HOT TOPICS

Florida Fracking Ban
Ignoring the fact fracking has been conducted in Florida and around the nation safely for decades, Florida legislators and the governor are pushing bills to ban fracking in the state.

Costly Renewable Scheme
Residents of Georgetown, Texas have seen their electric power costs rise by more than $1,000 per year and the city government has spent $29 million more than budgeted since Georgetown’s mayor committed the city-owned municipal utility to using only wind and solar to generate electricity.

California Wolves
Farmers and ranchers in California say their livelihoods are threatened by a decision to list the gray wolf as an endangered species.

MONTHLY UPDATE
NASA SATELLITE GLOBAL TEMPERATURE READINGS

U.S. EPA Touts 2018 Pollution Improvements, Superfund Successes, Regulatory Cost Savings

By Linnea Lueken

U.S. Environmental Protection Agency (EPA) efforts to streamline and reduce regulatory burdens have saved businesses and consumers billions of dollars while continuing to protect public health and safety and improving environmental outcomes, the agency states in its 2018 “Year in Review” report highlighting the EPA’s accomplishments for the year.

Saving Money, Environment
During Donald Trump’s presidency so far, EPA has finalized 33 major deregulatory actions, 13 in 2018 alone, reducing regulatory costs by billions of dollars without compromising public health and safety.

Savings:
- $23.3 billion in regulatory costs
- 27 regulatory actions
- $11 billion in savings

Illinois Joins U.S. Climate Alliance, Pledges to Cut Carbon Dioxide Emissions

By Chris Talgo
Following through on his campaign pledge to set Illinois on a path to 100 percent “clean, renewable energy,” newly elected Gov. J. B. Pritzker signed an executive order committing his state to join 17 others in the United States Climate Alliance (USCA).

Nation Leaves Paris, States Join
The forming of the USCA was a reaction to President Donald Trump’s announcement the United States would withdraw from the December 2015 Paris climate agreement because the restrictions would hurt America’s economy without improving the environment.


CLIMATE ALLIANCE, P. 6
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REPRESENTATIVE ISAAC LATTERELL
SOUTH DAKOTA
Connecticut Bill Would Mandate Teaching Children About Climate Change

By Arianna Wilkerson

A bill introduced in the Connecticut legislature would mandate climate change be taught to young children in government schools statewide.

State Rep. Christine Palm (D-Chester) introduced House Bill 5011, “An Act Concerning the Teaching of Climate Change in Public Schools,” in January. H.B. 5011 would make Connecticut the first state in the nation to require the teaching of climate change in government schools beginning in elementary school.

A similar Senate bill that would have mandated the teaching of climate change failed to pass the state legislature, in 2018.

Climate Education Now

Connecticut is one of 19 states and Washington, DC that have adopted the Next Generation Science Standards (NGSS) developed by the National Research Council, the National Science Teachers Association, and the American Association for the Advancement of Science in cooperation with 26 state education agencies. Released in 2013, NGSS introduces global climate change as a core topic in Earth and space science classes beginning in middle school, although the specifics of the curriculum and its instruction are left up to individual districts.

In 2018, Connecticut enacted a law reinforcing NGSS which allowed, but did not require, teaching climate change in government schools.

Palm says current law and education standards do not go far enough and the state should require schools to teach climate education at an earlier age.

“A lot of schools make the study of climate change an elective, and I don’t believe it should be an elective,” Palm told the Associated Press upon introducing the bill. “I think it should be mandatory, and I think it should be early so there’s no excuse for kids to grow up ignorant of what’s at stake.”

‘Wading Clumsily Into Details’

Legislators should not be directing classroom science education, says Scott Shepard, director of public policy and research at the Yankee Institute for Public Policy.

“Legislators are neither educators nor scientists,” said Shepard. “They should not be wading clumsily into details of curricular development in the service of fashionable political posturing.

“Neither is the Connecticut legislature the sort of supple, responsible body that can be trusted to revise its sentiments and instructions to follow scientific advances,” Shepard said. “Had a similar bill been passed in 1975, today’s Connecticut schoolchildren would no doubt be forced to listen in science class to harangues about imminent global cooling.”

Legislative Countermeasure

Not everyone in Connecticut’s General Assembly is on board with schools being forced to teach climate change. State Rep. John Piscespo (R-Thomas) has introduced a bill to eliminate climate change materials from NGSS.

“Rather than mandating increased climate indoctrination, we should be repealing the law Connecticut already adopted allowing the unbalanced teaching of global warming in our schools,” Piscespo said. “The climate change curriculum pushed in these laws assumes global warming is caused by humans and the results will be disastrous. However, copious research throws doubt on both those points.

“The public has been hoodwinked concerning the causes and consequences of climate change,” Piscespo said. “The science is not settled, and the legislature should not force schools to teach it. Our children deserve better.”

Arianna Wilkerson (awilkerson@heartland.org) is a state government relations manager at The Heartland Institute.
U.S. EPA Touts 2018 Pollution Improvements, Superfund Successes, Regulatory Cost Savings

Continued from page 1

EPA Year in Review 2018 reports. These regulatory reforms have saved American businesses and consumers approximately $2 billion so far, EPA reports.

Air quality has continued to improve under Trump, and the agency has cleaned up the largest number of Superfund sites—locations contaminated with hazardous materials regulated under the 1980 Comprehensive Environmental Response, Compensation, and Liability Act—in more than a decade, states EPA’s report, released in January 2019. Removing these sites from the Superfund list allows them to be redeveloped and put back into productive use.

“Over the past year, the Trump Administration has continued to deliver on its promises to the American public,” Andrew Wheeler, EPA’s acting administrator, writes in his introduction to the report. “Not only are the economic prospects of Americans brighter and improving by the day, but so are environmental and public health conditions.

“Under President Trump, America is on a path to a stronger, safer, and cleaner future,” Wheeler writes. “Over the past year, we finalized 13 major deregulatory actions, deleted all or part of 22 sites from Superfund’s National Priorities List—the largest number of deletions in one year since [Fiscal Year] 2005—and continued to safeguard our nation’s water supply as well as make historic improvements in air quality.”

Improving Agency Science

EPA took several steps to improve the science the agency uses to determine when public health and safety are at risk from industrial activities, to clarify which waters fall under federal jurisdiction and which are appropriately regulated by states. The goal of EPA’s new WOTUS rule is to protect water quality while providing certainty to farmers, landowners, and states regarding which actions require federal approval and which do not.

Listening to Skeptical Scientists

Under Trump, EPA has diversified the type of experts serving on its advisory committees, to expand the range of knowledge and experience brought to bear on clean air, clean water, and climate concerns, says Marlo Lewis, a senior fellow at the Competitive Enterprise Institute and a policy advisor to The Heartland Institute, which publishes Environment & Climate News.

“EPA instituted a major overhaul of its advisory committees, improving the independence, regional breadth, and viewpoint diversity of the experts who advise the agency on the science used in rulemakings,” Lewis said. “For example, EPA appointed University of Alabama in Huntsville atmospheric scientist Dr. John Christy, a noted climate skeptic, to serve on the agency’s Science Advisory Board.

“In 2019, EPA will finalize its Clean Power Plan repeal proposal,” said Lewis. “That will officially end the Obama-era EPA’s economically destructive war on fossil fuels and deter future attempts to inflate the agency into a national energy czar.”

Ensuring Safer Vehicles

Teaming up with the U.S. Department of Transportation, the EPA is moving to enact the proposed Safer Affordable Fuel-Efficient (SAFE) Vehicles rule. EPA says the SAFE rule should make cars more affordable while continuing to improve their safety and reduce emissions. EPA estimates SAFE will reduce the average ownership cost for new vehicles by approximately $2,340 per vehicle and lower overall regulatory costs to the economy by approximately $252.6 billion through 2029.

Lewis says the SAFE rule will save people’s lives as well as money.

“SAFE will roll back the Obama administration’s motor vehicle greenhouse gas and fuel economy standards, avoiding hundreds of billions of dollars in compliance costs and thousands of traffic-related fatalities,” said Lewis. “In addition, SAFE will end California’s unlawful power to regulate fuel economy, increasing the likelihood in future administrations EPA and DOT appropriately consider the detrimental effects fuel economy mandates have on vehicle affordability and occupant safety.”

‘The Right Direction’

By reducing economic costs while continuing to improve environmental quality, EPA’s successful regulatory reform efforts under Andrew Wheeler show the United States can have the best of both worlds—economic prosperity and a clean environment—says Nick Loris, a research fellow at The Heritage Foundation and a policy advisor to The Heartland Institute.

“Under Acting Administrator Wheeler’s leadership, the Environmental Protection Agency has shown that economic growth and environmental protection are not mutually exclusive,” said Loris.

“It’s encouraging to see a commonsense approach that respects the role and rights of states and people in protecting the environment.

“Amending and eliminating heavy-handed regulations the previous administration had enacted that imposed high costs to households and businesses, restricted choice, and were devoid of any meaningful environmental benefit is taking America in the right direction,” Loris said.

