



Letters

Spring 2023

Wildfire apocalypse, not

by Steve Milloy, Senior Policy Fellow
As Appearing in the *The Spectator*



As usual, the media's knee-jerk take on the Canadian wildfires was all wrong

There was nothing new about springtime wildfires in Canada until the wind shifted unexpectedly last week. That shift blew smoky air all over the northern and eastern US, producing memorably apocalyptic-like orange air in New York City.

Not wanting to waste a crisis, the lamestream media jumped right in with both feet. They blamed the wildfires on the much-dreaded "climate change," scared the daylight out of everyone about the air quality and then warned that more like it was on the way unless we changed our fossil fuel-burning ways.

Not unexpectedly, the media's knee-jerk take was all wrong.

Wildfires and smoky air have always occurred wherever there are forests. At least eighteen of these dark or "yellow days" occurred in the US

and Canada from 1706 to 1910. George Washington even noted in his diary the one that occurred on May 19, 1780 that reached as far south as Morristown, New Jersey.

Contrary to the climate narrative, however, the good news is that the number of wildfires and acreage burned has dramatically declined everywhere.

Canadian government data show that wildfires in Canada have been overall declining since 1980. That trend of is the opposite of the trend of increasing emissions and average global temperatures.

If "climate change" is taken to mean an upward trend in average global temperature, then it correlates with fewer, not more, wildfires in Canada and everywhere else.

Few Americans would have even heard of the Canadian wildfires had not been for the smoky air casting a pall everywhere, sending air quality indexes skyrocketing and enabling the media to do what it likes best: scaring the hell out of people.

The featured air pollutant in smoky air is something called "fine particulate matter," basically just plain old soot.

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CA's Gone Full Commie with Electric Rates



California has historically been the breeding ground for awful Leftist policies that ultimately find themselves into national policy. Katie Grimes warns how The Golden State is now full on communism the latest proposal is to create income-based utility billing.

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Greg Walcher writes how the bureaucrats are at it again regarding efforts to ban light-bulbs. Along with the call for

bans on household appliances like gas stoves, the Leftist Biden Administration is hoping to kill off fluorescent bulbs among others.

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Greens Choose Windmills over Whales



Steve Milloy points out how environmentalists used to push for saving whales. It seems now that the new

Greens don't care so much about whales, so little in fact that they don't care if they're killed as long as the windmills are built.

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Katie Grimes reports that despite it's notorious reputation, the 9th Circuit of Appeals came down on the side of sanity and ruled

that a Berkeley's absurd ban on gas stoves is preempted by federal conservation law.

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California Going Full Commie re: Electricity Rates

by Katie Grimes, Senior Media Fellow
As Appearing in the *California Globe*



Income-based utility billing is the latest assault on the productive in California

Southern California Edison, Pacific Gas & Electric and San Diego Gas & Electric filed a proposal on Thursday that would install a fixed-rate electric bill system for those under the three largest power companies in the state, the *Globe* reported. Talk about burying the lede. The real plan is to create income-based utility billing.

Currently, utility bills are based on electricity and gas consumption. The utility companies are now proposing income-based utility billing so that higher-income earners pay for more than they use, subsidizing the rates for lower income customers.

"From each according to his ability, to each according to his needs," Karl Marx wrote in his *Communist Manifesto*. In a nutshell, Marx said productive, hard-working and successful people must sacrifice to less productive, and unproductive people.

The State of California, the California Legislature and California Gov. Gavin Newsom are punishing productive successful people. Again. And they are saying the quiet parts out loud.

"Human beings have choice, and some people choose to work really hard and be productive," Alex Epstein, author of *The Moral Case for Fossil Fuels* and *Fossil Future* said in a recent interview. "And the idea [of socialism] is: they get punished. They get limitless theoretical punishment to the extent that somebody else, deliberately or not, doesn't succeed."

The pilgrims learned this lesson fairly quickly when they arrived in America in 1620:

"The settlers created a communal society where they received their clothing, food, and supplies from the colony's "common stock" according to their needs. The profits of labor were divided equally rather than by what was earned through hard work.

This system quickly led to discontent: The healthy and able-bodied colonists who worked in the fields all day began to resent the colonists who performed zero labor.

After about two years of famine and disaffection, the Pilgrims finally had a meeting and abandoned the socialist system. The colony's new system required each family to take care of themselves, and made the settlers personally responsible for their own means of survival. There was no 'common stock' to provide for them. This led to the entire colony becoming more prosperous—those who earlier claimed to be infirm became motivated and industrious, with men, women, and youth alike working in the fields eager to reap the benefits of their labor. The only way for a society to prosper as a whole is through hard work and personal responsibility, not through promises of equal outcomes."

