandate will result in massive environmental destruction, says James Taylor, president of The Heartland Institute, which co-publishes Environment & Climate News.

“In 2019, Harvard scientists who believe in a climate crisis published a peer-reviewed article determining that we would have to cover literally one-third of the American land mass with industrial wind projects to replace current electricity generation. By those same numbers, we would have to cover an additional one-sixth of the American land mass with industrial wind projects to electrify transportation.”

JAMES TAYLOR
PRESIDENT
THE HEARTLAND INSTITUTE

Linnea Lueken (linnea.heartland@gmail.com) writes from Laramie, Wyoming.
founder and executive chairman Klaus Schwab put it.

The Great Reset is intended to impose socialism on the global economy, especially energy production and use, as described in numerous documents and discussions.

The conference will begin with an opening dinner in Las Vegas on October 15 and wrap up with a screening of the movie Climate Hustle 2, followed by a reception with filmmaker Marc Morano and others on October 17.

Free Exchange of Ideas
The conference will allow scholars to exchange ideas and research without worrying about censure from climate activists and alarmists in the mainstream media, says James Taylor, president of The Heartland Institute, which co-publishes Environment & Climate News.

“ICCC-14 provides a venue for realist scientists to meet with each other, energize each other, lift each other’s spirits, and discuss current and future research.”

JAMES TAYLOR
PRESIDENT, THE HEARTLAND INSTITUTE

Climate News.
“ICCC-14 provides a venue for realist scientists to meet with each other, energize each other, lift each other’s spirits, and discuss current and future research,” Taylor said.

The keynote speakers will include William Happer, Ph.D., professor emeritus in the Department of Physics at Princeton University and a founding board member of the CO2 Coalition; Lord Christopher Monckton, former special advisor to British Prime Minister Margaret Thatcher; and Patrick Moore, Ph.D., a cofounder of Greenpeace who currently serves as a director at the CO2 Coalition and a senior fellow at The Heartland Institute.

Among the other speakers at the conference are climate scientists Neil Frank, Ph.D., Madhav Khandekar, Ph.D., Patrick Michaels, Ph.D., and Willie Soon, Ph.D.; economists and statisticians Kevin Dayaratna, Ph.D., Ross McKitrick, Ph.D., and Benjamin Zycher, Ph.D.; and nonprofit advocates for the poor and minorities E. Calvin Beisner, Ph.D. and Derrick Hollie.

Already Resetting
ICCC-14 presenter Roy Spencer, Ph.D., a principal research scientist for the University of Alabama in Huntsville, conducted research indicating there is no need for a “Great Reset” to reduce emissions of greenhouse gases, because they are already on a path to decline as industries adopt more-efficient, lower-emitting technologies naturally.

“The goal of the IPCC is that if we reduce CO2 emissions, this will keep warming to 1.5 degree Celsius in the future,” Spencer said in an online preview of his presentation. “But what our results suggest, as well as those of Lewis and Curry—which were published in 2018—is that maybe we don’t even have to make any changes and we might meet that 1.5-degree goal without doing massive transitions from fossil fuels to wind and solar, which … would be hard to do from a practical standpoint.

“Now it could be that there are other natural warming influences beside El Niño and La Niña,” Spencer said. “We simply do not know, so that’s a big assumption in all of this, how much warming is natural. We don’t know.”

Climate-Friendly Fuels
Natural gas and nuclear energy are far more climate- and ratepayer-friendly than renewable power sources such as wind and solar, said Amy Oliver Cooke, CEO of the John Locke Foundation in North Carolina, in her presentation preview.

“Here I am in North Carolina, which produces a significant amount of electricity from nuclear energy,” Cooke said. “North Carolina has actually done remarkably well in reducing emissions over the last decade-plus because they have switched from coal to natural gas.

“The combination of the nuclear power with the fuel switch from coal to natural gas is one that really helped North Carolina reduce emissions,” Cooke said. “Here’s a sort of the spoiler alert for all of this: if people really want low-carbon emissions from the electricity sector and you still want to live in the twenty-first century, North Carolina has been doing this and showing the rest of us how to do it with affordable, reliable, environmentally friendly nuclear energy plus natural gas. It is that simple.”

Kenneth Artz (KApublishing@gmx.com) writes from Dallas, Texas.
The U.S. Ninth Circuit Court of Appeals rejected a challenge to wetlands permitting requirements imposed under the 1972 Clean Water Act (CWA) on property near Priest Lake, Idaho.

**Legal Challenges**
The Sacketts sought a hearing with the EPA to dispute the property was a wetland requiring a permit and merits a compliance order. However, EPA refused to grant a hearing. The Sacketts then sued in federal court, seeking to overturn the compliance order.

Multiple federal courts denied the Sacketts the right to challenge EPA’s compliance order, ruling they had no legal recourse unless the agency moved to enforce its order.

In 2011, the U.S. Supreme Court disagreed. In a decision written by the late Justice Antonin Scalia, the Court unanimously ruled the 1946 Administrative Procedure Act gave the Sacketts the right to challenge EPA’s jurisdictional determination without first being threatened with penalties.

**Court Reverses Course**
The court ruled a “significant nexus” exists between the Sacketts’ property and wetlands and streams falling under the CWA’s jurisdiction, and thus the Sacketts needed a permit from the EPA to develop their property.

The ruling was predicated on former Supreme Court Justice Anthony Kennedy’s concurrence with the majority opinion in a 2006 case, *Rapanos v. United States*.

**Significant Nexus’ Standard**
Judge Michelle Friedland, writing for the three-judge panel of the Ninth Circuit Court of Appeals, noted the Sacketts’ property was located 300 feet from Priest Lake, a traditionally navigable water, thus satisfying Kennedy’s “significant nexus” test.

“It is clear that the requirements of the Kennedy concurrence and the applicable regulations are satisfied here,” Friedland wrote. “The record plainly supports EPA’s conclusion that the wetlands on the Sacketts’ property are adjacent to a jurisdictional tributary and that, together with the similarly situated Kalispell Bay Fen, they have a significant nexus to Priest Lake, a traditional navigable water.”

**This Decision Is Erroneous**
In an email sent to the press, Tony Francois, an attorney with the Pacific Legal Foundation, which represented the Sacketts throughout the process, said he believed the court had ruled incorrectly.

“By including ephemeral creeks, marshes, and ponds not directly connected to any large waterways but only deemed by EPA bureaucrats to have some sort of purported ‘critical nexus,’ it makes it pretty easy for regulators to stomp on landowners and prohibit them from making any improvements on their property.”

**‘Tragic News’ for Property Owners**
The definition of “navigable waters” employed by the EPA and the Ninth Circuit represents a dangerous overreach, says Craig Rucker, president of the Committee For A Constructive Tomorrow, which co-publishes Environment & Climate News.

“The Ninth Circuit’s decision to broadly interpret ‘navigable waters’ is tragic news for private property owners, because Kennedy was the lone voice in the majority opinion in *Rapanos* in opting to include waters that weren’t directly adjacent to a tributary or lake in question,” Rucker said. “The others forming the majority—namely Justices Scalia and Justices Thomas, Alito, and Roberts—agreed that Congress’ original intent was to have a more limited definition, and it’s surprising to see the Ninth Circuit spurn their point of view entirely.”

Sacketts were supported by amicus briefs from the American Farm Bureau Federation, the Center for Constitutional Jurisprudence, and the National Association of Homebuilders.

Kevin Stone (kevin.s.stone@gmail.com) writes from Arlington, Texas.
Continued from page 1

Under the law, automakers must pay a tax on every vehicle that does not meet government-mandated fuel economy standards, which raises the price on the most popular vehicles in the United States, such as light trucks and SUVs.