Linnea Lueken (linnea.heartland@gmail.com) writes from South Carolina.
Virginia House of Delegates Overwhelmingly Rejects Electric Power Fossil Fuel Ban

By H. Sterling Burnett

The Virginia House of Delegates rejected a bill to end the use of fossil fuels to generate electricity in the state by 2036.

H.B. 1635 would have barred state agencies from issuing permits for electric power generating facilities using fossil fuels, such as coal or natural gas, and for the construction of pipelines, refineries, and other facilities associated with fossil fuels, effective January 1, 2021. The proposed bill would also have mandated all the electricity provided by public utilities in the state come from renewable energy sources by 2036.

The bill passed the Commerce and Labor Committee on January 23, by a narrow vote of nine in favor of the bill and seven opposed. It was rejected overwhelmingly by the full House of Delegates on January 31, when 86 delegates voted nay on the bill and only 12 voted to approve it.

‘Impossible’ Phase-Out

Completely ending the use of fossil fuels with current technologies is out of the question because wind and solar power are intermittent, says Tim Benson, a policy analyst with The Heartland Institute, which publishes Environment & Climate News.

“Good riddance to a bad policy,” said Benson. “There is no realistic way renewable power sources like wind and solar could have scaled up in the time allotted under the bill to replace fossil fuel generated electricity, and their intermittency means it is impossible to completely phase out the use of fossil fuels to generate electricity to begin with.”

Benson says the oil and natural gas industries are vital to Virginia’s economy.

“The oil and natural gas industries support approximately 125,000 jobs, produce more than $6.9 billion in labor income, and account for $11.97 billion in economic impact in Virginia,” Benson said. “It’s a good thing Virginia lawmakers refrained from unnecessarily restricting these two vital industries, which are safe and inexpensive and positively impact the Old Dominion state’s robust economy.”

‘Back to the Stone Age’

To avert power shortages, markets, not government, should decide Virginia’s energy mix, says Lynn Taylor, president of the Virginia Institute for Public Policy.

“Any time the government prohibits the use of one product and mandates the use of a substitute, the American people should shudder and race to the ballot box,” Taylor said. “Mandating renewable energy sources, and only these sources, be used, as H.B. 1635 did, would take Virginia back to the Stone Age.

“We would spend most of our time deciding how to maneuver between the inevitable brownouts and blackouts,” said Taylor. “Renewable energy sources should be given the opportunity to compete in the marketplace alongside fossil fuels, with the market, not the government, deciding which energy sources work best for Virginians.”

Ending Fossil Fuels ‘Irresponsible’

Fossil fuels have made America’s economy the envy of the world, says Michael W. Thompson, president of the Thomas Jefferson Institute for Public Policy.

“Wishing for ‘green energy’ to power our economy and light our homes is a dream at this point, since wind and solar energy have not proven to be effective, cost-efficient alternatives to clean coal, natural gas, and oil,” Thompson said. “To a large degree, our economy is the strongest in the world today because of our low-cost sources of energy, which is due to the abundance of fossil fuels.

“For green energy to replace fossil fuels in the future, power production from these sources needs to become much more cost-effective than they are today, and government subsidies for wind and solar should end. To dictate a date for fossil fuels to be banned is irresponsible to the future of mankind.”

Ignoring Nuclear Power

Thompson says green energy promoters also ignore the benefits nuclear power provides to the nation.

“The one non-fossil-fuel source of electricity never discussed by the green energy advocates is nuclear power, yet, it is a proven, cost-effective and clean energy power source,” Thompson said.

“As long as the ‘green power advocates’ refuse to recognize nuclear power, their credibility cannot be taken seriously.”

H. Sterling Burnett, Ph.D. (hshurnett@heartland.org) is a senior fellow at The Heartland Institute.
Continued from page 1

States] at a permanent disadvantage,” said Trump at a press event announcing his decision, held in the White House Rose Garden on June 1, 2017.

USCA members pledge to implement policies advancing the goals of the Paris climate agreement, in part by reducing greenhouse gas emissions by at least 26 to 28 percent below 2005 levels by 2025. USCA members are also required to “[a]ccelerate new and existing policies to reduce carbon [dioxide emissions] and promote clean energy deployment at the state and federal level.”

“We know that climate change is real … and we know we must act,” Pritzker, a Democrat, said at a news conference announcing his decision to have Illinois join USCA. “We’re already experiencing the damaging effects of climate change, and the challenges we face require immediate action, and that’s what we’re doing today.”

Two other recently elected Midwest Democrat governors, Michigan’s Gretchen Whitmer and Wisconsin’s Tony Evers, have also put their states in the USCA since the 2018 election.

Higher Costs, Less Competitive
Pritzker’s decision to join USCA will hurt Illinois residents, businesses, and farmers, says James Taylor, a senior fellow at The Heartland Institute, which publishes Environmental & Climate News.

“Electricity costs are a significant item in monthly household budgets, plus energy is a key component in the price of producing and purchasing every product sold in our economy,” Taylor said. “Further restricting affordable energy and Illinois carbon dioxide emissions would make Illinois even more economically uncompetitive with other states.

“Just as importantly, a warming climate has provided tremendous benefits to Illinois farmers and the Illinois economy,” said Taylor. “Illinois farmers set new records for crop yields nearly every year as growing seasons have lengthened, frost events occur less frequently, and precipitation is more abundant.”

‘Expensive Green Folly’
Restricting carbon dioxide emissions in Illinois will not affect climate change, so Pritzker’s decision to join USCA is nothing more than environmental posturing, Taylor says.

“J. B. Pritzker may curry favor with the radical environmental Left by imposing new restrictions on Illinois energy and carbon dioxide emissions, but he is selling out Illinois businesses, consumers, and farmers by doing so,” Taylor said. “Illinois’ economy has no measurable impact on global carbon dioxide emissions or temperatures.

“Raising the cost of living Illinois families face by forcing a reduction of carbon dioxide emissions, a goal that will have no measurable impact on global temperature, is expensive green folly,” said Taylor. “Pritzker is showboating at the expense of the hardworking people of Illinois.”

Sacrifices ‘for Naught’
The actions taken by Illinois and other states in the USCA will have a negligible effect on global carbon dioxide levels, says Tom Harris, executive director at the International Climate Science Coalition.

“Gov. Pritzker seems to not know that the actions of Illinois, or even the whole country, will have virtually no impact on global climate, no matter what some scientists claim,” said Harris. “This is because China, now the world’s largest carbon dioxide emitter, and other developing nations with steeply growing emissions, have an opt-out clause in the U.N. Framework Convention on Climate Change (UNFCCC), the document upon which the Paris Climate Agreement is based.

“The UNFCCC allows developing nations, such as China and India, to not participate in the Paris accord, with Article 4 in the UNFCCC stating, ‘Economic and social development and poverty eradication are the first and overriding priorities of the developing country Parties,’” Harris said. “This stipulation, really an exemption from carbon dioxide emission restrictions, does not apply to developed nations like the United States.”

As a result, Harris says, Illinoisans’ sacrifices will be in vain.

“The last thing China will do is get rid of coal, their primary source for electric power, even though coal combustion is a major source of carbon dioxide emissions,” said Harris. “The soaring electricity prices Illinoisans will soon pay because of Pritzker’s climate agenda will be for naught.”

Darkness on the Horizon
Pritzker’s decision to force a drastic reduction of Illinois’ carbon dioxide emissions will require restricting fossil fuel use, which, because of the state’s climate, will leave people without electricity seasonally, says David Wojick, a senior policy analyst with the Committee for a Constructive Tomorrow.

“Illinois is setting itself up for blackouts and brownouts,” said Wojick. “The governor’s plan completely ignores the fact the state’s climate features hot summers and extremely cold winters.

“That is when demand for power is at its peak, and is when intermittent wind and solar power fail to produce an adequate amount of electricity, showing the absolute superiority of fossil fuels to generate reliable power,” Wojick said. “As is the case with New York’s recently unveiled state Green New Deal, the plan ignores the enormous cost of backup battery storage required to fill the gap. Both plans are recipes for disaster.”

Chris Talgo (ctalgo@heartland.org) is an editor at The Heartland Institute.
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MARK LEE GARDNER
AND REX RIDEOUT

ROBBERS, RUSTLERS AND ROGUES:
WILD WEST OUTLAWS IN STORY AND SONG

“WILD CAT BANKING, GOLD FEVER, AND BANK ROBBERIES IN THE OLD WEST”

EAST VS WEST

Who’s Winning?

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Legislature, Governor Push Florida Fracking Ban

By Tim Benson

Companion bills to ban hydraulic fracturing, also known as fracking, are under consideration in the Florida Legislature.

Senate Bill 146 was filed by state Sen. Linda Stewart (D-Orlando), and House Bill 239 was filed by Rep. Heath-
er Fitzenhagen (R-Fort Myers).

Those opposing fracking in Florida cite concerns the process could contami-
nate the Everglades National Park or groundwater in the Floridan or Bis-
cayne aquifers, which provide drinking water to most of the state’s population.

Newly elected Gov. Ron DeSantis, a Republican, supports efforts to ban
fracking. Shortly after he took office, DeSantis signed an executive order
directing the state’s Department of Environmental Protection and other agencies to “take necessary actions to
dadamantly oppose all offshore oil and gas activities off every coast in Florida and hydraulic fracturing in Florida.”

