

A reflection on 2019 Water seminar predictions

The Pendulum has swung -The Hiatus is over

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Background

- Original speech before Missouri Chamber Environmental Conference in August 2018 following Trump and Greitens inauguration and presented at 2019 Water Seminar.
- Prospective analysis of change from the path of the Obama Administration.
- Recognition that the aggressive effort to decelerate regulatory modification would change in 2020 or 2024.
- Opportunity to “catch up” with aggressive Obama initiatives would be available.
- Predictions regarding how much opportunity, areas of relaxed pressure, speculation over the length of opportunity to “catch up,” and recommendations how to proceed forward.
- Thus the concept of the Great Hiatus was born.

What are we going to discuss today?

- A discussion about the future of environmental protection efforts following the end of the hiatus and the aggressive policies of the Biden administration (the Obama restart).
- A reflection of statements I made in 2018 here at this seminar.
- Where did I “nail it” and where did I “fail it”.



So in 2009 the status quo is interrupted

- The 44th President is elected. He is NOT conservative.
- His administration will use authorized rulemaking powers to advance the ball. They will, in fact, act where Congress has not. Numerous controversial rules are advanced.
- He will advance the issue of climate and it will be a focal point of the administration.
- He will advance issues of water quality by enlarging the scope of federal control.
- And social media will create de facto law through shareholder and customer demand, EVEN IF THE LAW IS OVERTURNED.
- They will empower the new technology to allow citizen enforcement of the new law and customize the enforcement system to do so.
- The volume of change will be significant to flood the system, and permittees, including cities, will be scrambling for resources.

Timeline for the Great Hiatus

- We were dead on the advice.
- It may end on **November 3, 2020** or
- It may end on **November 5, 2024**.
- The advice we have given our clients is they should be taking advantage of the great hiatus by accelerating their compliance infrastructure NOW assuming previous requirements likely to resurrect.
- Respond to your previous complaint, not enough time.
- It responds to shareholder, purchasers, social media and public relations concerns.
- Start planning for the next wave of issues.
- Recognize that many of the largest regulated entities are cities!!





Eliminating executive orders from 45 and establishing record number as 46 (Predicted)

- Freeze on new Oil and Gas leases on Federal Lands (US owns 30% of the US lands 92% HELD IN THE 12 WESTERN STATES. (Predicted Climate policy)
- Direct agencies to eliminate fossil fuel subsidies. (Predicted Climate policy)
- 30x30 Conservation target – protecting 30% of “Americas lands and oceans by 2030.” (Never expected. This could be interesting)
- Climate a national security and Foreign policy priority. (beyond Predicted Climate policy)
- Environmental Justice “EJ will be at the center of all we do addressing the disproportionate health and environmental and economic impacts on communities of color.” (Not predicted)
- Climate Conservation Corp. (Not predicted)
- Elevate “scientists” (read people who agree with me and my platform) to leadership “in the review and distribution of research dollars and are scientifically and technologically well founded and conducted with integrity.” Sounds really good doesn’t it. (Predicted)

Drinking Water

- I can not understate my belief that this will be the point of attack along with climate in the next 12 months.
- Plaintiff's counsel are chopping at the bit since Flint, and hovering over PFAs like starving hyenas.
- It does not matter that 98% of drinking water supplies in the US are compliant with the SDWA, it will be SWDA is not compliant with our lives.
- “ My baby, my baby”.



Water

- Emerging pollutants (PFAs)
- Floods
- Drought
- Wetlands
- Green infrastructure health risk



Pharmaceuticals and Endocrine Disrupters

- Difficult to treat and pass through to environment on the sewage side.
- Difficult to treat and pass through on the drinking water side.
- Remain in the environment and affect fish and other wildlife including homo sapiens.
- Both natural and synthetic.



Agricultural runoff

- Pesticides and nutrients, both natural and synthetic.
- Soil.
- Manure.
- Death of the ag exemption in favor of water supply protection.
- The environmental movement is urban driven. The connection to the farm as “feeding the world” is dying. Populations in rural areas continue to decline and are aging. Food comes from grocery stores.





Climate

- Whether you agree or disagree, real or not, it is here and a function of business.
- There is a difference of whether it is a regulation enforced by the government, or a reality of the business world.
- Shareholders are demanding compliance, customers are incorporating it into manufacturer selection, Europe and other countries have it as an established paradigm. It's here whether the U.S. government regulates it or not.
- The only issue will be regulatory control and depth.
- Short of another Little Ice Age, this joins diversity and gender equity as business realities in the Smartphone age.
- Coal, natural gas, renewables, wind, solar, energy reliability, electric transportation and national energy security.

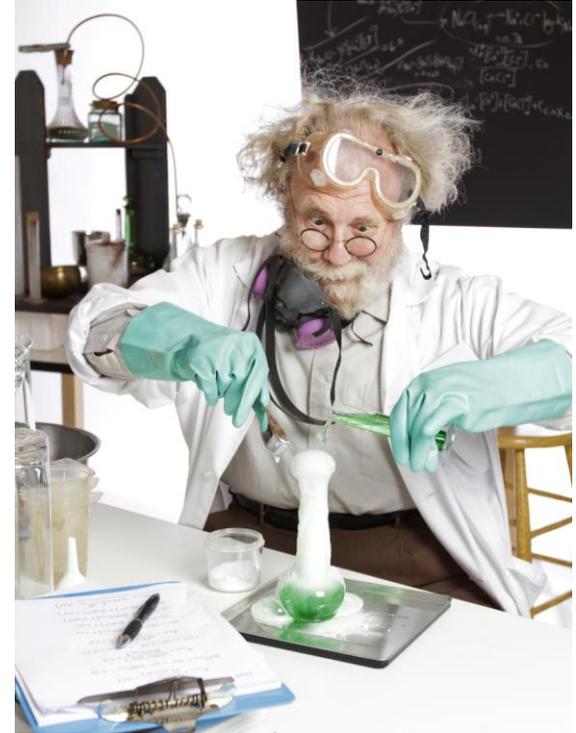
Rates

- Largest cost increases on public works relate to environmental control.
- Disproportionately impacts the poor and those on fixed income.
- Water, sewer, storm water, electricity, trash disposal all driven by city budgets.



There is no such thing as “good science”

- There is only science.
- Proper science follows the scientific method, is peer reviewed, is reproducible, has no political agenda and survives the alternative and null hypothesis.
- Proper science is not funded by biased funding decisions and the opposite position is equally funded.
- Proper science is not determined by 12 people on a jury who have been selected because of their lack of scientific background.
- Science evolves, can change and learn, and must be challenged over time.



Thank you

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