Biden also issued an executive order requiring 50 percent of “all new vehicles sold in 2030 [be] zero-emissions vehicles, including battery electric, plug-in hybrid electric, or fuel cell electric.”

Biden’s plan includes federal incentives for consumers to purchase electric vehicles and establishment of “the first-ever national network of electric vehicle charging stations.”

Congress on Board

Congress is also backing efforts to shift to battery-powered vehicles.

The bipartisan $1 trillion infrastructure bill that passed the Senate in early August included $7.5 billion in funding for electric vehicle charging stations and up to $5.5 billion in funding for other electric-vehicle-related programs and promotions.

Democrats in the House of Representatives proposed more funding for electric vehicles in the budget blueprint the House adopted on a strict party-line vote. The blueprint includes $160 billion in additional funding for electric vehicles and EV infrastructure.

Battery Mineral Concerns

Numerous studies have examined the effects of mining and refining the materials necessary for the needed expansion of the production of lithium-ion batteries to power electric vehicles.

Studies from the European Commission and the Manhattan Institute indicate battery and electric car production pose a threat to human health and result in serious damage to waterways, air, wildlife, and wildlife habitat. Green-energy mineral mining has also been implicated in child and slave labor.

Electric vehicles are as much as 50 percent heavier than similar fossil-fuel-powered vehicles, requiring more steel and aluminum in their construction. As a result, 20 to 50 percent more greenhouse gases are used to make EVs than comparable vehicles with internal-combustion engines.

In terms of reducing greenhouse gas emissions, electric vehicles don’t begin to pay off their greenhouse gas deficit before their batteries start to lose substantial range. This means there may be no net reduction in carbon dioxide emissions from driving an EV under normal conditions.

China Factor

Forcing people to buy EVs harms the environment, says Ann Bridges, co-author of *Groundbreaking! America’s New Quest for Mineral Independence*, who is a policy advisor to The Heartland Institute, which co-publishes *Environment & Climate News*.

“China’s stated goal is to dominate global electric vehicle manufacturing and export other high-tech products, which all rely on rare earths and critical minerals,” Bridges said. “China’s proven track record is of reckless environmental damage to produce solar panels, for example, and use coal-burning furnaces and water-based leaching as part of manufacturing processes.

“It is fair to assume that as they pursue producing this huge number of vehicles or the batteries required for them, they will continue these practices,” Bridges said. “Beyond mining, the existing processing and purification of extracted minerals causes untold, and until now mostly unmeasured, damage to the environment.”

U.S. Mining Restrictions

Politicians should not prematurely force electric vehicles onto the road, but if the EV mandate does become law, we should mine the materials in the United States, says Bridges.

“A better solution would be to allow promising new clean processing and purification technologies to be thoroughly developed and implemented, and let the marketplace determine the ultimate cost-benefits, the relative tradeoffs with fossil-fuel-powered vehicles, and the comparative sustainability of these choices,” Bridges said. “Just because we have 2 percent adaptation of EVs now does not make them ready for whole-scale adoption without a clear-eyed assessment of what the environmental impact is from minerals to final disposal for each and every component. The current evidence suggests gas-powered vehicles remain the most environmentally friendly personal transportation solution.

“America has ample mineral resources which warrant exploration using twenty-first century technologies, investing in responsible development under existing mining laws, applying the most well-developed environmental standards, as Canada and Australia have done for years,” Bridges said. “Specifically, efforts to tap into known nickel deposits in Oregon, Minnesota, and Michigan have been stymied, yet cobalt, the key component for much of battery technology, is a co-product of mining nickel.”

‘Significant Environmental Damages’

There are many reasons to be skeptical about the push for EVs, says Dr. Wayne Winegarden, a senior fellow at the Pacific Research Institute.

“Electric vehicles are not a zero-emission, non-polluting technology,” Winegarden said. “Not only does the EV manufacturing process create more greenhouse gas emissions than the manufacturing process for cars with internal-combustion engines, the mining of the necessary rare-earth elements for EVs creates large emissions and causes significant environmental damage as well.

“China, which dominates the rare-earth market, is suffering significant environmental damages from its mining and refining operations, including increased radiation and pollution in surrounding soil and water sources, which has led to cancer clusters, degradation of crops, and harm to animals,” Winegarden said. “Beyond the environmental damages, these mines are notorious for exploiting child labor and slaves.”

Kenneth Artz (kennethcharlesartz@gmx.com) writes from Dallas, Texas.

INTERNET INFO


Biden Urges OPEC to Increase Oil Output to Offset Rising U.S. Prices

By Kevin Stone

President Joe Biden asked the Organization of Petroleum Exporting Countries (OPEC) to increase oil production and exports from its member states to try to reduce rising U.S. fuel prices.

The request came in the wake of multiple Biden administration policy initiatives designed to curb domestic U.S. oil and gas production to fight climate change. Oil and gasoline prices have risen substantially in the United States since Biden imposed these initiatives.

The actions include a federal moratorium on new permits to drill for oil and gas on federal lands and waters, canceling the Keystone XL pipeline, and issuing a budget directive prohibiting the U.S. Army Corps of Engineers from engaging in any project “that directly subsidizes fossil fuels, including work that lowers the cost of production, lowers the cost of consumption, or raises the revenues retained by producers of fossil fuels.”

Costing Jobs, National Security

Congressional Republicans criticized Biden’s appeal to OPEC, saying it is hypocritical and dangerous to ask other countries for more oil when it would be much better for America’s economy and national security if he were to rescind his restrictions on domestic production.

The Biden administration’s energy policies are costing jobs in the United States and giving aid and comfort to our geopolitical rivals, said Sen. Bill Cassidy (R-LA) in response to Biden’s urging of OPEC to boost oil production to combat skyrocketing gas prices.

“The Biden administration needs to admit that killing American energy jobs is backfiring,” Cassidy said in a statement. “Begging our adversaries like Iran to bail them out from high gas prices instead of putting Americans back to work is totally unacceptable.”

“A Quadruple Whammy”

In a speech on the Senate floor in July, Cassidy said Biden’s decision to allow the completion of Russia’s Nord Stream 2 pipeline while killing the Keystone XL pipeline and hamstringing domestic production was unconscionable.

“It’s been only six months of the Biden administration, but every day, that target on the back of an oil and gas worker and on their family’s future gets bigger and bigger and bigger,” Cassidy said. “It’s almost, if you will, a quadruple whammy: weakening U.S. security, increasing greenhouse gas emissions, increasing gas prices, and killing American jobs.

“That’s what this administration’s policies have been doing,” Cassidy said. “We are pleading, not with OPEC but with the administration, to leave our jobs and the livelihoods of Louisiana workers and American workers alone.”

‘Next-Level Stupidity’

Biden’s multiple restrictions on domestic oil production leaves the United States and its economy unnecessarily reliant on foreign governments for our energy needs, said Rep. Garret Graves (R-LA), ranking minority member of the House Select Committee on the Climate Crisis, in a statement.

“Begging OPEC+ to pump more oil while kneecapping abundant U.S. energy production is next-level stupidity,” Graves said. “From canceling the American Keystone XL pipeline while violating the law, and defying the courts by greenlighting Russia’s Nord Stream 2 pipeline to suspending oil and gas leases on federal lands, President Biden has taken actions that result in killing American projects and pink-slipping American workers at nearly every turn.

“He’s even gone as far [as] to direct the U.S. Army Corps of Engineers to prohibit funds to any project that benefits oil and gas,” Graves said. “His actions not only harm Americans, they will result in higher global emissions as more carbon-efficient domestic energy production is replaced by higher-emitting sources from nations like Russia.”

