
CHAPTER THREE

PROTECTING THE ENVIRONMENT

1. Policy Recommendation: Uber-ize protection of the environment by bringing environmental policy into the smartphone era

When the Environmental Protection Agency (EPA) was created in 1970s the agency's job was straightforward – it could target the sources of the most obvious pollution and use direct authority to solve the problem. That approach yielded positive results. Direct regulation resulted in purer air, clean water and a better overall natural environment.

Despite past successes, the environmentalism of the 1970s is outdated. Today, environmental problems are complicated and distributed. Water pollution, for example, comes from many small sources – brake dust, drops of oil, small amounts of fertilizer runoff. Today's problems are at odds with the centralized, command-and-control approach of the traditional EPA. The result is environmental regulation that is costly, random and often ineffective.

A better alternative

There is a better alternative suited to the nature of environmental problems and which respects the personal freedom that is at the heart of the American ideal. In an age of smartphones, individuals have the power to find ways to do more with less, a concept that is basic to environmental conservation. Innovation, the sharing economy and individual empowerment are the best ways to create effective environmental solutions today.

Uber provides a model for this transition. Taxi commissions once set prices and, theoretically, held bad drivers accountable.

By removing information barriers and putting choice in the hands of riders, Uber changed that, improving options and the quality of service. By matching riders and drivers, it replaced an ineffective government function. Smartphones provide the opportunity to identify and use resources as never before, maximizing protection of the environment.

Solving problems on a local scale

For example, the Nest thermostat tracks the habits of a home's occupants and gives them more control over energy use, reducing waste without sacrificing comfort. Additionally, studies of smart electrical meters in Washington state and Australia found that simple incentives to reduce demand at peak times result in significant energy savings.

In another example, Car2Go lets people travel without purchasing a car – reducing resources needed to build new cars, the need for parking and even reducing fuel consumption by providing small vehicles suited to short trips. Seattle officials estimate that Car2Go has resulted in 9,000 fewer cars on the road.¹

All of these approaches aggregate the power of individuals to solve environmental problems on a local scale. Those closest to the problem, with incentives to find effective solutions, have knowledge that simply cannot be matched by distant politicians and government managers who do not pay the price for failure.

Moving power from politicians to individuals

People are aware of government's failures. Realizing environmental policy has become symbolic and cynical, the percentage of people calling themselves environmentalists has

¹ "More than 9K Seattle drivers have given up personal vehicles for car shares," Staff report, MyNorthwest.com, April 7, 2016, at <http://mynorthwest.com/255175/more-than-9k-seattle-drivers-have-given-up-personal-vehicles-for-car-shares/>.

fallen from 78 percent to 42 percent in the last 25 years.² People care about the environment, but it is time to move power away from politicians to individuals.

Smart technology allows individuals to combine innovation, efficient resource use and information in a way that solves today's environmental problems. Policymakers should move environmental policy from the 1970s into the smartphone age. It is the best hope for the environment, and for the respect for personal freedom that is central to the American ideal.

² “Americans’ identification as ‘Environmentalists’ down to 42%,” by Jeffrey M. Jones, Social Issues, Gallup, April 22, 2016, at <http://www.gallup.com/poll/190916/americans-identification-environmentalists-down.aspx>.

2. Policy Recommendation: Move beyond the fail-and-blame approach to energy policy

Washington state’s climate policy is in shambles. The best way to describe the present approach of officials to climate policy is “fail-and-blame.”

For example, when Seattle officials failed to meet their own carbon reduction targets they blamed oil companies, not their own flawed policies. In 2015, Governor Inslee failed to get even a floor vote on his cap-and-trade tax proposal and blamed Republicans, even though it was his own House Democrats who killed his bill.

The Governor refused to compromise on his plan, demanding billions of dollars in new government spending, and threatening to kill any plan that did not include new taxes. For him, raising taxes was more important than passing an effective climate policy.

The Governor then sought to use regulation to push carbon reduction requirements. That regulatory approach, however, would do more harm than good.

