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# ENVIRONMENT & CLIMATE NEWS

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## HOT TOPICS

### FL Bans Gas Bans

Gov. Ron DeSantis of Florida signed a law barring local governments from imposing bans on new natural gas hookups at homes and businesses.

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### ME Blocks Green Transmission

Voters in Maine passed a ballot initiative blocking an electricity transmission line through their state that would have brought electricity generated by hydropower in Quebec to Massachusetts.

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### NE County Limits Wind

Gage County, Nebraska approved new ordinances restricting the siting and operation of industrial-scale wind projects.

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### Republicans Push Climate Plan

Three Republican senators have offered a bill to cut global carbon dioxide emissions by 40 percent below current levels by the year 2050.

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### WY Pioneers New Nuclear

With the support of the U.S. Department of Energy, TerraPower has selected Kemmerer, Wyoming, as the preferred site for its Sodium reactor demonstration project.

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## Interior Department Resumes Oil and Gas Leasing, Bowing to Court Ruling

By Kenneth Artz

President Joe Biden's administration conducted its first sale of oil and gas leases on federal lands in mid-November, in response to a federal judge's nationwide injunction on enforcement of the president's ban on new permits.

U.S. District Judge Terry A. Doughty issued a preliminary injunction in June. Doughty later expanded the injunction nationwide, and the Bureau of Ocean Energy Management (BOEM) held the first sale of oil and gas leases in the Gulf of Mexico

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## EPA Proposes Overturning Water Quality Rules That Empowered States

By Duggan Flanakin

The Biden administration has formally proposed rescinding the Trump-era Navigable Waters Protection (NWP) Rule and further expanding the Obama administration's expansive definition of those waters that gave the federal government control of wetlands

under the 1972 Clean Water Act.

The U.S. Environmental Protection Agency's (EPA) Obama-era Waters of the United States (WOTUS) rule was bitterly opposed by agricultural and commercial interests for writing

**OVERTURNING WATER RULES, P. 4**

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## Environment & Climate News

### The Heartland Institute

3939 North Wilke Road  
Arlington Heights, IL 60004  
312/377-4000 voice • 312/277.4122 fax

### CFACT

1717 Pennsylvania Ave NW, Suite 1025  
Washington DC, 20006  
202/559-9036

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### PUBLISHERS

James Taylor, The Heartland Institute  
Craig Rucker, CFACT

### EXECUTIVE EDITOR

S.T. Karnick

### ASSOCIATE EDITOR

Joe Barnett

### MANAGING EDITOR

H. Sterling Burnett, Ph.D.  
hsburnett@heartland.org

### ASSOCIATE PUBLISHER

Jim Lakely

### DESIGN AND PRODUCTION

Donald Kendal

### ADVERTISING MANAGER

Jim Lakely

### CIRCULATION MANAGER

Keely Drukala

### CONTRIBUTING EDITORS

Tim Benson, Myron Ebell, Steve Milloy  
Marc Morano, Craig Rucker, James Taylor  
Anthony Watts

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# Florida Bars Local Fossil Fuel Bans, Miami Scraps Proposed Natural Gas Ban

By Kevin Stone

Gov. Ron DeSantis of Florida has signed into law SB 1128/HB 919, “Preemption Over Restriction of Utility Services,” preventing local governments in the state from banning new commercial, industrial, or residential natural gas hookups.

“A municipality, county, special district, or other political subdivision of the state may not enact or enforce a resolution, ordinance, rule, code, policy, or take any action that restricts or prohibits or has the effect of restricting or prohibiting the types or fuel sources of energy production which may be used, delivered, converted, or supplied by the following entities to serve customers that such entities are authorized to serve,” the law states.

The law effectively blocks the state’s political subdivisions from banning fossil fuel distribution and use, including natural gas hookups, and voids any previously enacted bans.

## Miami Halts Ban Proposal

After the law was signed, the City of Miami ceased further consideration of a proposal pending before the city council to ban natural gas hookups in new construction within the city as part of Mayor Francis Suarez’s “unequivocal promise” to slash the city’s greenhouse gas emissions to reduce climate change.

Before the city council dropped the proposed gas ban, TECO Peoples Gas, a utility operating in Florida, fought the sanction.

Miami’s proposed gas ban would increase energy prices and end the use of whole classes of appliances, wrote Sergio Abreu Jr., Peoples Gas regional manager for external affairs, in an email to the city asking it to revise the anti-gas proposal.

“Your proposed language asks customers to start eliminating their natural gas appliances starting in next year, 2022,” stated Abreu’s email. “This will include significant expenses to not only convert the appliance but the supporting appliance infrastructure in the walls.”

## State Removes Confusion

Florida’s law removing local gas bans



Ocean Drive in Miami

**“This will benefit Florida consumers by ensuring their access to affordable and reliable energy sources like natural gas will not be blocked, which is important because Floridians, thanks to the state’s warm climate, use a lot of electricity to keep their homes cool enough to be livable.”**

**TIM BENSON**  
SENIOR POLICY ANALYST  
THE HEARTLAND INSTITUTE

will prevent infringement of people’s choice of energy sources and eliminate unnecessary confusion for utilities and their customers, says Tim Benson, a senior policy analyst at The Heartland Institute, which co-publishes *Environment & Climate News*.

“Local governments are just as likely to infringe on liberties as state governments or the federal government,” said Benson. “When they do, state governments should step in to restore or defend those liberties, which is what the Florida Legislature did here.

“Allowing municipalities to block the use of certain fuel sources for electricity could potentially lead to a crazy quilt that would be difficult for utilities like Florida Power & Light to service,” said Benson. “Miami may ban natural gas, but Hialeah may not, and Pembroke Pines may also ban it, but not Hollywood, and so on.

The law would not prevent municipalities from regulating publicly owned utilities, says Benson.

“Nothing prevents municipal boards or governments that own or control a utility directly from passing their own

regulations restricting natural gas use by their utility,” said Benson.

## Economics and Rising Seas

The law will help preserve reasonable energy costs for Florida’s businesses and residential ratepayers, says Benson.

“This will benefit Florida consumers by ensuring their access to affordable and reliable energy sources like natural gas will not be blocked, which is important because Floridians, thanks to the state’s warm climate, use a lot of electricity to keep their homes cool enough to be livable,” Benson said. “Despite high use, the average retail price of electricity per kilowatt hour in Florida is about 5 percent below the national average price, thanks in large part to natural gas. This new law will help ensure those prices stay in that ballpark.”

Benson says barring local governments from banning new gas hookups won’t result in rising seas swamping Miami’s homes and businesses.

“This law is not going to condemn Floridians to some sort of climate catastrophe or cause Miami to sink below the ocean or whatever doomsday scenario is dreamt up by climate alarmists,” Benson said. “Seas aren’t rising at an unusual rate historically.

“I live just a couple blocks off the ocean in Florida, and based on housing prices and the amount of new construction going on, none of my neighbors seem too concerned about those scenarios, either,” Benson said.

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



# EPA Proposes Overturning Water Quality Rules That Empowered States



Continued from page 1

the word navigable, as in “Navigable Waters of the United States,” out of the Clean Water Act.

The Biden administration took the controversial action regarding the WOTUS rule, which was first proposed by the EPA in 2015, on November 18, 2021.

Action by two federal courts prevented the original WOTUS rule from taking effect nationwide.

## Violated Procedure Act

The state of Texas, two other states, and 18 private organizations—including the American Farm Bureau Federation, the American Petroleum Institute, the National Association of Home Builders, and the National Association of Manufacturers—brought a lawsuit challenging WOTUS in a federal district court in Galveston, Texas.

In the Texas case, U.S. District Judge George Hanks Jr. ruled for the plaintiffs, stating WOTUS violated the 1946 Administrative Procedure Act by preventing interested parties from commenting on the studies that served as the rule’s technical basis.

Hanks also determined the Obama administration violated the APA by adopting in its final rule, without public input, a definition of “waters of the United States” which was different from the proposed rule definition of “adjacent waters.”

The revised rule was based on the mere proximity of a piece of land to a water of the United States, not the biological or hydrological characteristics of the land.

## Exceeded Federal Authority

In a second case challenging WOTUS, brought by 10 states led by Georgia, Judge Lisa Godbey Wood of the U.S.

**“We can expect whatever [President Biden] puts forward to redefine ‘navigable waters’ under WOTUS will also be to the liking of eco-extremists, with little to no regard for farmers, ranchers, and property owners.”**

**CRAIG RUCKER**

**PRESIDENT AND COFOUNDER**

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District Court for the Southern District of Georgia ruled the government exceeded its lawful authority in promulgating the 2015 WOTUS rule, specifically with regard to the “navigable waters” issue.

“Because this broad definition would include waters that have little or no connection to navigable-in-fact waters like the ponds in SWANCC [a previous legal case], the inclusion of all interstate waters violates the significant-nexus test and therefore exceeds the agencies’ authority under the CWA,” wrote Wood.

## Trump Administration Revision

The upshot of the two court rulings was the WOTUS rule was in effect in 22 states and suspended in the other 28.

To ensure consistent application of the law across the nation and to correct errors found by the two courts, the EPA under President Donald Trump promulgated the NWP rule in January 2020. The rule removed regulation of ephemeral tributaries that flow only during precipitation. It also excluded all ditches, whereas the Obama rule regulated ditches that flow year-round.

The 2020 rule included as navigable waters only lakes and ponds from which water drains to downstream tributaries or other features. Similarly, the rule applied only to wetlands that directly abut other regulated waters or are sep-

arated only by natural berms, banks, dunes, or permeable artificial barriers such as dikes, levees, and roads.

## Biden’s WOTUS Reversal

The Trump administration’s NWP rule was challenged in court and blocked by federal courts in Arizona and New Mexico in 2021.

As a result, the EPA and the U.S. Army Corps of Engineers have been operating under the pre-2015 rules implementing the Clean Water Act.

The Biden EPA wants to restore and build on the Obama-era WOTUS rule despite the two previous federal court rulings against it.

Biden officials claim their 290-page proposed “foundational” rule is based on a major effort to build a scientific foundation for re-regulating non-navigable waters while staying within the boundaries outlined by the various federal courts. The EPA claims the proposal maintains longstanding exclusions of the pre-2015 regulations as well as exemptions and exclusions important to the agricultural community.

## ‘Crippling Effect’

Imposing an expanded WOTUS rule will only invite violations of property rights and create uncertainty and costly red tape, said Senators Mike Crapo (R-ID) and Jim Risch (R-ID) in a joint statement lambasting the Biden administration’s proposal.

“The Trump-era National Water Protection Rule clearly delineated federal jurisdiction while respecting states’ rights,” said Crapo. “Under the guise of returning to the pre-2015 standard, the Biden Administration will likely implement an even stricter standard than the Obama Administration. ... Effective and environmentally sound water quality management policies are best decided by state and local on-the-ground experts.”

“Regulating a ditch as if it’s a major river would be laughable were it not for its crippling effect on Idaho’s farmers, ranchers, and landowners,” said Risch. “The Navigable Waters Protection rule signaled a restoration of common sense. Rolling back this policy means more red tape, confusion, regulatory costs, and an even more bloated and powerful federal government,” Risch said.

## Biden ‘Sold His Soul’

The Biden administration is focused on increasing radical environmentalists’ power over other peoples’ lives, says Craig Rucker, president and cofounder of the Committee For A Constructive Tomorrow, which co-publishes *Environment & Climate News*.

“It is clear by his actions to get the United States back in the Paris accord, push a radical ‘30x30’ land grab [‘conserving’ 30 percent of the United States by 2030], and use an ‘infrastructure’ bill to finance Green New Deal initiatives, President Biden has sold his soul to the most radical elements of the environmental movement,” Rucker said.