This idea for "equitable energy rates" isn't exactly new, but it's important to note that the Pilgrims figured out that Socialism doesn't work 228 years before Karl Marx's flawed *Manifesto*.

A 2021 report from the University of California at Berkeley recommends that the state link California's highest-in-the-nation electricity bills to customer incomes – ie. your ability to pay.

Authors Severin Borenstein (an economist), Meredith Fowlie, and Jim Saltee of the UC Berkeley and the Energy Institute at Haas admit that California's electricity rates are so high, lower-income households pay a larger share of their income on electricity.

California has the highest electricity rates in the country. "Those costs could rise even faster over the next decade, as utilities harden their grids against wildfires, grow their share of net-metered rooftop solar and add other costs that will be passed through to utility customers," Next 10 reported over

two years ago – a non-profit which supports "ambitious environmental goals" and "Electricity Rates for An Equitable Energy Transition."

"But recovering those costs by charging customers by the kilowatt-hour pushes too much of the burden on those least able to pay," so to combat this, rather than using all available energy sources to create energy abundance, the Berkeley report proposes "cutting back on the volumetric per-kilowatt-hour charges on customers' bills and recovering the missing money through constructs tied to customers' income."

California is rich in natural resources which once powered the state: natural gas deposits in the Monterey Shale formation; geothermal energy, abundant rivers and waterways such as the San Joaquin River Delta and hydroelectric dams; the Pacific coastline; 85 million acres of wildlands with 17 million of those used as commercial timberland; and mines and mineral resources.

The Berkeley report revealed approximately eight million residents currently owe money to investor-owned utilities, according to a recent presentation by the CA Public Utility Commission.

Berkeley's recommendation: "Alternatively, infrastructure and public purpose investment costs could be recovered via income-based fixed charges paired with an efficient volumetric price that reflects the social marginal cost."

And here is Berkeley's Conclusion in full Socialist/Marxist speak:

- In California, volumetric electricity rates are used to raise revenues for climate mitigation, infrastructure investments, wildfire mitigation, etc.
- This amounts to a highly regressive tax with negative implications for both efficiency and equity. Other states and countries are, unfortunately, following California's lead in this policy as well.
- Changing the way costs are recovered to reduce electricity rates can help ensure affordable and attractive electricity consumption as we look to rapidly increase usage on the path to decarbonization.

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Lighting the way to more government

by Greg Walcher, Senior Policy Fellow
As appearing in *The Daily Sentinel*



Light bulb jokes were popular for years as a way to poke fun at stereotypes. I remember an old one during the Reagan years, about how many Republicans it takes to change a light bulb. It took one to screw in the bulb, one to steady the chandelier, one to claim the bulb wasn't truly needed, and one to reminisce about the old bulb.

A number of pundits are reminiscing this week about old light bulbs, because the Biden Administration announced it is finalizing the federal ban on incandescent bulbs. The breakthrough invention of Thomas Edison that brought civilization out of the whale oil age and transformed the lives of billions — the light bulb that became the iconic image to illustrate a good idea — is now considered one of many everyday conveniences that are destroying the planet. Some commentators express outrage that the government would dictate such ordinary consumer products, but that ship sailed 13 years ago, in 2010.

That's when the federal government announced that the sale or import of incandescent light bulbs would be banned, effective in 2014. Congressional Republicans thrice made half-hearted efforts to repeal the ban by tacking riders onto spending bills, including one at the end of 2014. Those riders never repealed the ban, but simply stopped the Department of Energy (DOE) from enforcing the restriction on

sales, until the next spending bill. But most stores had to quit selling regular bulbs anyway because manufacturers quit making them. GE was the dominant manufacturer at the time, but closed its last incandescent bulb factory, laying off thousands of workers.

GE became the government's partner in the move to ban incandescent light bulbs because the newer technology was much more expensive, and thus more profitable. Sylvania, Philips, and other manufacturers followed GE's lead and the ban became reality, DOE's suspended enforcement authority notwithstanding.