‘Misguided … Anti-American’ Policies

Biden’s policies seem intended to hurt the United States, Graves says.

“Under President Trump we were energy-independent, but thanks to these misguided policies we’re killing U.S. production while boosting Russia, Iran, and other adversaries,” Graves said. “It’s apparent the Biden administration isn’t anti fossil fuel or concerned with increased global emissions, but anti American energy and American jobs.”

‘Added Insult to Injury’

Biden’s policies foolishly harm the economy while producing no climate benefit, says Gary Stone, executive vice president of engineering with Five States Energy.

“Recent actions by President Biden have underlined the administration’s attack on domestic energy and their hypocritical ‘support’ for green energy,” Stone said. “On top of previous regulatory changes—the cancellation of the Keystone pipeline, freezing lease sales on offshore and federal lands, threats of declaring produced water as ‘environmental waste,’ and crippling emissions and wildlife rules—the administration has added insult to injury to both the oil and gas industry and ‘green’ groups by requesting OPEC+ increase production to make up for the domestic reductions caused by the administration’s own rules.

“Foreign producers are not limited by the same strict environmental regulations as domestic producers, and they do not care about or honor a ‘green’ agenda,” Stone said.

‘Latest Political Nonsense’

The Biden administration’s energy policies will suppress domestic economic growth by restricting available energy resources, Stone says.

“Looking at a bigger picture, the administration doesn’t seem to realize that the driving force for prosperity is abundant, relatively inexpensive, fossil-fuel–based energy,” Stone said. “One cannot simply wish that ‘green’ energy sources like wind and solar, each producing their own negative environmental effects, can replace fossil fuels, because they are not consistent in their supply, as was strongly demonstrated in Texas last February during The Great Freeze.

“An abundance of energy leads to prosperity, while a restriction or lack of energy leads to economic struggle and poverty,” Stone said. “The latest political nonsense coming out of Washington will lead to a reduction in available energy, increased prices, and increased pollution throughout the world.”

Kevin Stone (kevin.s.stone@gmail.com) writes from Arlington, Texas.
United States Continues to Lead the World in LNG Exports

By Duggan Flanakin

Natural gas consumption increased around the world in May 2021, and liquefied natural gas (LNG) exports increased to meet global demand, the International Energy Agency (IEA) reports.

IEA says gross natural gas consumption increased by 7.4 percent year-over-year in “developed nations,” defined as members of the Organisation for Economic Co-operation and Development (OECD).

Although natural gas consumption increased modestly during the COVID-19 pandemic, demand increased significantly once the global economy began to recover from the government-mandated COVID-19 lockdowns.

More U.S. Production, Exports

Natural gas production increased in the OECD’s Americas region by 4.5 percent in May compared to the previous year. Growth was led by the United States, where natural gas production increased by 5.2 percent in May. As a result, the OECD Americas region increased its LNG exports by 34.6 percent year-over-year, to help satisfy a 4.6 percent annual rate of growth in global LNG demand.

Natural gas production declined in the OECD Europe and Oceana regions despite growth in demand.

More Natural Gas, Lower Emissions

The Biden administration should embrace U.S. natural gas production and exports because they are good for the nation geopolitically, says Merrill Matthews, Jr., Ph.D., a resident scholar at the Institute for Policy Innovation.

“The United States is by far the largest natural gas producer in the world, with Russia in second place, and while the U.S. is only the third-largest LNG exporter, behind Australia and Qatar, the IEA projects the United States will also be the largest LNG exporter by 2025—but only if it has markets.”

MERRILL MATTHEWS, JR., PH.D.
REIDENT SCHOLAR
INSTITUTE FOR POLICY INNOVATION

‘World Powerhouse’

U.S. energy production benefits the entire world, in part by reducing poverty, says Dan Kish, a distinguished senior fellow at the Institute for Energy Research.

“The United States has become the world powerhouse in natural gas exports because of the hard work, sweat, and investment of our private sector once the federal government was told to butt out of the process,” Kish said. “There are tens of billions of dollars being invested into the infrastructure making this possible, providing tens of thousands of high-skilled jobs in communities across the nation.

“This helps the United States project our influence around the world and keeps people working here at home producing, transporting, and processing the natural gas we are so blessed to have in abundance,” Kish said. “The world is using more and more gas as economies around the world seek to raise their people out of poverty and make their lives better.”

‘An Attractive Option’

It is unfortunate the Biden administration is boosting Russia’s sphere of influence, says Kish.

“The nations in Europe who have the most experience with the boot of Russia on their neck during the Communist decades are in tune to the perils of reliance upon Russia for their energy security, while those less familiar, such as Germany, are signing up for huge volumes of natural gas from the Russian state,” Kish said. “American LNG provides an attractive option to those concerned about dependence on Russia.

“Dangerously, some in the United States are seeking bans on the use of natural gas, and the Biden administration has placed a moratorium on leasing on federal lands and waters totaling 2.46 billion acres,” Kish said. “The national and economic security of the United States and the welfare of the world’s poor appear to be unimportant to such people.”

Duggan Flanakin (dflanakin@gmail.com) writes from Austin, Texas.
The very fabric of America is under attack— our freedoms, our republic, and our constitutional rights have become contested terrain. The Epoch Times, a media committed to truthful and responsible journalism, is a rare bastion of hope and stability in these testing times.
The Caddo Parish Commission rejected a proposal by one of its commissioners to place a six-month moratorium on ongoing and proposed oil and gas drilling activities in the Louisiana parish.

Caddo Parish Commissioner Ken Epperson says he developed the proposal in response to complaints from his constituents about noise, dust, and traffic associated with drilling activities near their homes.

Epperson said he hoped the moratorium would “give time” to the Louisiana Department of Natural Resources (DNR) to address the problems associated with oil and gas activities near homes and other buildings in the parish.

The resolution asked DNR to hold public hearings to address complaints and to develop an enforceable plan to reduce oil- and gas-related nuisances.

Epperson’s resolution needed a majority of the commissioners’ votes to be approved. It failed on a tie vote of six in favor and six opposed.

State Rep. Favors

Prior to the commission meeting, Louisiana state Rep. Cedric B. Glover (D-Shreveport) wrote a letter to Commissioner of Conservation Richard Ieyoub supporting the 180-day moratorium.

In the letter, Glover said problems were arising because recent oil and gas discoveries were shifting operations from rural areas, where mineral owners possess large blocks of acreage, to smaller blocks of property in and near urban areas.

Drillers are working to extract oil from the Haynesville Shale, which underlies portions of Caddo Parish, including neighborhoods of small, primarily residential lots established and plotted in the 1930s. Glover’s letter said the large number of small lots does not easily lend itself to fair negotiation between mineral owners and other property owners.

“It does not serve the interests of common, everyday people trying to ensure that they are making intelligent and informed decisions regarding matters to which they have limited experience, exposure, and understanding,” Glover wrote.

Industry Opposition

Oil and gas operators were quick to respond to the proposed moratorium, with three industry groups submitting a joint letter to the Caddo Parish Commission stating even a short-term drilling moratorium would have a devastating economic impact on the parish and the state.

The letter from the Louisiana Association of Business and Industry, the Louisiana Mid-Continent Oil and Gas Association, and the Louisiana Oil and Gas Association strongly urged the Parish Commission to reject the proposed moratorium.

“Since 2014, the natural gas and oil industry has provided more than 5,000 direct jobs to Caddo Parish residents, including more than 500 direct jobs directly related to drilling,” the letter states. “One of the greatest benefits of this industry is not just the direct jobs created, but the thousands of indirect jobs created because of oil and natural gas activity—more than 6,000 indirect jobs in Caddo Parish since 2015.

