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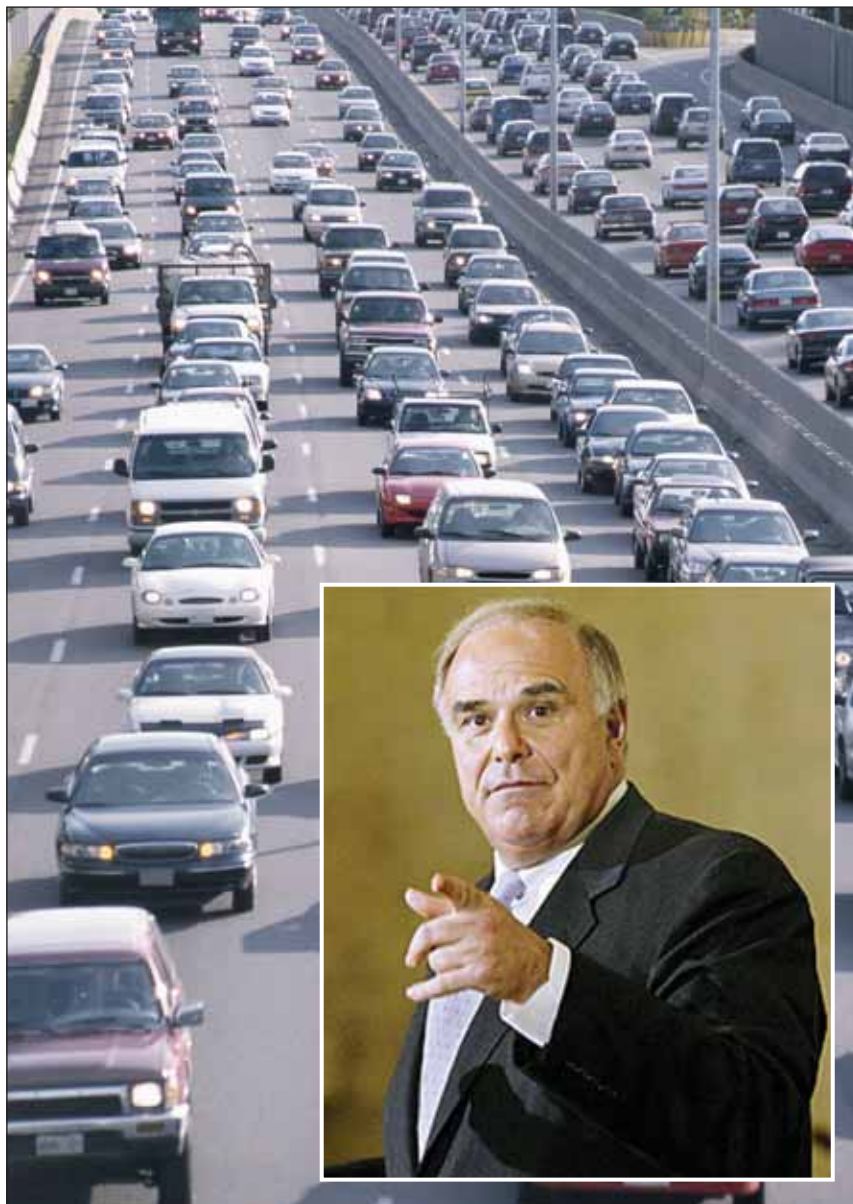
# Environment & Climate News

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The Monthly Newspaper For Common-Sense Environmentalists

Vol 9 No 4 May 2006

## Pennsylvania Senate to Pull Plug on Emissions Plan



The Pennsylvania Senate approved legislation that would block Gov. Ed Rendell's plan to implement California vehicle emission standards in the Keystone State.

### North Carolina is activists' new target

By James M. Taylor

The Pennsylvania Senate on February 15 approved legislation that would block plans by Gov. Ed Rendell (D) to implement by 2007 California's highly restrictive vehicle emission standards.

If also passed by the House, the legislation would set up a showdown with Rendell over whether federal emissions standards sufficiently protect air quality in the state. The bill, which had bipartisan support in the Senate, is currently under consideration in the House.

#### Federal Standards Supported

Under the Senate legislation, which passed by a veto-proof 34-13 vote, the Pennsylvania Department of Environmental Protection (DEP) could not consider enacting California's standards until at least 2010. In 2010, DEP could convene public hearings on the California standards in areas of the state where air quality fails to meet federal standards. If, after conducting the hearings, DEP sought to implement the California standards, it would be required to petition the Pennsylvania legislature to do so.

Until 2010, the state would continue to abide by federal emission standards. Only nine states, all on the West Coast or in the Northeast,

**PENNSYLVANIA p. 15**

## Mo. Senate Aims to Block Biotech Bans

By James M. Taylor

The Missouri Senate Agriculture Committee on March 15 approved a bill that would prohibit local communities from placing additional restrictions on genetically enhanced crops.

The bill, SB 1009, would require uniform statewide regulations regarding registration, labeling, sale, storage, and planting of seeds and would prohibit the

**MISSOURI p. 4**

## Uganda Will Battle Malaria with DDT



By Paul Driessen

The African nation of Uganda has announced it will defy European Union threats and begin indoor spraying of DDT to battle rampant malaria.

**MALARIA p. 7**

## Federal Court Overturns Clean Air Rule

By Bonner R. Cohen

In a stunning setback for the Bush administration's environmental and energy policies, a federal court on March 17 tossed out a key provision of a clean air rule that would have allowed for less-stringent emissions restrictions for aging coal-fired power plants and other industrial facilities in the United States.

**CLEAN AIR p. 8**

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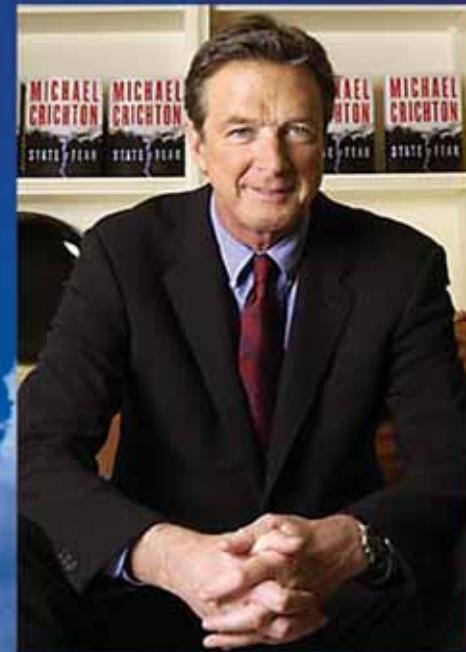
# Crichton is RIGHT!

Michael Crichton's new book, *State of Fear* (Harper Collins, 2004, \$27.95), is a surprising book. Tucked inside a lively and entertaining tale of a philanthropist, a scientist, a lawyer, and two remarkable women who travel around the world trying to foil the plots of evil-doers is a detailed expose of the flawed science and exaggerations at the base of the global warming scare. It is also a devastating critique of mainstream environmentalism today and an eloquent call for change.

Like Crichton's previous block-busters, *The Andromeda Strain* and *Jurassic Park*, this new book blends science and fiction in ways that teach as well as entertain readers. Crichton, who earned an M.D. from Harvard University and has written several nonfiction books, backs up his claims with footnotes, an appendix, and an annotated bibliography. Clearly, he wants the science in his book to be taken seriously.

**Which raises the question: How much of the science in *State of Fear* is accurate, and how much is fiction?**

The answer: **Michael Crichton is right!** His synthesis of the science on climate change is extremely accurate and the experts he cites are real. The Heartland Institute has been participating in the debate over climate change for more than a decade, and we have worked with many of the experts listed in the book's bibliography. You can find more information at The Heartland Institute's Web site, [www.heartland.org](http://www.heartland.org), by clicking on the *Crichton is Right* button.



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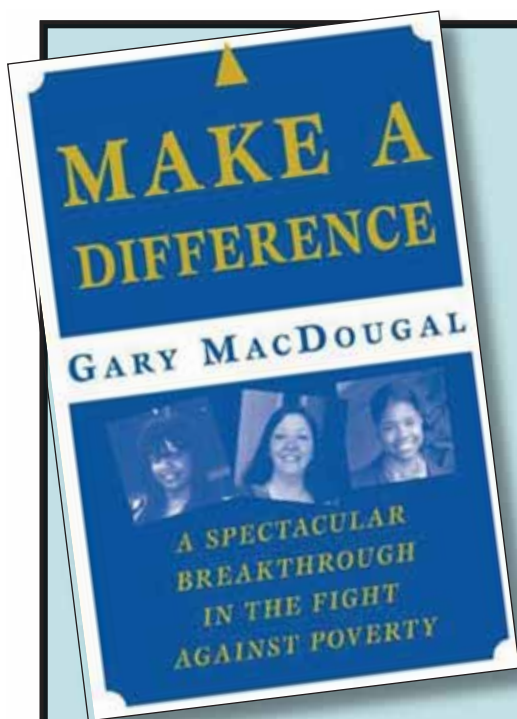
*Make a Difference* is both a compelling memoir and convincing proof that we now know

important answers to help solve America's poverty problem—without spending any more of the taxpayers' money.

Author Gary MacDougal spent years working in Illinois inner cities and rural communities—talking with “ladies in the backyard,” befriending community leaders, and working with local organizations in his quest to find solutions that have long eluded academic researchers and politicians. As chairman of the Governor's Task Force on Human Services Reform, MacDougal was the catalyst for the complete overhaul of the state's welfare system, which included the largest reorganization of state government since 1900.

Eight years after MacDougal's suggestions were implemented, Illinois now stands well ahead of California, New York, and other big-city states, with a spectacular 86 percent reduction in the welfare rolls since reform implementation in 1996, second only to Wyoming among all fifty states. The welfare rolls in Chicago's Cook County have been reduced an amazing 85 percent, with studies showing that most who left the rolls are working, and at pay above minimum wage.

MacDougal's extraordinary journey shows the way for the rest of the nation and proves there are ways we can all help provide a ladder of opportunity for those in poverty. We each can *Make a Difference* in the ongoing effort to end America's poverty problem.



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# Yellowstone Wolf Population Tops 1,000, States Seek Delisting



**By James M. Taylor**

The population of gray wolves in and around Yellowstone Park has reached more than 1,000, according to a March 10 federal government report.

The number of wolves, including nearly 100 breeding pairs, is more than sufficient for the wolves' removal from Endangered Species Act (ESA) protection. But disagreements between Wyoming and the federal government have delayed the wolves' delisting.

### Further Protection Unnecessary

By 2003, the gray wolf population in and around Yellowstone had reached approximately 760 animals, which the U.S. Fish and Wildlife Service (FWS) determined was sufficient to remove the animals from ESA protection. While protection was considered no longer necessary, FWS nevertheless required Idaho, Montana, and Wyoming to submit wolf management plans as a prerequisite to delisting the wolf, to satisfy FWS that the wolves will not fall back into endangered status.

Two years ago, the FWS approved the wolf management plans submitted by Idaho and Montana, but it has refused to approve Wyoming's proposal. Until an agreement is reached between Wyoming and the federal government, wolves cannot be delisted in any of the three states.

### Wyoming, Feds Clash

The Wyoming-FWS dispute is currently being litigated in a federal appellate court. Wyoming is seeking to have the court determine whether its proposed management plan meets the criteria for ESA delisting.

The FWS argues Wyoming's plan will be ripe for litigation only after the federal office issues a final and formal decision, due in July, on the

proposed plan. Wyoming counters that the agency's repeated objections to its plan, while approving the plans of Idaho and Montana, amounts to an FWS denial that is suitable for litigation. By stalling on a "final" decision, Wyoming argues, the FWS has benefitted from more than two years of a de facto decision without having to defend it in federal court.

The U.S. Court of Appeals for the Tenth Circuit is considering the matter but has yet to rule on whether there has been a de facto final decision ripe for litigation.

### Danger to Livestock

The main source of contention between Wyoming and the FWS is Wyoming's proposal to allow ranchers to kill wolves on sight outside the Yellowstone-Grand Teton region.

Worried about the toll on livestock the increasing number of wolves will have outside the protected Yellowstone-Grand Teton region, the state of Wyoming and area ranchers argue wolves migrating to other areas of the state should be classified as nuisance predators. The FWS prefers to allow the killing of wolves only in defense of an imminent attack on livestock.

Ed Bangs, wolf recovery coordinator for the FWS in Helena, Montana, believes limited hunting would be beneficial for the wolf population. Bangs told the Associated Press on May 9 that when people are allowed to hunt, they learn to respect an animal more. Feelings of stewardship replace feelings of resentment, Bangs said.

The wolf population has grown far beyond what is necessary for sustainability, Wyoming officials and ranchers contend, and livestock is at risk because government protections are stronger than needed.

**"People's willingness and ability to live with wolves is in many ways tied to our ability to properly manage them. We don't want to treat wolves solely as predators, yet we must address conflicts as they occur."**

**CAROLYN SIME**  
MONTANA DEPARTMENT OF  
FISH, WILDLIFE, AND PARKS

Wolves were first reintroduced to the Yellowstone region 10 years ago. Their numbers have surpassed 1,000 and are growing every year. "I'm eating crow," said Bangs. "I never thought we'd get that high."

### Dispute Affects Neighbors

Carolyn Sime, wolf coordinator for the Montana Department of Fish, Wildlife, and Parks, said the ongoing conflict between Wyoming and the federal government is causing frustration among Montana officials.

"Montana and Idaho are directly impacted by developments in Wyoming," said Sime. "We would like to see Wyoming resolve their differences with the federal government in a timely fashion. This would allow us to fully implement our management plans. Unfortunately, litigation does not always go hand-in-hand with timely resolution."

"The people that live with wolves are affected by them, both positively and negatively," Sime observed. "People's willingness and ability to live with wolves is in many ways tied to our ability to properly manage them. We don't want to treat wolves solely as predators, yet we must address conflicts as they occur."

Sime notes population management is a necessary effort. "Hunting and trapping are tools to manage wolf populations. We don't look at this as a first option, but when wolf populations become swollen they begin preying on livestock, and we have to manage them."

"Life is fundamentally different now that we have wolves back," Sime added. "Our culture is greatly impacted by wolves."

*James M. Taylor (taylor@heartland.org) is managing editor of Environment & Climate News.*

## Missouri

Continued from page 1

state and local governments from enacting regulations more stringent than their federal counterparts.

With two California counties recently banning genetically enhanced crops, legislators in Missouri and several other states have worked to ensure communities in their states do not give in to pressure from anti-technology groups. Fourteen states have prohibited local regulation of genetically enhanced seeds, and Missouri is one of several others currently considering the issue.

### Uniformity Protects Freedom

“Ordinarily, it is desirable to give local governments some freedom to ‘compete’ with one another on how best to achieve certain goals,” said Greg Conko, director of food safety policy at the Competitive Enterprise Institute.

“But, since federal regulation sets a floor below which no state or municipality may lower their regulatory stringency, and states often set an even higher floor below which no municipality in the state may venture, no real competitive governance can take place,” Conko explained. “Since the only way for local governments to go is toward less and less freedom for their residents, I think there are very good reasons for precluding local governments from imposing stricter regulations.”

“We need to continue to send a very clear message that Missouri is very open to biotechnology, because not only will farmers have the ability to produce [biotech] food, but we will be able to heal people,” Sen. David Klindt (R-Bethany) told the Associated Press for an article published on March 15 by the *Kansas City Star*.