Any state regulation faces a fundamental tension. If costs go too high, carbon-emitting industries would simply leave the state, moving to where costs are lower. This would likely increase worldwide emissions, undermining the goal of carbon reduction. The Governor’s initial carbon rules would have actually paid companies to shut down and leave the state, taking their emissions with them.

If the regulation exempts what are called “trade exposed, energy intensive” industries, the regulation would exempt a large number of emitters, making it impossible to achieve meaningful carbon-reduction targets.

Three constructive steps

To break the cycle of fail-and-blame, policymakers should consider simple approaches that build bipartisan cooperation. There are three constructive steps they can take.

First, do no harm. The sad truth about most of Washington state’s climate policies over the last ten years is that they have increased carbon emissions or wasted millions of dollars on trendy projects that accomplished nothing.

Snohomish County officials spent public money on a canola-crushing plant to power their diesel fleet with locally-grown biodiesel.³ Currently the costly plant produces nothing.

Subsidies for electric cars go overwhelmingly to the wealthy, yielding tiny environmental benefit at very high cost. Wasting public money is wasting time and the opportunity to cut emissions. Public officials have wasted a lot of both. This needs to stop.

Embracing technological improvements

Second, while many environmental activists say we must force a lifestyle change, embracing improvements in technology is a much better approach.

Left-wing environmental groups argue we need to change our lifestyle to reduce climate change. Bellingham activist John de Graaf wrote that “lifestyle change [is] needed” to reduce carbon emissions. Taxpayer-funded King County Eco-Consumer Tom Watson lamented that people were choosing Car2Go rather than public transit. He wrote, “If a new transportation option is resulting

³ “Biofuel companies to repay county,” by Noah Haglund, *The Everett Herald*, May 16, 2012, at <http://www.heraldnet.com/article/20120516/NEWS01/705169864>.

in people getting off public transit...that could be a problem.”⁴ In fact, private Car2Go service can be more fuel efficient per person than subsidized public transit.

The fact is, policies that force people to change their lifestyle do not work and violate the basic American principle that people guide the government, not the other way around.

Technology has done what efforts to force lifestyle change have not. U.S. carbon emissions have been flat or falling since 2000, even as our population has increased. In 2015 U.S. emissions fell to the level of 1993, without a costly and mandatory cap-and-trade system being imposed on people.

Create near-term success

Third, create near-term success. Rather than promote public panic, public officials should focus on incremental, effective and cooperative efforts. Passage of an Environmental Priorities Act, for example, would prioritize efforts that yield the greatest environmental benefit for every dollar spent, thus building confidence that environmental policy can make a meaningful difference.

For a decade, grand climate promises and fashionable policies have failed, wasting time and resources. A pragmatic approach of small, near-term successes and improved technologies is a better way for state officials to help change the political, and the global, climate.

4 “Taxpayer-funded ‘Eco-Consumer’ avoids data while attacking private alternative to government program,” by Todd Myers, N.W. Daily Marker, June 12, 2013, at <http://www.nwdailymarker.com/tag/tom-watson/>.

3. Policy Recommendation: Help honeybees by focusing on real science

As honeybee mortality continues at a higher level than usual, there has been a great deal of discussion about what is causing these deaths. For more than a decade, beekeepers have lost an average of 25 percent to 40 percent of their hives over the winter.⁵ This is significantly higher than the traditional level of about 15 percent.

Some people point to pesticides, particularly one class called neonicotinoids, as the cause. Officials in Seattle and Spokane banned their use for city projects. Thurston County Commissioner Sandra Romero asked the state Department of Agriculture to ban the use of neonics on some types of plants.