“These are good-paying jobs, paying up to approximately $93,000,000 in wages to Caddo Parish residents. ... [W]ages have totaled up to $4,000,000 annually paid since 2013,” the letter said. “The indirect jobs created in Caddo Parish because of oil and gas activity generate up to $100,000,000 in wages annually. ... In addition to paying wages to residents of Caddo Parish, the natural gas and oil industry has paid more than $100,000,000 in ad valorem taxes directly to Caddo Parish.”

Legal Issues

The letter said a moratorium could create legal problems for the parish because it would breach existing contracts and deny property owners and mineral owners their rights to develop their property under state law.

In addition, they wrote, existing state law provides ample opportunities for public input prior to initiation of drilling. Operators are required to post publicly their intent to drill, reach out to surrounding interested parties, and conduct a public hearing at which citizens can express their concerns.

‘Creates Countless Jobs’

The moratorium would have resulted in job losses, harming the region and the state, says Ryan Roberts, external affairs manager at the Pelican Institute.

“The energy industry creates countless jobs and is crucial to providing work for many Louisianans. This moratorium would send a chilling message to the energy industry, who will take their jobs to other, friendlier states. Parishes and local governments should look to work with job creators instead of pushing mandates upon them that would negatively affect jobs and opportunities for thousands of hardworking Louisianans,” Roberts said.

No Compromise

Commissioner John Atkins offered a compromise resolution at the meeting. Atkins noted citizens’ concerns in a letter to the DNR without calling for a moratorium on operations.

During discussion of his resolution, Atkins said every industry has “bad actors” but rules already exist to address each of the types of complaints offered by residents. Instead of suspending oil and gas operations, which provide jobs and revenue for the parish, Atkins’ resolution called for greater enforcement of existing rules and better communication among industry officials, commission members, and residents.

Atkins’ resolution also failed to pass.

By Duggan Flanakin

Duggan Flanakin (dflanakin@gmail.com) writes from Austin, Texas.
Domestic Oil and Gas Production Is Vital to U.S. Economy, Study Finds

By Tim Benson

The oil and natural gas industries directly or indirectly supported more than 11 million jobs throughout the country in 2019, PricewaterhouseCoopers (PwC) reports. Oil and natural gas jobs produced $892 billion in labor income and had a $1.7 trillion in 2019, the report commissioned by the American Petroleum Institute (API) states.

The PwC report updates a 2017 study that found the oil and natural gas industries in 2015 supported more than 10.3 million jobs, produced more than $714 billion in labor income, and generated $1.3 trillion in economic impact.

‘Reminder of What’s at Stake’

Oil and gas production and use are the lifeblood of America’s economic success, and the country will be harmed if politicians restrict access to or the use of these critical resources, said API President Mike Sommers in a statement about the report.

“As America’s economy comes back, the natural gas and oil industry will serve as the foundation for long-term growth and prosperity,” Sommers said. “Every state across the country—both blue states and red states—relies on the American energy to fuel each sector of the economy and support millions of U.S. jobs.

“This study reinforces that America’s economic outlook is brighter when we are leading the world in energy production, and it serves as a reminder of what’s at stake if policymakers restrict access to affordable, reliable energy and make us more dependent on foreign sources,” Sommers said.

Driving the Economy

In the four years since the first study, the number of jobs in the U.S. oil and gas industry has grown rapidly, the study finds.

The 11.3 million jobs supported by oil and natural gas in 2019 represented 5.6 percent of total U.S. employment, the $892 billion in labor income represented 6.8 percent of all U.S. labor income, and the $1.7 trillion economic impact represented 7.9 percent of total U.S. gross domestic product.

Texas’ oil and gas industry led the nation in 2019, with more than 2.5 million jobs supported, producing $251 billion in labor income and a $411 billion economic impact. California ranked second, with more than 1.05 million jobs tied to the industry producing $94 billion in labor income and $199 billion in economic impact.

Oklahoma had the highest percentage of oil- and gas-supported jobs as a share of state employment in 2019, at 16.7 percent, followed by Wyoming (16.6 percent), North Dakota (14.9 percent), Texas (13.9 percent), and Louisiana (12.6 percent).

Big Share of State Incomes

The oil and gas industries’ total labor income impact as a share of state labor income in 2019 was highest in Wyoming, at 25.6 percent, followed by Oklahoma (25.3 percent), Texas (21.8 percent), North Dakota (19.4 percent), and Louisiana (16.8 percent), the PwC report notes.

Oil and gas’ total share of state gross domestic product (GDP) in 2019 was highest in Alaska, at 35.7 percent, followed by Oklahoma (28.5 percent), Wyoming (26.3 percent), North Dakota (23.5 percent), and Louisiana (23 percent).

Economic, Political Multiplier Effect

“At the national level, each direct job in the oil and natural gas industry supported an additional 3.5 jobs elsewhere in the US economy in 2019 (for a multiplier of 4.5),” the report states. “In 31 states the industry directly and indirectly supported at least 100,000 jobs in 2019. … The share of employment supported by the oil and natural gas industry (including direct, indirect and induced impacts) in each state ranges from 2.6 percent in the District of Columbia to 16.7 percent in Oklahoma.”

“At the congressional district level, the number of jobs directly provided by the oil and natural gas industry was at least 1,000 in all but three districts and exceeded 5,000 in 132 congressional districts in 2019,” the report states. “Including direct, indirect, and induced effects, the industry supported more than 10,000 jobs in 424 congressional districts in 2019.”

‘Strengthens the U.S. Economy’

Lawmakers who care about understanding the factors that sustain economic growth should take this report seriously, says Cameron Sholty, director of government relations at The Heartland Institute, which co-publishes Environment & Climate News.

“State lawmakers would do well to pay attention and take to heart this new study, which confirms what is already intuitively known: domestically produced and processed oil and natural gas strengthens the U.S. economy and is contributing to robust economic growth. In the wake of the pandemic, it’s important for policymakers to keep their eye on the ball and ensure workers and industries are empowered to control their own futures.”

Cameron Sholty
Director of Government Relations
The Heartland Institute

Risks of Foreign Production

The Biden administration seems ignorant of the danger of relying on foreign countries for energy, says Isaac Orr, a policy fellow at the Center of the American Experiment.

“AIPi’s study shows having a strong domestic energy industry is important for economic growth, helping to create thousands of American jobs and ensure lower energy costs by curbing the power of international oil cartels,” Orr said. “Unfortunately, under the Biden administration, American oil and gas producers are treated as a liability, rather than the major asset they are.

“The administration has sought to impede American oil and gas development while simultaneously asking OPEC nations to pump more oil,” Orr said. “It’s hypocritical and shameful that the administration can understand the importance of low-cost energy and then turn around and import it from potentially hostile nations, rather than promoting domestic production.”

Tim Benson (tbenson@heartland.org) is a policy analyst at The Heartland Institute.

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California County to Sue Gov. Gavin Newsom over Fracking Permit Ban

By Kevin Stone

California’s Kern County Board of Supervisors approved a lawsuit by county attorneys against Gov. Gavin Newsom over his administration’s rejection of hydraulic fracturing (“fracking”) permits.

“The decisions [Newsom] has made to unilaterally come after the oil and gas industry in violation of standing rules and standing law, that’s been established by the state Legislature, has been a gross overreach of his power,” Kern County Board Chairman Phillip Peters said in a statement after the lawsuit was approved. “[Newsom is] supposed to be executing the laws, not decreeing them. So we’re going to try and push back on that.”