“We can expect whatever he puts forward to redefine ‘navigable waters’ under WOTUS will also be to the liking of eco-extremists, with little to no regard for farmers, ranchers, and property owners.”

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



# Massachusetts Man Convicted in \$50 Million Green Energy Scam

By Bonner R. Cohen

A Massachusetts man was recently convicted of fraud in a scheme to take unearned government green energy subsidies.

Christopher N. Condron of Acton, Massachusetts was convicted of defrauding the U.S. Department of the Treasury of nearly \$9 million in tax-free energy grants under the American Recovery and Reinvestment Act of 2009.

Government efforts to promote inefficient wind and solar power invite fraud, says Craig Rucker, president of the Committee For A Constructive Tomorrow (CFACT), co-publisher of *Environment & Climate News*.

"No one should be surprised when scammers take advantage of ill-conceived 'green energy' handouts," said Rucker. "The money is too good to pass up. Build it, and they will come."

## Applied for Multiple Grants

A program enacted by President Barack Obama provided tax-free grants to individuals and businesses that implemented certain "specified energy property" such as wind farms and gasification systems that convert trash into electricity.

Between May 2009 and June 2013, Condron and his partner, Jessica Metivier, submitted fraudulent grant applications to the Treasury Department on behalf of four different Massachusetts companies: Acton Bio Energy, Concord Nurseries, Kansas Green Energy, and Ocean Wave Energy.

"For each of the applications, the pair falsely claimed that Metivier and her entities had acquired, placed into service, or started construction of energy property, which included three different bio-fuels gasification systems, purportedly built at a cost of \$88 million, and an \$84 million wind farm project," stated the U.S. attorney's office in a press release.

## Sought More Than \$50 Million

After making the grant applications, Condron and Metivier requested reimbursement for more than \$50 million based on these costs, which they never actually incurred because the projects were fictitious.

"To support their applications, Condron and Metivier submitted fraudulent documentation to a Massachusetts-



based attorney, who, in turn, submitted the applications to the Treasury Department on their behalf," wrote the U.S. attorney's office. "Evidence at the trial showed that Condron vastly overstated property costs in the grant applications and as a result, defrauded the government out of more than \$8.7 million."

After a 13-day jury trial, Condron was convicted of conspiracy to defraud the United States, multiple counts of wire fraud, and other claims on September 28, 2021. Sentencing is scheduled for February 4, 2022. Condron's partner, Metivier, was previously sentenced to one year's probation in a separate trial.

## 'Little Impact' on Climate

The fact that various green energy schemes have little or no impact on climate change is a fraud in itself, says David Stevenson, director of the Caesar Rodney Institute's Center for Energy & Environment,

"The bigger fraud is that legitimate 'green' projects have little impact," said Stevenson. "President Biden wants to build 30 gigawatts of offshore wind power, handing perhaps \$24 billion in federal subsidies to European developers to cut a claimed 78 tons of CO<sub>2</sub>."

"An EPA modeling program suggests the projects will reduce global temperatures in the year 2100 by four one-thousandths of a degree Fahrenheit, an amount that cannot be measured," Stevenson said. "By the way, the states looking to build the projects emit only 44 million tons of CO<sub>2</sub>, so the 78 million tons of savings are likely grossly exaggerated."

## Big Spending, Big Fraud

The fraud by Condron and Metivier was a relatively small loss to taxpayers among the efforts to promote green energy undertaken by the Obama administration.

The most famous loss of taxpayer money on green energy projects dur-

ing the Obama era involved Solyndra, a Fremont, California manufacturer of thin-film solar cells. The company received a \$535 million loan guarantee, the first such grant made by the Obama administration, in 2009. In 2010, despite concerns raised by federal auditors about Solyndra's ability to survive as a "going concern," Obama visited the company and touted it as a model for government-private partnerships to promote green energy. In mid-2011, Solyndra closed its plant and declared bankruptcy.

President Joe Biden's "Build Back Better" plan, currently under consideration in Congress, would spend much more taxpayer money on subsidies for green energy programs than the Obama administration implemented.

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

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# Interior Department Resumes Oil and Gas Leasing, Bowing to Court Ruling



Continued from page 1

on November 17.

Louisiana Attorney General Jeff Landry was the lead plaintiff in the lawsuit challenging Biden's leasing moratorium. Landry was joined by attorneys general from 12 other states: Alabama, Alaska, Arkansas, Georgia, Mississippi, Missouri, Montana, Nebraska, Oklahoma, Texas, Utah, and West Virginia.

## 'Knows [He] Will Fail'

A president cannot legally halt all lease sales, the plaintiffs noted. Congress, in the 1953 Outer Continental Shelf

**"This lease sale is an important victory, not only for the 250,000-plus oil and gas workers in the state but for every American who is facing high energy costs as a result of our diminished oil and gas supply."**

MIKE MONCLA, PRESIDENT, LOUISIANA OIL & GAS ASSOCIATION

Lands Act and the 1920 Mineral Leasing Act, explicitly required the federal government to offer lease sales on a regular basis, Landry said in a press release prior to oral arguments before the court in June.

Biden's moratorium was an illegal act that did not help consumers, stated

Landry.

"Joe Biden is harming tens of thousands of American jobs using legal strategies that he knows will fail, all in an attempt to satisfy his political base," said Landry. "Furthermore, he is doing nothing to lower energy prices or relieve the pain at the pump which are hurting the poor and the middle class."

energy security in the hands of foreign countries, many of whom despise America's greatness."

## 'Failed Energy Policies'

The judge's ruling and the resulting lease sale are good for Louisiana and the nation as a whole, said Louisiana Oil & Gas Association President Mike Moncla in a statement on November 15.

"This lease sale is an important victory, not only for the 250,000-plus oil and gas workers in the state but for every American who is facing high energy costs as a result of our diminished oil and gas supply," said Moncla.

"We look forward to working with Attorney General Landry as we continue our opposition to the Biden administration's failed energy policies that undermine our nation's recovery from the COVID-19 pandemic."

## 'Slow-Walk Toward Compliance'

The Biden administration had not complied with the court's original June order, saying it was justified in doing so until all appeals were exhausted.

"In *Louisiana v. Biden* the judge issued an injunction compelling the BOEM to act," said Bette Grande, president of the Roughrider Policy Center. "Interior's response to that injunction, citing E.O. 14008, was to slow-walk toward compliance."

North Dakota Attorney General Wayne Stenehjem also sued in federal court to compel the Bureau of Land Management, an agency in the U.S. Department of the Interior, to resume the mandatory leasing program despite Biden's executive order.

## Higher Prices, Fewer Jobs

The Biden ban caused an energy price spike and endangered national security, stated Landry in a press release issued when the lawsuit was filed in March.

"By executive fiat, Joe Biden and his administration have single-handedly driven the price of energy up—costing the American people where it hurts most, in their pocketbooks," said Landry. "Biden's executive orders abandon middle-class jobs at a time when America needs them most and put our

## 'Follow the Money'

This single lease sale does not mean the Biden administration has abandoned its drive for subsidies to the 'green energy' industry and to eliminate fossil fuel competitors, says Grande.

"Industry experts welcome the end of the lease sale moratorium but are wary of new regulatory hurdles that will come in its wake," said Grande. "The efficient development of shale resources requires planning and capital, but producers are forced to hopscotch around federal roadblocks. The result is waste, inefficiency, and an uncompensated taking from mineral owners, all in the name of fighting global warming."

"Biden's response to the higher gas prices brought about by his policies is to beg countries in the Middle East to sell us more oil," Grande said. "This proves the administration's policies are not about the climate. Rather, they are aimed at lining the pockets of a crony corporatist cabal: follow the money."

Kenneth Artz ([kapublishing@gmx.com](mailto:kapublishing@gmx.com)) writes from Dallas, Texas.



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# Biden Banking Nominee Withdraws from Consideration

By Kenneth Artz

Saule Omarova, a controversial Cornell University law professor, has withdrawn her name from consideration as President Joe Biden's nominee for Comptroller of the Currency.

The Office of the Comptroller of the Currency (OCC) is a bureau within the U.S. Department of the Treasury which charters, regulates, and supervises all national banks, thrift institutions, and federally licensed branches and agencies of foreign banks operating in the United States.

Omarova faced opposition from unified Republicans, and some Democrats, over her past public positions on the oil and gas industry and on banks. During the U.S. Senate hearings on her nomination, Sen. Pat Toomey (R-PA) said Omarova's views disqualified her for the position.

"I've never seen a nominee with more radical ideas," said Toomey in his opening statement. "Her ideas amount to a socialist manifesto for American financial services."

## 'We Want Them to Go Bankrupt'

In a public presentation, Omarova had said coal, oil, and gas are "troubled industries [with] a lot of the small players ... [who] are going to probably go bankrupt. ... At least, we want them to go bankrupt if we want to tackle climate change, right?" said Omarova.

Omarova should never have been considered for the OCC position, given the importance of fossil fuels to the U.S. economy, says Tim Benson, a policy analyst at The Heartland Institute, which co-publishes *Environment & Climate News*.

"That there was even a possibility Omarova could have become comptroller after expressing her support for bankrupting oil and gas companies 'if we want to tackle climate change' is crazy," said Benson.

"A recent PricewaterhouseCoopers report showed the oil and natural gas industries directly or indirectly supported over 11 million jobs across the country in 2019, equaling 5.6 percent of total U.S. employment, and had a nationwide economic impact of nearly \$1.7 trillion, or 7.9 percent of total U.S. gross domestic product," said Benson.

## Opposes Private Banks' Existence

In past statements, Omarova called for



Dr. Saule Omarova

an end to private banking "as we know it."

For example, in a recent article in the *Vanderbilt Law Review* Omarova outlined plans for nationalizing retail banks so "[government] central bank accounts fully replace—rather than uneasily co-exist with—private bank deposits." Omarova also called for the banking industry to cease providing services to politically disfavored industries such as manufacturers and sellers of firearms, referring to those businesses as "suboptimal."

## Governor Demands Withdrawal

Texas Gov. Greg Abbott sent a letter to Biden demanding he withdraw her nomination because of her views on the fossil fuel industries.

"Your nominee to lead the independent bureau of the U.S. Treasury, the Office of the Comptroller of the Currency (OCC), Dr. Saule Omarova has made public comments saying that she wants businesses in the oil and gas industry 'to go bankrupt,'" Abbott wrote. "Those businesses employ my constituents,

and yours.

"Neither a president, nor his appointees, should advocate for the bankruptcy of American businesses," Abbott wrote. "As Governor of the largest oil and gas producing state in the United States, I call on you to immediately withdraw the nomination of Saule Omarova for Comptroller of the Currency."

## 'Within the Democratic Mainstream'

Democrats don't even try to hide their desire to destroy large sectors of the economy, says Merrill Matthews, Ph.D., a resident scholar at the Institute for Policy Innovation.

"Saule Omarova's views on private banking may be on the fringe, but her comments about bankrupting the oil and gas industry are within the Democratic mainstream these days," said Matthews. "It was Democratic presidential candidate Hillary Clinton who said at a CNN Townhall in March 2016 that her clean energy policies were 'going to put a lot of coal miners and coal companies out of business.'"

**"Saule Omarova's views on private banking may be on the fringe, but her comments about bankrupting the oil and gas industry are within the Democratic mainstream these days."**

**MERRILL MATTHEWS, PH.D.**  
**RESIDENT SCHOLAR**  
**INSTITUTE FOR POLICY INNOVATION**

"And when CNN's Dana Bash asked Biden at the second Democratic debate on July 31, 2019, 'Would there be any place for fossil fuels, including coal and fracking, in a Biden administration?' Biden responded, 'We would make sure it's eliminated and no more subsidies for either one of those, or any fossil fuel,'" said Matthews.

