From: Julian Morris
Sent: 2/3/2016 4:20:50 PM
To: Haley, Nikki
Cc:
Subject: Reason Energy & Environment Newsletter, 2.16

Reason Foundation's environment analysis of Iowa, Flint, the ESA and more

To view this email as a web page, go here. <http://click.email.reason.org/?qs=
54f05dd022212c25ea682474f5310242ab6ef7151f29e2922a43df3b2c83146a>

 <http://click.email.reason.org/?qs=
54f05dd022212c25b4166d4ec21b508402f58a0cdab67b66decec176e1ad4367>

 <http://image.email.reason.org/lib/ffcf14/m/1/spacer.gif>
<http://image.email.reason.org/lib/ffcf14/m/1/spacer.gif>

Reason Energy and Environment Newsletter

February 2016

Edited by Julian Morris

CONTENTS

The Good News From Iowa

What Really Happened in Flint?

Who Should Control the Western Range?

Can Hunting Help Conservation...and Does the Endangered Species Act Hurt It?

Addressing the Problems Created by the ESA: What States Can Do

Federal Power Grab Continues

The Good News From Iowa

Whatever else it may portend <http://click.email.reason.org/?qs=
54f05dd022212c251d41db2ca162eaa67dd753d7c52624cc7a5df2cd2e46346a>,
Ted Cruz's success in the Republican caucus in Iowa suggests that the era of

federal ethanol subsidies and mandates may be coming to an end-and that is good news both economically and for the environment, as Reason's Jacob Sullum points out <http://click.email.reason.org/?qs=54f05dd022212c2573bc94bf453ca09a6754a997b33dde08b487711c2e1e7dd2>.

_____

What Really Happened in Flint?

The residents of Flint, Michigan are the victims of an ill-conceived plan. Not a plan, as some commentators have claimed, to cut government spending. Rather the opposite, as Reason Foundation's Shikha Dalmia notes, "the debacle is the result of [Governor] Snyder's efforts to stimulate the local economy." Dalmia explains <http://click.email.reason.org/?qs=54f05dd022212c25e96b6d76440c3d057f57cc51c84f31e7a7924680310ac24e>:

> *The whole mess occurred because Flint decided against renewing its 30-year contract with the Detroit Water and Sewage Department (DWSD) and switched instead to Karengondi Water Authority (KWA). KWA was planning to build its own hugely expensive pipeline, parallel to DWSD's, to harness water from Lake Huron and service the Genesee County area where Flint is located. This left the city in the lurch for a few years when its contract with DWSD ended but the new facility had not yet gone online, prompting it to reopen a local mothballed facility that relied on the toxic Flint River as its source (more on the rank stupidity of this decision later).*
>
> *The rationale for the original decision to switch Flint's water providers was that, in the long run, KWA would generate substantial savings for the cash-strapped city. Not only was this false but Snyder had very good reasons at that time to believe that this was false.*

Nor were Flint's problems the result of "privatization" as some have claimed. In fact, the entities responsible for the debacle are all governmental. Among other things that means they are likely immune from prosecution. And they had perverse incentives to avoid even identifying the problem, as Marc Edwards, the Virginia Tech engineer who discovered the problems in Flint points out in an interview in the Chronicle of Higher Education <http://click.email.reason.org/?qs=54f05dd022212c250377ab9283f5b9530f3d1b137e5044c1de3aa54d7d85a4b9>, "In Flint the agencies paid to protect these people weren't solving the problem. They were the problem."

By contrast, as Dalmia notes in a column for The Week <http://click.email.reason.org/?qs=

, had the responsible parties been private companies they would far more likely be held accountable and forced to pay adequate compensation to those affected. Indeed, as Reason Foundation's Adrian Moore points out <http://click.email.reason.org/?qs= 54f05dd022212c25f2294c348ae74c1e6a6191d1b859eebe87eb6ab6eeafed26>, privatization might well be the best solution for Flint.

_____

Who Should Control the Western Range?