Claimed ‘Discretionary Authority’

In July, Uduak-Joe Ntuk, supervisor of the California Geologic Energy Management Division (CalGEM) in the state Department of Conservation, rejected 21 fracking permit applications filed by Aera Energy LLC for Kern County. In August, Ntuk rejected an additional 14 Kern-located fracking permits filed by Aera.

Ntuk, appointed to his position by Newsom, said he rejected the permits under his “discretionary authority” as supervisor, not for legislatively prescribed causes.

Newsom Pushes Ban

Ntuk’s action marked the first time fracking permits in California have been rejected based on claimed discretionary authority of the CalGEM supervisor. The action works as a down payment on a complete fracking ban Newsom has called for.

During the recent legislative session, Newsom called on the California State Legislature to pass a bill banning new fracking permits in California by 2024. Despite Newsom’s insistence, the bill failed to pass a committee vote. Newsom then moved to bypass the Legislature by having CalGEM impose a regulation banning fracking. CalGem has yet to finalize the rule demanded by Newsom, but Ntuk rejected the permits anyway.

Higher Costs, Job Losses

If Ntuk’s fracking permit bans succeed and Newsom’s ban on fracking becomes law, California’s economy would be harmed without helping the environment, says Wayne Winegarden, Ph.D., a senior fellow with the Pacific Research Institute.

“The costs from Sacramento’s global climate change policies are disproportionately borne by residents of Kern County,” Winegarden said. “Residents tend to have less income, so the average family is disproportionately harmed by the higher energy prices that are the inevitable result of the state’s global climate change policies.

“Additionally, since a large share of the state’s oil production occurs in Kern County, the fracking ban will eliminate a large number of good-paying jobs in the region,” Winegarden said. “The sad irony is that the fracking revolution is a large driver of the national reduction in greenhouse gas emissions over the past decade and a half, meaning residents of Kern County will bear high economic costs but the policy will fail to achieve its intended goal.”

Kevin Stone (kevin.s.stone@gmail.com) writes from Arlington, Texas.

Podcast Covering Climate & Environmental Policy.

Hosted by H. Sterling Burnett, Ph.D.

Burnett is a Heartland senior fellow on environmental policy and the managing editor of Environment & Climate News, Heartland’s monthly newspaper covering environmental policy.
Judge Blocks Citizens’ Initiative to Stop Spokane from Banning Natural Gas

By Duggan Flanakin

Spokane Superior Court Judge Charnelle Bjelkengren ordered the city auditor not to place a citizens’ initiative for the Spokane Cleaner Energy Protection Act on the November ballot.

The initiative was written and promoted by a group of Spokane citizens called the Spokane Good Government Alliance (SGGA). The SGGA was formed specifically to draw up an initiative aimed at preventing the Spokane City Council from adopting an ordinance to ban new natural gas connections by 2023.

The city’s draft ordinance also would mandate every home in Spokane to install solar panels, among other actions to implement the state’s climate action plan.

The citizen group gathered more than 6,000 signatures to place its proposal on the November ballot. Bjelkengren ruled the initiative was invalid and forbade the city auditor from putting it on the ballot for consideration.

Stealth Ordinance

SGGA members discovered Spokane’s City Council had created a Sustainability Action Subcommittee that developed a plan in line with Gov. Jay Inslee’s state climate plan, despite listing no members and holding no public meetings.

The natural gas ban was part of the subcommittee’s plan to show progress toward meeting the state’s climate initiative. The proposal came to public attention only because of the ballot initiative effort. The City Council has yet to unveil in detail its proposed changes.

Just weeks before the deadline to finalize the ballot, City Council member Katherine Burke and Protect Spokane Action sued to block the initiative from being placed on the ballot for a public vote. In the lawsuit, Burke argued citizens have no right to oppose the City Council’s plans to implement state climate policy.

Grid Stability Concerns

Inslee’s effort to impose a statewide ban on new natural gas hookups during the 2021 legislative session was rejected by the Legislature in response to objections from consumers, business associations, natural gas companies, and pipefitters.

Citizens raised concerns the Pacific Northwest’s electric grid would not be able to handle such a huge increase in the winter heating load, along with charging facilities for electric vehicles, without the use of natural gas.

Organized for Choice

The City Council has no idea of the cost or even the feasibility of replacing natural gas energy with renewable-based electricity to heat homes and run gas appliances and how it would affect homeowners, says Jennifer Thomas, a founding member of SGGA.

“This is about a political agenda, with council members seeming not to care that such a ban would impose huge additional costs on homes and diminish local housing affordability,” Thomas said. “If they put a ban in place, they are blocking citizens from being able to choose or even afford a home.

“Worse, Avista Utilities, the city’s gas and electric utility company, would still have to convert natural gas firing its boilers to electricity, adding significant costs for consumers without any carbon benefit,” Thomas said.

‘Very Costly and Detrimental’

Spokane’s secretive subcommittee and plan, developed without any public knowledge or input, would put a huge burden on residents in a city where temperatures range from minus 10 to 110 degrees and local hospitals rely on natural gas to keep lifesaving equipment operational during power outages, says Isaiah Paine, SGGA founder and government affairs director of the Spokane Home Builders Association.

“This is a very costly and detrimental idea,” Paine said. “Even the utilities are worried this could triple electricity utility rates in the area, driving many out of existing homes and keeping others from home ownership indefinitely.

“The City Council’s fly-by-night advisory subcommittee was set up to keep ordinary citizens shut out of the entire process,” Paine said. “And the Council was ready to rubber-stamp whatever the handpicked panel recommended.”

SGGA filed for a stay of Bjelkengren’s ruling, requesting the initiative be placed on the ballot pending the outcome of legal action.

Discouraging Ruling, Encouraging Effort

Bjelkengren’s decision not to allow the public to have the final word on this matter is unjustified and inexplicable, but SGGA’s initiative is a welcome change of pace, says Jay Lehr, Ph.D., a senior policy advisor with the International Climate Science Coalition.

“The judge’s decision was reprehensible, blocking residents and businesses from having a direct say on so important a matter as their energy use. Having said that, because Washington State is among the most liberal states in the nation, it is refreshing to see a movement in Spokane to prevent the local government from depriving its citizens of the use of inexpensive and safe fuels such as natural gas. Replacing cheap, reliable gas with expensive, undependable wind and solar is impossible if the standard of living of its citizens is not to be sent back to the nineteenth century.”

JAY LEHR, PH.D.
SENIOR POLICY ADVISOR
INTERNATIONAL CLIMATE SCIENCE COALITION

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Duggan Flanakin (dflanakin@gmail.com) writes from Austin, Texas.
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Biden Proposes ‘Preserving’ 30 Percent of Nation’s Land by 2030

By Bonner R. Cohen

President Joe Biden directed federal agencies to preserve at least 30 percent of U.S. lands and waters by 2030, among other requests in an executive order (EO).

A U.S. Department of Interior (DOI) “fact sheet” on Biden’s “30 by 30 Plan” stated “only 12 percent of lands are permanently protected” by the federal government for environmental purposes and 23 percent of the nation’s waters are permanently protected.

No Details Yet

The federal government currently owns approximately 28 percent of the nation’s land.

The Biden administration ordered several federal agencies with land and environmental policy management responsibilities to produce a plan to implement the president’s 30 by 30 proposal.

In response, with DOI as lead author, the agencies produced a 22-page document, titled “America the Beautiful.” Instead of providing a plan for reaching Biden’s goal, the document was limited to discussions of the importance of biodiversity and the urgency of confronting climate change through land management.