Klindt, a farmer in northwest Missouri, knows firsthand how a state’s openness to biotechnology can benefit not only crop production but also the state’s business economy. Ventria Bioscience, based in Sacramento, California, is planning to relocate to Klindt’s Missouri district.

### Federal Expertise Greater

According to Conko, “The justifications for setting nationwide rules at the federal level are, one, that the federal government typically has vastly better resources and greater expertise with which to set the ‘optimal’ level of regulatory strictness; and two, that setting one national policy is better for consumers and producers because it allows goods and services to flow more freely around the country. Both argue against letting states or local governments set idiosyncratic standards.”

Activists disagree. “We, as local citizens, will be giving up our rights,” warned Rhonda Perry, program director for the Missouri Rural Crisis Center, for the March 15 *Kansas City Star* report.

### Citizens Thoroughly Protected

“The FDA, USDA, and EPA each have thousands of scientists working for them, and they have ready access to

most of the world’s leading independent scientific and medical expertise—certainly more so than state or local governments do,” Conko noted. “The U.S. National Academy of Sciences, for example, was established for the express purpose of providing scientific advice to the federal government. Even the biggest states, such as California and Texas, have no comparable level of expertise, and local governments are woefully less competent by comparison with states.

“Given that the federal government has set regulatory policies for biotech crops and foods that are stricter than even the National Academy of Sciences

has recommended, it makes little sense for states, counties, or municipalities to ratchet up regulatory standards from that already too high level,” Conko added.

At press time, SB 1009 was awaiting action by the full Missouri state Senate,

and the bill’s House counterpart, HB 1842, was awaiting action by a House committee.

*James M. Taylor (taylor@heartland.org) is managing editor of Environment & Climate News.*

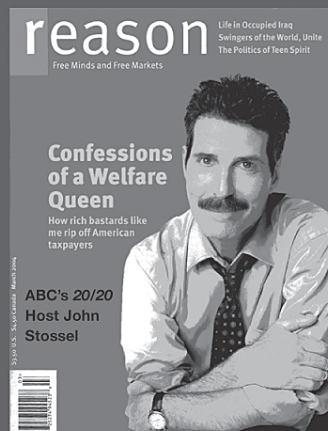
## INTERNET INFO

More information about biotechnology is available on the Web site of Truth about Trade & Technology, <http://truthabouttrade.org/>.

The full text of SB 1009 is available online at <http://www.senate.mo.gov/06info/pdf-bill/intro/SB1009.pdf>.

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# Vermont Legislature Considers Anti-Biotech Bills

By Michael Coulter

A House-Senate conference committee of the Vermont legislature is working to reconcile two measures that could hold manufacturers of transgenic, sometimes known as biotech, seeds responsible for a broad range of economic losses suffered by organic farmers in the state.

On January 3, the Vermont House passed on a voice vote its version of the Farmer Protection Act. An amendment that would have incorporated "strict liability" was rejected by a 79-68 vote. Dexter Randall, a member of the Progressive Party from Troy, was the chief advocate of that amendment.

The House version was sent to the Senate, which rejected it on January 10, 2006. The Senate had passed its own version on April 5, 2005, by a 26-1 vote.

At press time, the conference committee had not produced a final bill. The extent of liability imposed on seed manufacturers is expected to be the conference committee's chief hurdle.

## Approaches Strict Liability

"The Senate version clearly places liability on manufacturers of seeds for a broad range of injuries [to organic farmers]," said Drew Kershen, the Earl Sneed Centennial Professor of Law at the University of Oklahoma College of Law and a specialist in agricultural law.

Kershen said it would be incorrect to characterize the Senate's bill as imposing "strict liability," but the measure does "pass the risk from the grower of non-transgenic seeds to the manufacturer of transgenic seeds, and the Senate version has a broad description of injury."

Like the Senate, the Vermont House had considered a Farmer Protection bill during the 2005 legislative session. When that bill was being considered before both the Agriculture and Judiciary committees, there was an attempt to incorporate "strict liability" into the legislation, but both committees rejected the proposed amendment.

**"It would be a law that would criminalize contaminating corn with corn and it would create a regulatory nightmare."**

ALEX AVERY  
CENTER FOR GLOBAL FOOD ISSUES  
HUDSON INSTITUTE

While the current House version does not contain "strict liability," it does enable some liability to be imposed on manufacturers of transgenic seeds. "The House version softens some of the liability language, but it does basically the same thing," said Kershen. "It does not

say 'is liable' but does have language such as 'may recover' [damages from seed manufacturers], and the definition of injury is broader in the Senate [version] than the House [version].

"It is not certain how Vermont courts would interpret the language in the House version," said Kershen.

## Seed Manufacturers Face Liability

According to Kershen, Vermont is one of several states considering legislation that would make manufacturers of transgenic seeds liable for economic losses experienced by organic farmers because of "contamination" by biotech crops. Other states that have considered such legislation include California, Hawaii, Montana, and North Dakota.

"Each of these bills emerged from the Center for Food Safety (CFS) founded by Andrew Kimbrell, a long-time opponent of agricultural biotechnology," said Kershen.

The idea of holding manufacturers responsible for the alleged potential harm to organic farmers generates strong reactions.

"It would be a law that would criminalize contaminating corn with corn and it would create a regulatory nightmare," said Alex Avery, a fellow with the Hudson Institute's Center for Global Food Issues.

"It is preposterous and unreasonable," said Henry Miller, a fellow at the Hoover Institution and former director of the U.S. Food and Drug Administration.

## Impact Would Be Large

Both Avery and Miller believe the legislation would have profoundly harmful consequences.

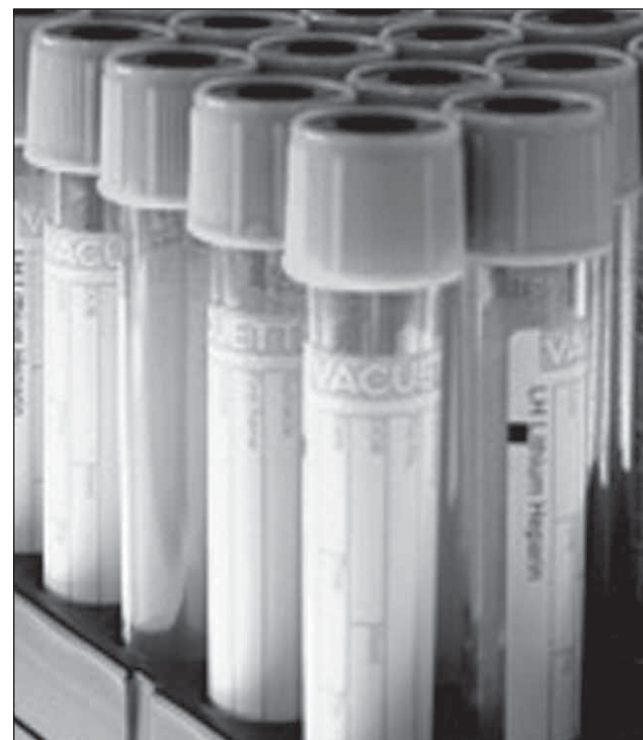
"It would exert a chilling effect on a superior technology," said Miller. "And it would do so for no reason, because there's no damage, economic or otherwise."

"Dairy farmers [who use biotech seeds for growing feed corn] will be left high and dry," said Avery. "Biotech firms will withdraw [from the state if the bill passes]."

## Organic Farmers' Fears Unsubstantiated

Proponents of the bill have asserted that some manufacturers of seeds must be held liable because of potential damage to organic farmers.

"I vote 'yes' [on strict liability] to allocate responsibility for injury and damage to where it belongs: On the back of corporations owning the patents, technology, and the genes, who reap the profits of the [genetically modified] seeds," said Rep. Duncan Kilmartin (D-Newport City) during the January 3 House debate over



the bill.

With producers likely to stop selling genetically enhanced seeds in the state rather than face economically punitive, heightened liability standards, Rep. Harvey Smith (R-New Haven) countered the legislation is merely "a backdoor attempt to disallow the use of biotech seeds in Vermont," according to a report in the January 4 *Rutland Herald*.

Miller noted, "organic [farming] is [a matter of] meeting process standards," not the use of particular types of genes, and hence would not be affected by unintentional pollination by neighboring biotech farms.

**"It would exert a chilling effect on a superior technology. And it would do so for no reason, because there's no damage, economic or otherwise."**

HENRY I. MILLER  
HOOVER INSTITUTION

Greg Conko, author of the book *The Frankenfood Myth* and a senior fellow at the Competitive Enterprise Institute, agreed that unintentional pollination would not affect an organic farmer. "As long as it is purely accidental, it should not affect organic certification."

Michael Coulter ([mlcoulter@gcc.edu](mailto:mlcoulter@gcc.edu)) teaches political science at Grove City College, Pennsylvania.

## INTERNET INFO

The Senate version of the Farmer Protection Act is available online at <http://www.leg.state.vt.us/docs/legdoc.cfm?url=/docs/2006/bills/senate/s-018.htm>.

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# California Considers Smoking Bans for Cars, Apartments

By James M. Taylor

The California Air Resources Board (CARB) on January 26 voted unanimously to declare secondhand smoke a "toxic air contaminant," setting the stage for more sweeping smoking prohibitions in a state already known for its intolerance of smokers.

## Board May Stretch Authority

Upon declaring a substance a toxic air contaminant, CARB is authorized to enact measures to restrict exposure to the contaminant. California already prohibits smoking in offices and restaurants, and many California communities additionally ban smoking in open-air parks and on beaches.

The lone speaker at CARB's January 26 hearing, Paul Knepprath of the American Lung Association, called on CARB to make it unlawful for people to smoke in hotels, motels, and even their own apartments. Additionally, Knepprath argued, CARB should make it a crime for a person to smoke in his or her own car.

While asserting substantial regulatory authority regarding outdoor air, CARB spokesman Jerry Martin acknowledged the agency may have limited authority over indoor environments. "Our authority is very limited indoors, so that is

something our legal staff would have to research," said Martin, according to a January 27 *Los Angeles Times* report. "We do have authority to regulate cars, and some would say that includes inside them."

## Cited Controversial Studies

To justify its new classification of secondhand smoke as a toxic air contaminant, CARB pointed to controversial studies linking secondhand smoke to health ailments such as cancer and respiratory illnesses. Many other studies, however, dispute such asserted links.

As the January 27 *Contra Costa Times* observed, "The most controversial of the findings is that secondhand smoke can increase the risk of breast cancer in premenopausal women. Established groups such as the American Cancer Society say there is not enough evidence to draw this conclusion."

CARB's premenopausal breast cancer finding "conflicts with a 2004 report by the U.S. surgeon general," added the January 27 *New York Times*.

"The secondhand smoke claims were demolished by a 1998 World Health Organization study," said Sheldon Richman, senior fellow at the Future of Freedom Foundation. "A ten-year meta-study, in which the World Health

Organization analyzed all the research and studies to date, failed to find a clear link between secondhand smoke and lung cancer. The activists tried to hush it up, and their media allies were all too happy to not report it. The truth was bottled up when the activists and the media alarmists did not get the results they wanted."

## Harmless to Others Outdoors

Even if secondhand smoke health fears proved justified, such smoke has very little impact on humans outdoors.

"No studies exist that show that exposure outdoors leads to any increased risk of tobacco-associated illness," said David Howard, a spokesman for R.J. Reynolds, for the January 27 *New York Times* story.

## Family Rights at Stake

"It seems illogical to stop people from smoking in their own homes or their own cars even when they are by themselves," said Richman. "It opens up a tremendous can of worms. Why stop with smoke? It seems arbitrary to start and end with



smoke, unless the extremists plan not to end it with smoke. What is next, a child's diet, drink, religious practices, general lifestyles, or any other 'vices' that children might be exposed to?

"If the government is going to begin managing the family, allegedly for our own best interests, that shifts family authority from families to bureaucrats," Richman pointed out. "This is a frightening proposition in which we risk losing the larger picture and face unseen effects further up the road."

James M. Taylor ([taylor@heartland.org](mailto:taylor@heartland.org)) is managing editor of Environment & Climate News.

## Maryland, Virginia Reject Smoking Bans

As California regulators began considering banning smoking in such personal spaces as cars, apartments, and hotel rooms, legislators in Maryland and Virginia took a decidedly different tack, defeating attempts to impose smoking bans in restaurants, bars, and other public places.

The Maryland House Health and Government Operations Committee on February 23 voted to reject a proposed statewide ban on smoking in most indoor public places. Three Maryland counties—Montgomery, Talbot, and Prince George's—have imposed countywide bans on smoking in most public indoor places, but state legislators refused to make such prohibitions statewide in nature.

"There were concerns about the business impacts" of banning smoking in such places as restaurants and bars, said committee chair Peter Hammen (D-Baltimore), explaining the vote in the February 24 *Maryland Gazette*.

In Virginia, also on February 23, a House of Delegates subcommittee of the General Laws Committee unanimously rejected a similar bill.

"The problem is, I want to have

**"I want to have smoke-free restaurants and businesses. But in America, you don't pass a law to tell a private business owner who is paying rent or mortgage payments what he can and can't do in his own place."**

DAVID ALBO  
DELEGATE - FAIRFAX, VIRGINIA

smoke-free restaurants and businesses. But in America, you don't pass a law to tell a private business owner who is paying rent or mortgage payments what he can and can't do in his own place," said Del. David Albo (R-Fairfax), according to the February 24 *Washington Post*.

Although House rules allow the chairman of the General Laws Committee to bring the defeated bill before the full committee, Chairman John Reid (R-Henrico) indicated he had no plans to do so.

Gov. Timothy Kaine (D) did not support the bill.

— James M. Taylor

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# Malaria

Continued from page 1

Malaria kills more people in Uganda each year than any other disease, including AIDS and tuberculosis, which typically receive more media attention. Malaria accounts for 40 percent of all illnesses and 21 percent of deaths in Uganda's hospitals. Every year the disease kills approximately 100,000 children under five years old in the country.

"We have to kill malaria using DDT, and the matter has been settled that DDT is not harmful to humans and if used for indoor-insecticide spraying," Uganda Health Minister Jim Muhwezi told the *East African* on April 4. "It's the most effective and cheapest way to fight malaria."

## DDT Ban Causes 'Holocaust'

Worldwide, malaria infects more than 500 million people annually, and kills at least 1 million. Most of the victims—375 million—are women and children.

"That's more victims than there are people in the United States and Canada combined," said Roy Innis, national chairman of the U.S.-based Congress of Racial Equality.

"We [have] emphasized fears about speculative risks from trace amounts of insecticides and ignored the real, immediate, life-or-death risks that those insecticides could prevent," said Innis. "The result has been another holocaust of African mothers, fathers, and children every few years, a death toll since the 1972 DDT ban that surpasses World War II's—over 50 million people. It is a travesty worse than colonialism ever was, a human rights violation of monstrous proportions."