## Republican Pushback 'Heartening'

Democrat presidents have become increasingly brazen about appointing people with Omarova's views to powerful positions within the federal government, says Seton Motley, president of Less Government.

"Long gone are the days when Democrats hid their Communists," said Motley. "There have been open Communists in Democrat administrations for decades now, and they've gotten more brazen and numerous, and they have risen to higher positions of power. It kept getting worse, because Republicans said and did nothing," Motley said. "It is heartening to finally see some GOP pushback against the Communist advance."

## 'Tough Luck, Roughnecks'

American politics has reached the point where an apologist for the Soviet Union like Omarova can reach the pinnacle of success, says Benson. "It's wonderful," said Benson sarcastically. "If she can make it, anyone can."

This is a great lesson to learn: never give up, kids, or never stop failing up. America is your oyster." "With Biden's nomination of Omarova, he may as well have said 'Tough luck, roughnecks, gotta protect Gaia from a hypothetical, so enjoy the breadline,'" said Benson.

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



# Republican Climate Plan Proposed in Senate

By Duggan Flanakin

Three Republican senators from western states have unveiled a strategy for combating climate change.

The American Energy, Jobs, and Climate Plan (AEJCP) is intended to cut global carbon dioxide emissions by 40 percent below current levels by the year 2050.

Those proposing the plan are Sens. Dan Sullivan (R-AK), Kevin Cramer (R-ND), and Cynthia Lummis (R-WY).

The still-evolving plan rejects Democrats' demands for ending the use of fossil fuels and imposing carbon-dioxide taxes and penalties. The proposal focuses instead on maximizing the use of the nation's bountiful natural gas reserves.

The plan would also promote nuclear energy and encourage the development of U.S. reserves of critical minerals for use in electric vehicle batteries and wind and solar technologies.

## 'All of the Above'

In a press release, the senators call for "an all-of-the-above energy strategy that preserves traditional energy sources like coal, oil, and natural gas while developing technologies, such as carbon capture, to reduce their emissions. The plan also promotes new energy sources, such as wind, solar, hydro, and nuclear, to better secure our domestic energy supply and cut emissions while creating new, sustainable jobs."

The AEJCP lays out five key policy priorities to create jobs and deploy the nation's mineral wealth while reducing greenhouse gas emissions.

The proposal calls for policies to "[e]xpand America's current power and energy production base to leverage U.S. world-class energy resources; ... [s]upport infrastructure, resources, investments, and incentives to build out the American renewable energy manufacturing and electricity sector; ... [l]everage America's energy and natural resource abundance and independence; ... [e]nact permitting reform to make sure all energy, mineral, and infrastructure projects can be built in an efficient, timely, and certain manner; ... [and t]ake advantage of America's abundant energy and natural resources and rebuild the American supply chain to continue to gain comparative advantages against China,



Senator Dan Sullivan (R-AK)

Russia, Iran and other foreign adversaries while lowering global greenhouse gas emissions."

## 'Leverage ... Energy Resources'

Focusing on these priorities will "leverage U.S. world-class energy resources, empower American workers, enhance U.S. economic and national security, and reduce global greenhouse gas emissions," the senators say in their state-memo.

"[I]t is essential, not only to the well-being of Wyoming, but to the energy security of the United States, to continue to produce and export Wyoming coal, uranium, oil, and natural gas all while investing in new technologies that can make them cleaner and more environmentally friendly," Lummis said in the press release.

The AEJCP is not the first Republican foray into climate policy.

Earlier in 2021, Rep. John Curtis (R-UT) formed the Conservative Climate Caucus (CCC), which counts 70 House Republicans among its membership.

The CCC argues "practical and exportable answers can be found in innovation embraced by the free market" and "fossil fuels can and should be a major part of the global solution."

In addition, House Minority Leader Kevin McCarthy (R-CA) sponsored a three-day forum highlighting Republican environmental proposals and later appointed a 17-member "Energy, Climate, and Conservation Task Force."

**"Republicans should stick with energy production: that is what the people care about. The energy system works fine as long as government is not meddling in it. The reason the world is in an energy crisis right now is because governments put too much emphasis on renewables."**

STEVE MILLOY  
FOUNDER, JUNKSCIENCE.COM

of conservative values has upon the Republican voter base," Taylor said.

## 'Promote Energy Abundance'

The Republicans' climate plans will do little to reduce global greenhouse gas emissions but will waste less money than the energy-rationing policies promoted by President Joe Biden and congressional Democrats, says Myron Ebell, director of Global Warming and International Environmental Policy at the Competitive Enterprise Institute.

"The alternative to energy-rationing policies is not to propose less rationing but rather to promote energy abundance and affordability," said Ebell. "Given the public's negative reaction to increasing gasoline prices, I think conservatives would get a lot more support by going back to a pro-energy agenda."

The best climate policy is also the best energy policy: let markets do their work, says Ebell.

"CEI's view is that energy production would be higher, energy prices would be lower, and innovation would happen more quickly if all energy mandates and subsidies were removed and regulatory obstacles were lowered," Ebell said. "Technologically capable people plus investors reacting to the incentives provided by freer markets would quicken the pace of technological change while providing more energy."

"Republican and Democratic climate policies alike are based on the assumption that government policies that create energy shortages and much higher prices are the only way to spur innovation," Ebell said.

Duggan Flanakin ([dflanakin@gmail.com](mailto:dflanakin@gmail.com)) writes from Austin, Texas.



# Virginia Governor Orders Native American Consultation on Development

By Duggan Flanakin

Outgoing Virginia Gov. Ralph Northam signed an executive order directing state agencies to develop policies and procedures to ensure federally recognized Native American tribes have an opportunity for written consultation on development projects and land management.

Northam's order, number 82, comes nearly four years after the Trump administration formally added six of the seven federally recognized Virginia tribes.

The federal action authorized these tribes to create laws, collect taxes, and manage their lands and made the tribes' members eligible for federal assistance in education, health care, and housing.

Before Northam's order, federal law already required the U.S. Environmental Protection Agency to consult with tribes when its actions and decisions might affect tribal interests, notably on major air, water, and waste discharge permits.

## Wide Range

Northam's order applies to environ-

mental impact reports for major state projects, State Corporation Commission project reports, Virginia Department of Aviation environmental reports, and environmental impact assessments for oil and gas well drilling operations in the state's Tidewater region.

The order also covers federal consistency determinations under the Coastal Zone Management Act, permits for groundwater withdrawal of more than one million gallons per day, designation of historic buildings and landmarks, burial permits for relocation of human remains, local government notifications for new and existing impoundment structures or dams, cave collection permits pursuant to archaeological or historic features in caves, underwater recovery permits, and more.

The order applies to the state departments of Environmental Quality (DEQ), Historic Resources, and Conservation and Recreation and the Marine Resources Commission.

Northam's order requires the DEQ to coordinate with the EPA and feder-

ally recognized tribes in the issuance or modification of these major permits, to ensure opportunities for tribal input.

Northam's order also creates an Ombudsman for Tribal Consultation in the office of the Secretary of the Commonwealth.

## Nothing New?

Northam's executive order is purely political theater because tribes in the state are already consulted on projects affecting their interests under federal law and have input under state law, says Stephen D. Haner, a senior fellow of the Virginia-based Thomas Jefferson Institute for Public Policy.

"The regulatory processes involved already require public input and often turn to formal stakeholder groups for input, as do the parallel federal reviews," said Haner. "We're not sure specifically recognizing the tribal organizations will greatly increase their participation, which was already allowed, or the weight given to their views over and above other Virginia citizens, landowners, or stakeholders."

"To do that—to give them, say, actual veto power—would require legislation, in our opinion," said Haner. "Why now? We have no idea, but we live in an age when virtual-signaling passes for policy."

The order won't go into effect until incoming Gov. Greg Youngkin takes office. The new governor, a Republican, could reverse the order by his Democrat predecessor.

## Decade-Plus Campaign

In 2016, the Pamunkey Indians became the first Virginia tribe to win federal recognition, after a campaign that began in 1999.

Six other tribes—the Chickahominy, Eastern Chickahominy, Upper Mattaponi, Rappahannock, Monacan, and Nansemond—were recognized under the Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act of 2017, which President Donald Trump signed in January of 2018.

Duggan Flanakin ([dflanakin@gmail.com](mailto:dflanakin@gmail.com)) writes from Austin, Texas.

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# Citizens' Group Files Lawsuits to Block Virginia Wind Facility

By Kevin Stone

A group calling itself Citizens for Responsible Energy (Citizens) is suing to halt the siting of an array of 612-foot-tall wind turbines atop mountains in Botetourt County, Virginia.

A lawsuit brought by Citizens challenges the Virginia Department of Environmental Quality's (DEQ) approval of the Rocky Forge Wind industrial facility project. Citizens is specifically challenging the DEQ's finding that the project would not harm natural resources.

Citizens says the facility's massive turbines will mar the landscape, endanger wildlife, and harm human health through the low-frequency noise the turbines generate. In approving the plan, the DEQ ordered the turbines' operator to turn them off at night in the warmer months to reduce the killing of bats.

## Extension Question

Citizens' second lawsuit disputes the county Board of Zoning Appeals' (BZA) decision to allow the project to move

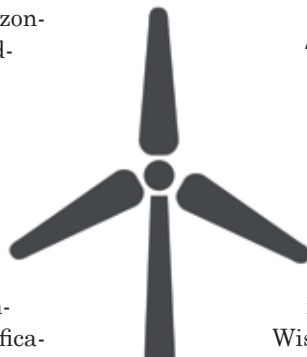
forward, overruling the county zoning administrator's determination the project missed filing deadlines for approval. Citizens claims the board improperly overturned the county zoning administrator's finding Rocky Forge did not qualify for a statewide extension of zoning deadlines for projects delayed by the coronavirus pandemic.

"The BZA's pronouncement includes no reasoning, argument, or justification; it is hardly recognizable as the outcome of a deliberative, public-facing quasi-judicial process," states the lawsuit, which was filed on November 10.

Although the Virginia Freedom of Information Act allows public bodies to meet behind closed doors to seek advice on "specific legal matters," such matters were never identified, the lawsuit states.

The suit names the county's board of supervisors, Rocky Forge Wind, and a

trust established by the family of Jerry Fraley, which is leasing the nearly 7,000 acres for the project, as defendants in the case.



## 'Harmful Infrasond'

Opponents of the wind project are right to be concerned about the effect it will have on the local environment and human health, says physicist John Droz Jr., founder of the Alliance for Wise Energy Decisions.

"Wind turbines unquestionably produce significant harmful infrasound," said Droz. "According to a 2007 study by Eja Pedersen of the Sahlgrenska Academy at Göteborg University, wind turbine noise is easily perceived by humans even at low sound pressure levels."

"Adverse reactions may include stress-related symptoms due to prolonged physiological arousal and hindrance to psychophysiological restora-

tion," Droz said. "Studies from independent experts have also concluded that industrial wind projects can harm wildlife and livestock animals."

## Climate Concerns

If humans are causing climate change, wind power can make it worse because of the mining needed for the rare minerals to make turbine batteries and magnets and the fact the required backup power sources are forced to operate at less than peak efficiency, says Droz.

"In my report 'Taking the Wind Out of Climate Change,' I show that wind energy requires an augmenting source of electricity, which is most often natural gas," said Droz. "The wind-plus-gas package required to provide continuous energy can produce more CO2 than gas by itself, meaning if human emissions are in fact causing global warming, adding wind turbines into the mix can actually make climate change worse."