History of Safety

Fracking, although not currently being conducted in Florida, has been used safely in the past in the state.

“Over 1,000 permitted wells have been drilled [in Florida] since 1943,” a state Department of Environmental Protec-
tion report states. “During this time-
frame, the petroleum industry has safely
produced 611 million barrels of crude oil and 689 billion cubic feet of natural gas.

“There have been no major accidents, spills, or blowouts in Florida’s history,”
the Department of Environmental Pro-
tection reports.

The U.S. Energy Information Admin-
istration reports more than 1.92 million
barrels of crude oil were extracted in the state in 2017, along with 14.87 bil-
lion cubic feet of natural gas, with no significant spills or harm.

Fracking Safe, Research Says

Since 2010, more than two-dozen peer-
reviewed scientific studies and assess-
ments have indicated fracking poses no systemic threat to groundwater sources.

A 2016 U.S. Environmental Protec-
tion Agency (EPA) study confirmed these findings. EPA’s $29 million, six-year
study of the effects of fracking on ground-
water examined 110,000 fracked oil and
natural gas wells in use across the coun-
try since 2011. The study found fracking poses no credible threat to water quality.

‘Environmentally Meaningless’

A fracking ban would hurt Florida’s economy while doing nothing to pro-
tect the environment, says Isaac Orr, a policy fellow with the Center of the American Experiment.

“Gov. DeSantis’ executive order and
the proposed bills to ban fracking are envi-
ronmentally meaningless and econ-
omically punitive,” Orr said. “Hydrau-
lic fracturing is a proven, safe technology that has unleashed a wave of abundant, affordable energy and has done so in an environmentally responsible manner.

“Natural gas accounts for 70 percent of the electricity used in Florida, and
fracking is responsible for two-thirds of the natural gas produced in the United States,” Orr said. “Banning fracking is foolhardy.”

Fracking presents no threat to surface
water, because it takes place thousands of feet beneath the ground, says Tom
Harris, executive director of the Inter-
national Climate Science Coalition.

“What the general public fails to understand is optimal fracking is carried out at great depths,” Harris said. “Oper-
ating at least 3,000 feet beneath the surface, fracking creates small cracks, just a few feet in length, in the shale, allowing oil and natural gas to flow more readily but posing no risk uncaptured oil and gas can seep into surface waters.”

Timothy Benson is a policy analyst with The Heartland Institute.
Offshore Drilling Ban Rejected by Virginia Senate

By Kenneth Artz

A Virginia Senate committee voted down a bill to ban oil and gas production off the state’s coast.

Virginia’s Senate Committee on Agriculture, Conservation, and Natural Resources rejected S.B. 1573, sponsored by state Sen. Bill DeSteph (R-Virginia Beach), which would have prohibited granting of permits for oil and gas exploration in any coastal waters of the Commonwealth.

The bill, rejected in January, would also have repealed part of the Code of Virginia encouraging federal efforts for natural gas exploration up to 50 miles offshore. Current law allows for oil and gas leases on bottomlands within three miles of the shore, which the federal government recognizes as belonging to Virginia.

Representatives of Virginia’s tourism industry supported DeSteph’s bill, arguing oil and gas rigs are unsightly and an oil spill could harm tourism by polluting the state’s waters.

Coalition for Drilling

Explore Offshore for Virginia (EOV), a coalition of more than 50 Virginia-based businesses, former legislators, and chambers of commerce, supports opening up new areas of the Atlantic Ocean to energy exploration, saying such development would boost Virginia’s economy.

“[The] Explore Offshore coalition [write] to express our support for offshore natural gas and oil development in the Atlantic Outer Continental Shelf,” EOV wrote in a letter to David Bernhardt, acting secretary of the U.S. Department of Interior. “Opening offshore federal waters to energy development presents a unique opportunity for Virginia to boost the state economy, create new well-paying jobs, and create new revenue sources for important issues such as state infrastructure and public schools.”

Offshore oil and gas production could create jobs in Virginia while helping to ensure America’s energy dominance continues, says Miles Morin, executive director of the Virginia Petroleum Council.

“Opening up the new areas in the Gulf of Mexico and the Atlantic [Outer Continental Shelf] to energy exploration and development would help ensure the nation’s continued energy leadership, strengthen the economy, and create job security for generations to come,” Morin said. “Attempts to ban this type of opportunity for job creation and economic growth without so much as seeking to allow scientific surveys to verify the resources available off our coast are irresponsible.”

‘Nothing to Fear’

Because oil and gas production can be conducted safely, Virginians can benefit from both clean beaches and oil and gas revenues, says Timothy Benson, a policy analyst at The Heartland Institute, which publishes Environment & Climate News.

“There is no mutual exclusivity between energy exploration and development and ocean and beach protection,” said Benson. “Although no industry is 100 percent free from risk, Virginians, who are naturally protective of their beaches, and residents on the coast, really have nothing to fear from offshore oil and gas exploration, which produces millions of barrels of oil and billions of cubic feet of natural gas offshore safely each year.

“Lower natural gas prices due to increased oil and gas development over the last decade have resulted in almost $11 billion in savings for residential, commercial, and industrial consumers in the Virginia,” Benson said. “Drilling offshore could save Virginians even more money.”

Understanding Before Acting

Before Virginia considers any further proposals to ban offshore energy production, the state should conduct a thorough assessment of the potential benefits and costs of such an action, says Michael Thompson, president of the Thomas Jefferson Institute for Public Policy.

“There are two separate, key issues that should be determined before this bill comes back up before the General Assembly, which it undoubtedly will after our legislative elections this fall,” Thompson said. “The first is what oil and natural gas resources are sitting off Virginia’s coast. The second issue is should those resources be developed, and can this be done in an environmentally friendly way?”

Unknown Costs

A ban on oil and gas production in Virginia’s coastal waters would impose unknown costs on the state’s economy but would not stop production, says Caleb Taylor, director of policy at the Virginia Institute for Public Policy.

“All of the major oil companies would still be drilling, and it wouldn’t affect them in the slightest, because Virginia has no jurisdiction beyond three miles, where the vast majority of oil rigs are,” said Taylor. “If this bill had passed, the cost to Virginia businesses would be high, but it would also be difficult to determine, because it is hard to know what opportunities would be lost over the coming decades, what businesses will want to do and where, and because we don’t know what kind of advances will develop in the technology used to extract and gas beneath the oceans.

“Because we don’t know the actual costs or revenues, and the change in costs and revenues over the next five to 25 years that would result if a ban on drilling in state waters is enacted, there’s no way to determine how much money and productivity would be lost to Virginia businesses,” Taylor said. “All we can say with some certainty is there will be productivity lost and nothing will be in its place to make up for it.”

Environmentalists are hypocritical about offshore energy production, says Taylor.

“SB 1573 is kind of a funny bill,” Taylor said. “It says we don’t want you to drill for oil and gas in the ocean because it could harm the environment, but it would not restrict erecting giant wind turbines out there, which would kill hundreds if not thousands of birds and be much more visible from Virginia’s coast.”

Kenneth Artz (kennethcharlesartz@gmx.com) writes from Dallas, Texas.
Xcel Energy Commits to Zero Carbon Dioxide Emission Electricity by 2050

By Bonner R. Cohen

Xcel Energy, one of the nation’s largest investor-owned utilities, has committed to producing 100 percent carbon-dioxide-free electricity in its eight-state Western and Midwestern service area by 2050.

Xcel’s commitment arrives in the wake of its 2018 announcement it would shutter two coal-fired power plants in Colorado and replace them with a $2.5 billion investment in renewable energy and battery storage. The move was approved by Colorado regulators in August.

Xcel’s latest plans, unveiled on December 4, 2018, call for a two-phase approach to decarbonization. The utility vows to reduce its carbon dioxide emissions by 80 percent by 2030 and cut the remaining 20 percent of carbon dioxide emissions from its power plants by 2050.

Xcel is the first U.S. power company to commit to reduce net carbon dioxide emissions to zero by a date certain.

Keeping Some Options Open

Instead of committing to using 100 percent renewable energy by 2050 to achieve its carbon dioxide emission reduction pledge, Xcel is leaving the door open to using nuclear power and incorporating carbon-capture technology if it should prove cost and operationally effective in the future.

Although Xcel may be moving away from coal-fueled electricity production, it is not turning its back on the use of natural gas. In November, Xcel said it would purchase the Mankato Energy Center in Minnesota from Southern Power, a subsidiary of the Southern Co. The $650 million deal would make Xcel the owner of a gas-powered plant from which it previously purchased electricity. Once a new unit at the plant goes online later this year, the Mankato facility will have a capacity of 760 megawatts (MW).

In addition, Xcel is planning to build an $800 million, 786 MW gas-powered plant in Becker, Minnesota. Together, the Mankato purchase and the Becker natural gas unit will replace two coal-fired units at Xcel’s existing 1,360 MW facility in Becker, which is slated to close by 2026.