It is worth noting that the "new technology" at the time was different than today. In 2010 the move was toward compact fluorescent lighting (CFLs), the little spiral-shaped bulbs that are rarely seen today. That's because the government could never figure out what to do with the bulbs when they burned out (besides reminiscing). Incandescent bulbs could simply be thrown away, but not the CFL bulbs. The government said they had to be recycled carefully because they contained mercury. In fact, everyone made fun of the government's official advice about what to do if a CFL accidentally broke: everyone must immediately leave the house, turn off all heating and air conditioning, air out the house for at least 15 minutes, then clean up the glass and put it in a sealed container (they suggested mason jars). People were advised to throw away any clothing or bedding that may have touched any of the broken glass, and to open windows and shut off all ventilation "the next several times you vacuum."

Needless to say, the CFL bulbs were never accepted by consumers, and became largely obsolete with the development of today's

light-emitting diode (LED) bulbs. A legal brief filed by the Competitive Enterprise Institute, Institute for Energy Research, and a dozen other groups reported, "While LEDs are more efficient and generally longer-lasting... they currently cost more than incandescent bulbs and are inferior for certain functions such as dimming." No matter, incandescent bulbs are gone from store shelves, except a few specialty bulbs like candelabra and Christmas lights.

Perhaps it is no coincidence that Biden's DOE officials began their tirade against household appliances and light bulbs at Christmastime.

With this recent announcement, empowered because Congress stopped adding the annual rider to appropriation bills, light bulbs now join gas stoves, ovens, washing machines, dishwashers, refrigerators, furnaces and air conditioners on the targeted list of household appliances that must be manufactured under federal supervision. The new rule targets not only the last remaining incandescent bulbs, but also the remaining fluorescent bulbs, including the long tube kind that light stores and shops throughout the world.

It is difficult to estimate the financial impact of banning affordable lighting. Economist Steve Moore writes that fewer than half of American households currently report using mostly or exclusively LEDs. Only 39% of households with an income of \$20,000 or less use LEDs. They are expensive, so millions of people are still using light bulbs sold more than a decade ago. As those burn out, lighting costs will increase.

Funny how every time the government regulates anything, the price goes up. That ought to shine a bright light on the cost of over-regulation. □

Green Activists Would Rather Save Windmills Than Whales

by Steve Milloy, Senior Policy Fellow
As Appearing in the *Daily Caller*



Income-based utility billing is the latest assault on the productive in California

Save the whales. Once upon a time, that used to be the favorite mantra of environmental activists. Today, not so much. These days, it's more chic to be into giant offshore wind turbines. And if dozens upon dozens of whales must be killed to make way for turbines along with their new mantra, "save the planet," well, that's just the price we must pay. Or so goes the current thinking among the green set.

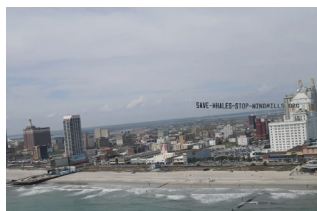
Scores of whale and dolphin carcasses have washed up along the East Coast in recent months, and particularly on New Jersey and New York-area beaches where no fewer than nine whales have washed ashore just since December. The evidence is not yet incontrovertible, but the deaths coincide with sonic testing in conjunction with massive wind turbine projects. Seismic testing can "injure and kill marine wildlife" such as whales and dolphins holds, according to one environmental group. The Natural Resources Defense Council once went all the way to the Supreme Court in a bid to stop the U.S. Navy's seismic testing.

The Biden administration has committed itself to transitioning America's entire electricity grid to wind and solar, seemingly at

any cost. Supportive of that goal, its National Oceanic and Atmospheric Administration attempted to dispute the link. "At this point, there is no evidence to support speculation that noise resulting from wind development-related site characterization surveys could potentially cause mortality of whales, and no specific links between recent large whale mortalities and currently ongoing surveys."

NOAA's claim is ridiculous, but even more absurd, it's being backstopped by Greenpeace which dismisses the link between seismic testing for offshore wind projects and the whale and dolphin deaths as a fossil fuel industry-funded "right-wing disinformation campaign."

This past Saturday – Earth Day – an airplane towing a banner emblazoned with "SAVE-WHALES-STOP-WINDMILLS.ORG" flew above Atlantic City, New Jersey beachgoers. The message, sponsored by the Committee for a Constructive Tomorrow and the Heartland Institute, serves notice of the whales' plight and the joint complicity of the Biden administration and high-profile environmental groups.



NOAA is taking public comment on a massive 100-tower turbine project just 10 miles off Atlantic City's beachline called Atlantic Shores Off-

shores Wind, a partnership of foreign-owned wind companies. If approved, the permit would sanction the killing of up to 42 whales, 2,678 dolphins and 1,472 seals.