Big Effect on West

In a letter to Biden, 64 members of the Congressional Western Caucus (CWC) expressed their concerns about the initiative, pointing out 90 percent of the 640 million acres the federal government owns is west of the Mississippi.

“Western states will be disproportionately impacted by policies set in place to achieve the 30 by 30 goal, which we fear will impact revenues derived and jobs that depend on multiple-use public lands. Our lands and our waters must remain open to activities that support our rural economies and help us achieve our agriculture, timber, recreation, energy, and mineral needs.”

LETTER TO PRESIDENT JOE BIDEN
CONGRESSIONAL WESTERN CAUCUS

Governors Question Authority

The governors of 15 states, ranging from Alabama and Tennessee in the Southeast to Idaho and Alaska in the Northwest, signed an open letter to the Biden administration arguing the federal government lacks the authority to implement the president’s 30 by 30 plan.

“We are not aware of any statutory or constitutional authority for the President, the U.S. Department of Interior, the U.S. Department of Agriculture, or any other federal agency to set aside and permanently preserve 30 percent of all land and water in the United States,” the governors’ letter said. “Nowhere in the laws of our nation is the authority delegated to the President or executive branch agencies to unilaterally change the policies governing land use in America.

“Obtaining the 30 percent goal would require your administration to condemn or otherwise severely limit the current productive uses of such lands, infringing on the private property rights of our citizens and significantly harming our economies,” the governors wrote.

Property Rights in Danger

Expanding the already substantial federal land ownerships could be accomplished through new land acquisitions funded by the Land and Water Conservation Fund. Alternatively, restrictions on land use—both public and private—could be brought about through rigorous enforcement of the Endangered Species Act (ESA) of 1973 or via expansive agency interpretations of federal authority under the Clean Water Act of 1972.

For example, on multiple occasions in the past, critical habitat designations for a threatened or endangered species have been so overreaching that property owners have been unable to develop their properties.

Adding new protections for the sage grouse throughout the West, expanding the habitat of grizzly bears in Montana, and creating habitat for jaguars in the mountains of Arizona and New Mexico are all possibilities under the ESA.

Restricting Public Land

Arguably the worst way to reach the 30 by 30 goal would be to restrict all uses of existing public land, says former Montana state Sen. Jennifer Fielder, CEO of the American Lands Council.

“Perhaps the most egregious of all is the possibility of a total prohibition of all human activity on the 640 million acres of federally controlled public lands,” Fielder said. “This would bring 27 percent of America’s land mass into so-called ‘protected’ status.

“But protected from what?” Fielder said. “Hikers, hunters, skiers, and beneficial economic activity perhaps, but certainly not from the greatest threat of all: environmentally destructive wildfires, a danger that would only be exacerbated by a hands-off management approach.”

‘Totally Unnecessary’

Biden should count privately held lands already being conserved towards his nationwide goal, says Jane Shaw Stroup, who manages the Liberty and Ecology blog for the Goodman Institute.

“The 30 percent figure is unrealistic as well as totally unnecessary,” Shaw Stroup said. “However, since Biden is going to make a push in that direction, he should count as preserved the many examples of private conservation throughout the country.

“An inventory of such projects should be taken, as was done by the White House Council on Environmental Quality during the Reagan administration,” Shaw Stroup said.

Bonner R. Cohen, Ph.D., (bcohen@nationalcenter.org) is a senior fellow at the National Center for Public Policy Research and a senior policy analyst with the Committee For A Constructive Tomorrow.
Rhode Island’s lawsuit against oil companies over purported damages from climate change faces continued questions over whether the appropriate legal jurisdiction is a state or federal court.

Flurry of Lawsuits, Appeals
Rhode Island is one of a group of cities, states, and organizations suing BP, Chevron, Exxon Mobil, and Shell, among other oil companies. Rhode Island representatives claim carbon dioxide emissions from the oil and gas the companies produce and sell are imposing high economic costs on the state.

Rhode Island filed its lawsuit in state court in 2018. The oil industry sought to have the case removed to federal court, arguing the issues of cross-state pollution, interstate commerce, and national economic and foreign policy make federal court the appropriate venue for the state’s claims.

In 2019, the United States District Court for Rhode Island disagreed, remanding the case to state court. The defendants appealed this ruling to the First Circuit Court of Appeals, in Boston.

‘Coordinated, National Litigation Campaign’
Fifteen states, the U.S. Chamber of Commerce, and several trade associations filed friend of the court briefs in support of the oil industry defendants, urging the First Circuit Court of Appeals to allow the case to proceed in federal court instead of a Rhode Island court.

“This case is part of a coordinated, national litigation campaign over global climate change and the debate over how to mitigate impacts of modern energy use,” stated the National Association of Manufacturers, Energy Marketers of America, and National Association of Convenience Stores in their amicus brief. “[Rhode Island's claim] plainly implicates federal questions and complex policymaking, ... and state courts are not the appropriate forums to decide these critical national issues.”

The amicus brief argues energy and climate policy affects all states and shouldn’t be set by one state’s courts.

“Such a result excludes other states from the climate-change policymaking process and threatens to undermine the cooperative federalism model that our country has long used to address environmental problems,” the amicus brief states.

The amicus brief was filed by Indiana on behalf of Alabama, Alaska, Arkansas, Georgia, Kansas, Kentucky, Louisiana, Mississippi, Montana, Nebraska, South Carolina, Texas, Utah, and Wyoming.

‘Home-Field Advantage’
Where the case is heard is important because state courts are more deferential to state plaintiffs than federal courts are, says Craig Rucker, president of the Committee For A Constructive Tomorrow (CFACT), which co-publishes Environment & Climate News.

“The importance of this jurisdictional battle cannot be understated,” Rucker said. “Rhode Island is seeking the home-field advantage, and if it succeeds and the legal precedent is set, other tort suits against deep-pocketed companies, trade associations, or individuals—even if the issue at hand is national or global—could wind up in state courts.”

Bonner R. Cohen, Ph.D., (bcohen@nationalcenter.org) is a senior fellow at the National Center for Public Policy Research and a senior policy analyst with CFACT.

No Delay for Supremes
After oral arguments were made, the plaintiffs filed notice with the circuit court that the U.S. Supreme Court had agreed to hear jurisdiction claims in a similar lawsuit filed by Baltimore against oil companies.

The plaintiffs requested the circuit court stay any ruling until the Supreme Court ruled on the matter, to enable the circuit court to take the Supreme Court’s decision into account.

The circuit court rejected the request for a delay, and in late October 2020 it upheld the district court’s decision to remand the lawsuit to state court.
Pennsylvania Court Dismisses Petition to Halt State Resource Development

By Duggan Flanakin

The Pennsylvania Commonwealth Court dismissed a petition filed by the Pennsylvania Environmental Defense Foundation (PEDF) asking the court to ban all oil and gas development on state lands.

The PEDF argued allowing oil and gas development or commercial timber management on state lands violates the state’s Environmental Rights Amendment (ERA). The PEDF said statements in the 2016 State Forest Resource Management Plan (SFRMP) describing the necessary steps to protect, conserve, and maintain Pennsylvania’s state forests and the natural resources in them showed resource development was at odds with environmental protection.

Ecosystem vs. Economics

The PEDF petition contends the extraction and sale of oil and gas have caused immediate and long-term degradation of state forest trust assets. The PEDF argued the SFRMP must focus solely on ecosystem rehabilitation and management, even if it means stopping economic development of natural resources.

The PEDF argued legislation directing the transfer of money generated from leasing state forest and park lands for oil and gas exploration and extraction to the state’s General Fund to pay for government operations constitutes an additional violation of the ERA.