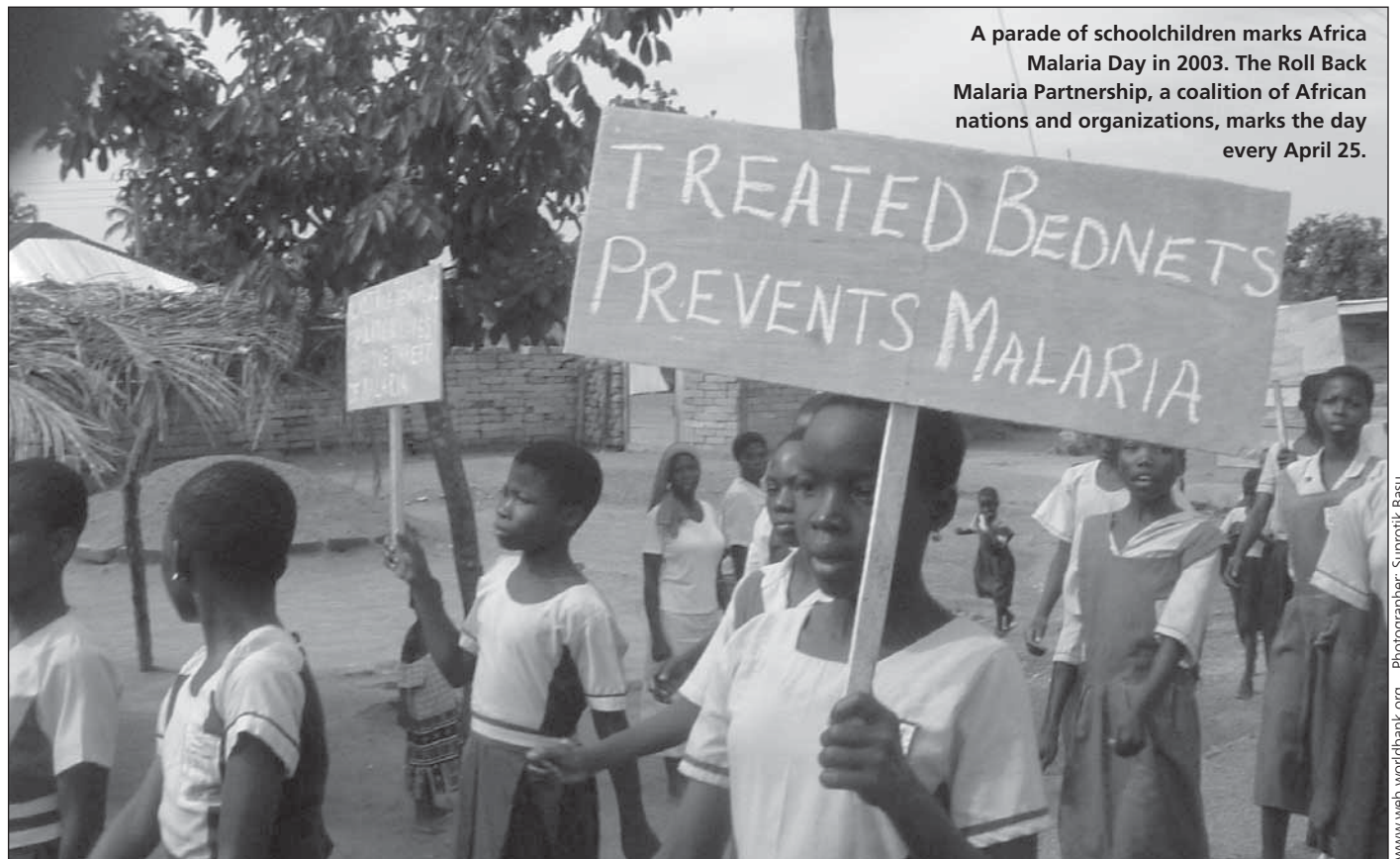
"The result of the DDT ban has been an unspeakable death toll," observed film producer and preventive medicine doctor D. Rutledge Taylor in the March 20 issue of *American Daily*. "It is about the greatest human death toll in the known history of man, far greater than the holocaust and all the wars combined. It is time that we as generations of humans wake up and do what is right for humanity."

## EU Threatens Africans

European Union officials and nongovernmental organizations, who claim DDT spraying inside Ugandan huts may result in trace levels of the chemical being found on exported Ugandan crops, threatened to restrict the import of Ugandan crops in retaliation for the nation's use of DDT.

"If the strict controls that should be put in place when DDT is used are not fully adhered to, and there is a risk of contamination of the food chain, [it] would not automatically lead to a ban of food products, but it will mean that that particular consignment cannot be sent to Europe," said Tom Vens, head of the Economic, Trade, and Social sectors desk at the European Union delegation to Uganda, according to the April 4 *East African* report.

"No other insecticide, and no bed net at any price works as well as DDT,"



A parade of schoolchildren marks Africa Malaria Day in 2003. The Roll Back Malaria Partnership, a coalition of African nations and organizations, marks the day every April 25.

www.web.worldbank.org Photographer: Suprotik Basu

countered Innis.

## No Threat to Crops

Today, DDT is used in carefully controlled campaigns that spray tiny amounts of the chemical on the inside walls of canvas, mud-and-thatch, or cinder-block dwellings. A single treatment lasts up to eight months (versus eight hours for bug repellants with DEET, the most common active ingredient in mosquito repellants currently legal worldwide), keeps 90 percent of mosquitoes from entering homes, irritates any that do come in so they don't bite, and kills many of those that land on the inside walls.

Used this way, virtually no DDT ever enters the surrounding environment, and results are astounding.

"Within two years of starting DDT programs, South Africa, Mozambique, Zambia, Madagascar, and Swaziland slashed their malaria rates by 75 percent or more," Innis noted.

## Ban Keeps Africans Poor

In addition to the direct annual death toll, malaria strangles African economies, preventing them from escaping near-universal poverty. According to a March 22 statement from the United

Nations Integrated Regional Information Networks, "Economically, malaria drains the wealth of nations and households.

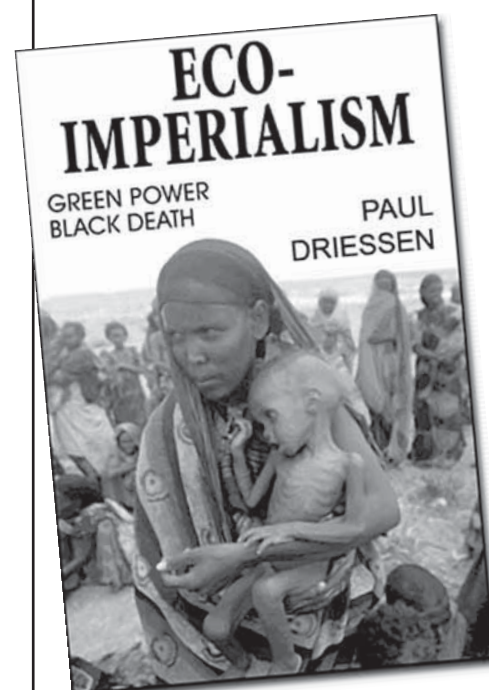
"Recently the [World Health Organization] reported that malaria costs Africa \$12 billion a year. In countries where this disease is endemic, it grinds down the per-capita economic growth rate by 1.3 percent yearly. Poor

households can spend up to 34 percent of their total income fighting malaria," the statement continued.

*Paul Driessen (pdriessen@eco-imperialism.com) is a senior fellow at the Congress of Racial Equality and author of Eco-Imperialism: Green Power; Black Death.*

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## INTERNET INFO

More information on the impact of malaria on Uganda is available from the Web site of the country's ministry of health, at <http://www.health.go.ug/malaria.htm>.

Additional information is also available from the Web sites of the African American Environmentalist Association, <http://www.aaenvironment.com/DDT.htm>, and Africa Fighting Malaria, <http://www.fightingmalaria.org/>.

# EPA Begins Hearings on Tighter Soot Standards

By William Kovacs

The U.S. Environmental Protection Agency (EPA) on March 8 began conducting hearings across the country on federal particulate matter (PM) standards. The hearings follow EPA's December 20 proposed major revisions to its National Ambient Air Quality Standard (NAAQS) for fine particulate matter (PM<sub>2.5</sub>).

The proposed revisions would take place prior to full implementation of the current PM<sub>2.5</sub> standard, which was established in 1997, and would take effect before the effectiveness of recent tools developed to help states meet the NAAQS has been assessed.

## Standards Recently Toughened

PM<sub>2.5</sub> describes any particle—including dust, dirt, soot, smoke, and liquid droplets—smaller than 2.5 micrometers in diameter (approximately 1/30th the width of an average human hair). These particles, detectable only through a

microscope, come from a variety of domestic and foreign sources, and their regulation requires standards that are narrowly tailored and exceedingly complex.

**“To change the PM<sub>2.5</sub> NAAQS at this point—without providing any opportunity to observe how the current standard affects human health and the economy—is seen by many analysts as unreasonable.”**

Since 1997, EPA has treated PM<sub>2.5</sub> as a single pollutant regardless of its source or chemical composition. During the Clinton administration, EPA adopted two different standards for ambient amounts of PM<sub>2.5</sub>: an annual average limit of 15 micrograms per cubic meter

( $\mu\text{g}/\text{m}^3$ ) and a daily limit of 65  $\mu\text{g}/\text{m}^3$ . When developed in the mid 1990s, these standards were widely hailed by the environmental community for significantly strengthening EPA's air quality programs. Recent evidence shows they have been even more successful than originally predicted.

Owing to the complexity of the issue, it has taken EPA eight years to implement the standards. During that time EPA developed a suite of tools to help ease the burden of regulation, including the Clean Air Interstate Rule and a plethora of mobile source standards.

## Activists Not Satisfied

Despite the acclaim offered for the 1997 standards, environmental organizations want more regulation, and in 2003, the American Lung Association filed a lawsuit to compel revision of the 1997 NAAQS. Due to the stringency of the

1997 standards, local communities expected to experience difficulties in achieving them, but rather than defend its ongoing efforts, EPA signed a consent decree agreeing to consider major revisions of the PM<sub>2.5</sub> NAAQS, thereby placing affected parties in a position of further uncertainty.

To change the PM<sub>2.5</sub> NAAQS at this point—without providing any opportunity to observe how the current standard affects human health and the economy—is seen by many analysts as unreasonable.

## Economic Impact Deep

EPA's new proposal would lower the daily exposure standard for PM<sub>2.5</sub> to 35  $\mu\text{g}/\text{m}^3$ , making it nearly 50 percent more stringent. This reduction will force new areas of the

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## Clean Air

Continued from page 1

### Revisions Sought Clarity

A three-judge panel of the U.S. Court of Appeals for the District of Columbia ruled unanimously that the administration's effort to bring regulatory clarity to a convoluted, 1970s-era rule known as New Source Review (NSR) violated the “plain language” of the Clean Air Act. The New Source Review rules require new power plants, refineries, and other industrial facilities to install state-of-the-art pollution control equipment.

As for older facilities, particularly coal-fired ones, the Environmental Protection Agency (EPA) held for more than 20 years that these plants could carry out routine maintenance without triggering the expensive NSR requirements. They were, in effect, “grandfathered” under the assumption they would be shut down in the coming years and replaced by more modern power plants.

That assumption, however, could not have been more erroneous, as an expanding economy, growing population, and the onset of the digital revolution led to soaring demand for energy. As a result, the older power plants stayed in operation.

### Disincentives to Modernize

In the 1990s, the Clinton administration reversed EPA's course and declared even routine maintenance of older facilities constituted a “new source” of emissions that required these facilities to comply with the NSR. The Clinton EPA brought suit against utilities it said were in violation of NSR.

After taking office in January 2001, Bush environmental officials sought, by regulatory means, to spare utilities and consumers the burdens brought on by the Clinton administration's reinterpretation

of New Source Review.

From the Bush administration's standpoint, the utilities were in a bind. If they delayed “routine maintenance” for fear of triggering expensive NSR requirements, emissions would rise and the environment would suffer. But if older power plants were shut down, electricity prices would rise accordingly. Both outcomes were undesirable.

### New Rule Struck Down

The Bush administration's response was its own interpretation of NSR, unveiled in 2002 and supplemented in 2003. Among other things, it included a definition of “routine maintenance.” The Bush interpretation exempted companies from NSR requirements whenever they made improvements to their facilities amounting to less than 20 percent of the replacement cost of the equipment.

Last year, a three-judge panel upheld part of the Bush NSR policy by giving its approval to the way EPA measures emissions by companies making upgrades in equipment or operations. But the effort to set a 20 percent threshold for making equipment modifications before triggering NSR requirements was struck down in the court's latest ruling.

“EPA's approach would ostensibly require that the definition of ‘modification’ include a phrase such as ‘regardless of size, cost, frequency, effect,’ or other distinguishing characteristic,” argued Judge Judith W. Rogers, who wrote the opinion. “Only in a Humpty Dumpty world would Congress be required to use superfluous words while an agency could ignore an expansive word that Congress did use. We decline to adopt such a world-view.”

### Activists Overjoyed

The decision was music to the ears of several state attorneys general and environmental groups who had challenged the Bush NSR rule. “This is an enormous victory over the concerted

efforts of the Bush administration to dismantle the Clean Air Act,” New York Attorney General Eliot Spitzer told the *New York Times* on March 18. Spitzer said the ruling “shows that the administration's effort to misinterpret and undermine the statute is illegal.”

Scott Segal, director of the Electric Reliability Coordinating Council, a trade group, lamented the court's ruling. “This is a missed opportunity for reform that would have made it easier to improve power plant efficiency and workplace safety, and that's bad news for consumers and the environment,” Segal told the *Washington Post* on March 18.

**“This is a missed opportunity for reform that would have made it easier to improve power plant efficiency and workplace safety, and that's bad news for consumers and the environment.”**

SCOTT SEGAL  
ELECTRIC RELIABILITY  
COORDINATING COUNCIL

### Victimized by Inconsistency

The Bush administration did itself no favors by sending mixed signals on NSR. While arguing against the Clinton administration's interpretation, it inexplicably allowed attorneys at EPA and the U.S. Justice Department to continue pursuing cases against utilities based entirely on the Clinton-era interpreta-



tion.

Joel Schwartz, a visiting fellow at the American Enterprise Institute who has written extensively on air quality issues, blamed the Bush administration for the outcome of the court's decision. “They tried to tinker around with the Clinton NSR policy instead of trying to change the law to remove the NSR's perverse incentives,” Schwartz said. He added, “The irony here is that we still have the NSR structure in place that discourages the modernization of aging facilities.”

Schwartz also dismissed claims by state attorneys general and environmental groups that the Bush NSR initiative would have increased pollution and undermined public health. “NSR is not an air pollution-reduction program,” he said. “Ambient air quality in the U.S. continues to improve primarily as a result of caps placed in recent years on emissions of sodium dioxide and nitrogen oxides.”

At press time, the administration had 45 days from March 17 to appeal the three-judge panel's decision.

Bonner R. Cohen (brcohen1@ix.netcom.com) is a senior fellow at the National Center for Public Policy Research in Washington, DC.

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**“EPA’s new proposal would lower the daily exposure standard for PM2.5 to 35µg/m3, making it nearly 50 percent more stringent.”**

country onto EPA’s non-attainment list. Affected local economies will be subjected to costly economic sanctions, including loss of federal highway funding, new and costly permitting requirements, and increased enforcement actions and regulatory micromanagement by EPA.

In addition, EPA’s proposal will result in higher prices for basic goods and services. For example, consumers will pay more for gasoline as the number of boutique fuel mandates expand and fuel prices are raised across the board to cover increased costs. These price increases would disproportionately affect the poor and elderly.