‘Signal Their Virtue’

Xcel is trying to score points with environmentalists and the public at large by embracing emission-free electricity even though the company’s managers know they will still be using fossil fuels and emitting carbon dioxide in the future, says Jay Lehr, science director at The Heartland Institute, which publishes Environment & Climate News.

“One has to assume the folks who manage Xcel Energy are not stupid and therefore know their claims to emit virtually no carbon dioxide emissions in barely more than a decade cannot be achieved,” Lehr said. “Xcel’s main purpose in promoting the idea their electric power units will emit no carbon dioxide in the near future is to signal their virtue to green groups who claim we can run the world on wind and solar power, which is a complete physical impossibility.

“Xcel will win accolades for its greeniness, and rake in some money from stock buyers, ratepayers, and likely from taxpayers, only to quietly admit failure down the road,” said Lehr.

Burden on Ratepayers

Electric power users will suffer if Xcel proceeds with its carbon-dioxide-free electric power plan, says Craig Rucker, president of the Committee for a Constructive Tomorrow (CFACT).

“The real losers in Xcel’s scheme will be the company’s millions of customers and ratepayers, who will see their power bills rise while being subjected to increasingly inevitable brownouts and blackouts resulting from the company’s growing use of intermittent wind and solar energy and its closure of reliable, relatively inexpensive fossil fuel power plants.”

CRAIG RUCKER
PRESIDENT
COMMITTEE FOR A CONSTRUCTIVE TOMORROW

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“The real losers in Xcel’s scheme will be the company’s millions of customers and ratepayers, who will see their power bills rise while being subjected to increasingly inevitable brownouts and blackouts resulting from the company’s growing use of intermittent wind and solar energy and its closure of reliable, relatively inexpensive fossil fuel power plants.”

Craig Rucker
President
Committee for a Constructive Tomorrow

Bonner R. Cohen, Ph.D. (bcunken@nationalcenter.org) is a senior fellow at the National Center for Public Policy Research and a senior policy analyst with CFAC.
Texas City’s Renewable Energy Goal Hikes Electricity Prices

By Bonner R. Cohen

Georgetown, Texas’ plan to rely on 100 percent wind and solar power has resulted in skyrocketing electricity bills for consumers and the city’s budget suffering millions of dollars in losses in a few short years.

Electric power in Georgetown, a city of 71,000 residents, is supplied by a city-owned municipal utility. Under Texas’s electric power deregulation law, cities with municipal utilities are allowed to keep electric power companies out of their service area as long as they chose not to enter the competitive retail electric market.

Activists Praised Renewable Push

In 2012, Dale Ross, then a city councilman, successfully pushed Georgetown’s municipal utility to switch to 100 percent wind and solar power.

In a segment of former Vice President Al Gore’s movie An Inconvenient Sequel (2017), Ross told Gore the move to renewable power was not driven primarily by environmental concerns but instead by his responsibility to save his constituents money.

“I’m a conservative Republican, but our duty to our ratepayers is to provide them with the lowest possible utility costs,” Ross told Gore.

In addition to praise from Gore in the film, Ross’s action garnered him glowing worldwide media attention as a visionary municipal leader, including speaking invitations at numerous renewable energy conferences.

Ross, who became mayor of Georgetown in 2014, cemented the city’s move to 100 percent renewable electricity in 2016, signing 20- and 25-year agreements with wind and solar developers to provide all the city’s electric power.

Bill Comes Due

The cost savings Ross promised to Georgetown ratepayers and taxpayers have failed to materialize.

Even before Ross signed the long-term contracts with wind and solar power companies in 2016, residents had already begun to pay higher prices for their electricity than before the switch from fossil fuels to renewables.

Georgetown residents’ power bills have risen by $1,219 per household per year on average above what they paid in 2014, when Ross became mayor.

The city government suffers from higher energy costs as well. At $6.3 million, the city’s electricity costs were $3.5 million over budget in 2015, the year before Ross locked the municipal utility into the long-term contracts with wind and solar power producers. In 2017, the second year after Ross signed the long-term renewable power contracts, Georgetown’s electricity cost the city $9.5 million more than it had budgeted, rising to $10.5 million more than anticipated in 2018.

In total, Georgetown’s energy costs were $29.8 million higher than the city budgeted for between 2015 and 2018, leaving the city scrambling to bridge a budget gap.

Paying a High Price

In contrast to the higher prices Georgetown’s residents and government are paying for electricity, people in most of the state have seen their electric power costs decrease over the past decade under Texas’s electric power restructuring which has allowed electric power providers to compete based on power sources and price.

In Texas, the continued availability of cheap and abundant natural gas, due in large part to fracking, has meant wind and solar power, even with substantial government subsidies, are often more expensive than electricity generated by coal and natural gas. Electricity prices in Texas are among the lowest in the nation, 18 percent below the national average in 2018, but cities with uncompetitive municipal utilities haven’t benefited as much from lower prices.

Because wind and solar power are intermittent, Georgetown had to commit to buying more electricity from wind and solar generators than it could actually use on peak days or on days with low demand, in order to satisfy its claim to be run on 100 percent renewable power throughout the year.

This resulted in Georgetown being forced to sell the city’s surplus wind and solar power at a steep discount to Texas’ wholesale energy market during peak times.

In addition, despite the city’s claim to be using 100 percent renewable power, the intermittent nature of wind and solar power requires the city to draw electricity from the Texas grid, which derives most of its power from traditional fossil fuels. As a result, in less than peak periods of renewable power generation and demand, the city often does not use electricity from 100 percent renewable sources.

Green Lessons

Georgetown’s experience in committing to 100 percent renewable energy has lessons for the entire country about the viability of the Green New Deal proposed by progressive Democrats in Washington, DC says Bill Peacock, vice president for research at the Texas Public Policy Foundation.

“While the city claims its problems are not related to its obsession with renewable energy, the exact opposite is the case. Georgetown consumers and taxpayers would not be out almost $30 million if the city had not been chasing this goal.”

BILL PEACOCK
VICE PRESIDENT FOR RESEARCH
TEXAS PUBLIC POLICY FOUNDATION

“Our experience is the result of politicians following the self-serving advice of green lobbyists, says John Droz, a physicist and founder of Alliance for Wise Energy Decisions.

“This is exactly the type of situation guaranteed to happen when we go down a green fantasy technical road paved by the promises of lobbyists for the wind and solar industry,” Droz said.

Bonner R. Cohen, Ph.D. (bcohen@nationalcenter.org) is a senior fellow at the National Center for Public Policy Research and a senior policy analyst with the Committee for a Constructive Tomorrow.
Bill Would Place 400,000 Acres of Colorado Off-Limits to Energy Production

By Kenneth Artz

A bill under consideration in Congress would re-designate more than 400,000 acres of existing federal land in Colorado in ways that would limit access, mining, and oil and gas production.

The Colorado Outdoor Recreation & Economy (CORE) Act would designate 73,000 acres of new wilderness areas, precluding motorized access; prohibit mining on thousands of acres of federal land where it is currently allowed; and prohibit oil and gas development on more than 200,000 federal acres where it is now legal, among other provisions.

Sponsored by U.S. Sen. Michael Bennet (D-CO) and U.S. Rep. Joe Neguse (D-CO) and announced in January, the CORE Act combines four bills previously introduced over the past 10 years: the Continental Divide Recreation, Wilderness and Camp Hale Legacy Act; the San Juan Mountains Wilderness Act; the Thompson Divide Withdrawal and Protection Act; and the Curecanti National Recreation Area Boundary Establishment Act.

For ‘Patagonia-Wearing … Elites’?
This legislation is driven by out-of-state interests, not the desires of most Coloradans, says Amy Oliver Cooke, executive vice president of the Independence Institute.


“Designating thousands of acres off-limits for any future energy development will drive up the cost of energy and says to the men and women in the energy industry in Colorado, ‘We don’t trust you to be good stewards.’

“Who do they trust?” Cooke asks, answering, “the handful of Patagonia-wearing, able-bodied elites who can afford the trek into areas off-limits for so many others.”

Cooke says CORE is part of Bennet’s effort to burnish his environmental credentials in anticipation of a 2020 presidential bid.

“Sen. Bennet is playing to his unreasonable environmental base ahead of his 2020 presidential run,” said Cooke.

Development and Ecology
The history of the Thompson Divide shows people can extract oil and gas while protecting the environment, says Kathleen Sgamma, president of the Western Energy Alliance.

“There is historical oil and natural gas development in the Thompson Divide area dating back to 1947,” said Sgamma. “The fact that development coexisted with stunning landscapes considered pristine enough for wilderness designation is further proof closing areas to oil and natural gas development is unnecessary.

“Sen. Bennet buys into a false choice from the environmental lobby between developing the energy that all Americans own or protecting the land, when the reality is we don’t need to cut off economic opportunity and jobs to protect the land,” Sgamma said. “We can have both.”

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

Alaska’s Donlin Gold Project Receives Crucial Permits

By Duggan Flanakin

The Donlin Gold project, a joint venture of Novagold Resources Alaska Inc. and Barrick Gold US Inc., is closer to becoming a reality with the state of Alaska having issued two critical permits.