On January 26, state troopers shot and killed Robert "LaVoy" Finicum <http://click.email.reason.org/?qs= 54f05dd022212c257c0963ed44cae8eed002e9f9a418428c1a900321a0137265>, one of a group of protesters who had occupied the Malheur National Wildlife Refuge in Oregon for nearly a month. Other members of the group, including the leader Ammon Bundy, were arrested. The occupation was itself a response to the convictions in October of Dwight and Steven Hammond, who were each sentenced to serve five years in prison <http://click.email.reason.org/?qs= 54f05dd022212c25ded2804dabab82216c3a9800e8c4f09e36e9da58a98b8d8b> for starting a series of fires on federal land, including one on the Malheur Refuge.

While the fires may have been set for good reason, they were undoubtedly illegal and should in no way be condoned (at the very least, the Hammonds should have sought to coordinate with the federal agency that manages the land- as Randal O'Toole argues <http://click.email.reason.org/?qs= 54f05dd022212c250f8128435e51e8554019eccab6fe0cc13c6067330e4dd79b>). Nevertheless, the sentences were, as Reason's Jacob Sullum points out <http://click.email.reason.org/?qs= 54f05dd022212c25db877f2168ddd68b08c81c68b978cd46a35e00608f280a90>, unreasonably harsh-a result of mandatory minimums imposed by the federal government and treating the fires as acts of terrorism-in yet another example of over-criminalization. (The original trial judge had meted out much shorter sentences but he was overruled by the Court of Appeal, which required the lower court to apply the federally mandated minimum term.)

The fact that such a large number of people felt moved to occupy the Malheur Wildlife Refuge in response to the Hammonds' convictions is in part a result of the deep dissatisfaction many who live in rural communities in the West feel about the way the federal government manages the land it controls. And the federal government controls a lot of land. As Reason's Brian Seasholes wrote in

the Daily Caller <http://click.email.reason.org/?qs=54f05dd022212c251c74312b59da7f3462133cfe061ecd6ac10bc753a21b5d7f>:

> *Most Americans are probably unaware the federal government owns almost one-third of the United States, or 640 million acres. This enormous amount of federal land has profound impacts on the ability of many states, municipalities and communities to govern themselves effectively, raise taxes necessary for basic services, such as police, fire and schools, conserve the environment, and maintain viable economies that can provide living wages for ordinary people.*

Federal ownership entails federal control and that means many decisions must be made by the federal government. Decisions such as how much to spend on fire management, how much to charge for leases (such as those held by the Hammonds), whether to cut trees or to permit the salvaging of wood from a forest fire, and about who should have access to water for their cattle. Of course, many of those decisions are delegated to local managers, but those managers must operate within rules and guidelines set at the center.

Unfortunately, people in the center - that is, in Washington, DC - have little knowledge of the situation on the ground. So their decisions may not - and often do not - fit well with those whom they affect. Worse, as PERC's Terry Anderson points out <http://click.email.reason.org/?qs=54f05dd022212c252e9e19a0bdc3cccf6194dae37c2f86acc4e4300d7315837b>, decisions made in Washington are more often driven be special interests than by what would be best for all.

In the case of fire management, this has had tragic consequences, as I have documented <http://click.email.reason.org/?qs=54f05dd022212c254b65439b1756ee9c39e929aef47ab67bbcfa9656137f763b>. And as Randal O'Toole points out <http://click.email.reason.org/?qs=54f05dd022212c25e0f73288f8d3668a2e4bee3d37e08715fe7138ea00b4a489>, the Forest Service itself is one of the most powerful special interests-and is apparently more concerned with expanding its budget than with ensuring the forests are well managed.
The solution is to decentralize decision-making closer to those who are affected by the decisions.

Devolving ownership and control to the states would seem to be the logical way to do this. The American Lands Council <http://click.email.reason.org/?qs=54f05dd022212c253ff0cda7581be88068d35cbe2e966f4bb5503e6391d2abf3> is