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



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Burnett is a Heartland senior fellow on environmental policy and the managing editor of *Environment & Climate News*, Heartland's monthly newspaper covering environmental policy.






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# Virginia Offshore Wind Project Hit by Massive Cost Overruns

By Bonner R. Cohen

The nation's largest proposed offshore wind-power facility is already encountering rough seas, with its developer acknowledging it will cost at least \$2 billion more than originally estimated.

Dominion Energy, an electric utility based in Richmond, Virginia, announced in November its original estimate of \$8 billion would not cover the cost of the project off the coast of Virginia Beach, Virginia, which the company now puts in the neighborhood of \$10 billion.

Unveiled with much fanfare in 2019, the Coastal Virginia Offshore Wind (CVOW) project is planned to comprise 180 giant turbines powering up to 660,000 homes. The project is still in its infancy, raising the question of whether additional cost overruns are in the offing in the years ahead.

## Blames It on Inflation

Dominion attributes the offshore wind project's higher costs to higher commodity prices and other inflationary pressures. Because the project will take several years to complete and many economists have estimated the current inflationary cycle could last for a while, CVOW's costs could rise further.

Although the project will be situated in federal waters, it must still meet some state requirements, including receiving approval from regulators at the State Corporation Commission, which has said it will closely monitor the project's costs. A Dominion timeline indicates the project will be completed in 2026.

Instead of buying electricity from a developer, Dominion is the developer and is also the regulated monopoly utility that will sell the power to consumers, a unique arrangement in CVOW.

## 'Not Doable, Affordable, or Good'

Changes in the political environment could affect the project. The passage of the Virginia Clean Economy Act (VCEA) in 2020 gave CVOW a boost by declaring offshore wind to be in the public interest, despite concerns raised during debate over the legislation that it could restrict the ability of state regulators to limit pass-throughs of the higher cost of intermittent energy to ratepayers.

The VCEA was narrowly enacted



over the objections of the vast majority of Republican state legislators. Glenn Youngkin, a Republican, assumes the office of governor in January, and Republicans won a majority in the House of Delegates in Virginia's November statewide elections.

Many newly minted Republican members of the Virginia House of Delegates ran for office on the promise to repeal the VCEA, and Youngkin criticized the VCEA during his gubernatorial campaign.

"We need an electrical grid which is stable, and we absolutely have to change direction," said Youngkin, according to the group Repeal the Virginia Clean Economy Act. "We must change direction from the clean energy plan that has passed, ... because it is not doable, affordable, or good for Virginia."

## 'A Big Fight Looms'

Democrats' control of the Virginia Senate will probably prevent a repeal of the VCEA for the present, says David Wojick, Ph.D., a Virginia-based independent energy analyst.

"Youngkin and the incoming House leadership have publicly said they favor repeal of the VCEA and are skeptical of offshore wind, but the Democrats still control the Senate, so a big fight looms," said Wojick.

"The present European energy crisis is largely due to the failure of offshore wind to produce the expected power, and Dominion has provided no plan to back up its massive wind generators," said Wojick. "Backup power or hugely

**"Dominion Energy is doing a disservice to its customers by helping the state meet its ill-considered Virginia Clean Economy Act [goals]. The VCEA set specific targets for wind, solar, battery storage, and transmission upgrades, and the state utility commission did a cost-impact study on it, concluding it would increase residential electric rates an unacceptable \$800 a year."**

DAVID STEVENSON  
DIRECTOR, CAESAR RODNEY INSTITUTE

expensive battery storage is a big hidden cost of these enormous offshore wind projects, which should serve as a warning for the future Virginia may face."

## Expects Radical Price Increase

Dominion, which has embraced green energy, could come under increased scrutiny if the costs of its offshore wind project rise further and threaten to increase electricity rates, says David Stevenson, director of the Caesar Rodney Institute's Center for Energy & Environmental Policy.

"Dominion Energy is doing a disservice to its customers by helping the state meet its ill-considered Virginia Clean Economy Act [goals]," said Stevenson. "The VCEA set specific targets for wind, solar, battery storage, and transmission upgrades, and the state utility commission did a cost-impact study on it, concluding it would increase residential electric rates an unacceptable \$800 a year."

"Correcting the [State Corporation Commission's] mistake of underestimating residential demand and its unlikely assumption that North Carolina customers would pick up 20 percent of the cost, and including the necessary transmission upgrades, brings the cost

premium to about \$1,500 a year," said Stevenson.

## Suggests Lower-Cost Options

Virginia could reduce emissions for much less cost than through wind power, according to a study of a green energy plan promoted by a major energy supplier in North Carolina, says Stevenson.

"The original Duke Energy plan for a similar North Carolina mandate would have cost \$110 per metric ton of CO2 reduction," said Stevenson. "An analysis by the John Locke Foundation found the same goal could be met with existing nuclear power for \$40 per metric ton, and a slightly lower emission-reduction goal of 60 percent instead of 70 percent could be met with natural gas at \$3 per metric ton."

"While the best option is total repeal of the VCEA, we would hope more modest emission-reduction targets would be set and the targets would be met by the lowest-cost method," said Stevenson.

*Bonner R. Cohen, Ph.D. ([bcohen@nationalcenter.org](mailto: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.*



# Maine Voters Reject Interstate Renewable-Energy Power Line Plan

By Bonner R. Cohen

Voters in Maine overwhelmingly rejected a plan for a 145-mile-long electricity transmission line through their state that would have brought 1,200 megawatts of renewable hydro-power from Quebec to Massachusetts.

The proposed power line was intended to help New England states meet their ambitious carbon dioxide emission reduction goals while ensuring a reliable power supply.

Maine voters directly rejected the project via a ballot initiative, by a vote of 59 percent to 41 percent.

The \$950 million project, first proposed in 2017, was under construction when the November 2 referendum was held. The project's developers have already erected 100 power poles in the dense forests of western Maine.

With Maine's voters turning down the New England Clean Energy Connect (NECEC), the future of the project is in doubt. In addition to banning the construction of "high impact" transmission lines along the NECEC's projected path, the initiative set a two-thirds-majority requirement in the state legislature for approval of similar projects.

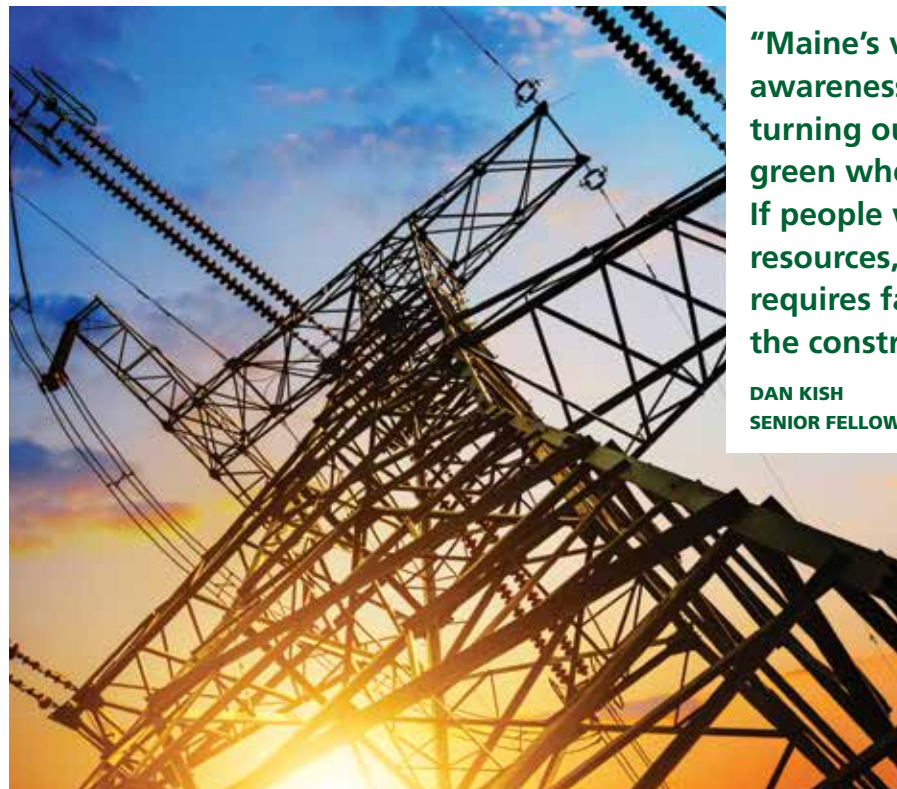
## Developer Files Lawsuit

Avangrid Inc., the owner of the transmission line, quickly filed a lawsuit in Maine Superior Court challenging the legality of the initiative.

"This referendum effectively tears up valid contracts, ignores the judicial and executive branches, and goes back in time to retroactively change the rules to stop a project just because it threatens the financial interests of fossil fuel generators," Thorn Dickenson, CEO of NECEC Transmission LLC, a unit of Avangrid, said in a statement.

The ballot initiative pitted Avangrid, Hydro-Quebec, power line builder Central Maine Power, Maine Gov. Janet Mills, U.S. Energy Secretary Jennifer Granholm, and advocates of green energy against NextEra Energy Resources, owner of New Hampshire's Seabrook nuclear plant; the owners of other New England power plants; local conservation organizations; and, based on the results of the referendum, the vast majority of Maine voters.

Advocates on both sides of the proposal spent more than \$100 million trying to sway voters.



## A Giant Extension Cord

NECEC's defeat at the ballot box can be traced to several factors.

Mainers have an attachment to their beloved north woods, and many didn't want to see the wilderness defiled by a long transmission line—which critics quoted in media reports likened to a giant extension cord—and the hundreds of poles holding it up.

Most of the power transmitted by the line would be used in Massachusetts, with Maine getting only a small fraction of the power shipped through it.

A similar project, the Northern Pass line, which would have brought hydro-power to Massachusetts via power lines in New Hampshire, encountered so much opposition in the Granite State that the developers abandoned the project in 2019.

## Decarbonizing Without Hydro

Six New England states have set lofty decarbonization goals for the coming decades, with Massachusetts leading the way by enacting legislation mandating "net zero" greenhouse-gas emissions by 2050.

Developments in Maine and New Hampshire, however, show how difficult it will be to meet those targets.

The power line through Maine was expected to provide 17 percent of Massachusetts' electric power. With that

option no longer available—barring a decision by the Maine Supreme Court overturning the referendum's results—policymakers in Massachusetts must scramble to find another non-emitting source.

Good sites for consistent wind and solar power across New England are limited. That means power produced using wind, solar, or other renewable generating sources will have to come from elsewhere and be delivered through a massive expansion of the power grid, with lines stretching from where the power is generated to where it is needed.

## Net-Zero Downside

People are coming to realize that so-called green energy comes with its own set of environmental drawbacks, says Dan Kish, a senior fellow at the Institute for Energy Research.

"Maine's vote reflects a growing awareness that 'green energy' is turning out to be anything but green when the rubber hits the road," said Kish. "If people want far-flung energy resources, they need to understand this requires far-reaching transmission and the construction of other facilities.

"Some estimates say reaching 'net zero' will require a doubling of transmission lines in a very short period of time," said Kish. "The masterminds in

**"Maine's vote reflects a growing awareness that 'green energy' is turning out to be anything but green when the rubber hits the road. If people want far-flung energy resources, they need to understand this requires far-reaching transmission and the construction of other facilities."**

DAN KISH

SENIOR FELLOW, INSTITUTE FOR ENERGY RESEARCH

Washington and Wall Street always seem to forget that the 'flyover country' they so disdain is populated by real, live people who care about their back yards."