The proposed mine, which is estimated to hold 39 million ounces of gold, is in the Yukon Kuskokwim region of Alaska, 280 miles west of Anchorage. The mine is expected to have an operational life of at least 27 years.

Waste Treatment, Site Recovery
The Alaska Department of Environmental Conservation approved Donlin’s waste management permit detailing how solid, liquid, and hazardous waste from mining operations will be handled. In addition, Alaska’s Department of Natural Resources (DNR) approved the mine’s reclamation permit specifying the steps its owners must take to restore the site after the mine closes.

As a requirement of its permits, Donlin guarantees to reclaim and provide long-term care and maintenance of the mine site, including water management and treatment. Donlin’s owners will also provide a $322 million bond to cover site reclamation and water management and treatment.

Unique Wetland Agreement
Donlin’s principals also agreed to protect wetlands owned by the Alaska Mental Health Trust Authority in the Cook Inlet area, to satisfy a requirement the companies offset the acreage the mine would occupy. The proposed mine would disturb about 2,800 acres of southwest Alaska wetlands, and the agreement would provide offsets for about 2,000 acres.

The wetlands agreement, according to Alaska’s Energy Desk, is the first of its kind for the Health Trust Authority and requires Donlin Gold to pay $200,000 to the trust, plus additional payments each year for 10 years while the companies decide whether to proceed. Once operations begin, Donlin Gold will pay another $1.3 million to the trust to preserve the 2,000 acres for 99 years.

Before beginning operations, Donlin still has to secure infrastructure permits for temporary roads, fiber optic lines, and pipelines to carry fuel, likely natural gas, to the project. The project must also obtain rights of way, water rights and temporary water use authorizations, and a dam safety certificate.

Public Benefits of Gold Mining
With current spot gold prices hovering above $1,300 per ounce, the project could yield gold worth more than $50 billion during its lifetime. Two other Alaska gold mining operations—the Fort Knox gold mine north of Fairbanks and the Pogo gold mine near Delta Junction—are currently providing high-paying jobs for Alaska residents.

Alaska Policy Forum Director of Operations Larry Barsukoff says jobs and revenues from the Donlin Gold project would bolster the local and state economies.

“The Donlin project represents a tremendous economic opportunity for the residents of the Yukon Kuskokwim area,” Barsukoff said. “The Alaska Policy Forum supports responsible development of natural resources, is excited to see the project move through the permitting process, and looks forward to work starting in the near future.”

Duggan Flanakin (dflanakin@gmail.com) writes from Austin, Texas.
California Judge Upholds State Protections for Gray Wolves

By Kenneth Artz

A California state court judge in San Diego ruled gray wolves will continue to be protected under the state’s Endangered Species Act (CESA), rejecting a legal challenge brought by ranchers and farmers against a decision by California’s Fish and Game Commission (FGC) to list the wolves as endangered.

Dispute Over Authority

The California Cattlemen’s Association (CCA) and the California Farm Bureau Federation (CFBF) sued FGC, arguing the commission violated state law by listing the gray wolf as an endangered species, because wolves do not currently meet the criteria for listing. The listing was based on the sighting of a single gray wolf that had entered the state from Oregon on a couple of occasions.

CESA grants FGC the authority to list native species as endangered only when they meet specific criteria. Foremost among them is the species having an actual presence in the state.

The plaintiffs, represented by the Pacific Legal Foundation, presented evidence the gray wolf does not meet this criterion because the wolf in question was not native and did not have a continual presence in the state but instead only briefly and occasionally crossed the border from Oregon into California only to roam back to Oregon, where it formed a pack.

‘Bad Policy’

The endangerment finding is unjustified, says Damien Schiff, a senior attorney at the Pacific Legal Foundation.

“Listing the gray wolf as endangered is bad policy and jumping the gun,” said Schiff. “We also contend it’s not authorized by our state ESA.

“I think the most significant aspect of the listing decision is the idea you can list a population or you can protect an entire species just based upon the intermittent presence within the state of individual members of that species,” Schiff said. “With respect to the individual wolf, ‘OR-7,’ that was present in the state and precipitated the listing, that wolf ultimately didn’t settle down in California. It settled in southwestern Oregon and established a pack there.”

To date, FGC has been unable to find any other wolf or pack that has established territory in California, says Schiff.

‘Legal and Linguistic Gymnastics’

Gray wolves are not at risk of extinction throughout their range, as required by CESA, but have instead enjoyed a population surge throughout the West since gray wolves from Canada were introduced into the Yellowstone ecosystem in the 1990s, says Kirk Wilbur, director of government affairs for the California Cattlemen’s Association.

“To justify protecting the species under CESA, the commission engaged in legal and linguistic gymnastics to artificially limit the gray wolf’s relevant ‘range’ to California’s borders,” Wilbur said. “The legislature intended CESA to protect species on the decline, and never intended CESA’s protections to apply to species enjoying the sort of resurgence wolves have enjoyed.

“The commission’s decision, and the court’s ruling, mean California’s Department of Fish and Wildlife has absolutely no management control over this apex predator, leaving ranchers few viable options for ensuring their animals’ well-being. California is unique in this regard. Every other Western state allows for state control of wolves that present chronic threats to livestock.”

KIRK WILBUR
DIRECTOR OF GOVERNMENT AFFAIRS
CALIFORNIA CATTLEMEN’S ASSOCIATION

‘Ranchers Need More Flexibility’

The California Farm Bureau Federation issued a statement saying, “Wolves hurt and kill cattle and other livestock, which is why ranchers need more flexibility in coexisting with wolves—and why we filed the lawsuit. The state listing gives ranchers limited options to protect their animals.”

Wolves undermine livestock production both directly and indirectly, says Noelle Cremers, director of Natural Resources and Commodities with the California Farm Bureau Federation.

“If a wolf pack that kills a number of cattle and develops a taste for livestock becomes established in California, then this obviously has a direct financial impact on the ranchers,” said Cremers. “In addition, when wolves live in the vicinity of cattle, cattle change their behavior, for example by changing where they graze and when they graze, and they also have lower rates of conception.

“So wolves have a significant financial impact on ranchers even if they don’t have any livestock killed by wolves,” Cremers said. “The listing severely limits, if not completely eliminates, any possible management of wolves to protect the livestock producers.”

‘Going to Create Antagonism’

Brian Seasholes, an independent consultant, says the decision to list the gray wolf as endangered is bad news for California’s wolf conservation efforts.

“Wolves are a very controversial species because they prey on livestock, domestic pets, and hunting dogs,” said Seasholes. “In states with large wolf populations, such as Minnesota, annual costs of wolf depredation can run into tens of thousands of dollars, almost all of which is borne by working-class rural landowners.

“Evidence shows if landowners feel they are not being treated and compensated fairly for the very real costs of living with wolves, they will take matters into their own hands by eliminating wolves,” Seasholes said. “California’s listing the wolf as endangered is only going to create antagonism and hard feelings among rural landowners who live in the state’s northern regions.”

City dwellers don’t understand how much wolves can cost rural residents, says Schiff.

“There is a significant cattle and sheep industry here in California, particularly in the northern counties of the state where a wolf was sighted,” Schiff said. “Yet, the principal advocates for this approach [strict protection under the CESA] to wolf management are people who have never nor will ever experience any of the downsides to that management.”

Kenneth Artz (kennethcharlesartz@gmx.com) writes from Dallas, Texas.
Court Decision Could Determine Coal Power Plants’ Futures

By Bonner R. Cohen

A pending decision by the Washington, DC Circuit Court of Appeals on deadlines for closing or repairing certain coal ash facilities could lead to the premature closing of scores of coal-powered electricity plants across the country, potentially hampering the reliability of the nation’s electric power grid.

Coal ash, also known as coal combustion residuals, is produced when coal is burned as fuel to produce electricity at power plants. Though generally considered part of a coal power plant’s waste stream, coal ash is often recycled to make a variety of products, such as concrete and drywall.

Tighter Obama-Era Restrictions

In 2015, the Obama administration imposed new federal rules regulating the disposal of coal ash, including requiring disposal sites and storage ponds that had violated groundwater protection standards to be lined or closed within six months of the rule taking effect. Obama’s EPA extended the time period coal ash storage facilities had to comply with the law until October 2016.

Industry groups and environmental activists alike challenged the 2015 regulations in court. Industry groups argued, among other things, the deadlines were too short and complying with them would undermine the stability of the electric power supply. Environmentalists challenged the rules for allowing unlined coal ash storage ponds to stay open indefinitely if they have not been found to contribute to groundwater contamination.

New Rules, New Challenge

In the midst of the court battle, in July 2018 the Trump administration issued new rules which, among other changes to the 2015 regulations, extended until late 2020 the deadline for affected coal ash disposal sites to begin closing or retrofitting their unlined storage ponds.

Environmental activist groups challenged the Trump administration’s revisions in court. Joined by five other environmental lobbying groups, the Waterkeeper Alliance filed a motion in December 2018 asking the court to stay the extension or vacate it entirely. Their court filing calls the extension “plainly unlawful.”

