

Green V. Green

The Political, Legal and Administrative
Pitfalls Facing Green Energy Production

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Background

Project started as a Department of Energy Grant to explore the Regulatory Environment faced by Green Energy Producers

Quickly became apparent that the biggest opposition to Green Energy Production was from environmental groups.

Shameless book plug



Our Framework
Institutional Analysis and Development

Our Modified Approach

- Identify the Policy Arena
- The Action Arena

Formal Rules: Regulation



Informal Rules



The Stakeholders

Local Stakeholders	State Stakeholders	National Stakeholders
Citizens, user groups	User groups	User groups
Local politicians	State politicians	National politicians
Homeowner associations, special districts	Public Service Commission	Rent seekers
Energy companies	Utility Companies	Energy companies
Green groups and nonprofits	Green groups and nonprofits	Green groups and nonprofits
Planning and zoning commissions	State regulators and the judiciary	National regulators and federal courts
Farmers and ranchers		

The Tools

	Citizens	Interest Groups	Politicians	Bureaucrats & Regulators
Voice: Clamor, media, letter writing, initiatives	X	X	X	
Procedural Tools: Comments EIS/EA, zoning, studies	X	X	X	
Lobbying	X	X	X	X
Policy Tools: Rate setting, taxes, mandates, regulations			X	X
Courts: Nuisance laws, procedure	X	X		

The Logic of Green Opposition

Fight

Prevent infinite local loss and pay a fraction of the social cost

Not Fight

Infinite local loss and a fraction of the social gain

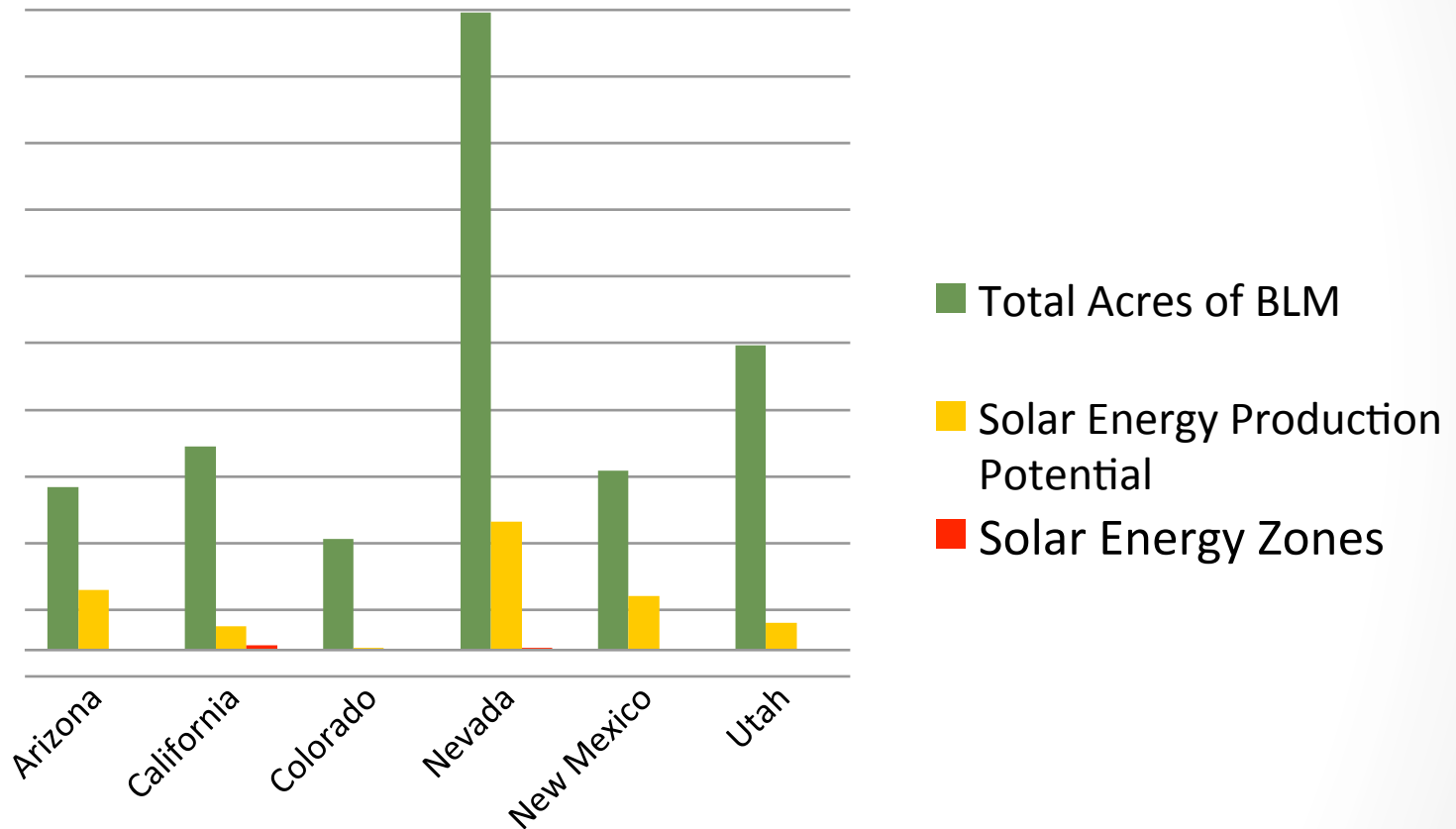
Examples

- Chapter 4: Wind Energy
 - Cape Wind
- Chapter 5: Solar Energy
 - Ivanpah Solar Farm (The Solar Energy Zones)
- Chapter 6: Geothermal Energy
 - Telephone Flats and Fourmile Hill
- Chapter 7: Hydroelectric Energy
 - Glen Canyon Dam
- Chapter 8: Biofuel Energy
 - Ethanol
- Chapter 9: Oil Shale
 - Uintah Basin, Orion v. Salazar

The Solar Fight



The BLM Solar PEIS



Source: <http://solareis.anl.gov/documents/dpeis/index.cfm>

The Wah Wah Valley



The Fight on Cape Cod



Conclusions

Not Just NIMBY

Not In My Backyard

BANANA

Build Absolutely Nothing Anywhere Near Anything