Nonetheless, environmentalists are not applauding EPA’s announced approach to ratchet down emissions standards and expand the agency’s regulatory reach. Instead, the environmental community has expressed outrage at EPA’s proposal, calling it a “gift to polluters” and a maintaining of the status quo. Many are demanding changes to the NAAQS that would push virtually every single state into non-attainment.

#### **Problem Imaginary, Solution Costly**

Environmentalists’ demands and the increased costs of complying with EPA’s new standards might be reasonable if they were convincingly justified by scientific knowledge. However, there is no firm scientific support on the record for EPA’s action. As researchers continue to look into the associations between PM2.5 exposure and human health, their studies, when uncertainties are taken into account, fail to find any firm correlation between health problems and the levels of PM2.5 exposure that EPA is targeting.

Taken as a whole, EPA has made great progress to date in addressing health threats from PM2.5. The U.S. Chamber and other stakeholders contend EPA should avoid disrupting its current programs and wait until adequate time has passed to judge their effectiveness and their impact on human health. Any further regulatory actions beforehand, these organizations say, are premature.

*William Kovacs (pr@uschamber.com) is vice president of the U.S. Chamber of Commerce Environment, Technology, and Regulatory Affairs Division.*

### **INTERNET INFO**

Information on EPA’s proposed PM2.5 standard is available online at <http://www.epa.gov/air/particlepollution/actions.html>.

# Wisconsin, Kentucky Move Toward Clean Air Flexibility

By James Hoare

The Wisconsin Natural Resources Board and Kentucky Senate dealt a pair of defeats to environmental activists seeking to limit businesses’ flexibility in installing pollution control equipment.

#### **Wisconsin Approves Flexibility**

On February 22 the Wisconsin Natural Resources Board unanimously approved new air quality regulations mirroring federal efforts to give manufacturers more flexibility in installing pollution control equipment when upgrading plants.

The board, which had initially indicated it believed the flexible plan would lead to increased pollution, reached a different conclusion after more careful study of the issue.

“We don’t think it will amount to an increase in pollution,” Al Shea, administrator of the Wisconsin Department of Natural Resources, told the *Milwaukee Journal-Sentinel* on February 22.

#### **Cuts Red Tape**

According to Shea, a study provided by the Wisconsin Manufacturers & Commerce demonstrated that a similar, federal plan to allow upgrade flexibility might actually cut emissions. Key to the equation is the belief that the removal of excessive red tape would enable manufacturers to upgrade their facilities more quickly, leading to a more immediate implementation of pollution-reducing equipment.

Supporting that belief, Shea told the *Journal-Sentinel*, is the real-world experience of Michigan and Minnesota, where there has been no measurable increase in emissions since flexible rules were instituted in 2003.

#### **Activists Criticize**

Some environmental activist groups criticized the Wisconsin board’s decision. “This is taking us backwards,” Sierra Club attorney Bruce Niles told the *Journal-Sentinel*.

“The new rules are more realistic and forward-looking than the old rules,” countered Scott Manley, director of environmental policy for Wisconsin Manufacturers & Commerce, in an interview for this article.

“The current permitting process is so expensive and so confusing that it works to discourage modernization that would improve air quality,” Manley explained. “Additionally, many projects that would actually lead to reduced emissions currently are treated as leading to increased emissions, so the improvements never occur. This is a disincentive to modernize facilities and improve Wisconsin’s air quality.”

The rule may also save jobs, supporters say. “Without this (rule), we might have to consider putting a (production) line somewhere else,” Chip Brewer, a regulatory affairs executive with

S.C. Johnson & Son in Racine, told the *Journal-Sentinel*.

#### **Louisville Regs Questioned**

In Kentucky, the state Senate on February 27 approved a bill that would invalidate the City of Louisville’s Strategic Toxic Air Reduction (STAR) program and require a 60 percent majority of the Louisville Metro Council to revive the program or approve any air pollution requirements more stringent than state or federal standards.

The bill, SB 39, was drafted in response to concerns that the STAR program would put Louisville manufacturers at a disadvantage compared to other regional manufacturers. The United Auto Workers and Ford Motor Company are especially concerned, warning the program may lead to rising costs and layoffs among Ford’s 9,000-employee Louisville workforce.

State Sen. Dan Seum (R-Louisville) sponsored SB 39, which passed with a 27-10 majority.

The bill’s fate is uncertain in the House. House Speaker Pro Tem Larry Clark (D-Louisville) agrees Louisville’s STAR program is too stringent. However, a stand-alone House version of SB 39, sponsored by Reginald Meeks (D-Louisville), appeared temporarily dead while Louisville city officials and business representatives engaged in talks designed to salvage a less-stringent STAR program.

Frustrated by the House’s inaction on SB 39, Seum has attached it as an amendment to a lead poisoning bill that has already cleared the House and is awaiting action in the Senate. While the fate of compromise talks remains uncertain, House action on SB 39 appears to be on hold.

#### **Negotiations Continue**

According to the March 24 *Louisville Courier-Journal*, the City of Louisville has offered to tweak the STAR program in several ways but has yet to compromise on any of the program’s core components. According to the *Courier-Journal*, the city has offered to expand an exemption to certain natural gas boilers; defer to federal

guidelines in factoring the costs of control technologies; not punish businesses that only moderately exceed STAR limits; and loosely define pollution abatement requirements regarding Ford’s Fern Valley Road plant.

“The commitments made, clarifications provided, and changes discussed thus far give the [Ford] company additional clarity about the impact of STAR on their business while not reducing the public health and safety goals of the program,” said Bruce Traugher, secretary of Louisville’s community development cabinet, in a letter to Rep. Larry Clark (D-Okolona), according to the *Courier-Journal* report.

Ford spokeswoman Jennifer Moore told the *Courier-Journal* Ford is pleased with the city’s willingness to modify its program, but the company still cannot support the proposal.

Seum promises to continue to push for SB 39 in the current session and in the next if necessary, if Louisville fails to reach agreement with STAR opponents.

#### **Indiana Has Similar Debate**

The Kentucky legislature’s debate is similar to one that began in Indiana last year, when the legislature considered prohibiting the state or localities from enacting environmental rules more stringent than federal standards.

“Interest in the stringency of regulations remains strong in the Indiana legislature,” said Patrick Bennett, vice president of environment, energy, and infrastructure for the Indiana Manufacturers Association. “The Indiana Environmental Quality Service Council (EQSC) will examine the issue over the summer months.”

“Indiana and Kentucky routinely compete for economic development opportunities. The issue of stringency in regulation is important to industrialized areas along state borders,” Bennett added. “Indiana Senate Bill 234 [which prohibits the state from enacting more stringent environmental restrictions than federal standards] passed this session and will keep the regulatory stringency issue alive for discussion.” The bill is awaiting action in the state House.

*James Hoare (ljahoare@aol.com) is an attorney in Syracuse, New York.*

**“Indiana and Kentucky routinely compete for economic development opportunities. The issue of stringency in regulation is important to industrialized areas along state borders.”**

**PATRICK BENNETT**  
INDIANA MANUFACTURERS ASSOCIATION

## GLOBAL SATELLITE TEMPERATURES

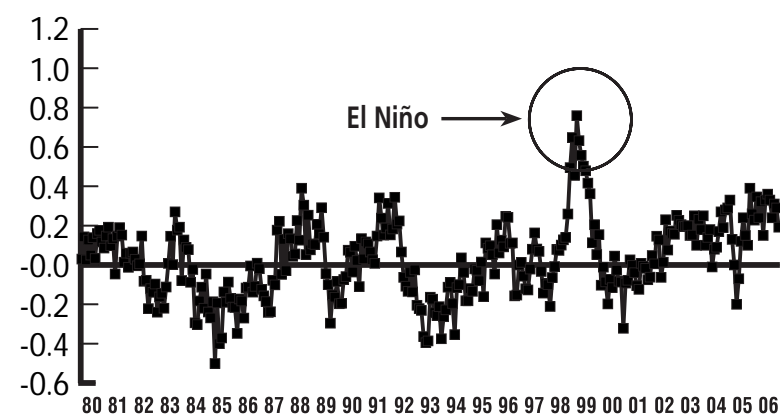
## STILL NO SIGNS OF GLOBAL WARMING

Each month, Earth Track 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/t2lt/tltglhmmam\\_5.2](http://vortex.nsstc.uah.edu/data/msu/t2lt/tltglhmmam_5.2).

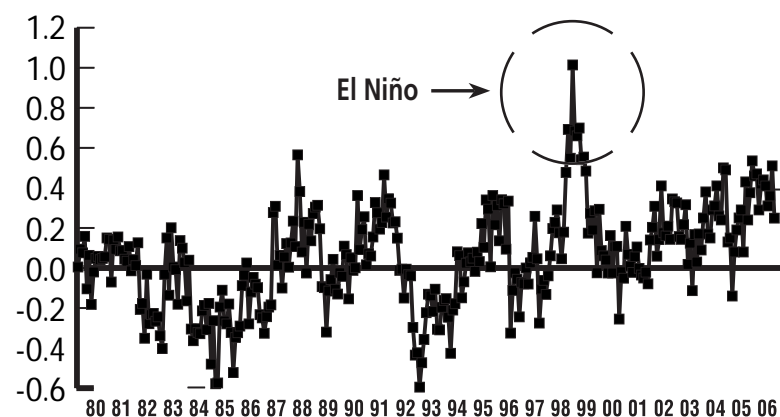
## MARCH 2006

The global average temperature (top) for March was 0.19°C above normal.  
The Northern Hemisphere's temperature (middle) was 0.25°C above normal.  
The Southern Hemisphere's temperature (bottom) was 0.14°C above normal.

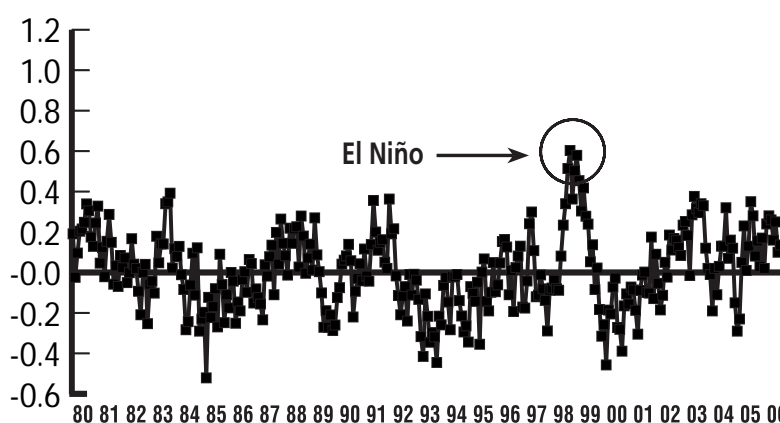
## GLOBAL AVERAGE



## NORTHERN HEMISPHERE



## SOUTHERN HEMISPHERE



## Are Polar Bears Dying?

By H. Sterling Burnett

A new study by Dr. David Legates, Delaware's State Climatologist and director of the University of Delaware's Center for Climatic Research, throws cold water on the claim that global warming threatens to cause the extinction of polar bears.

## Scare Unwarranted

As part of his study titled *Climate Science: Climate Change and its Impacts*, expected at press time to be released in April of this year, Legates reviewed assertions by environmental alarmists that global warming is causing an unnatural increase in Arctic temperatures, posing a threat to the thickness and extent of sea ice required by polar bears. In particular, Legates examined claims made in the *Arctic Climate Impact Assessment (Arctic Assessment)*, an international project of the Arctic Council—an intergovernmental forum consisting of representatives from eight Arctic nations and six groups representing indigenous peoples.

After careful review, Legates found the *Arctic Assessment* claims of an impending, human-induced arctic meltdown are "not supported by the evidence."

The *Arctic Assessment* claimed Arctic air temperature trends provide an early and strong indication of global warming causing polar ice caps and glaciers to melt. However, Legates points out that current research suggests this conclusion is unwarranted.

For example, coastal stations in Greenland are experiencing a cooling trend, and average summer air temperatures at the summit of the Greenland Ice Sheet have decreased at the rate of 4° F (2.2° C) per decade since measurements began in 1987.

## Arctic Russia Cooling

In addition, observes Legates, the *Arctic Assessment* ignored a relatively recent long-term

analysis of records from coastal stations in Russia.

Russian coastal station records of both the extent of sea ice and the thickness of fast ice (ice fixed to the shoreline or seafloor) extending back 125 years show significant variability over 60- to 80-year periods. Moreover, the maximum air temperature they report for the twentieth century was in 1938, when it was nearly 0.4° F (0.2° C) warmer than the air temperature for 2000. According to Legates, the Russian observations do "not support [claims of] amplified warming in Polar Regions predicted by general circulation models."

## Earth Warmer Before

Legates also points out that even if warming was happening, research shows such warming has occurred before, as ice cores from Baffin Island and sea core sediments from the Chukchi Sea (north of the Bering Strait between Alaska and Russia) show.

For example, in Alaska the onset of a climatic shift—a warming—in 1976-1977 ended a multi-decade trend of cold in the middle of the twentieth century. This simply returned temperatures to those experienced in the early years of the century.

## Warming a Minor Factor

According to the *Arctic Assessment*, human-caused warming in the Arctic will necessarily lead to decreased sea ice extent and thickness. However, Legates notes air temperature is only one of the factors that dictate sea ice coverage and thickness.

When the Arctic is relatively calm, for example, it is easier for sea ice to form. Sea ice is then moved around the Arctic by the force of the wind. During stormy periods, surface winds churn the water and move existing ice, making it more difficult for sea ice to form.

Reinforcing that point, Legates highlights a study commissioned by Canada's Department of Fisheries and

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Oceans, which concluded, “the possible impact of global warming appears to play a minor role in changes to Arctic sea ice.” According to Legates, the “Canadian study concluded that changing wind patterns are the primary cause of changing sea ice distributions. Moreover, the response of sea ice in the Antarctic has been quite different—while it has decreased in the Arctic, it has remained relatively constant (or even increased slightly) in the Antarctic since 1978.”

### “A new study by Dr. David Legates ... throws cold water on the claim that global warming threatens to cause the extinction of polar bears.”

#### Bear Population Steady

The *Arctic Assessment* concludes, “global warming could cause polar bears to go extinct by the end of the century by eroding the sea ice that sustains them.” This is misleading, Legates finds, because, as discussed above, Arctic air temperatures were as high as present temperatures in the 1930s and polar bears survived.

According to the World Wildlife Fund, about 20 distinct polar bear populations currently exist, accounting for approximately 22,000 polar bears worldwide. Of those distinct populations only two, representing about 16.4 percent of the total population, are decreasing. At the same time, 10 populations representing approximately 45.4 percent of the total population are stable, and 2 populations representing about 13.6 percent of the total number of polar bears are increasing. The status of the remaining populations is unknown.

“This [the *Arctic Assessment*] is nothing more than a poorly designed attempt to implement the Kyoto Protocol through the back door,” said Peyton Knight, director of environmental and regulatory affairs at the National Center for Public Policy Research. “You don’t list endangered species based on speculative predictions,” said Knight; “you list them because there are small numbers of the species and the numbers are in fact dwindling. This is not called the ‘someday-might-possibly-become-endangered-if-our-speculative-claims-prove-true’ list.”

H. Sterling Burnett ([sterling.burnett@ncpa.org](mailto:sterling.burnett@ncpa.org)) is a senior fellow at the National Center for Policy Analysis.