In their January 22 response, attorneys for the Utility Solid Waste Activities Group (USWAG) and several electric utilities stated many power plants will have to close, disrupting the electric power supply in parts of the nation, if the court overturns the Trump administration’s deadline extension.

Without sufficient time to develop alternatives, power plants “will face the untenable choice of either ceasing power production—with the attendant risks to power reliability across the country—or continuing to use ponds that EPA says would have to close immediately if the deadline is vacated,” USWAG’s legal filing states. “[Overturning the extension] would cause regulatory uncertainty and significant disruption to the nation’s power supply and thus is wholly irresponsible and unnecessary.”

‘A Travesty of Justice’

The EPA also asked the DC Circuit Court to leave the extension in place.

Vacating the extension or other changes EPA made in July “could cause widespread disruptive consequences, potentially impacting the continued operation of these power plants, and the reliability of the power grid,” the EPA’s court filing states.

The Obama-era coal ash rules were about closing coal power plants, not protecting public health, says Jay Lehr, Ph.D., science director at The Heartland Institute, which publishes Environment & Climate News.

“This is a travesty of justice, which has no relationship to either the safety of coal power plants or effects on human health,” said Lehr. “It is nothing but a vendetta by those who want to stop the use of coal in an idiotic effort to force the nation onto an impossible electric grid run entirely on intermittent wind and solar power.”

‘It Would Be Foolish’

There is no evidence coal ash ponds are causing human health problems, but good reason for thinking closing them rapidly would harm the electric power supply, says David Wojick, Ph.D., a senior analyst with the Committee for a Constructive Tomorrow (CFACT).

“All the evidence indicates these coal ash ponds are harmless, so it would be foolish to rush their closure in such a way that threatens the electric power system. Most of these ponds were started 45 years ago or more and have operated ever since, never causing any contamination.”

DAVID WOJICK, PH.D.
SENIOR ANALYST, COMMITTEE FOR A CONSTRUCTIVE TOMORROW

The Environment: A True Story

The Environment: A True Story is a new documentary by filmmaker and National Post columnist John Robson setting the record straight on climate change.


Bonner R. Cohen, Ph.D. (bcohen@nationalcenter.org) is a senior fellow at the National Center for Public Policy Research and a senior policy analyst with CFACI.
North Dakota Court Rules in Favor of Davis Refinery

By Duggan Flanakin

A North Dakota judge rejected a challenge to a state permit issued to Meridian Energy Group in June 2018 to begin construction of what would be the first new industrial crude oil refinery in the United States in nearly 40 years, the $800 million Davis refinery in Billings County, North Dakota.

District Judge Dann E. Greenwood’s decision upholding the North Dakota Department of Health’s air quality permit will allow work to resume on the refinery in the spring when the winter weather is over.

Located Near National Park
The National Parks Conservation Association, the Environmental Law and Policy Center, and the Dakota Resource Council had sued to block construction of the refinery, which is located about three miles east of Theodore Roosevelt National Park, North Dakota’s most popular tourist destination.

The plaintiffs argued the Health Department had underestimated the quantities of harmful pollutants the refinery would generate and pollution from the facility would mar the park’s scenery and erode air quality for wildlife and park visitors.

"The Davis Refinery is a win for all. Because this refinery will utilize local natural gas to operate, oil producers will be able to move forward with their oil drilling programs without limitations caused by North Dakota’s gas capture requirements, and it will reduce the amount of oil currently being transported out of state by pipelines and rail for refining elsewhere.”

BETTE GRANDE
RESEARCH FELLOW
THE HEARTLAND INSTITUTE
FORMER NORTH DAKOTA STATE REPRESENTATIVE

Judge Rules Permit Justified
Greenwood ruled the state Health Department had effectively supported its position that the Davis refinery will not be a major source of pollution in the park. The agency issued the permit only after conducting a two-year analysis that involved more than 1,000 hours of department staff time and review of more than 10,000 public comments, the judge noted.

"[The agency’s] expertise is entitled to deference when, as here, the subject matter is complex,” Greenwood wrote in his January 24 ruling.

Even with this permit, the refinery will have to prove it can meet state and federal air quality standards in order to get an operating permit, a separate process and permit, and compliance with those standards will be continuously monitored, the Health Department noted.

Refining for Local Use
The Davis refinery will be located on about 150 acres, including a buffer zone, east of the Fryburg Rail Facility in Belfield, North Dakota, in the heart of the oil-rich Bakken shale formation. With a rated capacity of 49,000 barrels per day (bpd), the refinery could produce up to 800 million gallons a year of refined products from local crude to serve regional markets. Currently, the Bakken yields more than 1.2 million bpd of oil, more than 95 percent of which is shipped at comparatively great expense to refineries hundreds of miles away. The Davis Refinery will add to the current 94,000 bpd of refining capacity within the state.

Because it will use locally extracted natural gas to operate, the refinery will save Meridian money and reduce the amount of natural gas vented or flared in Bakken fields with limited storage and pipeline capacity, which will help the area meet federal and state air quality standards.

‘A Win for All’
The Davis Refinery presents a win-win for North Dakotans in general and Bakken oil producers in particular, says former North Dakota state representative Bette Grande, now a research fellow at The Heartland Institute, which publishes Environment & Climate News.

"The Davis Refinery is a win for all,” Grande said. “Because this refinery will utilize local natural gas to operate, oil producers will be able to move forward with their oil drilling programs without limitations caused by North Dakota’s gas capture requirements, and it will reduce the amount of oil currently being transported out of state by pipelines and rail for refining elsewhere.

"Much of the infrastructure to deliver the crude stock and natural gas to the refinery is already in place,” Grande said. “In addition, the water source for the Davis Refinery is a brine formation 5,000 feet underground. This salty water is not suitable for drinking, farming, or ranching, meaning its use by the refinery will not impact water availability in the area.”

Cites Need for Fossil Fuels
The United States should not put itself at a disadvantage versus our economic competitors by unnecessarily hampering oil and gas production, says North Dakota state Sen. Curt Kreun (R-Grand Forks).

“With so many products requiring refined petroleum byproducts, including clothing, glass, and steel manufacturing, just to name a few, we cannot cut off our nose to spit our face by unilaterally quitting the use of fossil fuels,” Kreun said. "Worldwide, U.S. oil and gas consumption remains a small pinpoint in the growing use of fossil fuels for energy.

“North Dakotans, facing winters where the temperature gets down to 20 below zero, do not want to go the way of California, with its rolling brownouts and blackouts,” Kreun said. “California energy providers actually warn customers that if they need constant electric power, like anyone on a ventilator, for example, they should acquire their own backup generator. This is not acceptable in North Dakota.”

Challenges Remain
Despite Greenwood’s ruling, construction and operation of the Davis Refinery could still be delayed.

Two of the parties to the air quality permit lawsuit are challenging a separate decision by other North Dakota regulators not to review whether the refinery site is appropriate. And although a state administrative law judge recommended the government issue a permit allowing the refinery to draw water from an underground aquifer for its operations, several environmental groups have indicated they will sue to overturn such a permit if state regulators grant it.

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

Official Connections:
Legislators in Maine have proposed two bills that could expand black bear hunting in the state.

One bill would allow biologists with Maine’s Department of Inland Fisheries and Wildlife (DIFW) to adjust the length of bear hunting seasons and the number of bears hunters may harvest. A second bill would establish a regulated bear hunt in the spring. Both bills await hearings in the joint Inland Fisheries and Wildlife Committee.

Maine has the largest population of black bears on the East Coast, and the population is growing swiftly. The state’s bear population grew from approximately 23,000 in 2004 to more than 35,000 today.

Controlling Threat to Public

The Sportsman’s Alliance of Maine (SAM), the state’s largest hunting advocacy organization, supports efforts to expand hunting seasons, bag limits, and methods of harvest.

More flexible bear management is necessary to prevent bears from becoming a nuisance or a danger to the public, says former state senator David Trahan, SAM’s executive director. "Hunters are not removing enough bears annually under current rules, which is resulting in significant population growth," said Trahan. "We need to trust our biologists to manage bears in way that prevents them from damaging their habitats or becoming a nuisance to the public, says its sponsor, state Sen. Paul Davis (R-Sangerville), who serves on the Senate Inland Fisheries and Wildlife Committee.

"Maine has a large population of bears, and this bill is intended to give wildlife professionals a greater ability to control that population," Davis told Environment & Climate News. "Increasing the bag limit and allowing expanded hunting opportunities can prevent bear populations from exploding and causing conflicts."

Wildlife management policies should be based on the best available science, not politics, says Trahan. "Professional management is the foundation of the wildly successful North American conservation model," said Trahan. “Biological and ecological concerns, not politics, should dictate wildlife management.”

H. Sterling Burnett, Ph.D. (hsburnnett@heartland.org) is a senior fellow at The Heartland Institute.

By H. Sterling Burnett

Maine Legislators Propose Expanding Bear Hunting Opportunities
Court Rules California’s Carbon-Dioxide Emissions Mandate Constitutional

By Kenneth Artz

The U.S. Ninth Circuit Court of Appeals dismissed a challenge to the constitutionality of California’s Low Carbon Fuel Standard (LCFS), the state’s 2015 program requiring fuel producers to reduce greenhouse gas emissions from the use of their products.