This effort to ban neonics, however, distracts from the real causes of honeybee mortality and is more likely to harm honeybees. U.S. Department of Agriculture (USDA) surveys show pesticides of all kinds – not just neonics – account for only about 10 percent of hive losses. About 90 percent of hive mortality is due to other causes.⁶

Overall bee population is increasing

The number of honeybee hives, and the bee population, is actually increasing in the United States since reaching a low in 2008, despite increasing annual mortality. Beekeepers are making up for losses by splitting hives, replacing lost hives with new ones. In fact, the total number of hives in 2015 is roughly equivalent to

5 “Colony loss 2014-15: Preliminary Results,” by Nathalie Steinhauer, et al, Bee Informed Partnerships, BeeInformed.org, May 13, 2015, at <https://beeinformed.org/results/colony-loss-2014-2015-preliminary-results/>.

6 “A national survey of managed honey bees; 2013-14 annual colony losses in the USA,” by Kathleen V. Lee, et al, *Apidologie Journal*, Volume 46, Issue 3, May 2015, at SpringerLink.com, <http://link.springer.com/article/10.1007/s13592-015-0356-z>.

the number in 1995.

The claim that individual hive mortality is destroying overall honeybee population is incorrect. Hive mortality is more about beekeeping efficiency than impact on the honeybee population.

Researchers at the EPA, USDA and other organizations have found that honeybee mortality is due to a variety of pressures, including natural parasites like the varroa mite, lack of genetic diversity, and loss of forage, as well as pesticides.

Help from local communities

There are things we can do to help honeybees in Washington state. When local communities reduce invasive plants, like knotweed and blackberry, they should replace them with native plants that provide similar amounts of nectar. Many farmers are also planting cover crops that provide bee forage.

Ultimately, the solution to hive mortality will be solved by beekeepers on the ground, who have the incentives and information to make decisions about how to keep their hives healthy. This is why commercial beekeepers have lower bee mortality rates than hobbyists – the cost of failure is higher and their ability to deal with problems is greater due to their resources and experience.

Bees will be helped by farmers who benefit from pollinators and who work to reduce the impact of pesticides on honeybees. A rush by policymakers to ban useful pesticides, however, distracts from the real problems and the real solutions to honeybee mortality.

4. Policy Recommendation: Avoid “buy local” mandates and support trade to promote sustainable agriculture

Arguing that buying local food “reduces packaging, refrigeration, storage and transportation, requiring less energy and resulting in less waste,” the Washington Environmental Council helped pass the “Local Farms – Healthy Kids” legislation in 2008.⁷ The law was designed to encourage schools to buy from local farmers, taking funds from the Public School Education Reform budget and other programs to cover the added cost.

The program, however, collapsed because it proved to be unsustainable – financially and environmentally. Still, the concept of buying locally has become fashionable among many environmental activists. Unfortunately, reducing “food miles,” instead of all of the other inputs that matter so much more, is not only bad for consumers, it is bad for the environment.

Avoiding counterproductive policies

Transportation accounts for less than ten percent of the energy involved in growing food and bringing it to consumers. Growing food where yields are high and then shipping the product is far more environmentally friendly than growing food where it is inappropriate, requiring more fertilizer, more water and other inputs to produce lower yields. Local food production often uses more resources than food shipped from areas with better climate and better soil conditions.

Ignoring those inputs leads to counterproductive public policies. The King County Conservation District considered a proposal to promote milk produced in the county, arguing it would be more

⁷ “Growing Our Future, Local Farms – Healthy Kids; How parents can help get locally grown food into our schools” Washington Environmental Council, accessed April 13, 2016, at <http://web.archive.org/web/20151022020252/http://wecprotects.org/files/Local%20Farms-Healthy%20Kids%20Toolkit.pdf>.

environmentally friendly. A quick analysis, however, demonstrated that shipping milk produced by cows in Eastern Washington to King County was far more efficient than trucking tons of hay across the Cascade Mountains to feed cows in King County. Proximity can make a difference, but we must consider more than just the final product.

Reducing fuel and chemical use

National studies estimate that at least 60 million additional acres of farmland – an area the size of Oregon – would be required to locally produce 40 crops at current yields.⁸ Local corn grain production, for example, would require 27 percent more land, 35 percent more fertilizer and 23 percent more chemicals and fuel than current production, despite the fuel used to transport today’s harvests.