#### INTERNET INFO

Upon publication, Dr. David Legates’ report, *Climate Science: Climate Change and its Impacts*, will be linked on the Web site of the National Center for Policy Analysis, <http://www.ncpa.org>.

## Global Warming: Perfect Storm of Media Sensationalism

By Louise Butler

There it was, the perfect storm of misinformation, and I had called it all down upon my own head.

I had just finished reading *State of Fear*, by Michael Crichton. I was watching the movie *The Day After Tomorrow* (love Dennis Quaid!), all while doing research for a book about meteorology. Surrounded by a surfeit of truth, half-truth, convoluted half-truth, conjecture, assumption, and outright artifice, I needed a little academic triage to maintain my sanity.

The movie, of course, can be dismissed as mere entertainment. There were lots of the usual personalities, predictable bad guys and endearing good guys, the appropriate number of which die bravely. Still, it is a movie. It is supposed to be entertaining, and we who watch it recognize that our “willing suspension of disbelief” applies to the facts as well as the plot.

#### Sterner Stuff

*State of Fear* does not escape the intellectual problems of a work of fiction, but it is still made of sterner stuff. Crichton presents global warming as the faulty creation of environmental extremists, funded by people with marginal understanding of science and promoted by entertainment-oriented media. The book offers footnotes, charts, and references to bolster the conflicting dialog of the characters.

Crichton uses actual, if controversial, data to make his point. The overarching concern in *State of Fear* is that the current “green” bias toward belief in a manmade environmental catastrophe colors how information on global warming is presented. Here, Crichton and I are in total

agreement. Due diligence, on the part of those who present environmental information, is either inadequate or missing entirely. Still, *State of Fear* is fiction, and its science is flawed for the sake of the story.

There is ample evidence of global warming. There is ample evidence that manmade pollutants, in the form of carbon dioxide and sulfuric and nitric oxides, have and are influencing global warming. However, the belief that fossil fuel emissions are the major component in some looming environmental holocaust is unfounded and deliberately hysterical nonsense.

#### Politics, Fundraising vs. Science

Environmentalism is a cause that collects money and power only if there is a sense of impending disaster. Too many environmental groups don’t seem to be averse to altering or exaggerating data to create that sense of doom. Activists cite the frequent and devastating hurricanes that hit the United States last year. A scientist will point out that hurricanes, worldwide, have decreased, not increased.

Paranoia and political zeal are no substitute for empirical data.

Consider the following facts from a National Oceanic and Atmospheric Administration Web site. Our global surface temperature has increased by less than 1 degree Celsius since the late 1800s. We don’t know how much of this 0.6 degree increase is due to human activity. We live in the Holocene epoch, in the middle of a warming trend between ice ages.

Glaciers, by definition, have been melting since the end of the last ice age. That melting would naturally accelerate as the centuries of warming continued. We have no way of knowing if accelerated glacial loss is appropriate to this interglacial period or not.

While there is a slight trend toward less sea ice in the Northern Hemisphere, the sea ice in Antarctica may have actually increased. We know that the Earth has been through periods when sea levels were much higher than they are now, yet current increases are only two millimeters per decade.

#### Sun Is Strongest Factor

The sun will always be the primary mover in our climate, yet solar output was considered to be constant until we began satellite study of the sun in the late 1970s. Now we know that solar radiation production is variable to the point of affecting our

climate.

What we are calling a manmade disaster may be part of the grand rhythm of global climate change. Our mean global temperature has been greater than it is today, glaciers have come and gone, ocean levels have risen and fallen, and all of this happened before mankind was present or contributing anything to the atmosphere beyond flatulence.

Horror stories of global warming seldom present these facts.

#### Hubris Inhibits Understanding

The hard, complex, and thoroughly non-theatrical science of meteorology is given inadequate coverage in the media because of hubris. Humans understand much, so we like to think we can control much. We like simple solutions that follow the same pattern as the movies, television programs, and books that we enjoy.

We want a villain who is big and powerful. We want a hero who is the underdog. We want a solution that empowers us all. We like the meteorological story to be easily understood and capable of completion within our two-hour attention, popcorn, and bladder span. Simple solutions work only for simple problems or simple minds, and we have neither.

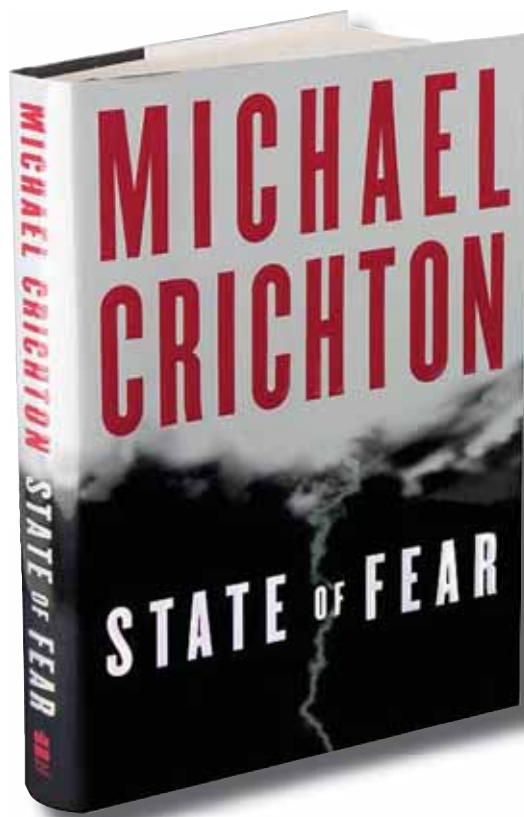
We need more hard news about weather, climate, and meteorological history. We need to know what it is and what it isn’t. We need to know that computer models can’t show us reality and they will be skewed according to the data given. Socially, we need to understand that money spent on an environmental issue that doesn’t exist is money that can’t be spent on problems that do. I would like to see serious research written in useable form in our best papers and newsmagazines.

Far from being a done deal, the causes, extent, and prevention of global warming are still evolving science and need broader, unfettered examination. This cannot happen if the media presume perfect knowledge on the side of militant environmentalists and deception on the part of those who seek hard data and real solutions.

Louise Butler ([think@heartland.org](mailto:think@heartland.org)) has written science curriculum, co-authored a science text for Glencoe-McGraw Hill, and received fellowships to study at Harvard University’s Center for Astrophysics and the University of Missouri-Rolla’s Earth and Atmospheric Sciences Institute. This article was first published in the *Mensa Bulletin* and is reprinted with permission.

#### INTERNET INFO

The paperback edition of Michael Crichton’s *State of Fear* is available for \$7.99 through Amazon.com.



# EPA Rule Is Making Ozone Smog Worse

## 'Weekend effect' makes costly measures backfire

By Joel Schwartz

The U.S. Environmental Protection Agency (EPA), which is forcing Americans to spend billions of dollars per year to address ozone air quality, is actually making the situation worse.

The evidence is an air pollution phenomenon known as the "weekend effect."

Ozone is formed in the atmosphere on sunny days from reactions between oxides of nitrogen (NO<sub>x</sub>) and volatile organic compounds (VOC). Every weekend in cities across America, ozone-forming emissions decline ... but ozone levels stay the same or even rise.

### Pollutants Fall, Ozone Rises

For example, in Los Angeles NO<sub>x</sub> and VOC decline, respectively, about 20 percent and 15 percent on Saturdays relative to weekdays. Nevertheless, ozone rises about 20 percent. On Sundays, NO<sub>x</sub> and VOC decline even more—about 35 percent and 20 percent, respectively, relative to weekdays. Yet ozone levels climb higher still, to about 30 percent above weekday levels.

Los Angeles has one of the worst weekend effects in the nation, but the pattern is similar all over the country. In Atlanta, NO<sub>x</sub> and VOC decrease, respectively, 57 percent and 17 percent on Sundays relative to weekdays, but ozone levels don't change. In Cincinnati,

NO<sub>x</sub> drops 40 percent on weekends, but with no change in ozone.

This is a problem because EPA and state regulators assume that reducing both VOC and NO<sub>x</sub> is necessary for attaining the federal eight-hour ozone standard, and they have built that assumption into NO<sub>x</sub>-reduction regulations that are costing Americans billions of dollars each year. But weekend-effect research suggests reducing NO<sub>x</sub> is at best slowing the pace at which ozone declines, and is even making ozone worse in some cities.

**"[W]eekend-effect research says reducing NO<sub>x</sub> is at best slowing the pace at which ozone declines, and is even making ozone worse in some cities."**

### NO<sub>x</sub> Reductions Backfire

Scientists have observed the weekend effect for years, and numerous studies suggest NO<sub>x</sub> reductions are the culprit. Although NO<sub>x</sub> and VOC work together to form ozone, the effect is nonlinear and depends on the ratio of VOC to NO<sub>x</sub> in the atmosphere. At high VOC-to-NO<sub>x</sub> ratios—a condition referred to as being "NO<sub>x</sub>-limited"—reducing NO<sub>x</sub> reduces ozone, while reducing VOC has

no effect.

On the other hand, at low VOC-to-NO<sub>x</sub> ratios—a "VOC limited" condition—reducing VOC reduces ozone, while reducing NO<sub>x</sub> increases ozone. (See sidebar for more on how this works.) Under VOC-limited conditions, if both VOC and NO<sub>x</sub> are reduced, the NO<sub>x</sub> reductions at best

blunt the expected benefits of lower VOC—and at worst counteract them.

Over the past few decades, American metropolitan areas have been moving further into the VOC-limited regime, because VOC has been reduced more rapidly than NO<sub>x</sub>. Most VOC comes from gasoline engines, mainly automobiles, and total automobile VOC emissions have been dropping about 10 percent per year for more than a decade as the fleet turns over to inherently cleaner cars. NO<sub>x</sub> emissions, on the other hand, are about evenly spread among automobiles, diesel trucks, off-road diesel equipment, and power plants, and those emissions have been dropping more slowly.

Eight-hour ozone levels declined only slightly during the 1990s in most of the United States, and even rose in a few areas, despite large reductions in VOC and smaller reductions in NO<sub>x</sub>. A decade of VOC and NO<sub>x</sub> reductions had little



effect on ozone levels. The NO<sub>x</sub> reductions are the leading explanation.

### Regulators Reject Facts

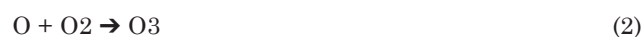
Starting in the late 1990s, EPA began pursuing large NO<sub>x</sub> reductions. Automobile "Tier 2" standards started phasing in with the 2004 model year, requiring an 80 to 90 percent reduction in automobile NO<sub>x</sub>. A 90 percent reduction of NO<sub>x</sub> emissions from new diesel trucks begins in 2007, with similar requirements for off-road diesel equipment beginning in 2010. NO<sub>x</sub> from coal-fired power plants declined about 60 percent between 1998 and 2004 and will decrease still further under EPA's Clean Air Interstate Rule.

Many coal-fired power plants are in rural areas, and it is possible rural NO<sub>x</sub> reductions are effective in reducing rural ozone levels, because ozone formation is

**CONTINUED at right**

## How Ozone Is Formed

NO<sub>x</sub>, shorthand for the sum of NO<sub>2</sub> + NO, is necessary for the formation of ozone (O<sub>3</sub>). Even when volatile organic compounds (VOC) are not present, ozone is formed through a series of sunlight-driven reactions among NO<sub>2</sub>, NO, and oxygen:



This cycle results in relatively low ozone levels. Ozone can't build up because, although it is formed in reaction (2), it is destroyed in reaction (3).

But add VOC, and ozone builds up. VOC allow NO<sub>2</sub> to be regenerated without destroying ozone. That is, VOC allow reaction (3) to be bypassed. OH radicals (also generated by various reactions among pollutants in the atmosphere) convert some VOC to peroxy radicals, which then regenerate NO<sub>2</sub> as follows:



... where the two oxygen atoms ("OO") are the peroxide group attached to a VOC.

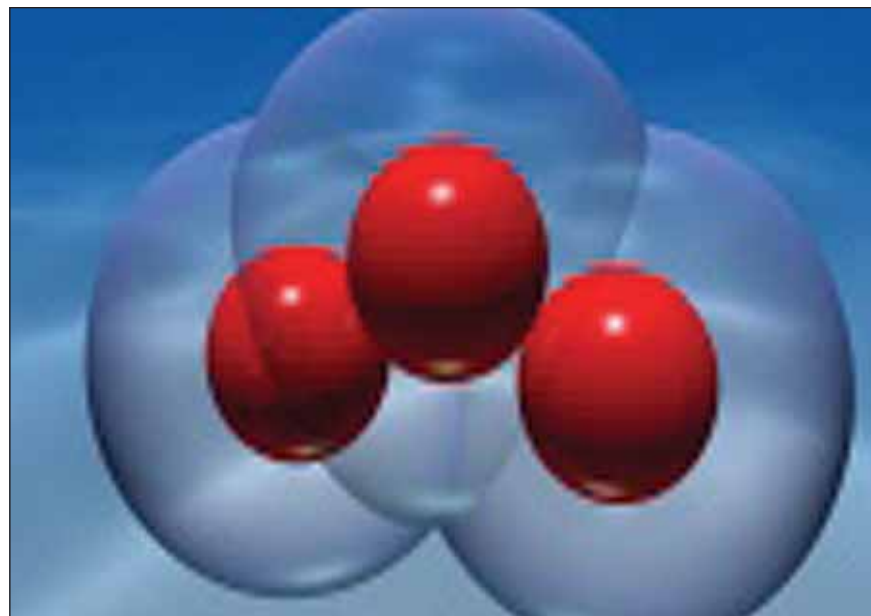
Ozone formation depends on the ratio of VOC to NO<sub>x</sub> (VOC/NO<sub>x</sub>). At high VOC/NO<sub>x</sub> ratios, ozone formation is controlled by the amount of NO<sub>x</sub> available, and reaction (4) is the main route to regenerate NO<sub>2</sub> from NO. Under this "NO<sub>x</sub>-limited" situation, decreasing NO<sub>x</sub> reduces ozone, while decreasing VOC has little or no effect on ozone.

But at low VOC/NO<sub>x</sub>, ozone formation is limited by the amount of VOC avail-

able for reaction (4), and reaction (3) becomes the main route to regenerate NO<sub>2</sub> from NO. In addition, at low VOC/NO<sub>x</sub>, NO<sub>2</sub> competes with VOC to react with OH radicals, slowing the rate at which VOC is converted to peroxy radicals, and thereby slowing the rate of reaction (4).

Under this "VOC-limited" or "VOC-sensitive" condition, reducing VOC reduces ozone, but reducing NO<sub>x</sub> increases ozone. The NO<sub>x</sub> reductions increase ozone through two means: First, by slowing down the rate of ozone destruction through reaction (3), and second, by speeding up the rate of NO<sub>2</sub> regeneration through reaction (4), allowing each molecule of NO<sub>x</sub> to make ozone more rapidly.

— Joel Schwartz



CONTINUED from left

more likely to be NO<sub>x</sub>-limited there. But “mobile-source” NO<sub>x</sub> reductions mainly affect urbanized areas, and are therefore likely to further slow or even reverse progress in reducing ozone levels in the places where most Americans live.

Admitting that NO<sub>x</sub> reductions are actually harmful, however, would be a major embarrassment for federal and state regulators. Not surprisingly, they have vigorously resisted the implications of weekend-effect research.