The plaintiffs in the case, Rocky Mountain Farmers Union v. Corey, argued California’s LCFS violates the Commerce Clause of the U.S. Constitution because it interferes with and ultimately regulates interstate relations and trade and therefore usurps powers the Constitution specifically delegates solely to the U.S. Congress.

Similar Case, Same Result

This case was the second in which the Rocky Mountain Farmers Union and other industry groups challenged California’s LCFS, which has been revised twice. In 2014, the Ninth Circuit ruled against the groups’ challenge to two earlier versions of LCFS. The court found LCFS did not facially discriminate against interstate commerce in ethanol or crude oil and did not go beyond the state’s powers and regulate extraterritorially.

Although the plaintiffs’ claims had changed form since the first time the court upheld the LCFS, “both the regulations and the claims have the same core structure now as they did then,” the court ruled.

The court acknowledged states may not regulate extraterritorially or discriminate against interstate commerce in ethanol or crude oil and did not go beyond the state’s powers and regulate extraterritorially.

U.S. Supreme Court Appeal

It remains to be seen whether the Ninth Circuit’s decision will stand up to the scrutiny of the U.S. Supreme Court should it accept the challenge petitioners have filed to it and a similar ruling in a fuel standard case from Oregon, says Damien Schiff, a senior attorney at the Pacific Legal Foundation, who filed a friend of the court brief in the Oregon case.

“So the problem here is you have fuel produced in California and fuel produced outside of California, and the fuel itself is indistinguishable, yet the program assigns a different carbon lifecycle value based upon how the fuel was produced, so effectively, the program can then regulate fuel-production activities outside of the state, and we think this is unconstitutional,” Schiff said. “The significance of the Ninth Circuit decision to uphold the program is it allows states to regulate conduct outside of their jurisdiction and will substantially increase the economic burdens on out-of-state producers.”

Expecting Higher Costs

The Ninth circuit’s decision will result in higher costs for fuel and possibly for other products, should other states experiment with product regulations of their own, Schiff says.

“If this ruling stands, fuel costs, in particular, will increase because transportation fuels are more expensive to produce under LCFS,” said Schiff. “More broadly, consumers could see a real hit if this principle were expanded to other products.

“Under the Ninth Circuit’s rationale, a state might, for example, assign an animal welfare value to milk, and if milk is produced by out-of-state dairy cows that aren’t given a certain degree of health benefits or are housed in ways [the regulating state’s] animal welfare laws consider cruel, then the state could score it with a low animal welfare value, making those products harder to sell within the state,” Schiff said.

California Dreaming

The LCFS is one of many ways state legislators are making California unaffordable for working people, says Wayne Winegarder, Ph.D., a senior fellow at the Pacific Research Institute.

“Try as it might, California’s legislature cannot repeal fundamental economic reality,” said Winegarden. “The Low Carbon Fuel Standard creates a subsidy for fuel sources preferred by California’s legislators and increases the costs on disfavored sources, in this case fossil fuels.

“As a result, the LCFS increases the costs of fuels and is another policy that makes California a less affordable place for families to live and work,” Winegarden said.

Kenneth Artz (kennethcharlesartz@gmx.com) writes from Dallas, Texas.
Michael Malgeri has created a series of small books that could change the way an entire generation views individualism, profit-making, and capitalism.

Joseph Bast
Director and Senior Fellow
The Heartland Institute
New York Governor Pushes Goal of 100 Percent Renewable Power by 2040

By Bonner R. Cohen

New York Gov. Andrew Cuomo has set a goal that 100 percent of the electricity used in the state come from renewable power sources by 2040.

Cuomo’s 100 percent renewable power goal is part of what he called New York’s Green New Deal, announced in his 2019 State of the State Address. Cuomo said he will include it as part of the state budget he will present to the legislature for approval.

“Let us set the goal, 100 percent clean power by 2040, highest in the United States of America, [and] a climate action council to eliminate the state’s carbon footprint,” Cuomo said in his speech on January 19.

‘Path to Carbon Neutrality’

In a statement from the governor’s office accompanying his speech, Cuomo, a Democrat, took a swipe at President Donald Trump for rolling back Obama-era climate regulations.

“Amidst the Trump administration’s assault on the environment and in order to continue New York’s progress in the fight against climate change, Governor Cuomo is announcing New York’s Green New Deal, a nation-leading clean energy and jobs agenda that will put the state on the path to carbon neutrality across all sectors of New York’s economy,” Cuomo’s statement read.

Key components of Cuomo’s Green New Deal include increasing the state’s “Clean Energy Standard” from 50 percent to 70 percent renewable sources by 2030; increasing New York’s goal for the amount of electricity it gets from offshore wind installations from 2,400 megawatts (MW) by 2030 to 9,000 MW by 2035; doubling the amount of power that utilities are required to deliver from distributed solar generation sources, from the current target of 3,000 MW by 2023 to 6,000 MW by 2024; and having a minimum of 3,000 MW of energy storage in operation by 2030.

Cuomo’s previous green energy initiatives have already committed $1.5 billion of taxpayers’ money to help finance 20 large-scale wind, solar, and energy storage projects across upstate New York.

Cuomo’s Green New Deal would leapfrog New York past Hawaii’s and California’s renewable energy mandates. Hawaii mandated all electricity come from renewable sources by 2045 in 2015. In 2018, then-governor Jerry Brown issued an executive order calling for California to achieve carbon neutrality by 2045.

‘Economic Devastation,’ Population Loss

New York’s existing energy policies restricting the use of fossil fuels are already hurting the state, says Karen Moreau, executive director of the Petroleum Council of New York. New York was one of only nine states to lose population in 2018, with the state’s population declining by 48,510 as residents migrated to states with lower taxes and less-expensive energy, Moreau says.

“The chickens are coming home to roost in New York as a result of similar failed policies to stop natural gas drilling and pipelines,” said Moreau. “The economic devastation in upstate New York apparently fell on deaf ears when Cuomo banned fracking.

“Now the effects of the Cuomo pipeline blockade are hitting one of the wealthiest counties in the nation, Westchester, with Con Ed announcing a moratorium on all new natural-gas hook-ups,” Moreau said. “Natural gas is the fuel of choice, but people are being told they can no longer get it. As a result, New York is losing of billions of dollars in new housing construction and commercial development.”

‘Buying a Blackout’

Cuomo’s plan does not require enough battery backup to support his green energy goals, says David Wojick, a senior analyst at the Committee for a Constructive Tomorrow (CFACT).

“New York presently generates most of its power using natural gas,” said Wojick. “In order to switch from gas-generating power to wind and solar power, New York will need a stupendous amount of battery storage, but Cuomo’s plan does not require enough be built because it is prohibitively expensive. As a result, New York is buying a blackout.”

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

“Natural gas is the fuel of choice, but people are being told they can no longer get it. As a result, New York is losing of billions of dollars in new housing construction and commercial development.”

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Climate Socialism Is Dangerous and Must Be Defeated

By Charles Steele

In 1991, just after the Soviet Union collapsed, I attended a conference on environmental economics and policy. Several speakers warned obituaries for socialism were premature, saying that, with socialism discredited on economic grounds, it would now be sold as a panacea for environmental problems.

They were right. The Left is actively campaigning for socialism today, with many arguing socialism offers a cure—the only cure—for climate change.

Socialist Plans Rising

The Intergovernmental Panel on Climate Change’s (IPCC) latest report calls for governments around the world to take over finance, restructure entire economies, and undertake massive international wealth transfers to equalize incomes around the world. IPCC’s report also suggests we replace individual rights with collectivism.

Similarly, two European economists with the Institute for New Economic Thinking, Enno Schröder and Servass Storm, claim the only solution to climate change is a radical takeover of economies by governments. They argue climate change is an immediate existential threat and only government can impose the rapid radical restructuring required to prevent it.

In the United States, high-profile Democrats in Congress, including Rep. Alexandria Ocasio-Cortez (D-NY), are promoting a Green New Deal (GND) that would, among other things, eliminate all fossil fuels in ten years, create a massive federal public works and jobs program, and establish universal basic income and health care.

These proposals by the UN and U.S. leftists are unabashed, explicit proposals to replace market freedom and limited government with socialism. Governments and international agencies are promoting climate or green socialism, with the younger, more energetic wing of the Democrat Party seemingly committing to it enthusiastically. Leftist think tanks and policy institutes are working to advance it.

Economic Shock, Shrinkage

If the United States adopts the climate socialist agenda, it will eliminate freedom and create economic and political catastrophe, without solving any climate problems. Rapidly transitioning away from fossil fuels would cause a massive negative shock to the economy. Production and incomes would fall, and unemployment and poverty would rise.

Currently, almost two-thirds of U.S. electricity comes from fossil fuel sources, and another 29 percent is from nuclear, hydroelectric, and geothermal. Wind and solar account for a little over 7 percent. Wind and solar are intermittent—energy generation is not under human control but dependent on when the wind blows and the sun shines. Energy must be available when people need it, not when sun and wind permit, and extreme fluctuations in electricity can shut down electric grids.

