

Funding for Valley earmarks in spending bill Cardoza among lawmakers requesting financing for projects.

By Michael Doyle, Sun-Star Washington Bureau
Merced Sun-Star and Modesto Bee, Tuesday, December 15, 2009

WASHINGTON -- San Joaquin Valley earmarks are alive and well in a huge spending bill about to be signed by President Barack Obama.

After a flurry of reform rhetoric, lawmakers slid several thousand targeted spending projects into the \$447 billion package that's now secured final House and Senate approval. Obama could sign the legislation within days.

The omnibus appropriations bill funds dozens of federal agencies through Fiscal 2010. Critics call it bloated. Defenders consider it essential, citing money for local projects ranging from Fresno freeways to Stanislaus County police radios.

"I am always pleased to obtain these funds for our community," stated Rep. Dennis Cardoza, D-Merced. "They provide a significant and direct means of improving the quality of life for our residents."

Cardoza and Reps. Jerry McNerney, D-Pleasanton, and Jim Costa, D-Fresno, all requested local earmarks, as they have in previous years. In one successful reform, the names of earmark requesters are included within the 1,300-plus-page package.

More aggressive reform efforts, including some long-shot proposals to eliminate earmarks altogether, fell short. Neither Rep. George Radanovich, R-Mariposa, or Devin Nunes, R-Visalia, requested earmarks this year.

"The congressman feels there's far too much federal spending going on at this time and wants to take any opportunity to rein in the deficit," Radanovich's press secretary, Spencer Pederson, said Monday.

The federal government ran a \$236 billion surplus in 2000.

Driven by war spending, tax cuts, recession and domestic program expansions, the government currently is running a \$1.4 trillion deficit.

The earmarks come in several forms and can be an object lesson in practical politics.

Many successful earmark requests are supported by both a House and Senate member. The funding bill, for instance, includes \$800,000 for work on State Route 180 near Fresno. Costa joined in the request with Democratic Sen. Dianne Feinstein, a member of the Senate Appropriations Committee.

In other cases, lawmakers fly solo in their earmark efforts.

Costa, for instance, was the sole member of Congress to request the \$300,000 provided Kings County for an emergency communications system.

He was likewise the only member to seek the \$150,000 provided to a group called Springboard for Improving Schools, which will assist with teacher training in the region between Fresno and Bakersfield.

In a similar vein, Cardoza was the sole representative to request the \$425,000 provided for a math-and-science college preparatory program to be run in Merced County.

Often, earmarks reflect ongoing projects that motivate funding requests every year.

The funding package, for instance, includes an additional \$300,000 for a Stanislaus County "interoperability" project to enhance the ability of different law enforcement agencies to

communicate with one another with a common radio system. The project is a perennial priority for county officials in their lobbying visits to Capitol Hill.

Like many earmarks, moreover, the Stanislaus County project received less than local officials asked for. In March, officials said they needed \$2.5 million.

"We just really need to rebuild our radio system," Modesto Police Chief Roy Wasden said during the March lobbying trip.

The next congressional step will be final approval of a \$626 billion defense spending bill, whose myriad earmarks have not yet been made public.

Other earmarks in the bill about to be signed by Obama include:

\$520,000 for a Castle Airport instrument landing system. The money will pay for installation of a system for the airport's Runway 13, designed to help pilots land in inclement weather.

[\\$10 million for the San Joaquin Valley Air Pollution Control District](#). The money will help retrofit heavy vehicles and replace on-road and off-road vehicles, in an effort to cut emissions.

EPA finds greenhouse gases pose dangers, plans regulation

Renee Schoof - McClatchy Newspapers

Merced Sun-Star, Tuesday, December 15, 2009

WASHINGTON — The Environmental Protection Agency said Monday that global warming pollution endangered the health and welfare of Americans and must be reduced, a move that seemed timed to signal that the U.S. is serious about joining an international bid to reduce the risks of damaging climate change.

Monday's finding means that the EPA will proceed with preparations to regulate large producers of greenhouse gas emissions. Those rules could take effect if Congress doesn't pass legislation.

Nonetheless, it probably would be years before new EPA rules took effect for existing coal-fired power plants, the main source of heat-trapping gases. The Obama administration prefers to have Congress do that work through a climate and energy law.

EPA's Clean Air ruling: What effect on coal-producing Kentucky?

Offshore oil drilling gets go-ahead in Alaska's Arctic

Kentucky mine regulator blames coal industry for his firing

The EPA's action follows a 2007 Supreme Court decision that ordered a reluctant Bush administration to determine whether greenhouse gases endanger America's health and welfare. The court ruled that if the EPA found that the pollution was dangerous, it was required under the Clean Air Act to tackle the problem. Monday's announcement was the agency's final decision on this "endangerment finding."

The decision came as 15,000 people from 192 countries gathered in Copenhagen for the first day of talks aimed at reaching a climate agreement. A major part of the agreement is what countries will pledge to do to reduce emissions. U.S. negotiators plan to point to efforts of all parts of the government, including the EPA, Congress and the Energy Department, as evidence that the U.S. will reduce its share of the heat-trapping gases that accumulate in the atmosphere.

Some opponents of mandatory emissions reductions said the EPA shouldn't have made the announcement until a controversy over leaked e-mails by a group of climate scientists is cleared up. Some excerpts have raised questions about whether scientists were trying to manipulate data or squelch opposing views.

Rep. Darrell Issa of California, the most senior Republican on the House Oversight and Government Reform Committee, said in a televised interview Monday that the controversy showed "science basically faked in order to get an outcome those individuals wanted."

Issa wrote to EPA chief Lisa Jackson last week saying the EPA should investigate the disclosure of the e-mails from scientists working through the Climatic Research Unit of the University of East Anglia in England. He argued that the agency shouldn't make a decision on greenhouse gases until it can "demonstrate that the science . . . has not been compromised."