Growing these products elsewhere would either mean using significantly more resources or not producing them at all.

Washington policymakers should provide a healthy business environment for farms, orchards and livestock operations of all sizes. They should not impose regulations that favor only large-scale farming and overwhelm small farmers who cannot afford the expertise to keep up with complex regulation. That is a better way to protect family farms in Washington state than the failed Local Farms program, or the costly, counterproductive and unsustainable concept of “buy local.”

8 “Does Local Production Improve Environmental and Health Outcomes?” by Steven Sexton, Agricultural and Resource Economics Update, Volume 13, No. 2, November/December 2009, University of California Giannini Foundation of Agricultural Economics, at <http://giannini.ucop.edu/are-update/13/2/does-local-production-imp/>.

5. Policy Recommendation: Protect the Snake River dams

For many years, environmental activists, mostly from Western Washington, have sought the destruction of four power-producing dams on the Snake River in Eastern Washington.

They say increasing temperatures from climate change will warm the river sections created by the dams, increasing salmon mortality. They say removing the dams would “allow wild salmon to survive and recover in light of the vivid threat they face from a warming climate.”⁹

Losing carbon-free energy

Ironically, removing the dams would conflict with the goal of reducing carbon emissions. The costs of replacing the enormous amount of carbon-free energy produced by the dams would amount to hundreds of millions of dollars annually. These additional costs would not only undermine efforts to move toward carbon-free energy, but would siphon funding away from salmon recovery efforts across the state.

Annually, the four Lower Snake River dams generate about 8.3 million megawatt hours, about eight percent of Washington’s total energy production.¹⁰ The cost of this electricity is one of the lowest in the country. The low cost of dam-generated electricity is one reason executives for REC Solar company say they located their manufacturing plant in Moses Lake.¹¹

9 “Judge criticizes federal plan for restoring Northwest salmon runs; says dam changes must be considered,” the Associated Press, *The Spokesman-Review*, May 5, 2016, at <http://www.spokesman.com/stories/2016/may/05/judge-criticizes-federal-plan-for-restoring-northw/>.

10 E-mail to the author from Dean Holecek, U.S. Army Corps of Engineers, April 26, 2016, copy available on request.

11 “Manufacturing,” Key Industries, Port of Moses Lake, at <http://www.portofmoseslake.com/key-industries/manufacturing/>, accessed April 24, 2016.

The dams produce more energy than all the wind farms and industrial solar panels in the state combined. Imagine the outcry from clean-energy activists if Washington officials removed every wind turbine in the state.

The combined extra costs paid by ratepayers and lost energy-tax revenue to the state would amount to hundreds of millions of dollars a year. To put it in context of salmon recovery, the entire biennial budget for grants coming from the Salmon Recovery Funding board for 2015-17 is \$220 million.¹² Without the Snake River dams, ratepayers and the state would lose each year the equivalent of two years of salmon recovery funding.

Myopic focus on salmon

These high costs are ignored by advocates of destroying the dams. Their myopic focus is on one local salmon population close to the dams, even if that means imposing enormous costs in return for small benefits. For those who want to destroy the dams – at any cost – that myopia is a benefit. They ignore the cost of replacing the electricity, the environmental cost of higher carbon emissions, and the siphoning of public funds from other environmental efforts.

Those who care about the environment and salmon populations as a whole, however, should not be so narrow-minded about waving off these costs. Good policy means considering all environmental costs and benefits of any proposal.

Increasing carbon emissions

Analysis of the full environmental cost of removing the dams shows it might not create a net environmental benefit. By eliminating the equivalent of all wind and solar energy in Washington state, removal would almost certainly increase carbon

12 “Salmon Recovery Funding, Board,” 2015-17 Budget,” Washington State Recreation and Conservation Office, accessed April 30, 2016, at <http://www.rco.wa.gov/boards/srfb.shtml>.

emissions at a time we are trying to reduce them. Dam destruction would cost ratepayers hundreds of millions of dollars a year, putting additional pressure on funding for other salmon recovery efforts around the state.