## Homemade Power Problems

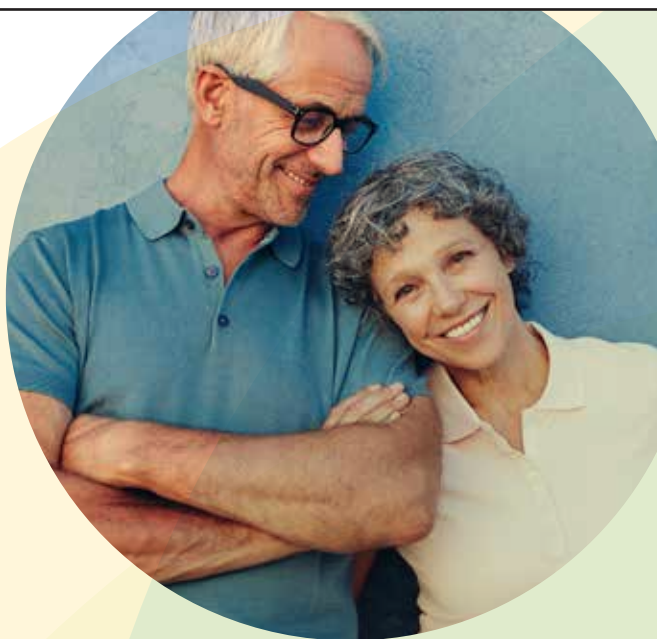
New England's politicians are in a mess of their own making, says David Stevenson, director of the Caesar Rodney Institute's Center for Energy & Environment.

"Massachusetts voters, led by clueless Boston extremists, have elected state leaders who have abrogated their responsibility to maintain an electric grid offering affordable, reliable, and environmentally friendly electricity," said Stevenson. "These same voters fight the construction of any new electric generating facility in the state, and consequently the state imports 63 percent of its power from other states and has the second-highest electricity prices in the contiguous 48 states.

"State leaders have reacted unsuccessfully by trying to tear up forests in New Hampshire and Maine to import hydropower from Canada when no one in the state would ever consider putting a dam on a Massachusetts river," said Stevenson. "They are also supporting offshore wind despite likely deaths to critically endangered North Atlantic right whales and a federal environmental report outlining several negative environmental impacts that have resulted in lawsuits to stop the project."

*Bonner R. Cohen, Ph.D. ([bcohen@nationalcenter.org](mailto: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.*

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# Senate Energy Committee Deadlocks on Biden Interior Dept. Nominee

By Kevin Stone

The U.S. Senate Energy and Natural Resources Committee is deadlocked over the nomination of Laura Daniel-Davis, President Joe Biden's nominee for Assistant Secretary of Land and Minerals Management at the U.S. Department of the Interior.

The committee is equally divided between Democrats and Republicans, resulting in a tie vote to approve Daniel-Davis on November 18. The nomination could still go forward, but it would be more difficult because of Senate rules.

### Land Use Blockage

Daniel-Davis has served as principal deputy assistant secretary of the Interior for land and minerals management, a position that doesn't require Senate confirmation, in the Biden administration. She was associate deputy secretary and chief of staff at Interior in the Obama administration.

Republican members of the committee cited Daniel-Davis' leadership in Biden administration policies limiting energy and natural resource development on federal lands as a reason for rejecting her.

"I strongly oppose the nomination of Ms. Daniel-Davis," said Sen. John Barrasso (R-WY), ranking committee member, in his opening statement at the committee hearing. "Under her supervision, Interior rescinded previously issued grazing permits and imposed an oil and gas leasing moratorium on federal lands.

"Under her direction, the Bureau of Land Management has undermined our nation's energy and mineral security ... [by] impos[ing] a moratorium on federal nickel and copper mining leases in Minnesota, ... locking up the largest undeveloped known nickel and copper deposit in the world," said Barrasso. "One of the planned mining projects would produce enough minerals to build a quarter of a million electric vehicle batteries."

Daniel-Davis pressured "local BLM offices to give up even more decision-making authority to Washington," said

**"If appointed, she will make dozens of decisions to shut off federal lands to any activities beneficial to the public ..."**

JAY LEHR, PH.D.  
INTERNATIONAL CLIMATE SCIENCE  
COALITION

Barrasso. "Ms. Daniel-Davis' decisions are a gift to OPEC, Russia, and China."

### Unlawful Drilling Moratorium

Several Republican committee members also mentioned Daniel-Davis' role in the Biden administration's recent oil and gas leasing moratorium, which was subsequently blocked by a federal court.

The administration lacked the legal authority to halt leases of federal territory for oil and gas production without approval from Congress, ruled Judge Terry A. Doughty of the U.S. District Court for the Western District of Louisiana.

Republican committee members said the moratorium showed Daniel-Davis is willing to pursue unlawful actions in support of an anti-fossil fuel agenda.

### 'Monolithic Team of Marxists'

Daniel-Davis is on par with other administration appointees, says Jay Lehr, Ph.D., a senior policy analyst with the International Climate Science Coalition.

"Laura Daniel-Davis is a perfect fit for the Biden administration as the assistant interior secretary for Land and Minerals Management," said Lehr. "If appointed, she will make dozens of decisions to shut off federal lands to any activities beneficial to the public, which is a major goal for Biden and his puppet masters.

"I will be surprised if her opponents defeat her nomination, as legislators have thus far allowed the cabinet to become a monolithic team of Marxists," said Lehr.

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



# Nebraska County Issues Strict Wind Power Regulations

By Bonner R. Cohen

The Board of Supervisors (BOS) of Gage County, Nebraska approved new ordinances restricting the siting and operation of industrial-scale wind projects.

“In order to balance the need for clean, renewable energy resources with the protection of the health, safety, and welfare of the residents of Gage County, Nebraska, the County finds these regulations are necessary in order to ensure that all wind energy conversion systems (WECS) are appropriately designed, sited, and installed,” states the ordinance passed by a 6-to-1 vote on November 17 and based on recommendations developed by the county’s Planning and Zoning Commission.

The new Gage County ordinance requires small, noncommercial wind turbines to be located a minimum of twice the height of a turbine from the property line of a nonparticipating property owner, and commercial

systems must be set back one mile from other property owners. Additionally, the county lowered the maximum allowed decibel level for sound generated by turbines from five to three decibels.

## Required to ‘Minimize Disruption’

Other key restrictions on wind projects, also referred to as commercial wind energy conversion systems, include design and placement “to minimize to the greatest extent feasible adverse visible and noise impacts on adjacent areas,” and the use of colors and surface treatments to “minimize disruption to the natural characteristics of the site.”

The ordinance requires operators “to mitigate specific adverse visual impacts such as reflections, shadow flicker, and blade glint affecting residences within or immediately adjacent to the project area. *Shadow flicker shall not occur more than 30 minutes per day and not more than 30 hours per year from*

*an occupied residence*” [emphasis in original].

Gage County’s new ordinances are likely to make it difficult to construct a large-scale industrial wind facility in the county, bucking a statewide trend. Wind power generates the second largest amount of electric power in the state, accounting for 23.63 percent of electricity generated, says the U.S. Energy Information Administration. Coal-fueled generation supplies more than half (51 percent) of the electric power in Nebraska.

## ‘Shadow Flicker’ Problem

The conflict between wind projects and those who view them as a threat to their property, health, and the environment is playing out across rural America, says Craig Rucker, president of the Committee For A Constructive Tomorrow (CFACT), which co-publishes *Environment & Climate News*. Gage County’s BOS

sided with those concerned about wind power’s potentially harmful effects, says Rucker.

“As wind farms proliferate around the country, so do concerns about their effect on surrounding communities,” said Rucker. “The Gage County BOS was right to address shadow flicker. This is the effect of the sun, low on the horizon, shining through the rotating blades of a wind turbine, casting a moving shadow that is perceived as a flicker.”

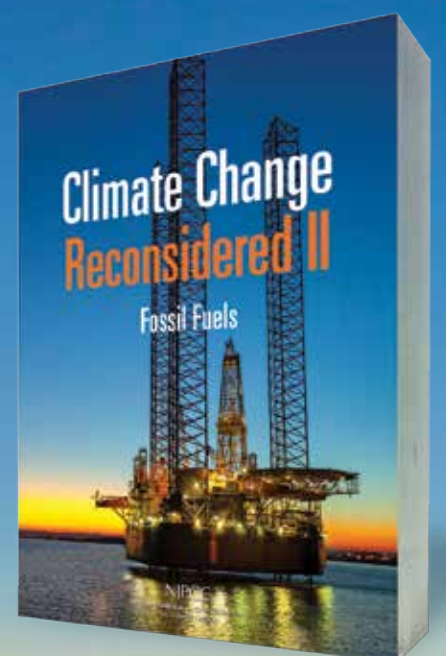
“This, along with the turbines’ noise and the ugly environmental footprint these monstrous installations impose on the countryside, is one of the many nuisances resulting from industrial-scale wind farm development,” said Rucker.

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



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# Wyoming Town Chosen As Site for Experimental Nuclear Reactor

By Kevin Stone

Kemmerer, Wyoming, has been selected as the preferred site for the upcoming Natrium nuclear reactor demonstration project which will be subsidized by the federal government.

The organization behind the project, TerraPower, was started by Microsoft cofounder Bill Gates about 15 years ago. The new reactor design, called Natrium, will launch a resurgence of the nuclear power industry, says Gates.

“We think Natrium will be a game-changer for the energy industry,” said Gates at the project’s launch in Cheyenne, Wyoming.

## Local Support, Energy Need

One of four cities in the running to host the project, Kemmerer was selected as the site of the experimental reactor after an extensive evaluation process that included multiple meetings with community members and leaders, says TerraPower.

Factors considered in choosing the location included community support, physical characteristics of the site, the ability of the site to obtain a license from the Nuclear Regulatory Commission, access to existing infrastructure, and the needs of the power grid. Concerning the last point, Kemmerer is located near the Naughton power plant, a 448-MW coal-fired facility the two remaining operating units of which are scheduled for retirement in 2025.

TerraPower and PacifiCorp, owner of the Naughton plant, announced in June 2021 their intention to locate the Natrium project at the site of a retiring coal plant in Wyoming. The choice of Kemmerer was announced in mid-November.

## Federal Infrastructure Investment

TerraPower expects to qualify for as much as \$2.5 billion from the U.S. Department of Energy’s (DOE) Advanced Reactor Demonstration Program (ARDP), a provision in the recently enacted infrastructure law.

“This allocation, along with previous funding, will cover DOE’s commitment to TerraPower for the first five years of a seven-year, \$2 billion agreement,” the company stated in a press release. “TerraPower will match this investment dollar for dollar.”

The Kemmerer project will feature a



sodium-cooled fast reactor and molten salt energy storage, which backers say will perform better, be safer, and cost less than a traditional nuclear power plant. The high heat-transfer properties of sodium will allow the Natrium plant to be air-cooled, which will enable the plant to be shut down quickly in case of an emergency.

The fact that the Natrium plant will not need emergency generators or water pumps to cool the reactor in the case of a failure will save on costs, says TerraPower CEO Chris Levesque.

## Boon to Local Economy

Kemmerer is home to 2,600 people and is located about 130 miles northeast of Salt Lake City.

The project will provide as many as 2,000 people relatively high-paying jobs during construction, and 250 full and part-time employees once operational in a state where the coal industry has been shedding jobs. Construction is set to begin in 2024.

## Nuclear Outperforms Renewables

Unlike wind and solar power, nuclear generation provides a constant power source not reliant on variable or seasonal weather, which makes it superior as a source of electric power, says Ronald Stein, founder of the engineering staffing consultancy PTS Advance.