The PEDF’s complaint says the Pennsylvania Department of Conservation and Natural Resources’ (DCNR) strategic plan prior to the 2016 SFRMP was to manage state forest trust assets based on “ecosystem management” under the principle the state should “hold virgin, surface-minable coal as reserves and should explore and develop other minerals on state forest lands to provide long-term good to citizens only when those activities are consistent with ecosystem management.”

The PEDF says DCNR moved away from utilizing “ecological” principles to guide its management decisions in favor of “economic” principles with its SFRMP.

Court Rejects Claims

Commonwealth Court Judge Patricia A. McCullough rejected the PEDF’s claims. McCullough said the PEDF did not give the DCNR a detailed explanation of how the SFRMP failed to uphold the ERA. Such an explanation is required by law before a petition can be filed.

In addition, McCullough noted the PEDF’s position in which the DCNR used or is using money from the extraction and sale of oil and gas from state forests for purposes other than “conserving and maintaining the public natural resources of our State Forests.”

“Accordingly, because the Foundation has failed to articulate any imminent injuries occasioned by adoption of the 2016 SFRMP and has failed to anchor its amended petition for review on any particular action taken by DCNR, we must conclude that the matter is not ripe, and no controversy is present that could permit us to enter a declaratory judgment,” McCullough ruled. “Our disposition should not be understood to foreclose the possibility that a claim under the ERA might ripen if DCNR implements its forest resources plan in a manner which violates the ERA.”

‘Sensible Approach’

McCullough’s dismissal of the PEDF’s petition was based on common sense and is consistent with longstanding practices and interpretations of the law, says Gordon Tomb, a senior fellow at the Commonwealth Foundation.

“Petitioner PEDF had asserted DCNR’s practice of developing timber and natural gas for economic gain was in violation of its charter to manage and rehabilitate forest ecosystems,” Tomb said. “PEDF’s position represents an extremely narrow view that ignores many examples of environmental stewardship where development of resources coexists with preservation of nature.”

“The DCNR’s existing policy represents a more sensible approach that allows for the enjoyment of both Earth’s bounty and beauty,” Tomb said.

Mainstream Media Ignores

It is amazing how little press coverage this important ruling received, says Jim Willis, editor of Marcellus Drilling News.

“The so-called Pennsylvania Environmental Defense Foundation (PEDF) lost a big court case in Pennsylvania’s Commonwealth Court, but you won’t have heard about it because no one in mainstream media is talking about it or reporting on it. We couldn’t even find a whisper about the defeat from PA Environmental Digest or StateImpact Pennsylvania.”

“The only, and we mean only, singular organization reporting the news of PEDF’s humiliating loss is Lexis-Nexis’ Law360,” Willis wrote.

Duggan Flanakin (dflanakin@gmail.com) writes from Austin, Texas.

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JIM WILLIS
EDITOR, MARCELLUS DRILLING NEWS
The Case for Electric Vehicles Is Losing Power

By Kenneth Green

I’m not a climate skeptic.

As an environmental scientist and engineer by training, I think climate change is real. But climate change is just like every other environmental issue: a more-or-less routine engineering challenge rather than a world-altering disaster justifying the fever dreams of the radical greens.

Electric Vehicle Skepticism

I am, however, an electric vehicle (EV) skeptic.

I’m skeptical that electric vehicles, adopted voluntarily or via government mandates (increasingly the norm), will do much of anything to address the risk of climate change or to significantly reduce any other identifiable environmental problem.

I’m solidly convinced that shifting away from the internal combustion of hydrocarbons to battery-stored electricity (generated from pretty much any source) will likely make environmental problems worse, not better.

Along the way, the push to force EVs onto the public will come with a bunch of social injustices that will only compound the environmental challenges society faces.

Emissions Increase

A blog post by natural resource investment firm Goehring & Rozencwag Associates (G&R) breaks the story down (from some proprietary research not available to your humble correspondent).

The question they answer is simple: In a head-to-head comparison, are electric cars likely to produce fewer greenhouse gases per mile traveled than a comparable hydrocarbon-powered vehicle?

The short answer is no. Why not?

As my doctor explains when I ask why my feet don’t work as well as other people’s feet, “It’s about the mass, dude. The mass around your waist, and the extra work your feet have to do to move it around with you.”

More Mass, More Gas

With electric cars, the problem lies with mass: the mass of greenhouse-gas-intensive steel and battery components that electric cars need is much greater than the mass of greenhouse-gas-intensive materials that regular internal combustion-powered cars need to do the same thing.

G&R observes electric vehicle power systems are “50 percent heavier than a similar internal combustion engine, requiring more steel and aluminum in the frame.”

That means that as much as 20 to 50 percent more greenhouse gases are generated to make an EV than to make a comparable Honda Civic with an internal combustion engine.

Battery Issues

The batteries in electric cars lose efficiency pretty much from the minute they’re manufactured, as all batteries do.

G&R points out an extended-range Tesla Model 3 “has an 82 kWh battery and consumes approximately 29 kWh per 100 miles. Assuming each charge cycle has an approximately 95 percent round-trip efficiency and a battery can achieve 500 cycles before starting to degrade, we conclude a Model 3 can drive 134,310 miles before dramatically losing range.”

That’s a problem because it isn’t until the Tesla has hit that distance that it has “worked off” the extra greenhouse gas debt used to build it in the first place.

Based on real-world performance data developed in real-world application in recent years, with the best our technology has to offer, even if every passenger car were replaced with an EV tomorrow, there would be no reduction in CO2 output.

Government Push Unjustified

What remains is the big-picture, net-benefit question of whether forcing the replacement of internal combustion cars with electric cars really matters.

Given that it’s taking the massive application of government coercion and subsidization to make that change happen, I would conclude that the answer to that big-picture question is a resounding no.

Switching to electric vehicles won’t avert climate change, which is really the only legitimate rationale that governments would have to offer for trying to force them into the transportation sector in the first place.

No More Excuses

Internal-combustion engine technology has already abated the conventional air pollution problems of the past, so that excuse is dead.

It’s time to get government’s fingers off the steering wheels of our automotive sector and let people choose the transportation method they feel is best for their lives, not for the lives of would-be green crusaders living in electric dreams.

The raison d’être of vehicle electrification has lost its charge.

Kenneth Green (think@heartland.org) is a research associate with the Frontier Centre for Public Policy. This article was originally published by the Frontier Centre for Public Policy and is reprinted with the permission of its author.
Biden’s Climate Change Policy Is a House of Cards

By Peter Murphy

As the New York Yankees Hall of Fame catcher Yogi Berra once said, “It’s getting late early.”

For President Joe Biden, this nugget of wisdom sticks like butterscotch as his policy blunders pile up and Americans increasingly feel their baleful effects. Biden’s blunders include the bungled withdrawal from Afghanistan, menacing inflation, the tidal wave over the open southern border, the new COVID-19 outbreak, and the war on American energy.

Biden’s presidency may soon implode, before his first year even ends. It took Jimmy Carter and Richard Nixon until their third and fifth years, respectively, for their presidencies to collapse beyond recovery.

War on American Energy

Biden’s war on American-produced energy is galling and—dare I say—un-American. This is because of two recent actions that contradict Biden’s purported climate policy and confirm that there has been a blizzard of lies about the implications of climate change.

Last May, Biden lifted U.S. sanctions on companies that were constructing the Nord Stream 2 gas pipeline from Russia to Germany, which expands the market for Russian fossil fuel energy. Russia is governed by Vladimir Putin, who we’ve been told incessantly for years is the worst dictator alive—until Biden gave him this energy gift for no discernible return benefit.