In addition, the scale and pace with which solar and wind would have to be deployed to replace fossil fuels is impossible given existing technology. Mandating rapid decarbonization under climate socialism would greatly reduce available electricity and shrink the economy.

Stopped in Our Tracks

Climate socialism would impact transportation also. Quickly replacing the entire automotive fleet with electric vehicles would require massive increases in electrical power, yet that power would decrease under green socialism. For air transportation, there are no reasonable alternatives to petroleum-derived aviation fuels, and no substitutes for fuel oil, diesel, or natural gas for shipping. Transportation would grind to a halt.

Redistribution programs proposed by GND, such as a universal basic income, would further shrink the economy. Recipients become dependent on government as their incentive to work and be self-responsible is reduced. Similarly, finding themselves treated as beasts of burden, taxpayers’ incentives to work is reduced.

Disincentivizing work for recipients and payers results in less being produced and lower income overall. The nation is poorer.

Economic Destruction

History consistently shows central planning destroys economies.

In a free market, independent decision makers—households and firms, consumers, workers, and asset owners—make decisions coordinated by market prices.

Central planning replaces this with direction by government “experts.” It does not work. Without market prices, government cannot identify the opportunity costs of its actions, and therefore it cannot minimize waste. It is not sustainable.

This has been repeatedly shown—in the USSR, Venezuela, Cuba, and everywhere else real socialism has been tried. Central planners wreck their economies because they lack market prices to determine whether their actions create greater benefits than costs.

Some green socialists such as Ocasio-Cortez dishonestly claim Scandinavian countries show socialism can work. Recently, Danish Prime Minister Lars Rasmussen put that lie to rest, saying, “I know that some people in the U.S. associate the Nordic model with some sort of socialism. Therefore I would like to make one thing clear. Denmark is far from a socialist, planned economy. Denmark is a market economy.”

Also, central planning places enormous power—life-or-death power—in the hands of planners. Everyone is beholden to those who direct the economy, and everyone must follow government’s orders, or else. Green socialists presume people who are just and wise will be in charge (i.e., themselves), but history demonstrates no one should be trusted with such power. That’s why the American federal system was designed to put strict limits on government power.

Socialism Won’t Save Climate

Ironically, if the United States or even the entire developed world imposed climate socialism, it would not prevent climate change.

Most greenhouse gas emissions in the future will come from China and other developing countries that have no intention of restricting their economies with green socialism.

Climate socialism will Venezuela-ize America if we adopt it. It must be utterly, completely rejected and defeated.

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Hyping Climate Fears to Push Socialism

By Jon Basil Utley

Climate Change (aka global warming) is becoming an even bigger issue with the new Democratic-controlled U.S. House of Representatives and its calls for a “Green New Deal (GND),” the very name of which should be a reminder statist controls were always an integral part of the extremist environmentalists’ agenda.

GND proponents now use global warming as their justification for central planning, long after the collapse of the Soviet model discredited the socialist dream.

The recent United Nations climate report and Paris climate treaty—from which President Donald Trump withdrew the United States—stressed socialist economic planning such as a $100 billion per year transfer of wealth from the poor in wealthy nations to the rich in Third World countries.

Climate change is happening around the globe, as it always has and will. It has been warmer and cooler in the past in the Arctic and around the world, and oceans are rising at the rate of about one foot per century, having risen at both much faster rates and modestly slower rates since the end of the last ice age. The oceans have risen approximately 400 feet in the past 14,000 years. The current rate of sea level rise is at the low end of the historical annual rate.

Hyping Ocean Worries

The climate fearmongering movement’s overwhelming control of Big Media virtually silences those calling for rational debate about the causes and consequences of climate change.

Every weather event that can be portrayed as extreme is blamed on global warming and met with demands for new subsidies for politically favored so-called green energy technologies and obstructive regulations for less-expensive, more-reliable traditional energy sources.

“Every weather event that can be portrayed as extreme is blamed on global warming and met with demands for new subsidies for politically favored so-called green energy technologies and obstructive regulations for less-expensive, more-reliable traditional energy sources.”

平均 than a United Nations panel estimated five years ago.” Typical of nearly all such stories, The Times does not report the actual amount of the temperature increase involved. That’s because it is infinitesimal: about one-tenth of one degree centigrade (0.09 to 0.13 degrees) per decade over the past 40 years, less than two-tenths of one degree Fahrenheit.

A U.S. Environmental Protection Agency report shows an approximate 1.5 degree Fahrenheit increase in ocean surface temperatures since 1880. The increase in temperatures reported in the Times article is within the margin of error for the measurement, meaning the purported rise could just be background noise representing no actual increase in ocean temperatures at all.

Ignoring Contrary Evidence

In another typical fearmongering report, “Melting Arctic Ice now pouring 14,000 tons of melting ice into the oceans,” the Washington Post says the Arctic “now adds well over a millimeter to the level of the ocean every year.” The story no doubt assumes most Americans don’t know how little a millimeter is, and the Post does not reveal that this equals about one foot per century.

More importantly, contrary to climate model projections and with little media notice, Antarctica has been gaining billions of tons of ice each year, offsetting sea level rise by 0.23 millimeters a year, despite the modestly warming temperatures of the past century.

The Washington Post story ignores the fact some areas are seeing their coastlines expand and experiencing falling sea levels despite increasing greenhouse gas emissions.

In addition, local land subsidence is responsible for many of the areas experiencing the largest amount of supposed “sea level rise.” Many coastal areas are being eroded or sinking as coastal development builds on relatively unstable former wetlands and as cities draw increasing amounts of water from underground aquifers near coastlines, resulting in land subsidence and sinkholes that fill with salt water.

Climate models fail to consider these factors, and those stoking climate fears ignore them because fixing those problems doesn’t require a big government takeover of the nation’s economy.

Limiting the Discussion

Having been unable to stampede Americans to support big government programs to prevent the atmosphere warming by a modest 2 degrees, the media concentrates on ocean warming and rising seas because they hope to use it as a terror tactic to get Americans to agree to spend hundreds of billions of dollars to prevent it.

Carbon dioxide (CO2) represents less than one tenth of 1 percent of the atmosphere: .04 percent, meaning 400 parts per million. All the global warming fuss is based on CO2 levels having increased by a tenth of a percent. Yet, CO2 is only one of the factors affecting climate and weather. Water vapor is a much more prevalent “greenhouse gas” than CO2, but one over which humans have little influence. Climate and weather are also affected by sunspots, volcanic activity, ocean currents, and atmospheric reflectivity, among other factors.

Smearing Those Who Disagree

When confronted with these facts, climate alarmists smear those who question their claims human greenhouse gas emissions are causing whatever catastrophe they are hyping at the moment.

Climate forecasts about weather and warming have been proved vastly exaggerated or even totally wrong. No one should trust them.

We certainly should not embrace energy socialism, which calls for the replacing of cheap, reliable fossil fuels with expensive, intermittent wind and solar, as the Nongovernmental International Panel on Climate Change’s recent report, Climate Change Reconsidered: Fossil Fuels, shows.

The United States and the world would be much poorer if countries adopt climate alarmists’ infinitely costly measures to fight a nonexistent catastrophe.

Jon Basil Utley (jbutley@earthlink.net) is publisher of The American Conservative.
**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 [http://vortex.nsstc.uah.edu/data/msu/v6.0beta/lt/uahncdc_lt_6.0beta5.txt](http://vortex.nsstc.uah.edu/data/msu/v6.0beta/lt/uahncdc_lt_6.0beta5.txt). All past data were revised when the methodology was updated in April 2015.

### JANUARY 2019

**GLOBAL AVERAGE**

The global average temperature was 0.37°C above average.

**NORTHERN HEMISPHERE**

The Northern Hemisphere’s temperature was 0.32°C above average.

**SOUTHERN HEMISPHERE**

The Southern Hemisphere’s temperature was 0.42°C above average.

### 219,000 years of Temperature Variation

At the Arthur B. Robinson Center on Climate and Environmental Policy at The Heartland Institute, we are producing the research and conducting the effective advocacy needed to help restore sound science and common sense to efforts to protect the environment.

The center promotes pro-energy, pro-environment, and pro-jobs policies based on sound science and economics, not alarmism or ideology.

Through events, publications, social media, and government relations programs we have changed public opinion on climate change and other environmental topics. We have changed public policy not only in the United States but in other countries as well.

In 2018 and onward, we are focusing on winning the global warming war and repealing bad legislation and regulations adopted during the height of the global warming scare.

With your help, we can succeed. Please contact us at 312/377-4000 or think@heartland.org, or visit our website at heartland.org/Center-Climate-Environment.

“The Heartland Institute has published the work of many excellent scientists ... [and] has taken the fight right to the enemy with aggressive and highly effective campaigns aimed at elected officials and civic and business leaders.”

ARTHUR B. ROBINSON, PH.D.
APRIL 2017

The center is named in honor of, and chaired by, Arthur B. Robinson, Ph.D., a distinguished chemist, cofounder of the Oregon Institute of Science and Medicine (OISM), and editor of the influential newsletter Access to Energy. He received a Ph.D. in chemistry from the University of California at San Diego.