Beyond being a self-contradiction of previous denials, NOAA's permit is a license to kill, and it includes 13 species of whales specifically protected under the Endangered Species Act. The administration's exception is spectacular in its hypocrisy with its inclusion of the North American right whale, because that's the very same species that federal regulators are using as a weapon to destroy lobster and groundfishing industries in order to make way for the offshore wind industry in Maine.

Of course, there are many projects like Atlantic Shores, and as we are finding out, each of them permits the killing of whales, dolphins, and seals at each step of the project. So it goes. If endangered species and threatened industries must be sacrificed on the process of saving the world, it would be worth it.

But cooler heads know that isn't true and that all the windmills in the world cannot impact climate for good or ill. We can either save the whales—or sacrifice them as an offering to an administration which, in its supreme arrogance, believes that humankind can act as a thermostat upon the Earth's temperature. □



9th Circuit Appeals Court Overturns Berkeley's Ban on Gas Stoves

by Katie Grimes, Senior Media Fellow
As Appearing in the California Globe



The White House kitchen is outfitted with a commercial natural gas stove

Berkeley was the first city in the United States to ban gas stoves, in 2019. This followed the 2018 passage of Senate Bill 100 by then-Senator Kevin de Leon (D-Los Angeles), which established the 100 Percent Clean Energy Act of 2017 increasing the 2011 Renewables Portfolio Standard requirement from 50 percent by 2030 to 60 percent, and created the policy of planning to meet all of the state's retail electricity supply with a mix of RPS-eligible and zero-carbon resources by December 31, 2045, for a total of 100 percent clean energy.

SB 100 also established an ambitious target of 60 percent renewable electricity by 2030 and accelerates the current 50 percent target to 2026.

Berkeley banned the use of natural gas in new home and new building construction with a local ordinance requiring all new construction to run on electric power, which started in 2020, Courthouse News reported.

"The news hit the restaurant industry particularly hard, and it moved swiftly to counteract the regulation's allegedly ruinous effect."

The California Restaurant Association filed suit alleging "the city's ordinance is preempted by the Energy Policy and Conservation Act, which regulates energy use by appliances. Since the law forbids states and cities from banning appliances

based on the type of energy they use, the city's ordinance restricting the use of natural gas in new buildings amounts to an end-run around the EPCA."

"Many restaurants will be faced with the inability to make many of their products which require the use of specialized gas appliances to prepare, including for example flame-seared meats, charred vegetables, or the use of intense heat from a flame under a wok," the lawsuit says, the Globe reported. It also pointed out the local implications to restaurants, saying "Indeed, restaurants specializing in ethnic foods so prized in the Bay Area will be unable to prepare many of their specialties without natural gas."

In 2021, U.S. District Judge Yvonne Gonzalez Rogers ruled that the city had the authority to regulate the distribution of natural gas when she dismissed the restaurant association's lawsuit last year. Judge Rogers was appointed by President Barack Obama.

However, the restaurant association appealed and the Ninth Circuit agreed.

Courthouse News reported on the Ninth Circuit decision:

"A Ninth Circuit panel on Monday closed the valve on Berkeley's ban on natural gas piping in new buildings, finding it's preempted by federal conservation law."

In May 2022, the appeals panel, composed Judge M. Miller Baker — sitting by designation from the U.S. Court of International Trade — and fellow Donald Trump appointee U.S. Circuit Judge Patrick Bumatay, and Senior U.S. Circuit Judge Diarmuid O'Scannlain, a Ronald Reagan appointee, heard arguments from lawyers.

The three-judge panel's ruling re-

verses a federal judge's dismissal of a lawsuit by the California Restaurant Association claiming the Energy Policy and Conservation Act preempts the San Francisco Bay Area city's ban. The group said the ordinance would affect chefs' ability to prepare food the way they are typically trained — using natural gas stoves."

California opened a can of worms going back to AB 32, in 2006, the so-called "Global Warming Solutions Act" signed into law by Gov. Arnold Schwarzenegger.

As Ed Ring wrote for the Globe in 2019:

"California has long been proclaiming itself the leader in fighting 'climate change,' and incoming governor Gavin Newsom promises to continue the efforts. The big push began over ten years ago, with Gov. Schwarzenegger, who pivoted left after failing to reform public employee unions in 2005. Schwarzenegger promoted and then signed, AB 32, in 2006. This so-called 'Global Warming Solutions Act' set the initial targets for greenhouse gas reduction, empowering the California Air Resources Board to monitor and enforce compliance with laws and regulations aimed at achieving these reductions."