#### VOC Is Key

Even during the Clinton administration, EPA concluded the measures necessary to attain the federal eight-hour ozone standard would impose costs on the American public far greater than the benefits achieved. And economists within the Clinton administration but outside EPA believed the agency had drastically low-balled the cost estimates. Nonetheless, the Bush administration plans to tighten the ozone standard still further.

Current federal ozone policy can only make Americans worse off. But by rationalizing ozone-control strategy, we can at least reduce the damage. Ideally, EPA should put the brakes on NO<sub>x</sub> reductions in urban areas by backing off on NO<sub>x</sub> requirements for new motor vehicles and retrofit programs.

At the same time, regulators should speed up VOC reductions. Automobiles contribute most VOC emissions, and the worst 5 percent of automobiles account for half the total VOC contribution by automobiles. These cars can be identified on the road with remote sensing and their owners required to repair or voluntarily scrap their cars for a cash incentive.

What makes this strategy appealing is that VOC reductions will indeed reduce ozone in most places, especially the places where most people live. There is no other means to more substantial, more rapid, or less expensive improvements in ozone air quality.

*Joel Schwartz (joel@joelschwartz.com) is a visiting fellow at the American Enterprise Institute.*

### INTERNET INFO

The National Renewable Energy Laboratory and its partners have published several papers related to the weekend/weekday ozone effect. Links are available online at <http://www.nrel.gov/vehiclesandfuels/nfti/publications.html>.

“Emissions Down, Smog Up. Say What?” a January 2004 American Enterprise Institute paper by Joel Schwartz and Steven Hayward, is available online at [http://www.aei.org/publications/pubID.19746/pub\\_detail.asp](http://www.aei.org/publications/pubID.19746/pub_detail.asp).

## Wisconsin Senate Narrowly Defeats Ethanol Mandate

By James Hoare

The Wisconsin Senate on March 9 narrowly defeated legislation that would have required all regular-grade gasoline sold in the state to contain at least 10 percent ethanol.

#### Amendments Insufficient

The state Assembly in December had approved a similar bill by a vote of 54-38. When it became apparent the bill lacked sufficient votes to pass the Senate, supporters added amendments to the bill to ease some of the concerns of the bill's opponents. Even in its amended form, however, the bill failed to pass the Senate.

One amendment addressed concerns that ethanol might actually increase air pollution. Although ethanol would reduce some forms of air pollution, it remains unsettled whether ethanol might increase ground-level ozone. To address that concern, proponents of the bill added language that would void the mandate if pollution increased.

Another amendment exempted six southeastern Wisconsin counties that already must use specially formulated gasoline to meet federal clean air requirements.

#### Support, Opposition Bipartisan

Despite the 17-15 defeat, Senate Majority Leader Dale Schultz (R-Richland Center) promised to reintroduce the bill in next year's session. Gov. Jim Doyle (D) has already given his support to the mandate.

Support for and opposition to the proposed legislation were bipartisan. Wisconsin business associations opposed the bill, fearing the ethanol requirement would raise fuel costs.

A focal point of opposition was government taking away consumer freedom to decide what form of gasoline to choose.

#### Free Choice Called For

“The free market should be allowed to work,” said Jerry Taylor, director of natural resources at the Cato Institute. “Only mischief and inefficiency can come from government picking winners and losers.

“If ethanol is all that its supporters claim it to be, then it should need no special subsidies or government mandates,” Taylor added.

Wisconsin state Sen. Neal Kedzie (R-Elkhorn) agreed. “The public is not ready to be told what they can and can't put in their gas tanks,” Kedzie told the *Milwaukee Journal-Sentinel* for a March 9 story.

Use of ethanol is “growing on its own, it's finding its own market through regular free-market enterprise, and that's how it should work,” Kedzie noted. Four ethanol plants currently operate in Wisconsin, and another is being built.

#### Could Boost Farm Economy

Proponents of the legislation argued eth-

anol could facilitate energy independence and boost the Midwestern economy.

“We grow corn. We have ethanol plants. Unless we tell the nameless, faceless oil companies, ‘This is what you have to do,’ they'll tell us what to do,” said state Sen. Jon Erpenbach (D-Middleton), according to the March 9 *Journal-Sentinel*.

“There was a time when ethanol did not make scientific or economic sense, but those times are over,” said Jay Lehr, science director for The Heartland Institute. “The technology now exists such that ethanol not only makes environmental sense, it makes economic sense as well.

“We are currently only scratching the surface of ethanol's full potential,” Lehr added.

**“The public is not ready to be told what they can and can't put in their gas tanks.”**

NEAL KEDZIE  
STATE SENATOR - ELKHORN, WISCONSIN

#### Newspaper Changed Position

The *Milwaukee Journal-Sentinel*, which had opposed an ethanol mandate proposed in the 2005 legislative session, reflected some of the shifting sentiment in favor of a mandate.

“Exactly one year ago, we urged legislators to vote against a bill that would have mandated adding 10% ethanol to regular unleaded gasoline sold in Wisconsin,” observed a March 1 house editorial. “If the final version of this bill contains several key provisions that have been proposed by sponsors and others, legislators this time should give it their support.”

The two amendments addressed two of the *Journal-Sentinel's* concerns but did not alleviate concerns that the fossil fuel



currently used in the ethanol manufacturing process is roughly equal to the fossil fuel displaced by the 10 percent ethanol mandate. The final bill also did not address the *Journal-Sentinel's* admonition that 20 percent of ethanol should eventually come from sources other than corn, such as switchgrasses.

*James Hoare (jahoare@aol.com) is an attorney in Syracuse, New York.*

### INTERNET INFO

A March 2002 Environmental Protection Agency factsheet on ethanol is available online at <http://www.epa.gov/OMS/consumer/fuels/altfuels/420f00035.pdf>.

Information about ethanol-powered automobiles offered by General Motors is available online at <http://www.gm.com/company/onlygm/livegreengoyellow/index.html>.

## EPA Web Site Provides Updated Ethanol Information

According to the U.S. Environmental Protection Agency (EPA), cars designed to use E85 (a blend of 85 percent ethanol and 15 percent gasoline) provide the following pollution reductions:

- Organic compound emissions are reduced by 15 percent.
- Carbon monoxide emissions are reduced by 40 percent.
- Particulate emissions are reduced by 20 percent.
- Nitrogen oxide emissions are reduced by 10 percent.
- Sulfate emissions are reduced by 80 percent.

EPA also reports that in the Midwest, ethanol blends are sold at prices equivalent to or less than mid-grade gasoline.

“All the resources needed to produce [ethanol] can be supplied domestically,” EPA observes.

For a more complete discussion of the pros and cons of ethanol fuel, visit the EPA Web site <http://www.epa.gov/OMS/consumer/fuels/altfuels/420f00035.pdf>.

— James Hoare

# U.S. Companies Plan New Generation of Nuclear Power Plants

By James Hoare

Buoyed by surging public support and advances in technology, U.S. companies are submitting plans to build a new generation of nuclear power plants in the United States.

## 10 New Plants Considered

According to the February 6 *Chicago Tribune*, U.S. utility companies are discussing plans to build at least 10 new nuclear reactors in the near future, up from only three under consideration just a year ago.

While the long permitting and construction process ensures no new plants will become operational until sometime in the next decade, the recent surge in interest in nuclear power provides a potential long-term solution to greenhouse gas emissions, rising fossil fuel costs, and dependence on foreign energy sources.

**"A properly run nuclear plant generates electricity more cheaply than almost any other source."**

CHICAGO TRIBUNE  
FEBRUARY 6, 2006

## Economics Driving Resurgence

"A properly run nuclear plant generates electricity more cheaply than almost any other source," observed the *Tribune*. As a result, the *Tribune* reported, "interest in nuclear energy is rising rapidly as utilities consider building new reactors for the first time in decades."

"A key to the resurgent interest in nuclear power is cost," agreed an Associated Press story published on April 2 by the *Baltimore Sun*. "While each new reactor costs several hundred million dollars, a University of Chicago study concluded that a new fleet of more efficient reactors can be expected to produce power as cheaply as coal and natural gas."

Rob Bradley, president of the Institute for Energy Research, cautioned energy prices would have to remain high for nuclear power to remain economical in the long run.

"I would still characterize nuclear as a backstop technology to fossil-fuel power generation for the great majority of applications," Bradley said. "Short of long-term, fixed-priced consumer contracts, it is risky to commit to a technology that has such high up-front capital costs."

## No Greenhouse Gases

"This said, a new commitment to nuclear power is turning the environmental movement against itself," Bradley added. "Many environmentalists are realizing that climate alarmism comes with a price."

"Nuclear power is a way to avoid global warming," said Bernard Cohen, professor emeritus in physics at the University of Pittsburgh. "Even many environmental activists who used to oppose nuclear power now support it because nuclear power entails no greenhouse gas emissions."

"Nuclear power, if it proves competitive economically, certainly is more than competitive environmentally with renewable power sources," said Sterling Burnett, senior fellow at the National Center for Policy Analysis. "It does not kill tens of thousands of birds each year in mid-flight like wind power, and it does not require developing vast amounts of pristine land to produce significant power like solar power. And unlike wind and solar power, you can produce as much nuclear power as you want, day or night, wind or no wind, sunshine or clouds."

"Given the challenge of climate change, the world needs to be open to every low-carbon initiative including nuclear power," Steve Cochran, communications director for the often-confrontational environmental activist group Environmental Defense, told *Business*

*Week* for a September 5, 2005 story.

## Public Support Is Strong

The newfound support from environmental activist groups mirrors surging support for nuclear power among the American public.

A 2005 survey by Bisconti Research Inc. showed 70 percent of Americans now favor nuclear power, up from 46 percent in 1995.

Another survey, conducted in August 2005 by Rasmussen Reports, reported 55 percent of Americans support building new nuclear power plants and only 24 percent oppose the idea.

**"[T]he recent surge in interest in nuclear power provides a potential long-term solution to greenhouse gas emissions, rising fossil fuel costs, and dependence on foreign energy sources."**

The better than two-to-one margin is true among people of both major political parties. According to Rasmussen Reports, Republicans support building new nuclear power plants by a 63 to 18 margin, while Democrats support build-

ing new nuclear power plants by a 52 to 26 margin.

"The small segment of the American population that are anti-nuclear activists are out of touch with the vast majority of the American people," said Burnett. "They may carry on with loud voices, but they sure won't win any elections."

James Hoare ([ljahoare@aol.com](mailto:ljahoare@aol.com)) is an attorney in Syracuse, New York.

## INTERNET INFO

The Bisconti Research survey of Americans' opinions toward nuclear power is available online at [http://www.nei.org/documents/Public\\_Opinion\\_Report\\_5-05.pdf](http://www.nei.org/documents/Public_Opinion_Report_5-05.pdf).

The August 2005 Rasmussen Reports survey of opinions toward nuclear power is available online at [http://www.rasmussenreports.com/2005/Energy\\_Nuclear%20Power\\_August%2016.htm](http://www.rasmussenreports.com/2005/Energy_Nuclear%20Power_August%2016.htm).

*The Future of Nuclear Power*, an interdisciplinary study published by the Massachusetts Institute of Technology in July 2003, is available online at <http://web.mit.edu/nuclearpower/>.



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## Pennsylvania

Continued from page 1

have chosen to follow California's lead and require more stringent auto emission standards than those set by the federal government.

### Pennsylvania Different

"The federal standards are adopted by the vast majority of the states, so for auto makers to produce cars with the California specifications, it would cost more, and that cost would get passed down to consumers," AAA motor club spokesman Brian Newbacher explained in a March 15 *Pittsburgh Tribune-Review* report.

"As many legislators have pointed out, what's good for California is not necessarily good for Pennsylvania," Newbacher added.

Meeting the California standards would force Pennsylvania consumers to buy smaller cars and pay for expensive redesigning of automobile engines.

"It would add \$3,000 to the cost of the typical vehicle with no identifiable health or environmental benefits," said Eric Shostek, spokesman for the Alliance of Automobile Manufacturers, for a March 1 *Winston-Salem Journal* article. That price tag was estimated by an independent research firm, which also found "pollution levels would be the same with or without the tougher

regulations," the article noted.

With the high per-vehicle cost of the California standards and evidence that pollutant emissions from automobiles are falling, Pennsylvania senators expressed concern that citizens would be getting very little return on their investment.

"This is fantastic news, to see the courageous senators in Pennsylvania taking a stand against costly environmental activist hype," said Marlo Lewis, senior fellow at the Competitive Enterprise Institute. "It would be easy to cave in to the pressure of the activists' public relations campaign, but the citizens of Pennsylvania will unquestionably benefit from their Senate's fortitude."

### NC Debate Heats Up

The California emissions debate, meanwhile, has reached a crescendo in North Carolina, where environmental activists are urging the legislature to adopt the California rules. A proposed bill to do so has yet to be considered by the state's General Assembly.

Despite federal standards that already require a substantial reduction in a broad range of air pollutants during the next two decades, "At the federal level, we haven't been getting much help in cleaning up the air," asserted Rep. Pricey Harrison (D-Guilford), quoted in the March 1 *Winston-Salem Journal*.

Rep. Nelson Cole (D-Rockingham)

countered the California standards could backfire, with expensive new mandates inducing consumers to hold on to older, more polluting cars and delaying the purchase of new automobiles that are significantly less polluting than their current cars.

**"The federal standards are adopted by the vast majority of the states, so for auto makers to produce cars with the California specifications, it would cost more, and that cost would get passed down to consumers."**

BRIAN NEWBACHER  
AAA MOTOR CLUB

"The main problem with the California emission standards is they don't take the most polluting vehicles off the road," said Cole in an interview for this article. "Studies show that putting California emissions on North Carolina vehicles will raise prices by anywhere from a few hundred to a few thousand dollars per vehicle. This will serve as a disincentive for citizens to replace the oldest, most polluting vehicles with newer, cleaner cars. We should first focus on encouraging citizens to replace the oldest, most polluting cars with newer vehicles."

"Taking the older cars off the road will likely solve most or all of our clean air concerns," Cole noted. "The California emission standards should be adopted only as a last resort, if other, less-costly solutions unexpectedly fail."

### CA Standards May Be Unnecessary

Brock Nicholson, deputy director of the North Carolina Division of Air Quality, promised his department would research the costs and benefits of the California standard, but noted even without adopting such a standard, North Carolina cars are becoming cleaner-burning all the time.

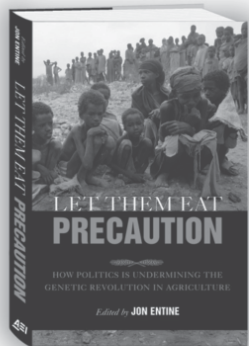
"In effect, North Carolina could see some benefits of this without doing anything," said Nicholson in the March 1 *Winston-Salem Journal*.

"Clean air expert Joel Schwartz of the American Enterprise Institute has shown convincingly that regulations already on the books are more than adequate to eliminate most air pollution by 2020," said Lewis, "as older vehicles are replaced by newer vehicles that start out cleaner and stay cleaner longer."

"Paradoxically," Lewis added, "the California rules could slow down this progress by pricing many middle-income households out of the market for new cars."

James M. Taylor ([taylor@heartland.org](mailto:taylor@heartland.org)) is managing editor of Environment & Climate News.

## LET THEM EAT PRECAUTION



### HOW POLITICS IS UNDERMINING THE GENETIC REVOLUTION IN AGRICULTURE

In *Let Them Eat Precaution*, Editor Jon Entine, along with ten experts from the United States and Great Britain, explain why cultural politics and trade disputes, not science, pose the biggest hurdles for biotechnology.