**“Nuclear generation provides a solution to two demands for electric power: the longstanding demand for continuous, uninterruptable power, and the more recent demand that power generation emit no carbon dioxide. Furthermore, the land requirements for nuclear generation are miniscule compared to industrial wind and solar facilities.”**

**RONALD STEIN**  
FOUNDER, PTS ADVANCE

“Worldwide climate conditions over the seasons are not supportive of continuous, uninterruptable electricity generation from breezes and sunshine,” said Stein. “Further, the exotic minerals and metals required to build wind turbines and solar panels are being mined in developing countries, exploiting humanity and causing atrocities and environmental degradation in countries with yellow-, brown-, and black-skinned people.

“Nuclear generation provides a solution to two demands for electric power: the longstanding demand for continuous, uninterruptable power, and the more recent demand that power generation emit no carbon dioxide,” Stein said. “Furthermore, the land requirements for nuclear generation are miniscule compared to industrial wind and solar facilities.”

## Agrees with Government Support

Stein says the government funding for the ARDP is justified although he doesn’t agree with all the spending in the recently enacted infrastructure law, including some of the energy-focused spending, which he says is misguided and unnecessary. Stein likened the development of safe alternative nuclear energy designs to the space program.

“The government has financed the U.S. space program ever since Presi-

dent Kennedy’s challenge to go to the moon,” said Stein. “Initiating the program was too expensive for private industry, thus governmental financial support was necessary if we were to develop the technologies that were the basis for the future.

“NASA’s achievements have been extremely successful, not only for humanity’s technical achievements but for mankind in general,” said Stein. “Like the space program, the staggering upfront price tag for nuclear reactors necessitated significant government involvement to provide the scale of energy we demand at prices we can afford.”

## ‘Abundant, Scalable Supplies’

Spending on nuclear power is clearly better than government support for other forms of energy generation, says Stein.

“Our future prosperity depends on low-cost, abundant, scalable supplies of electricity,” said Stein. “Nuclear’s power-density advantages and lifespan simply cannot be denied.

“Policies that promote low-density, expensive energy, like industrial wind and solar, are destined to fail because they ignore both physics and economics,” said Stein. “Promoting these subsidy-dependent sources, crusaders have given momentum to landscape-destroying energy projects that can supply only a tiny fraction of America’s and the world’s electricity needs, as the International Energy Agency reports, and then only when the weather cooperates.”

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





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# Biden Demands FTC Investigate Oil Companies over Gasoline Price Hikes

By Kenneth Artz

President Joe Biden has asked the Federal Trade Commission (FTC) to investigate whether the oil and gas industry is responsible for the sharp increases in gasoline prices in 2021.

Gas prices at the pump are more than \$1 higher than they were in December 2020. Prices are above \$5 per gallon in some parts of the country.

## 'Potentially Illegal Conduct'

Biden said there is a disconnect between retail gasoline prices and recent price declines in the supply chain for oil and gas, in a letter to the FTC on November 17.

"[P]rices at the pump have continued to rise, even as refined fuel costs go down and industry profits go up," wrote Biden. "Usually, prices at the pump correspond to movements in the price of unfinished gasoline, which is the main ingredient in the gas people buy at the gas station."

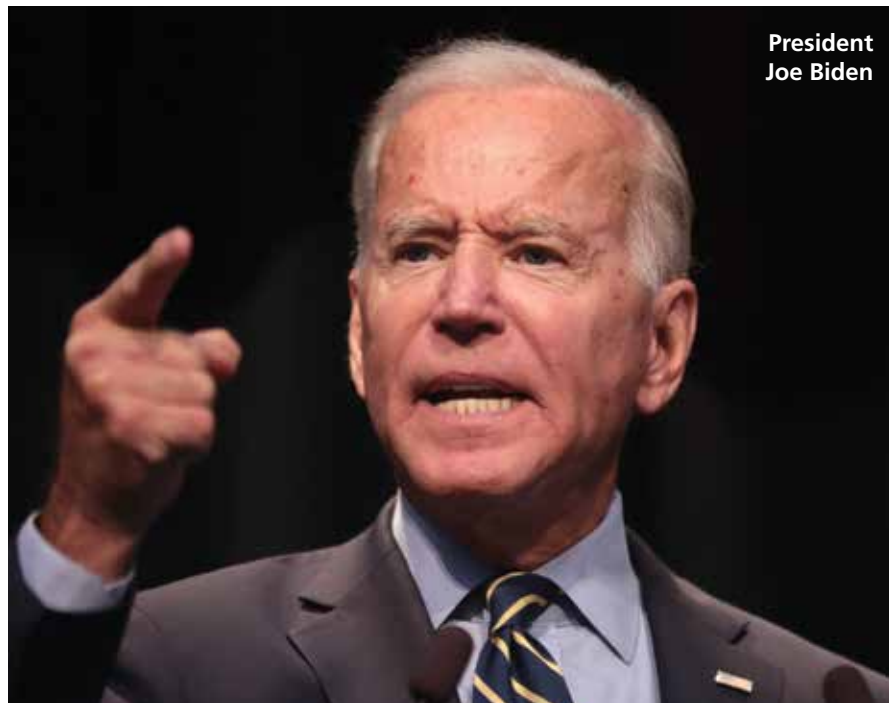
"But in the last month, the price of unfinished gasoline is down more than 5 percent while gas prices at the pump are up 3 percent in that same period," said Biden. "Meanwhile, the largest oil and gas companies in America are generating significant profits off higher energy prices, [and] the two largest oil and gas companies in the United States ... are on track to nearly double their net income over 2019."

These facts merit an investigation of the oil industry for possible price gouging, says Biden.

"I do not accept hard-working Americans paying more for gas because of anti-competitive or otherwise potentially illegal conduct," wrote Biden. "I therefore ask that the Commission further examine what is happening with oil and gas markets, and that you bring all of the Commission's tools to bear if you uncover any wrongdoing."

## Demand 'Outpacing Supply'

Biden's own energy policies are largely responsible for the current high gasoline prices, a fact that won't be changed by an FTC investigation designed to shift blame for higher prices to oil and gas companies, said Frank J. Macchiarola, senior vice president of policy,



President Joe Biden

economics, and regulatory affairs for the American Petroleum Institute, in a November 17 press release.

"This [investigation] is a distraction from the fundamental market shift that is taking place and the ill-advised government decisions that are exacerbating this challenging situation," said Macchiarola. "Demand has returned as the economy comes back and is outpacing supply."

"Further impacting the imbalance is the continued decision from the administration to restrict access to America's energy supply and cancel important infrastructure projects," said Macchiarola.

Instead, "we should be encouraging the safe and responsible development of American-made oil and natural gas," said Macchiarola.

## Actions 'Worse Than Nothing'

Biden has waged war on reliable, affordable energy ever since stepping into office, says Katie Tubb, a senior policy analyst at The Heritage Foundation.

"Ninety percent of Americans' transportation fuel is met by oil," said Tubb. "Oil is a globally traded commodity, such that Americans cannot totally insulate themselves from price increases."

"While there is only so much any president can do about energy prices, this president has done worse than nothing," said Tubb. "Rather than relieve regulatory roadblocks to affordable energy—for instance, by lifting the Jones Act and the ethanol mandate—President Biden has used his bully pulpit from day one to vilify the oil industry and has aggressively deployed regulators across the executive branch to make it more difficult to produce, transport, and use oil."

## Biden 'Cut Access to Oil'

Biden's climate and energy programs are likely to restrict domestic oil and gas supplies further, resulting in even higher prices, says Tubb.

"Biden continues to act as booster for the so-called Build Back Better bill, which would add new fees and regulations on oil producers and cut access to oil off American coasts," said Tubb. "When President Biden finds Americans are upset with high gasoline prices, he has looked for harmful shortcuts like releasing oil from the Strategic Petroleum Reserve and shifting the blame to oil companies in the United States."

"The Obama administration told Americans they could not drill their way to lower gasoline prices, which



**"When President Biden finds Americans are upset with high gasoline prices, he has looked for harmful shortcuts like releasing oil from the Strategic Petroleum Reserve and shifting the blame to oil companies in the United States."**

**KATIE TUBB**  
SENIOR POLICY ANALYST  
THE HERITAGE FOUNDATION

experience under President Donald Trump proved wrong," said Tubb. "The Biden administration is routinely telling Americans they shall not do so, being either unwilling or unable to see the policies they are pushing put them in direct conflict with the interests of the American people for affordable, reliable energy. Now reality is bumping up against this administration's incompetent and counterproductive climate policies."

## 'They Don't Understand' Market

Biden's willful misunderstanding of how markets work is causing hard-working Americans to suffer, says Gary Stone, vice president of Engineering at Five States Energy.

"Politicians on both sides of the aisle have always ignored oil and gas companies and their employees when prices were low," said Stone. "But since the formation of OPEC, oil pricing has been a complex international financial and political exercise—a delicate balance of supply, demand, and raw speculation."

"Biden is only the latest in a string of Democrat presidents who are quick to point the finger at oil and gas companies, to blame 'someone' for a market they don't understand," said Stone. "Nothing will come of Biden's demanded investigations, which will quietly go away, and unless politics interferes further, the market will soon balance prices."

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



## COMMENTARY

# Garbage in, Garbage out in Glasgow

By David R. Legates

No doubt you've heard—and always at eardrum-shattering decibels—that “97 percent of all climate scientists agree” climate change is real, will be devastating to life on Earth, and is largely or entirely caused by human emissions of greenhouse gases.

The participants at COP-26, the United Nations Climate Change Conference in Glasgow, Scotland, screamed pretty much nothing else during the first two weeks of November 2021.

The problem is, the 97 percent consensus is pure fiction.

I should know. In 2013, I and several other researchers showed in a paper in *Science & Education* the 97 percent figure came from John Cook and colleagues at the University of Western Australia—who basically cooked the books.

## Selective Use of Abstracts

Cook and his comrades did not poll the world's climate scientists. Not even close.

They simply collected the abstracts of nearly 12,000 journal articles and then subjectively designated whether the abstract of a given paper endorsed or rejected “the consensus position that humans are causing global warming.”

Two-thirds of the abstracts, however, expressed no opinion on the matter, and of the remaining nearly 4,000 very few explicitly agreed—by the authors' own assessment—with the alleged consensus position.

My colleagues and I found “the 97 percent consensus claimed by Cook et al. turns out upon inspection to be not 97.1 percent but 0.3 percent.”

The “97 percent” consensus is, as we said then, “one of the greatest items of misinformation that has been circulated on either side of the climate debate.”

## Cornell Consensus Propaganda

Despite this debunking, the propaganda continues to this day—and is now even more extreme.

Just in time for COP-26, a new “consensus” was announced. A group led by researchers at Cornell University wrote an article titled “Greater Than 99% Consensus on Human Caused Climate Change in the Peer-Reviewed Scientific Literature.” It was published in the



same journal in which Cook's flawed consensus study was published.

Incredibly, the methodology in the newest article is even more flawed than that employed by Cook et al. This latest clutch of climate alarmists randomly selected a mere 3,000 papers from more than 88,000 climate-related papers published since Cook, and then applied Cook's subjective assessment to this tiny fraction of the available abstracts.

Are you surprised to learn only four were determined to be skeptical about claims of an imminent, human-caused global-warming catastrophe?

The authors showed obvious bias in categorizing the rest of the abstracts. For example, they noted “a majority” did not state a position on whether climate change was human-caused. Unlike Cook et al., who discarded such papers, this new group of researchers simply asserted that the act of publishing on climate change—in fact, just an author's mentioning of the term—was enough to have those articles logged as favoring the consensus.