California has been agitating to become the first state to ban natural gas heaters, water heaters, and furnaces by 2030, a policy of the California Air Resources Board, entirely made up of appointees by the governor.

For now, California cities seeking to ban the use of natural gas have been warned by the Ninth Circuit.

As of January, the White House said Biden does not support a ban on gas stoves. This is probably a good move given that the White House kitchen is outfitted with a commercial natural gas stove. □

Wildlife apocalypse, not (cont.)

The featured air pollutant in smoky air is something called “fine particulate matter,” basically just plain old soot. During the 1990s, the Environmental Protection Agency rebranded and weaponized soot as something called PM2.5. EPA has since claimed that (1) there is no safe level of PM2.5 that can be inhaled (2) inhaling PM2.5 can kill you within hours of inhalation and that (3) about one-in-five deaths in the US is caused by PM2.5.

Though EPA has spent almost three decades and billions of dollars inventing PM2.5 as essentially the most toxic substance known to man, PM2.5 didn’t live up to its EPA billing in New York City last week.

Per EPA’s PM2.5 modeling, New York City’s death rate should have just about doubled on June 7-8. But not a death occurred that was or could be attributed to the atrocious air.

Even EPA’s back-up expectation of an epidemic of asthma failed. While emergency room visits for asthma did uptick on June 7, the up-

tick was not all that much greater than a similar uptick six weeks before the wind shift to which no one paid any attention.

Though New York City has almost 8.8 million people, 10 percent for whom are reportedly asthmatic, only about 200 more visits than average were made to hospital ERs on June 7-8. Hardly apocalyptic.

Given that asthma can be an anxiety-driven condition and that the media was bent on creating as much anxiety as possible, one might fairly wonder if many-to-all of those “extra” visits were really caused by media scare-mongering. After all, asthma is caused by exposure to an allergen (a protein-containing molecule like pollen), whereas PM2.5/soot is just innocuous carbon particles.

EPA has previously conducted clinical research on people with wood smoke concentrations as high and higher than were experienced in New York City on June 7-8. Those experiments didn’t elicit so much as a cough or wheeze from any study subject.

Wildfire haze may be unusual

in New York City, but it is not in the Western US and Canada. It has never caused a public health emergency before because it just doesn’t.

While reality has greatly disappointed the climate industrial complex, that has not prevented it from hand-wringing about more such events looming in the future.

But wildfires have always happened and will always happen. Same with smoky days. Ask George Washington.

If greens were sincere in their concern about wildfires (versus just pumping climate hysteria), they would call for better forest management practices that make it easier to control wildfires when they start. This means: 1) more wilderness roads to access fires earlier and more directly, 2) more logging and thinning practices to improve forest health and 3) controlled burns where needed.

No one can control the wind for the fires that do occur. But Smokey Bear was on the right track in stating: “Only you can prevent forest fires.” □

CA Going Commie (Cont.)

- Paying for most non-marginal costs through government budget or income-based fixed charges would improve equity by lightening the burden of cost recovery on households that can least afford to pay.

“Customers who can afford rooftop solar systems, behind-the-meter batteries or other distributed energy resources to offset those rising rates may be able to mitigate them, the CPUC noted. But that will leave customers without those resources on the other side of a ‘growing divide in the cost of service.’”...

Californians were forced into rooftop solar when the California Legislature passed a law mandating solar on all new construction, whether homeowners wanted it or not. One of the incentives was to offer purchase of a backup battery to store extra power, allowing the consumer to sell that extra electricity back to the utility. Now, after

the homeowner paid for a very expensive rooftop solar system and backup battery, the CPUC backed out of the deal.

Borenstein called this “‘perverse incentives’ created by the huge gap between the retail price and the utility’s cost of supplying additional power to the customer.”

The bottom line, and real goal of the radical environmentalists is to make electricity so expensive, homeowners will be forced to initiate self-blackouts of electric appliances during certain times of day, and electric car owners won’t be able to afford the high costs to keep them charged.

Environmentalists have no special love for electric cars – they just want everyone out of cars. So if they can make electricity so expensive that people can’t afford to drive electric cars, well then good.

And this is done by limiting energy sources rather than using an all-of-the-above approach to energy production in California: Oil, gas, coal,

nuclear, hydroelectric, solar and wind. If all we are allowed to use is renewable energy for electricity production – a deliberate energy shortage – statewide shortages and rolling blackouts inevitably become the new California normal. We are being conditioned to accept this as normal by some very evil leaders. □

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