Instead of meeting the desperate needs of the world's poor with new medicines and vitamin-fortified crops, anti-biotech campaigners offer liberal doses of the "precautionary principle"—the controversial notion that innovation should be shelved unless all risks can be avoided.

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# A Historical Perspective of Environmental Sense and Nonsense

This article is the first in a continuing series from the book *Smoke or Steam: A Guide to Environmental, Regulatory and Food Safety Concerns*, by Samuel Aldrich, excerpted and abridged by Jay Lehr.

One has to be about 80 years old to remember when homes were lit by kerosene lamps, which released smoke continually; when homes were heated with wood or coal stoves that belched smoke or soot into the air constantly and into the room most every time the stove door was opened for refilling; when minimally treated sewage was discharged into the nearest river or lake; when city streets were littered with horse manure; when laundry could not be hung outdoors during cold weather because of soot; when small dust clouds followed moving vehicles on unpaved streets; and

**"It is time for concerned citizens to rise up in righteous indignation at treatment of environmental matters that is superficial, biased, distorted, or advocacy journalism masquerading as facts but based upon opinions rather than scientific research."**

when garden pests were controlled with deadly poisonous arsenic, lead, and mercury compounds which persisted almost indefinitely in the soil.

The goals of environmental protection are stimulating and exciting. Because everyone believes in a good environment, working toward this goal can be a uniting force for many diverse elements in our society.

Unfortunately, finding whipping boys for environmental problems—many real, some imaginary, and nearly all exaggerated—was an integral part of the early period of environmental discontent and continues today.

#### Environmental Improvement

The search for better ways to protect our environment turned to some extent into a vendetta aimed at big business, government officials, and the "establishment" in general. Hysteria was effective in gaining attention, focusing on environmental problems, and initiating action to correct them.

But hysteria's time has past.

The year 2000 was the 30th anniversary of the awakening of a sleeping

giant: the environmental movement in the United States. The Environmental Protection Act was passed, followed soon by the Clean Air Act, Clean Water Act, and the first Earth Day. Alarms had been sounded earlier, but action was mainly uncoordinated.

Now is the time to take a look at where we are and what has been achieved, and to learn from our experience in order to make wiser choices for the future.

#### Enormous Progress

Since 1970, enormous progress has been made, but it has not received the attention it deserves.

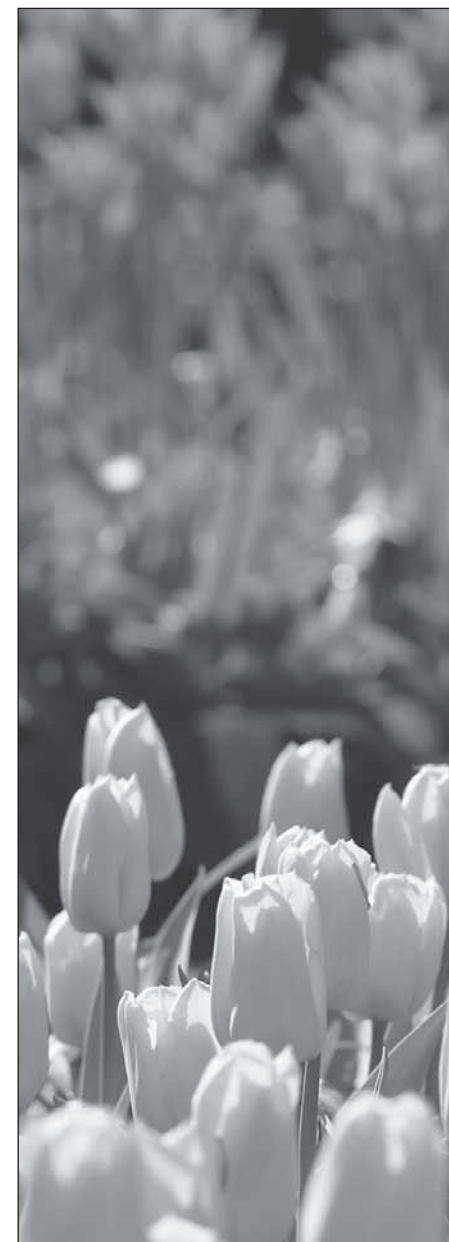
There is much good to celebrate. City smog is nearly gone. Industries have cleansed huge amounts of pollutants from their smokestacks and reduced discharges into rivers and lakes. Most of the visible discharge into the air is steam, not smoke, hence the title of the book from which this column is excerpted. No major city discharges untreated sewage into surface waters.

The motto "the solution to pollution is dilution" is gone forever. Miles per gallon of cars and trucks have increased dramatically, and unwanted emissions are in steep decline. Farmers have increased crop yields while greatly reducing erosion. High crop yields on the most favorable land have freed up previously farmed land for forests, parks, and recreation. Forests in the United States are growing faster than they are being harvested. Electricity is being generated with far less air pollution. Eagles and wolves are no longer endangered species.

#### Unsubstantiated Myths

Despite these and other dramatic improvements, many popular myths still persist. Among the myths:

- That many foods are unsafe because of pesticide residues. They aren't.
- That mankind's activities are a major cause of proven global warming. It isn't proven, and no one knows what effect human activities have or will have.
- Many think that a thinning of the protective ozone layer in the stratosphere is new, dramatic, and a serious threat of deadly skin cancer. This is not true.
- Asbestos is widely accepted as a major cancer threat in schools. This is not the case.
- Many city dwellers think the air they breathe is dangerously polluted and getting worse. That is false.
- Many believe recycling of city wastes must be accelerated because the United States is running out of landfill space. Not so: Space is plentiful and cheap.
- Many persons have been told old-growth forests, especially in Brazil, are the lungs of the Earth and that the area of forests in the United States is dwindling. Both are false.
- The Three Mile Island nuclear accident and the Love Canal chemical dump are usually described by news media as environmental disasters, the worst of their kind. Economic disasters, yes;



health hazards, no.

#### Correcting Misperceptions

Public perceptions of these and other issues have been created by professional environmentalists plus a small group of highly visible, publicity-seeking scientists who feed the voracious appetites of the news media for sensational stories. In some cases, sad to say, misinformation has been spread by exaggerated claims of the U.S. Environmental Protection Agency itself.

It is time for concerned citizens to rise up in righteous indignation at treatment of environmental matters that is superficial, biased, distorted, or advocacy journalism masquerading as facts but based upon opinions rather than scientific research.

Jay Lehr ([lehr@heartland.org](mailto:lehr@heartland.org)) is science director for The Heartland Institute. Samuel Aldrich is an emeritus professor at the University of Illinois. Aldrich's groundbreaking hardcover book for laymen, *Smoke or Steam: A Guide to Environmental, Regulatory and Food Safety Concerns*, is available from The Heartland Institute for \$12. The table of contents of the book, containing 211 topics, can be viewed at <http://www.heartland.org>.

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**Review by Henry I. Miller**

I enjoy a spirited, well-argued political argument as much as anybody, but in *The Republican War on Science*, journalist Chris Mooney offers only a tiresome polemic. It makes one think of a debater who is assigned to one side or the other of a proposition on the basis of a coin flip: If it lands on heads, he has to argue that the Republicans are the bad guys.

**Lack of Balance**

Mooney is relentless, but he isn't very convincing.

To be sure, some of the criticisms he levels at the Bush administration are justified, on matters such as litmus tests for appointees to science-related positions, distorted information to consumers about health and safety issues, and antagonism toward embryonic stem-cell research. But Mooney's insistent denials that there have been equivalent misdemeanors by the political left are wholly unconvincing.

There is no question that many of the Bush administration's science-related appointments leave much to be desired. Lester Crawford for the Food and Drug Administration, Julie Gerberding for the Centers for Disease Control and Prevention, Christine Todd Whitman for the Environmental Protection Agency, and Elias Zerhouni for the National Institutes of Health were, to be charitable, uninspiring decisions. The inept Richard Carmona as surgeon general and bumbling Tommy Thompson as secretary of Health and Human Services were inconceivable ones.

**Unequal Treatment**

But Mooney, like many critics of the Bush administration's mistakes, seems to have experienced an overnight epiphany about the importance of defensible science policy—and this raises questions about his sincerity. Not one of these critics has censured the Clinton administration's blatant perversion of science.

At one point, Mooney seems about to come clean: "Let's be fair: those on the political left have undoubtedly abused science in the past. While the best environmental groups marshal good science to make their case, more radical groups have occasionally allowed ideology to usurp fact." By which he means fringe kooks like Greenpeace and radical animal rights activists. But there's nary a hint that popular and well-known liberal politicians might be capable of distorting or manipulating science.

Mooney seems blissfully unaware that his diatribe repeatedly indulges in exactly the sort of sweeping, gratuitous condemnation of which he accuses others: "The conservative faith in industry and unrestrained capitalism seems to fuel a parallel assumption that industry-sponsored science—like the free market itself—stands above reproach." Just as, apparently, in the loony Mooney parallel universe, all things conservative and business-related are beneath contempt.

**Anti-Technology Clintonites**

When political fortunes change and a new party comes to power in the execu-

# MAD Science

*The Republican War on Science*

by Chris Mooney

Basic Books, September 2005

342 pages, \$24.95 cloth, ISBN 0465046754

Available on Amazon.com

tive branch, one must expect a change in the overall philosophy of government. This is part and parcel of the political process. The heavy-handed coercion that was imposed on governmental, science-based activities during the Clinton administration, however, was far outside the recognized rules of the game.

As President Clinton's science and technology czar, Al Gore was entrusted with choosing many top appointees to regulatory agencies, thereby obtaining the leverage to politicize the administration's policies and decisions.

And what a collection of yes-men and anti-science, anti-technology ideologues they were! For example:

- presidential science advisor Jack Gibbons, as incompetent and hapless as any incumbent who has ever occupied that critical post, whose primary qualification seemed to be his mastery of the phrase, "Yes, Mr. Vice President";
- EPA chief and Gore acolyte Carol Browner, whose agency was condemned by the scientific community and admon-

ished by the courts for its flawed policies; especially ironic given that Gore's cable television channel, Current, provides a highly inauthentic substitute for direct experience with real entertainment.

Inexplicably, Gore is virtually a no-show in Mooney's book. Never has American government been burdened with such politically motivated, anti-science, anti-business, anti-social ecobabble as during the Clinton-Gore years. Yet those who now criticize the Bush administration were silent when their voices were most needed.

the *Balance*, provides a disturbing insight into the thinking of the man who came within a few hanging chads of becoming policymaker in chief. Throughout the book, Gore employs the metaphor that those who believe in technological advance are as sinister, and politeness are as evil, as the perpetrators of the Holocaust.

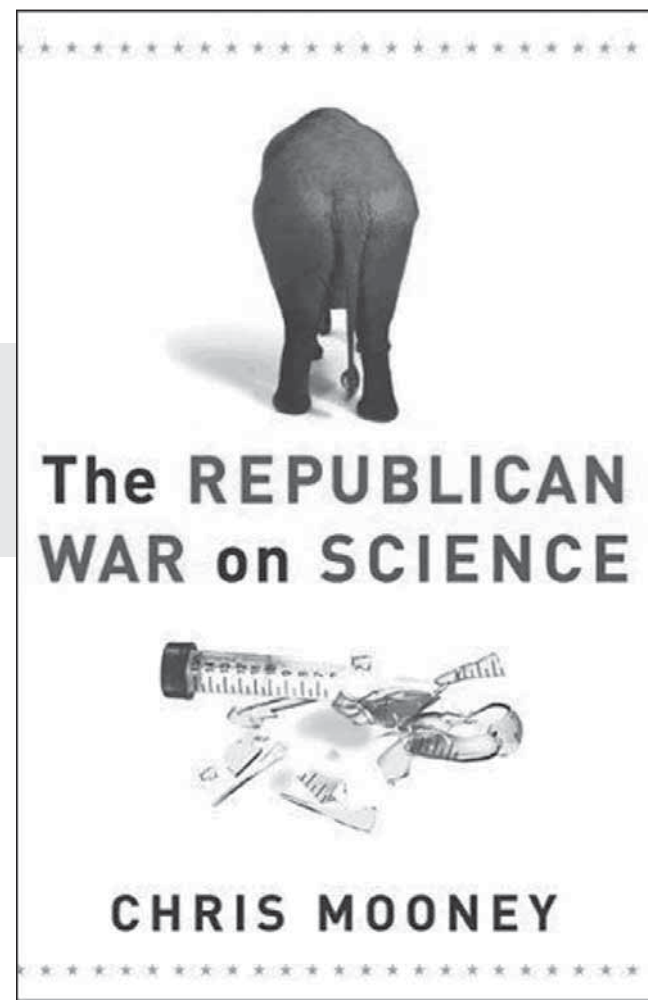
**"Democrats and Republicans alike have learned to excel at the Emperor's New Clothes School of policymaking. They try to confer legitimacy on almost any policy, no matter how flawed or inimical to the public interest, by moving from step to bureaucratic step according to the rules, with everyone pretending the evolution and substance of the policy are plausible."**

ished by the courts for its flawed policies;

- FDA Commissioner Jane Henney, rewarded with the position as a political payoff for her earlier politicizing of the agency's critical oversight of food and drugs;
- State Department Undersecretary Tim Wirth, who worked tirelessly to circumvent Congress's refusal to ratify radical, wrongheaded treaties signed by the Clinton administration; and
- Agriculture Under Secretary Ellen Haas, former director of an anti-technology advocacy group, who reconstructed science thusly: "You can have 'your' science or 'my' science or 'somebody else's' science. By nature, there is going to be a difference."

**Gore's Extremism**

Gore's 1992 magnum opus, *Earth in*



tion, whether Democrat or Republican, will become less politicized or more rational in the foreseeable future.

For one thing, there is no important constituency for sound science policy. On the contrary, politicization often represents mere pandering to the fears, which sometimes verge on superstition, of a scientifically illiterate public.

Democrats and Republicans alike have learned to excel at the Emperor's New Clothes School of policymaking. They try to confer legitimacy on almost any policy, no matter how flawed or inimical to the public interest, by moving from step to bureaucratic step according to the rules, with everyone pretending the evolution and substance of the policy are plausible. There is an axiom that something said three times becomes a fact, and adherence to the procedural requirements of federal rulemaking is the apotheosis of that idea.

Cynicism about the motivations and action of those in government is healthy. But for criticism to be credible, it should be consistent, even if not wholly apolitical. Mooney's attack on Republicans is nothing but raw and tedious partisanship.

As MIT meteorologist Richard Lindzen sagely observed, science "provides our only way of separating what is true from what is asserted. If we abuse that tool, it will not be available when it is needed." The same might be said of science journalism. Nota bene, Chris Mooney.

Henry I. Miller ([miller@hoover.stanford.edu](mailto:miller@hoover.stanford.edu)), a physician and fellow at Stanford University's Hoover Institution, was founding director of the Office of Biotechnology at the U.S. Food and Drug Administration from 1989 to 1993.

# Environmentalists Praises Radicals, Terrorists

Review by Jay Lehr

Come with me, dear reader, to a mythical world described by author Jonathan Adams as he sees it:

"Superhighways link colossal cities, suburbs stretch farther and farther into the countryside, industrial farmland goes on for miles, and a few patches of greenery and a national park or two break up the monotony. ... The frontier is closed, the wilderness disappeared, and there is no going back. ... Yet across North America and indeed around the world, conservation scientists, activists, and communities have begun crafting visions for conserving and restoring wild creatures and wild lands over larger areas than ever before."