One would be hard-pressed to come up with a more perfect example of circular reasoning.

## Damaging Action Demanded

The situation would be laughable but for the draconian measures climate alarmists citing this so-called 99 percent consensus have been calling for in Glasgow, which mercifully ended on November 12.

If these people get their way, the needless human suffering will be no joke. It will mean a premature end to the use of reliable fossil fuels. As always, it will be the poor in all countries, who can stay alive only when affordable energy is plentiful, who will

be harmed the most.

Unless the thinking part of the U.S. electorate starts a sustained revolt at the polls, your tax dollars will be helping to finance that misery, based on no consensus whatsoever.

David R. Legates, Ph.D. ([david\\_legates@yahoo.com](mailto:david_legates@yahoo.com)) is a research fellow at the Independent Institute, professor of climatology in the Department of

**“If these people get their way, the needless human suffering will be no joke. It will mean a premature end to the use of reliable fossil fuels. As always, it will be the poor in all countries, who can stay alive only when affordable energy is plentiful, who will be harmed the most.”**

DAVID R. LEGATES, PH.D.  
RESEARCH FELLOW  
INDEPENDENT INSTITUTE

*Geography, and adjunct professor in the Department of Applied Economics and Statistics at the University of Delaware. This article was originally published by the Independent Institute and is reprinted with permission.*



# Canada Takes Michigan Pipeline Dispute to Federal Court

By Duggan Flanakin

Michigan Gov. Gretchen Whitmer's executive order requiring Canadian pipeline operator Enbridge to shut down a major oil pipeline is on hold following a decision by U.S. District Judge Janet Neff to reject the state's request to remand the case to state court.

Enbridge Line 5 has been in operation since 1953. The pipeline delivers 540,000 barrels per day of crude and refined products from Superior, Wisconsin, to Sarnia, Ontario, via the Straits of Mackinac in the Great Lakes.

The Biden administration has pledged to require a strict environmental review of Enbridge's long-term plan to construct a tunnel to house a rebuilt section of pipeline under the straits. This move could result in major regulatory delays in the construction of the replacement pipeline.

## Creates International Issue

The lawsuit has interstate and international implications which require it to be heard in federal court, stated Neff.

"The State Parties' claims 'arise under' federal law because the scope of the property rights [they] assert necessarily turns on the interpretation of federal law that burdens those rights, and this Court is an appropriate forum for deciding these disputed and substantial federal issues," Neff wrote.

Despite Neff's ruling, the pipeline's fate may ultimately not be decided in federal court. Whether Line 5 will continue to operate or be improved and expanded may ultimately be decided in binational discussions between the Biden administration and the government of Canadian Prime Minister Justin Trudeau.

## Whitmer Fights Oil Flow

Claiming the underwater section of the pipeline could leak into and damage the Great Lakes, Whitmer issued an executive order in November 2020 revoking an easement issued in 1953 allowing Line 5 to cross the Straits of Mackinac.

When Enbridge ignored the order, Michigan Attorney General Dana Nessel filed suit in Ingham County.

Enbridge filed to move the case to federal court, arguing only the federal Pipeline Hazardous Materials Safety Administration (PHMSA) has jurisdiction and the authority to order the pipeline's closure.



**"Rather than trying to shutter a vital pipeline, it would be better for the environment and the economy to keep the current pipeline open while expediting Enbridge's plan to build a utility tunnel that would replace and relocate the portion of the Line 5 pipeline running beneath the Straits of Mackinac. The waterways of the Great Lakes would be better protected and an essential piece of the region's and nation's energy infrastructure, and the employment and economic benefits it provides, would be secured for years into the future."**

JASON HAYES

DIRECTOR OF ENVIRONMENTAL POLICY, MACKINAC CENTER FOR PUBLIC POLICY

Voluntary mediation between Michigan and Enbridge ended without a settlement.

## Canada Invokes Treaty Rights

The Canadian government filed a friend-of-the-court brief in May 2021 asking Judge Neff to overrule the state-ordered closure.

Canada contends there has not been a major pollution event involving the Mackinac Straits in the pipeline's 68-year history and the PHMSA's 2019 and 2020 monitoring and in-line inspections found no unsafe or hazardous conditions in Line 5.

The brief also cites the 1977 Transit Pipeline Treaty, Article II of which states, "No public authority ... shall institute any measures ... which are intended to, or which would have the effect of, impeding, diverting, redirecting, or interfering with in any way the transmission of hydrocarbon in transit" between the two nations.

## Discussions Replace Arbitration

Canada invoked Article IX of the treaty, which requires the national govern-

ments of Canada and the United States to settle any disputes over the interpretation, application, or operation of the agreement by negotiation and, failing that, through arbitration at the request of either party.

Court filings indicate there are ongoing "high-level" diplomatic discussions about the pipeline's future in both Washington, D.C. and Ottawa, but no formal arbitration as yet.

Canada's amicus brief acknowledges Michigan's interest in protecting Great Lakes waters, noting both nations are parties to the Boundary Waters Treaty of 1909.

## Relationship Is at Risk

In its amicus brief, Canada asserts "a hastily and unduly imposed shutdown" would harm both countries' economies and undermine the confidence in reciprocal, enforceable, bilateral commitments at the heart of the United States-Canada relationship.

"A shutdown of Line 5 would cause certain, immediate and serious harm to several important public interests," Canada's brief states. "Central Canada

and parts of the northern United States would lose relatively safe, efficient, and reliable access to fuel that is essential to the Toronto and Detroit Airports, to businesses that employ thousands of people in Ontario, Quebec, Michigan, Ohio, and Pennsylvania, and to the propane supply on which many residents in Michigan rely for heating and cooking....

"In short, businesses, employees, consumers, and potentially the environment, would suffer," Canada's brief states.

## Cites Safety Record

Pipelines are the safest way to ship oil and gas, so closing Line 5 would result in an increased risk to the environment, says Enbridge spokesperson Ryan Duffy.

"Pipelines continue to be a safer, more reliable way to transport fuel than truck, train, or barge," said Duffy. "Line 5 has operated safely for more than 68 years at the Straits of Mackinac, providing the Midwest and the Great Lakes Region with a much-needed source of energy.

"To have that threatened by a single governmental entity creates concerns about energy security as winter approaches and the economy as the region looks to reemerge from the pandemic," said Duffy.

## Would 'Shutter a Vital Pipeline'

Whitmer's position is bad for the environment and economy alike, says Jason Hayes, director of environmental policy at the Mackinac Center for Public Policy in Michigan.

"Rather than trying to shutter a vital pipeline, it would be better for the environment and the economy to keep the current pipeline open while expediting Enbridge's plan to build a utility tunnel that would replace and relocate the portion of the Line 5 pipeline running beneath the Straits of Mackinac," said Hayes.

"The waterways of the Great Lakes would be better protected and an essential piece of the region's and nation's energy infrastructure, and the employment and economic benefits it provides, would be secured for years into the future," said Hayes.

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



## COMMENTARY

# Net-Zero Gambit Depends on Green Subsidy Gusher

By Larry Bell

A group of 450 financial firms attending the U.N.'s COP-26 climate conference in Glasgow have generously pledged \$130 trillion in capital to finance a global transition to net-zero carbon emissions. That's more than 135 percent of the world's gross domestic product in 2021.

They've made this commitment in the expectation government mandates, handouts, and incentives will force fossil fuel and nuclear energy industries out of business, to be replaced by politically favored wind and solar, and artificial demand created for electric vehicles, which currently constitute only 3 percent of automotive sales.

This big government spending switcheroo from free market capitalism to corporate socialism, or state capitalism, doesn't come cheap.

## Higher Prices, Energy Poverty

As winter heating requirements rise, natural gas prices are up 100 percent in the United States and more than 600 percent in Europe. Oil prices are at their highest point in a decade. This should come as no surprise. Our recently energy-independent nation went woke under the present Democrat administration, which has worked aggressively to accomplish American energy poverty.

During his first days in office, President Joe Biden cancelled the Keystone XL pipeline, imposed a moratorium on new oil and gas leases on federal lands, and halted drilling permits in the Arctic National Wildlife Refuge. Simultaneously, the Biden administration gave Russian President Vladimir Putin a pass to complete the Nord Stream 2 pipeline and sell natural gas to Europe.

In response to politically painful U.S. pump and electricity prices, instead of reopening the domestic spigots, the Biden administration has—climate be damned—gone hat in hand to OPEC, pleading with it to boost oil production. Showing a complete lack of self-awareness, White House officials recently asked oil and gas industry executives how best to moderate price increases.

## Waving 'Magic Wand'

During a Nov. 5 interview, Energy Sec-

retary Jennifer Granholm, a former Michigan governor, declared it "hilarious" to think the White House could bring down energy prices.

"Would that I had a magic wand," Granholm mused.

Many asset managers, banks, and rent-seeking crony capitalists take the magic money being waved at them by the administration very seriously.

*Wall Street Journal* writers Joshua Rauh and Mels de Zeeuw recently observed, "Any government mandate that a large amount of capital must be swiftly retired and replaced creates a tremendous opportunity for financiers, no matter what the underlying reason."

Their point is the government-created artificial demand for renewable energy and electric cars "distorts the efficient allocation of capital and comes at a great cost to economic prosperity."

## EV Truck Startup Rivals GM

The existence of "free" money from government sheds light on why Rivian, an electric truck maker startup that has produced only 156 vehicles, is worth \$120.5 billion, making it the world's fifth-largest automaker based on hypothetical market value. By comparison, GM recorded \$122 billion in revenue and produced 6.8 million vehicles last year.

Rivian's prospectus provides a clue to this monetary marvel, stating, "regulatory requirements and incentives" and future bans on internal combustion engines are a business "tailwind." In short, the company's value is less a reflection of investors' confidence in the company's product than confidence a

government bent on forcing customers to buy electric vehicles (EVs) won't let it fail.

Then there's Tesla, a company whose stock market capitalization just reached \$1.03 trillion—exceeding the next nine largest automakers combined.

## Subsidized EVs Almost Free

Rivian's confidence seems well-placed. Democrats' proposed \$4 trillion spending bill includes a 30 percent business tax credit for EVs, a subsidy that will handsomely benefit Amazon, which has ordered 100,000 Rivian vans.

EV consumers can also pocket a \$7,500 tax credit for pickup trucks, vans and SUVs, plus an additional \$4,500 bonus tax credit for EVs produced in unionized U.S. factories.

The House reconciliation bill would extend the existing \$7,500 EV tax credit through 2031 and remove the 200,000 cars per-manufacturer cap, which both GM and Tesla have hit.

## Critical Rare Earth Shortages

What could go wrong with this guaranteed government gravy train? For one thing, the plans rely on China for essential rare-earth materials and computer chips to make it happen.

China's cooperation is no sure thing. China owns or controls 80 percent of the rare-earth minerals on the planet needed for manufacturing batteries for all those EVs.

Biden announced his administration is considering a 20-year forced delay of new rare-earth mining operations in northern Minnesota. Such a postpone-

**"This big government spending switcheroo from free market capitalism to corporate socialism, or state capitalism, doesn't come cheap."**

**LARRY BELL**  
UNIVERSITY OF HOUSTON



ment will make communist China richer and Americans poorer, exacerbating a dependence that is far greater than any America ever had on oil from the Middle East.

## Supply Chain Problems

China is also an important source of semiconductors, which underpin everything from EVs and mobile phones to artificial intelligence and advanced military weapons. Ninety percent of global chip exports now come from East Asia, primarily from Taiwan (which is under military threat from Beijing), China, South Korea, and Japan.

