

OPINION

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Don't let environmentalism sabotage green energy

TWO MILES remain to be built of the 102-mile Cardinal-Hickory Creek high-voltage transmission line between Iowa and Wisconsin, expected to connect more than 160 renewable-energy facilities, producing nearly 25 gigawatts of green power, to the Midwestern grid. And yet this crucial project for the climate might not get finished — because of U.S. environmental laws.

At issue is the Upper Mississippi River National Wildlife and Fish Refuge, a habitat for bald eagles and other migratory birds, through which the power line would run. On March 21, three environmental groups persuaded a federal judge to stop construction temporarily. They hope to stop it for good.

The Cardinal-Hickory Creek line episode is just one conflict pitting the environment against, well, the environment. Solar plants and wind farms, transmission lines and carbon-capture projects face opposition from conservationists and other environmental groups asking courts to stop new infrastructure from encroaching on wetlands, forests and other ecosystems.

Such trade-offs are not new. Unfortunately, neither is the system by which this country evaluates the costs and benefits of protecting the eagles against those of stringing up new power lines. Established by laws such as the 1970 National Environmental Policy Act (NEPA), the rules generally lean against develop-

ers, written in an era before those developers included promoters of the green power that humanity needs to stave off climate change. "There are a couple of trillion dollars available to develop the clean-energy economy," noted Ted Nordhaus, who runs the Breakthrough Institute, a nonprofit supporting technological solutions to environmental challenges. "Except we can't build anything."

Environmental groups, including the Sierra Club, have joined a roughly six-year effort to stop transmission lines that would bring hydropower from Quebec to New England. They have opposed the development of solar energy facilities in the Mojave Desert. Opposition to offshore wind power facilities off the Northeast coast involves a peculiar assortment of bedfellows, including local environmental groups, fisheries and seafood producers, a hotel association and former president Donald Trump.

Opposition is largely local, usually not from large nonprofits such as the Natural Resources Defense Council or the Environmental Defense Fund, which focus on climate change mitigation, but from groups vested in preserving local ecosystems. Others, motivated by less high-minded causes, exploit the environmental review process to preserve views, prevent bothersome construction or stop the character of their areas from changing. Their main tool is NEPA, which not only requires environmental impact studies but also allows pretty much anybody to challenge in court

a federal agency's decision to greenlight projects on a virtually limitless set of environmental grounds.

Researchers at Stanford University studied 171 large energy infrastructure projects that completed federal environmental impact studies between 2010 and 2018. Nearly two-thirds of solar energy projects were litigated, they found, as were 31 percent of transmission lines and 38 percent of wind energy projects.

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Court challenges often fail. Nikki Chiappa from the Breakthrough Institute noted that by 2020 federal agencies were winning some 80 percent of their cases. Attorneys for the Cardinal-Hickory Creek project seem confident that the injunction against the power line will be lifted. But litigation causes massive delays, raising the costs of multibillion-dollar energy projects. (Even before a project is

challenged in court, the required environmental impact assessments can take as long as 14 years.) Delays cost big money — money that would be better spent fighting climate change, not court battles.

Sen. Joe Manchin III (D-W.Va.) tried and failed to reform permitting in 2022, right after the passage of the Inflation Reduction Act, which rained subsidies and other incentives on new energy infrastructure. Efforts since then to speed permitting for green energy have largely stalled.

The stakes are high. An analysis by researchers at MIT and research firm the Rhodium Group found that the clean-power expansion is way behind schedule to attain the 50 to 52 percent reduction in emissions by 2030 that the United States pledged under the Paris agreement. Princeton University researchers reckon that the nation's ambitious green energy policies will fall well short of their goals if transmission wire construction isn't ramped up considerably.

To be sure, big energy projects require public scrutiny. Sometimes, undisturbed habitats should remain that way. But the permitting process does not weigh reasonably the costs and benefits of building essential infrastructure. It needs streamlining. While lawmakers are at it, Congress should also preempt state and local rules that make it even harder to build projects of high national priority. Green power transmission lines certainly qualify.