It would appear the author has rarely entered the interior of our nation and is unaware man occupies only 4.6 percent of the land area in the conterminous United States—which does not count Alaska, where far less land is utilized.

## Bad, Boring

I know I must have read a worse book than this one, but perhaps advancing age has mercifully deprived me of any memory of it.

I always hesitate to review books of this type, but I also believe that knowing one's philosophical opponents is an important part of our combat in the

*The Future of the Wild: Radical Conservation for a Crowded World*  
by Jonathan S. Adams  
Beacon Press, January 2006  
296 pages, \$27.95 cloth, ISBN 0807085103  
Available on Amazon.com

battle to protect society from those who would destroy us. Adams makes the task of reading onerous indeed. He could easily have made his illogical points in 70 pages instead of 233, but apparently he likes to hear himself talk and guesses others will likewise love reading his rambling words.

## Attacks Liberty, Democracy

Adams hits the ground running in the opening chapter, explaining how arrogant man is to consider himself a superior creature. He criticizes Jeffersonian democracy and falsely claims "American love of individualism and Liberty has grown to the point that it constrains our ability to even talk about the common good."

Adams clearly opposes farming and ranching, though he does not explain how, alternatively, we can get our food. Perhaps I slept through those pages, but nowhere in his index can the words "farms" or "agriculture" be found.

Adams apparently assumes we can and should import all our food from less-developed countries.

He says we must always see ourselves as part of the bigger picture, suppressing any sense of self, and he claims today's conservatives are impoverishing their grandchildren "economically, ecologically, and otherwise to gratify their immediate need for wealth and power."

**"Adams makes the task of reading onerous indeed. He could easily have made his illogical points in 70 pages instead of 233, but apparently he likes to hear himself talk and guesses others will likewise love reading his rambling words."**

## Agrees with Radicals

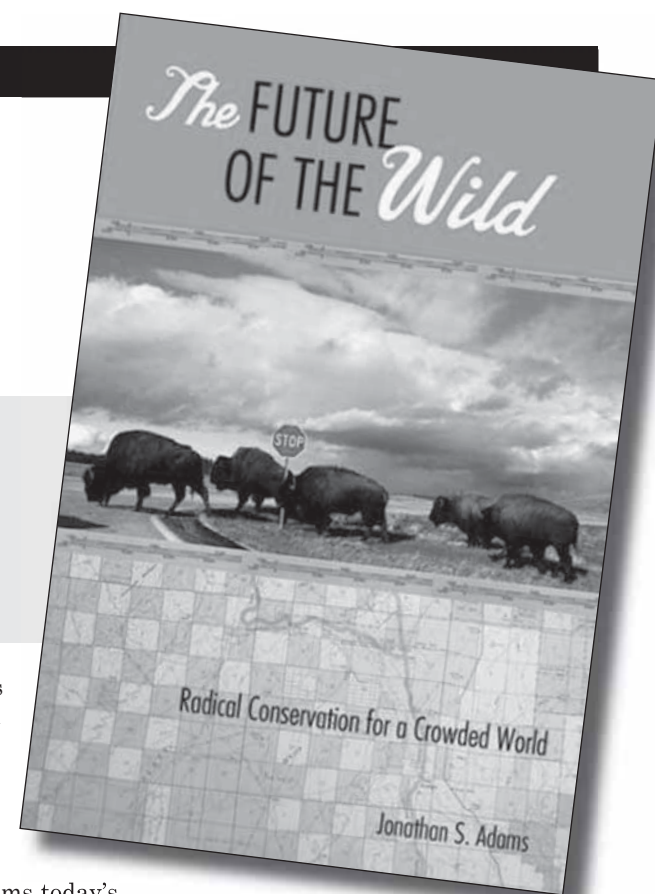
Adams means we humans must play second fiddle to spotted owls who supposedly require 5,000 acres of old growth forest per pair and millions of acres in total if the bird species is to survive another century.

He approvingly quotes other radical conservationists displaying bold convictions against human life as we know it.

"The green mantle of Earth is now being ravaged and pillaged in a frenzy of exploitation by a mushrooming mass of humans and bulldozers," Adams writes, in a frenzy of hysteria. "Perhaps even more shocking than the unprecedented wave of extinction is the cessation of significant evolution of new species of large plants and animals." Such completely unsupportable claims are rampant throughout the book.

## Praises Terrorists

Adams spends a great deal of time describing his concept of "re-wilding" the planet. He outlines a detailed conservation philosophy, but in short the idea is to take back most of the land from humans and give it back to wild animals, whose ascension to dominance must be carefully shepherded. Along the way, he praises the most radical eco-terrorists and deifies the Nature Conservancy, an environmentalist group that I believe poses the greatest threat to individual



property rights in the nation.

Adams bemoans the fact that one can now hike from Canada to Tierra Del Fuego without constant fear of "pumas." He makes it clear that a life free of fear of being mauled or killed by wild animals is "impoverished."

Adams blasts places in Florida and California that manage their landscapes with people in mind. He says "county commissions are completely pro-development, refusing to bite the hand that pads the property tax rolls." The nerve of them to consider the needs of the people! He points out that not all species will tolerate cohabitation with humans ... so, you guessed it, we have to get rid of the humans.

## Hates People

By and large the book is a poorly written, disjointed series of wilderness and habitat stories loaded with pompous philosophy. I would guess few buyers of the book will be able to navigate through the entire text, which is certainly one good thing about it.

I will admit there is one chapter worth reading, for those interested in the Florida Everglades. If one can ignore the author's political opinions, Adams does accurately tell the history of the Everglades debacle in more detail than one can readily find elsewhere.

Many an objective reader of my review may come to the conclusion that my harsh treatment of the book stems from a lack of love or respect for animals. Nothing could be further from the truth. I have four dogs who share my bed, and four cats who sit on my desk while I work. I have 80 fish that I feed by hand, and I still cry over the scene of a bird, squirrel, duck, or raccoon that has become road kill.

Actually, I am convinced that Adams does not care as much about animals as I do, but he is more motivated by a dislike of mankind.

*Dr. Jay Lehr (lehr@heartland.org) is science director for The Heartland Institute.*

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# Communities Unite Against Invasive Aquatic Weeds

By James M. Taylor

It's not uncommon for environmental activists to butt heads with scientists, economists, businesses, and grassroots citizen groups. The showdown of power and ideas often upstages the issues themselves.

But in the ongoing battle against Eurasian milfoil—a noxious invasive weed that is choking out native plants and animals in bodies of fresh water across America—these groups are finding plenty of common ground.

## Highly Aggressive Weed

Eurasian milfoil is a highly aggressive aquatic weed native to Europe and Asia. It takes root at the bottom of ponds and lakes and sends tendrils as long as 30 feet to the water's surface. Near the surface, the plants form a dense mat of entangling weeds that deprives the water of oxygen and chokes out native plants and animals.

The mat of weeds is often thick enough to make swimming, boating, and other recreation hazardous or even impossible. The weeds emit a noxious odor that makes strolling along the shore extremely unpleasant. Swimmers have died after becoming entangled in milfoil tendrils.

The invasive species was accidentally introduced to North America during the middle of the twentieth century. It is

now entrenched in a patchwork of ponds and lakes across most of the continental United States. With each passing year, milfoil takes over a larger area of each body of water where it is present, and spreads to new ones by hitching a ride on boat propellers and hulls.

Environmental activists have long sounded warnings about invasive species reaching North American shores and choking out native plant and animal life. While those warnings have not always been research-based, in this case environmental activists, businesses, scientists, economists, and grassroots citizens all agree: Healthy aquatic ecosystems require action against milfoil.

**“Aquatic herbicides, under such brand names as Sonar, Aqua-Kleen, and Navigate, effectively kill Eurasian milfoil while leaving fish, waterfowl, and native plants unaffected.”**

## Aquatic Herbicide Success

Fortunately, science has found an answer to milfoil: Aquatic herbicides, under such brand names as Sonar, Aqua-Kleen, and Navigate, effectively kill Eurasian milfoil while leaving fish,

waterfowl, and native plants unaffected. Aquatic herbicide success stories have been reported across the country, with herbicides proving more effective, economical, and environmentally friendly than all other methods of weed control.

Rhode Island state Rep. Raymond Sullivan (D-Coventry) spearheaded an aquatic herbicide campaign last year that has resurrected once-dead Lake Mishnock. “You should see the lake now,” Sullivan boasted. “The difference is like night and day. Lake Mishnock is central to the community's way of life, and the lake is absolutely beautiful again.”

## Kneejerk Opposition

Many environmental activists have supported the use of herbicides in the battle against milfoil only after seeing firsthand the safe and effective results in their own communities. In some communities, frustrated citizens are forced to fight prolonged battles against activists opposed to anything “chemical.”

Another obstacle is more complex. Infested lakes often span multiple counties or townships. As a result, sufficient coordination—both logistical and financial—is often lacking. Communities may build near-unanimous support for herbicide treatment but fall victim to unnecessary delays as multiple government bodies work out funding and

struggle over mountains of red tape.

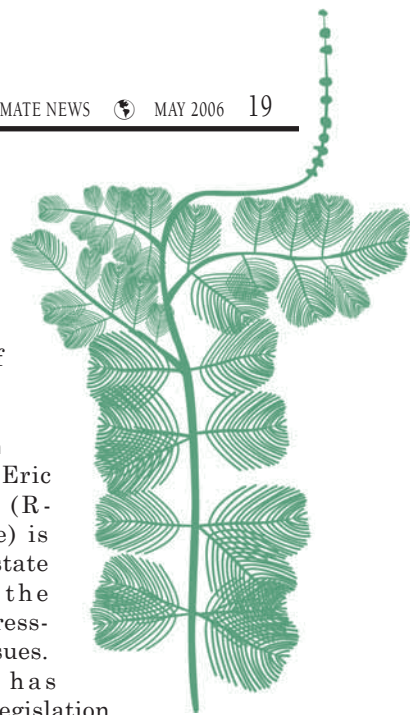
## Idaho Action

Idaho Rep. Eric Anderson (R-Priest Lake) is hoping his state will take the lead in addressing these issues. Anderson has introduced legislation to create a statewide program to combat milfoil. The Idaho Joint Finance-Appropriations Committee on March 29 unanimously voted to allocate \$4 million to the Department of Agriculture to fight milfoil, as part of the “Strengthening Idaho Act of 2006.”

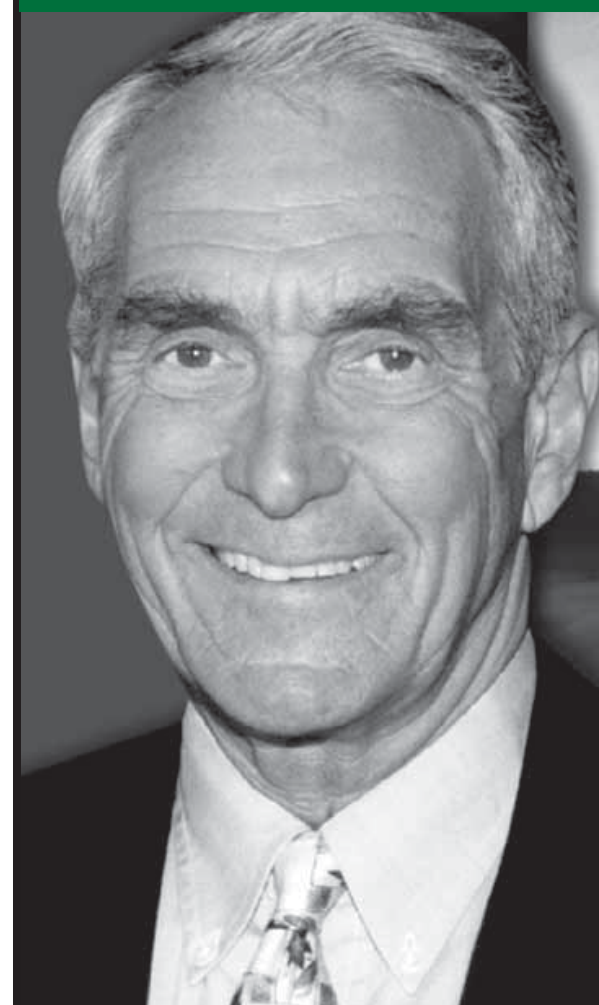
“It's probably the biggest environmental hazard to this state that exists today,” said Anderson. “If we don't take care of it now, it will cost us millions more and spread to water bodies across the state.”

With the Idaho legislature poised to lead the way, Eurasian milfoil may finally have met its match—politically as well as scientifically.

*James M. Taylor (taylor@heartland.org) is managing editor of Environment & Climate News.*



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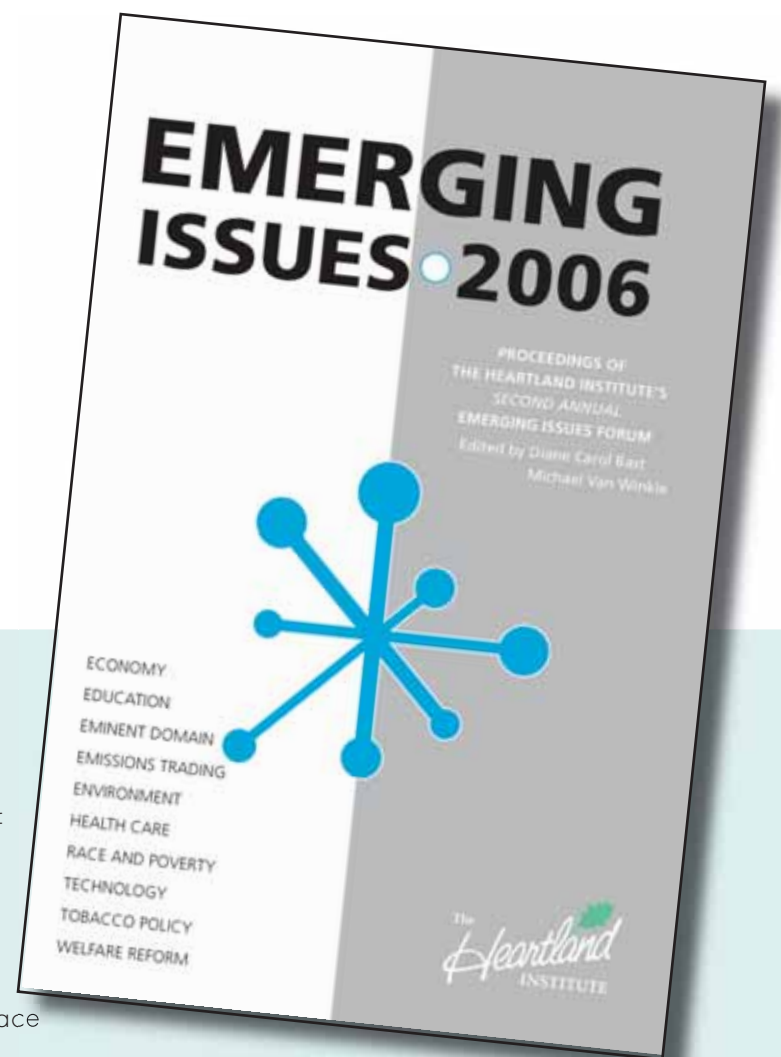
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