Destroying the dams would mean the loss of both the electricity and carbon emissions savings. Protecting the dams would preserve secure energy supplies and retain the carbon-reduction benefits provided by clean, renewable hydropower.

6. Policy Recommendation: End use of energy-wasting “green” building rules

Ten years ago, Washington state lawmakers passed a law requiring new schools and state buildings to meet “green” building standards, based on the U.S. Green Building Council’s system of Leadership in Energy and Environmental Design (LEED). Environmental activists claim LEED buildings provide “cost savings, healthier work environments, and a reduced impact on our natural environment.”¹³

“Green” building increase energy use

In fact, “green” building standards consistently fail to live up to these promises, increasing construction costs and, in many cases, increasing energy use.

Claims about “green” buildings have consistently proved to be false. In 2005, the Washington Environmental Council told lawmakers that, “Giaudrone Middle School in Tacoma realized energy savings of 35 percent” under “green” building standards. In fact, Tacoma school records show Giaudrone uses about 30 percent *more* energy per square foot than similar schools built without “green” elements.

Officials at the state Department of Ecology also made faulty claims. Staff there said a “green” school in Spokane “estimates its annual energy savings at about \$40,000 a year.”¹⁴ Data analysis shows the three “green” schools in Spokane use *more* energy per square foot than a traditionally-designed school in the same district.

13 “Washington’s Environmental Priorities; A look back at 12 years of leadership by the Environmental Priorities Coalition,” compiled by Danielle Shaw, Policy and Research Specialist, Washington Environmental Council, February 2015, page 8, at <https://wecprotects.org/wp-content/uploads/2015/12/Past-Priorities-Report.pdf>.

14 “‘Green’ school rules need to be suspended,” by Todd Myers, special to *The Spokesman-Review*, February 28, 2009, <http://www.spokesman.com/stories/2009/feb/28/green-school-rules-need-to-be-suspended/>.

The legislative auditing agency, JLARC, found that most schools built under the state’s “green” mandate perform worse than the average school in the same district.¹⁵

It also costs much more to build under the state’s “green” buildings mandate. In many cases it would take nearly 30 years in supposed energy savings to recover the higher cost of building “green,” longer than the likely lifespan of the building.¹⁶

Ending cookie-cutter building standards

It is time to move away from cookie-cutter building standards. One reason “green” buildings perform so poorly is that architects and engineers already make extremely efficient buildings. The potential savings from LEED rules are small because architects are already building smarter without the mandates.

As with so many trendy environmental policies, public leaders are quick to highlight their support of “green” buildings, relying on architects and developers who have a financial incentive to increase the cost of construction. Real-world experience shows, however, that these promises often fail.

Washington state policymakers should move away from costly and ineffective “green” building standards. Instead, they should allow school officials, architects and engineers to find ways to build efficient buildings that fit district budgets, and thus benefit taxpayers, and are good for the environment.

15 “High Performance Public Buildings: Impact on Energy Use is Mixed,” Washington Joint Legislative Audit and Review Committee (JLARC), Keenan Konopaski, Legislative Auditor, Report 11-7, June 23, 2011, at <http://leg.wa.gov/jlarc/AuditAndStudyReports/Documents/11-7.pdf>.

16 “Green schools getting mixed grades,” by Jim Camden, *The Spokesman-Review*, May 19, 2011, <http://www.spokesman.com/stories/2011/may/19/green-schools-getting-mixed-grades/>

7. Policy Recommendation: Reduce red tape and politics to make the salmon recovery program work for the environment

The Puget Sound Partnership (PSP) agency is supposed to reduce pollution flowing into Puget Sound and increase habitat for salmon and other aquatic species. The PSP is assigned to harmonize conflicting, local approaches and provide a clear and credible voice that prioritizes the use of limited resources.