Pennsylvania Sen. Bob Casey (D) has cosponsored legislation to screen outbound U.S. investments and the offshoring of critical supply chains and tech-industry resources to adversaries such as China and Russia.

"For too long, corporate interests have prioritized their bottom lines without regard to the broader American economy or our national security," Casey said in describing the reasons for his bill.

The same can be said for all post-capitalist economists—government included—who believe free market choices should be replaced by socialist, politically driven edicts.

*Larry Bell (lsbell@centraluh.edu) is an endowed professor of space architecture at the University of Houston, where he founded the Sasakawa International Center for Space Architecture. This is an edited version of an article originally published by Newsmax. Reprinted with permission.*

# ‘The Plastics Paradox,’ or How I Learned to Stop Worrying and Love the Bag

By Tim Benson

Plastic. With the arrival into modern culture of this ingenious product in the middle of the twentieth century, the word soon became a pejorative for things seen as phony, ugly, sterile, or plain unnatural.

To be “plastic” was to be unhip, ersatz, an imitation.

Along with becoming shorthand for the soullessness of modern consumer society, plastic has been denigrated as a unique threat to the Earth, a major bugaboo of the environmental movement.

Today, many people just assume plastic does horrible damage to the planet and its flora and fauna. Governments big and small ban “single-use” plastic bags and straws, supposedly to protect the environment.

Just a couple of years ago, an actor who plays a Marvel superhero was publicly shamed on social media by an actor who plays a DC Comics superhero, for being photographed holding a plastic water bottle in a gym for an advertisement for Amazon. The Marvel superhero actor immediately issued a groveling apology.

## Plastics: Good, Not Bad

Why do so many people hate plastic, and is this hate justified? Is plastic a serious threat to Gaia and all the fish and turtles that inhabit our oceans? Are you a big, dumb, thoughtless ecocidal maniac for taking a swig from a Fiji or Evian bottle while riding your Peloton, which also contains plastic?

In *The Plastics Paradox: Facts for a Brighter Future*, Chris DeArmitt, Ph.D., answers each of these questions with a definitive “no!” In 186 easy-to-read pages, DeArmitt shows plastics are rather remarkable and in fact a giant boon to humankind. The overwhelming available scientific evidence tells us plastic products are better for the environment than the alternatives, DeArmitt notes.

DeArmitt, a plastic materials scientist who has done work for Apple, Disney, HP, iRobot, and Procter & Gamble, among others, cites more than 400 scientific reports and articles in this book to debunk many commonly held misconceptions about plastics and show

*Review of The Plastics Paradox, by Chris DeArmitt (Phantom Plastics, LLC, Terrace Park, Ohio), 2020, 186 pages, ISBN: 978-0-9978499-6-7; \$6.99 on Amazon (Kindle edition)*



**“The public has already formed strong opinions about plastics, but those opinions are based on sensationalist journalism with no scientific basis whatsoever. Plastics have been tried and convicted without evidence ... [but] it turns out that plastics are a force for good.”**

**CHRIS DEARMITT**  
AUTHOR, *THE PLASTICS PARADOX*

the reader “everything you have been told about plastics and the environment is a lie.”

Early in the book, DeArmitt demonstrates just how ubiquitous plastics are in our lives and shows us modern civilization would be unrecognizable without them. Cell phones, clothes, computers, containers, cooking utensils, toys, protective outfits for soldiers and first responders, medical devices, plumbing, wiring for electricity, vehicle parts, construction materials, machine parts—the list is almost endless.

“Without plastic, we would have no electricity, no cell phones, no laptops or computers of any kind, and no internet to use them on,” DeArmitt writes.

## Plastics Are Green

DeArmitt begins his case by noting plastic bags, bottles, and containers are pretty dang green compared to alternatives such as glass, metal, cotton, and paper, because we use far less material and consume far less energy to create them.

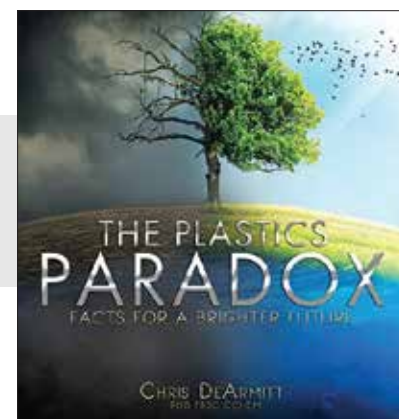
Replacing plastic products with other things would create three to four times as much waste, on average. Plastics account for only 13 percent of all waste, according to the U.S. Environmental Protection Agency, far less than paper or cardboard.

You may have heard horror stories about the “Great Pacific Garbage Patch,” supposedly a giant, floating blob of marine debris that is assumed to be composed of bottles and bags and other plastic detritus from terra firma. Most of the materials are, in fact, discarded fishing nets and other forms of waste from fishing boats, DeArmitt explains.

Although DeArmitt concedes this is still a major problem, he notes the solution is not to keep everybody from using plastic but instead to enact policies and laws that give fishermen incentives to bring their trash with them back to dry land.

## Not Naturally Stable

Most people take it as a self-evident



truth that plastics take around 1,000 years to degrade, but DeArmitt notes this is extremely unlikely, because plastics are rather unstable.

In an experiment where a standard polyethylene bag was left outdoors, it disintegrated into pieces after just nine months. In reality, DeArmitt notes, standard plastics “degrade outdoors in a few years, or even sooner, unless they are stabilized.”

The widespread concern about plastics is a result of rampant misinformation, DeArmitt argues.

“The public has already formed strong opinions about plastics, but those opinions are based on sensationalist journalism with no scientific basis whatsoever,” DeArmitt writes. “Plastics have been tried and convicted without evidence ... [but] it turns out that plastics are a force for good.”

“We can use them to enable our modern lifestyles and to protect the environment at the same time,” DeArmitt writes. “They reduce waste, reduce carbon dioxide emissions, reduce oil consumption and are usually the greenest choice. That’s what the science shows us.”

## Demonstrates Benefits

There is no denying the immeasurable benefit plastics have provided humankind over the 75-plus years since the end of World War II.

It is to DeArmitt’s credit that a book written to be accessible to anyone with a high-school education provides a thorough accounting of those benefits and, in the process, demonstrates just how green plastics really are.

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



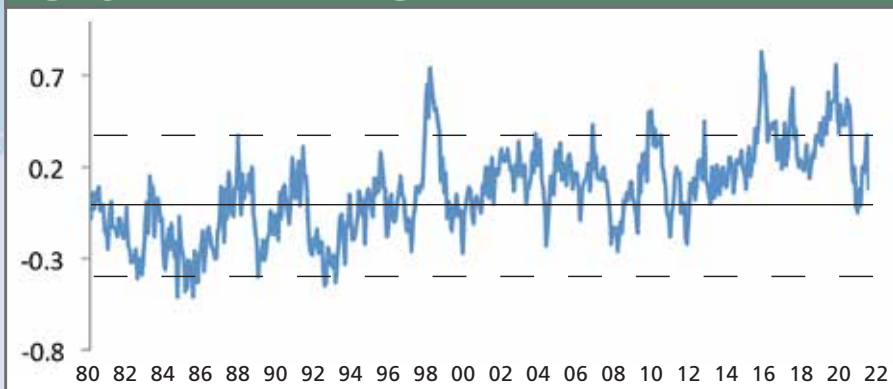
# GLOBAL SATELLITE TEMPERATURES

## HOW MUCH GLOBAL WARMING?

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](http://nsstc.uah.edu/climate). All past data were revised when the methodology was updated in April 2015.

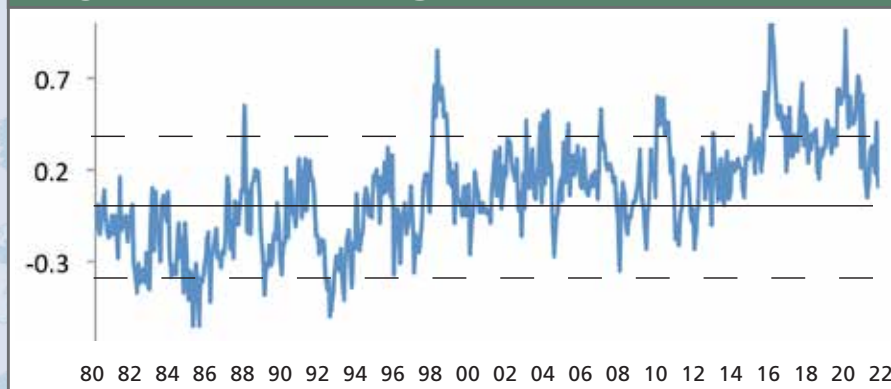
### NOVEMBER 2021

#### GLOBAL AVERAGE



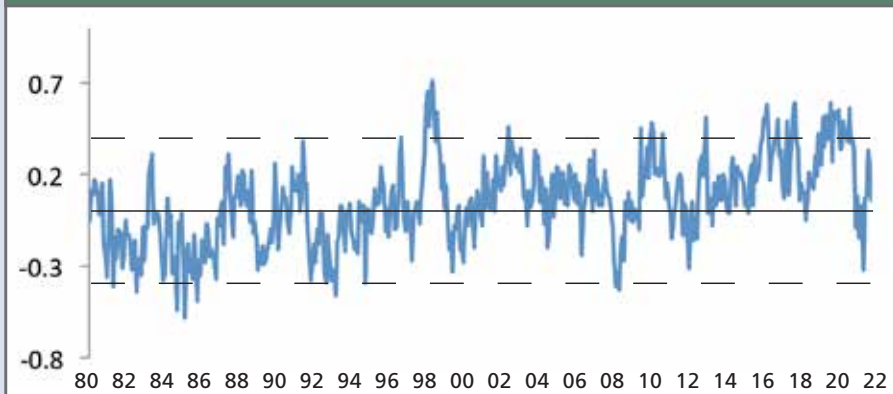
The global average temperature was 0.08°C above average.

#### NORTHERN HEMISPHERE



The Northern Hemisphere's temperature was 0.11°C above average.

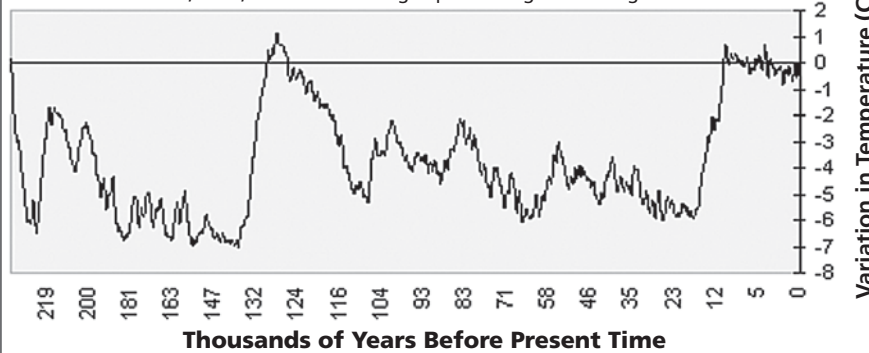
#### SOUTHERN HEMISPHERE



The Southern Hemisphere's temperature was 0.06°C above average.

#### 219,000 years of Temperature Variation

Source: Jouzel et al., 1996, [www.ncdc.noaa.gov/paleo/image/vostok-t.gif](http://www.ncdc.noaa.gov/paleo/image/vostok-t.gif).



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**SAN FRANCISCO, CALIFORNIA**

The zombies mindlessly repeated  
"Save the Planet. Stop Global Warming."



**COPENHAGEN, DENMARK**



**KYOTO, JAPAN**



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