Then, the president’s national security advisor, Jake Sullivan, called on the Organization of Petroleum Exporting Countries (OPEC) to increase production and exports in order to lower gasoline prices. OPEC “should move faster to restore the global supply of gasoline,” Sullivan said. “Higher gasoline prices, if left unchecked, risk harming the ongoing global [economic] recovery.”

The same day, the president’s top economic advisor urged the Federal Trade Commission to investigate the gasoline market for illegal conduct.

Clearly, Biden and his administration are starting to panic about rapidly increasing gas prices and broader inflation. They are so worried that their entreaty for more oil exposes their climate policy as a massive failure.

Hypocrisy on Energy

Google “Biden existential threat” and the results go on forever. The president incessantly claims climate change is the “existential threat of our time.”

This is dogma in his administration and for many in Congress. But does Biden really believe it? His gift to Russia and requests for OPEC suggest otherwise.

From day one of his presidency, Biden set forth to act on this stated belief of climate catastrophe by curbing domestic energy production in oil, gas, and coal, starting with executive orders to cancel construction of the Keystone XL pipeline and stop new energy leases on federal lands. Another order last January committed the United States to a “whole-of-government approach to the climate crisis” and established “climate considerations as an essential element in U.S. foreign policy and national security.”

Except when they are not.

The actions on Nord Stream 2 and OPEC reveal these climate directives to be rhetorical at best and lies at worst. Seven months later, energy prices are skyrocketing and Americans are feeling the pinch. This is no accident or happenstance.

Inflation Up, Support Down

In the 12-month period through July, overall price inflation increased by 5.4 percent, the highest in 13 years, and energy prices surged by nearly 24 percent, more than four times the general rate.

With inflation rearing its ugly head, maybe the “existential threat” of climate change is not so existential and possibly not even a threat, after all. The claptrap about a “zero-carbon economy” by the Biden team becomes just that with their public plea for more carbon-spewing crude oil from overseas.

As former President Jimmy Carter learned more than 40 years ago, the inflation genie is very hard to put back into the bottle quickly, and Americans do not react well to out-of-control inflation.

It is one thing for the Biden administration to tweet about climate change and issue executive orders. When these and other policies take hold and the inflationary effects occur (as I predicted), their demand for more foreign oil is further evidence their climate policy is just a house of cards.

Self-Inflicted Wounds

Sometimes presidential difficulties result from events beyond their control.

Jimmy Carter did not abet inflation, and Donald Trump did not unleash COVID-19, but the issues engulfed them and cost them both reelection.

By contrast, Nixon’s problems from the Watergate scandal were self-inflicted. It is much the same with Biden’s climate policies and other problems now afflicting the nation.

Biden became a U.S. senator when Nixon was still president, and Biden surely recalls the hapless Carter presidency shortly thereafter. Before it is too late, Biden should jettison this fruitless climate crusade, which he never truly embraced during his 36 years in the Senate. Instead of begging OPEC for more oil, the president should immediately reopen American oil and gas production and restore our nation’s energy independence.

“Before it is too late, Biden should jettison this fruitless climate crusade, which he never truly embraced during his 36 years in the Senate. Instead of begging OPEC for more oil, the president should immediately reopen American oil and gas production and restore our nation’s energy independence.”

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PHOTO COURTESY GAGE SKIDMORE/FLICKR.COM

President Joe Biden

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The Myth of Climate Refugees

By H. Sterling Burnett

Thousands of illegal immigrants are streaming across the United States’ southern border every day under President Joe Biden, and climate alarmists are blaming it on global warming.

The alarmists are following the advice of former President Barack Obama’s chief of staff and former Chicago Mayor Rahm Emanuel, who said “never let a crisis go to waste,” by repeating the false claim that many of the immigrants are “climate refugees” forced to flee their homelands by disasters caused by global warming.

Reasons for Refugees

A recent International Policy Digest (IPD) article titled “It’s Time to Recognize Climate Refugees” claims “refugees are … fleeing climate change.”

“In the face of warmer temperatures, reduced precipitation, and blighted crops—struggling farmers from Guatemala and El Salvador are giving up and fleeing to the U.S. border,” the article states. “Climate change will submerge American communities like Isle de Jean Charles, Louisiana, and entire countries like the Maldives.”

It’s true that millions of people flee their homelands each year, but the causes are what they have always been: war, political persecution, crime, and poverty. Refugees are leaving their countries in pursuit of a better life for their children and themselves, not because of climate change.

Crop Production Unaffected

Claims that crop failures induced by climate change in Guatemala and El Salvador are causing mass migration are wholly unfounded.

Guatemala’s top agricultural products are coffee and sugar cane, and data from the United Nations Food and Agriculture Organization (FAO) show Guatemala’s coffee production has set new annual records nine times since 1988. Coffee production increased by more than 34 percent from 1998 to 2018. Similarly, Guatemalan sugar production set new records 19 times and increased by more than 284 percent since 1998.

Syria is part of an arid, desert region of the world where, for thousands of years, droughts have been the norm, not the exception. In fact, the entire region experienced the same drought as Syria, yet war did not break out in Iran, Israel, Jordan, or Saudi Arabia.

The battle against continued tyranny, not food shortages, was responsible for the “Arab Spring” revolutions in Syria and other countries around the same time. FAO data show Syrian crop production grew by approximately 50 percent since 1995. The Arab Spring democracy uprisings in Syria and elsewhere occurred in 2011, a year in which Syria produced its eighth-highest crop yields in recorded history, according to the FAO.

Island Populations Growing

Although some claim rising seas caused by climate change are creating refugees, demographic data show the population, property values, and development continue to increase each year along America’s coasts.

Multiple studies conducted over the past two decades confirm most islands around the world predicted to shed climate refugees because of sea-level rise are growing, not shrinking, as are their populations and related infrastructure.

For example, a recent peer-reviewed study found eight out of Tuvalu’s nine coral atolls have grown during recent decades, and three-fourths of Tuvalu’s 101 reef islands have similarly grown in size. Tuvalu is experiencing net immigration, not net emigration. There are 20 percent more people living in Tuvalu now than 30 years ago. Tuvalu’s population has doubled since 1970.

Thirty years ago, the Canberra Times claimed all 1,196 islands that comprise the Maldives could be completely underwater by now. Not only are all 1,196 islands still there, but the Maldives population has doubled during the past 20 years. People are flocking to the Maldives islands, not fleeing them.

‘Endless, Fruitless Search’

The constant attempt to link illegal immigration to climate change is part and parcel of what one author referred to as ‘the endless, fruitless search for climate refugees.’ Climate refugees, if they exist at all, are few and far between, and they provide no justification for authoritarian policies to fight climate change or impose open national borders.

H. Sterling Burnett, Ph.D. (hburnett@heartland.org) is the managing editor of Environment & Climate News.
Each month, Environment & Climate News updates the global averaged satellite measurements of the Earth’s temperature. These numbers are important because they are real—not projections, forecasts, or guesses. Global satellite measurements are made from a series of orbiting platforms that sense the average temperature in various atmospheric layers. Here, we present the lowest level, which climate models say should be warming. The satellite measurements are considered accurate to within 0.01°C. The data used to create these graphs can be found on the Internet at nsstc.uah.edu/climate. All past data were revised when the methodology was updated in April 2015.

**AUGUST 2021**

![Graphs showing global average, Northern Hemisphere, Southern Hemisphere, and 219,000 years of temperature variation.](https://example.com/graphs)

The global average temperature was 0.17°C above average.

The Northern Hemisphere’s temperature was 0.27°C above average.

The Southern Hemisphere’s temperature was 0.08°C above average.

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