Energy for the Future Seminar Series

Hannah Wiseman
Locally Desirable Energy Development

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157 Hosler & via Zoom: https://psu.zoom.us/j/91860745494

Abstract: Energy development, be it drilling an oil and gas well or building a wind farm, is a classic "not in my backyard" or "NIMBY" activity. Landowners leasing their land typically welcome this development, while neighbors and community groups often vociferously oppose it as an objectionable activity. A frequent response of regulators, developers, and other project proponents is to dismiss this opposition as baseless. Indeed, many environmental groups that praise "clean" energy oppose solar and wind development within their community, and individuals who rely on natural gas for heating and cooking vocally block pipelines and wells. It is therefore tempting to take the simplest route to community-based energy opposition by preempting it—that is, by placing decisions over the location of oil and gas wells, pipelines, and renewable energy generation in the hands of a non-municipal governmental entity. This is what the U.S. government did for natural gas pipelines, which, unlike oil pipelines, enjoy federal eminent domain authority. In a similar vein, a growing number of states preempt municipal control over the siting and regulation of oil and gas wells and renewable energy generation.

BIO: Professor Hannah Wiseman is a Professor of Law, Professor and Wilson Faculty Fellow at the College of Earth and Mineral Sciences, and Co-funded Faculty, Institutes of Energy and the Environment at Penn State--University Park. Her research focuses on creative methods of addressing land use-based and environmental conflicts in energy development, including oil and gas and renewable energy. She previously taught at the University of Texas School of Law (Austin), University of Tulsa College of Law, and, most recently, the Florida State University College of Law. Prior to joining academia she worked as a research assistant and then associate in the climate and air divisions of ICF Consulting, and she clerked for Judge Patrick Higginbotham of the U.S. Court of Appeals for the Fifth Circuit. She is the co-author of three energy books and textbooks and has published more than 40 articles in journals such as the Stanford Law Review (co-authored), Georgetown Law Journal, NYU Law Review, Duke Law Journal (co-authored), and Environmental Science and Technology.