Frustrating politics and excessive red tape

That laudable goal is being frustrated by politics and excessive red tape. Instead of relying on local experts, the PSP has degenerated into a knot of processes that delay salmon recovery projects. The layers of approval have created the illusion of accountability, when failure is absolved by a myriad of unaccountable councils.

For example, in the Lake Washington/Sammamish watershed, known as WRIA 8, there is a web of decision makers for each project. Local staff report to a board of representatives from local governments. Projects must be approved while also meeting the guidelines of either the Salmon Recovery Funding Board or the Puget Sound Acquisition and Restoration grants.

Here is how one official describe the process:

“Grants are administered by the Washington Recreation and Conservation Office (RCO), and projects proposed for funding must meet the criteria and policies outlined in RCO’s Manual 18 (Salmon Recovery Grants). Additionally, all proposed projects must be represented on the WRIA 8 Four-Year Work Plan and have a clear link to one or more of WRIA 8’s priority recovery strategies.”¹⁷

17 “WRIA 8 Funding for Salmon Conservation,” Water Resource Inventory Area 8, Lake Washington, Cedar, Sammamish Watershed, Salmon Conservation and Restoration, January 6, 2016, <http://www.govlink.org/watersheds/8/funding/default.aspx>.

How to make real progress

Fortunately, there are examples of reducing excessive red tape that show how to make real progress in helping salmon and Puget Sound.

Kitsap County's Watershed Projects Coordinator has walked every foot of shoreline in the county, observing the impact of bulkheads. He found the best course is to modify existing bulkheads and reduce their environmental impact. Existing rules, however, encourage land owners to ignore failing bulkheads out of fear that any changes will invite the government to require that a bulkhead be removed altogether.

The key is to reduce environmental harm rather than focusing on a blind metric like removing bulkheads. Those on the ground, like the Projects Coordinator, understand the best way to help the environment is to work with property owners to repair bulkheads rather than insist on total removal.

The need for local flexibility

Second, local watershed officials need flexibility to see what works and what doesn't. Members of the Nisqually Tribe, for example, use weirs to catch fish in the river and control the fish that make it upstream, to protect wild salmon and preserve the fish's genetics and resiliency. The tribe's environmental director, however, notes the fish are "really clever," and keep finding ways around the weirs. The tribe is learning from its efforts and is continuing to experiment and adapt.

Local experiments are critical to finding ways to improve survivability, genetics and habitat conditions that contribute to stronger and increased fish stocks. Unfortunately, interlocking regulations make experimentation difficult. Real and direct accountability would ensure that watershed managers have the incentive to choose good experiments and learn from the results.

Avoid spreading accountability

Too often, government spreads accountability around, bringing in several agencies and organizations for every decision. While it is good to take advantage of expertise, what occurs more often is that when something goes wrong, fingers point in every direction. Responsibility is so diffused that no one is held accountable and everyone returns to business as usual.

Improving salmon runs would be a benefit to many people, including tribal members, sport fishers and those who care about a healthy environment. Sound experimentation, and the flexibility to create those experiments, can provide the knowledge officials need to make environmental progress.

Additional Resources

“Proposed Spokane ‘green building’ ordinance would increase costs and increase energy use,” Policy Notes, Washington Policy Center, May 6, 2016

“To help Washington’s salmon, let local experts lead,” Opinion/Editorial, Washington Policy Center, February 23, 2016

“Three steps to reducing carbon emissions effectively,” Policy Notes, Washington Policy Center, January 12, 2016

“Yet another unscientific claim about honeybee and pesticides,” blog post, Washington Policy Center, December 6, 2015

“It’s time to bring energy policy into the smartphone era,” Opinion/Editorial, Washington Policy Center, May 8, 2015

“State and city climate policy is mired in symbolism,” Opinion/Editorial, Washington Policy Center, June 26, 2015

THE POLICY EXPERTS

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