Issa wrote that the e-mails raise questions about the accuracy of the 2007 Intergovernmental Panel on Climate Change report. That report found that warming was "unequivocal" and primarily the result of human activities, mostly from the burning of fossil fuels.

The Competitive Enterprise Institute said it would sue to get the endangerment finding overturned on the grounds that the EPA ignored issues raised in what it calls Climategate. The institute is a policy group that advocates small government and runs a blog that argues that climate change isn't a serious problem.

Jackson said the large amount of scientific work on climate change over the last three decades was "unassailable." Hundreds of scientists have reviewed the findings that make up this work, she said.

"You're talking about one tiny thread out of thousands of threads of scientific data and information," Jackson said, responding to questions about the e-mail controversy at a news conference.

Scientists have found an increase of heat-trapping gases in the atmosphere that's upsetting the natural balance and changing the climate, Jackson said. How quickly future changes will occur isn't known, "but the overwhelming amount of scientific studies shows the threat is real, as does the evidence before our eyes."

Environmental groups welcomed the EPA's action.

"After years of industry opposition, President Obama's Environmental Protection Agency ruling today sets the stage for strong federal action to address climate change, and sends an important signal as the U.N. climate summit in Copenhagen begins that the president can act regardless of congressional inaction to seriously cut greenhouse gases," Greenpeace said in a statement.

Sen. John Kerry, D-Mass., who's leading a Senate effort to get votes for a climate and energy bill, said the message to Congress "was crystal clear: Get moving."

Kerry also said the EPA decision was "a clear message to Copenhagen of the Obama administration's commitment to address global climate change."

The agency's decision on greenhouse gas dangers paves the way for two rules next year:

_ First, the EPA will require reductions of carbon dioxide from vehicles in March. That plan was worked out with automakers earlier this year. It sets a national auto-emissions standard similar to what California and other states have adopted.

_ Second, the agency will require large producers of heat-trapping gases to use the best means available to reduce them when they build new plants or make major modifications.

The EPA hasn't yet said what the best available technology will be. Jackson noted, however, that the agency wouldn't require industries to use technology that doesn't yet exist.

There's no simple gadget to get rid of carbon dioxide, the main greenhouse gas.

A system to capture and bury it is many years from commercial use. Emissions also can be reduced through efficiency or a switch from coal to less carbon-intensive fuels.

Jackson said EPA rules wouldn't affect small businesses, only large sources that emit at least 25,000 tons of carbon dioxide per year.

TIMELINE LEADING TO EPA DECISION:

1999: The International Center for Technology Assessment, a nonprofit bipartisan group, and other organizations petition the Environmental Protection Agency to regulate carbon dioxide from new vehicles.

2003: The Bush administration denies the petition.

April 2007: The Supreme Court rules in Massachusetts vs. the Environmental Protection Agency that the EPA must determine whether global warming pollutants from motor vehicles endanger public health and welfare.

December 2007: The EPA in the Bush administration prepares a finding but doesn't release it publicly.

April 2009: The EPA under the Obama administration releases its proposed findings. After a review process, it's announced Monday that the finding is final.

Weekend storm clears Valley air for day But fog and clouds are expected the rest of the week.

By Paula Lloyd

Fresno Bee, Tuesday, Dec. 15, 2009

The weekend storm that washed over Fresno scoured the air clean, leaving in its wake a spectacular view of the snow-capped Sierra Nevada.

"The first day after a storm is the best day to see the Sierra," said Steve Mendenhall, meteorologist with the National Weather Service office in Hanford.

Rain, colder conditions and wind helped clean the air as the storm pushed eastward over the Sierra, Mendenhall said.

But fog and clouds are forecast to spoil the view for the rest of the week.

High pressure is expected to cover most of the central San Joaquin Valley into the weekend, and patchy fog is possible for much of the week, the weather service said.

Fog season comes when nights are longer than the days. Fog forms when the air is calm, skies are clear and days warm up, creating a temperature inversion.

Rain could be part of the forecast this week if the expected weak low-pressure system moves in Wednesday. A 20% chance of showers is forecast.

High temperatures today and Wednesday should be 60 and 61, respectively, with a low of 40 degrees expected each night.

Skies will be mostly sunny Thursday, with more sun forecast for Friday.

Rainfall for Fresno stands at 1.81 inches for the month through Saturday, the weather service said.

The normal level is 0.52 of an inch. Precipitation since Jan. 1 is 8.48 inches -- well below normal rainfall to date of 10.41 inches.

Mike Machado, John Garamendi Jr. hired to promote Stockton prison hospital

By Ross Farrow, News-Sentinel Staff Writer

Lodi News Sentinel, Tuesday, December 15, 2009

With a lawsuit pending against the state, a former state legislator from Linden and the son of Rep. John Garamendi, D-Walnut Grove, have been hired to tell the community why a large prison hospital would be good for the county.

Mike Machado, who represented much of San Joaquin County in the Assembly and State Senate

in the 1990s and the current decade, and John Garamendi Jr., were hired for the lobbying positions. They began work on Monday.

Machado, Garamendi and three other members of the Ochoa & Moore law firm in Sacramento will try to convince people in San Joaquin County that the prison hospital would be an asset rather than a liability.

The five employees combined will be paid up to \$400,000 for their services, according to Ralph Ochoa, founding partner of Ochoa & Moore, a Sacramento law firm conducting the public relations campaign. Neither Ochoa nor California Prison Health Care Services spokesman Luis Patino were sure on Monday whether taxpayer money was involved because California Prison Health Care Services is a nonprofit organization.

The public relations campaign will take place, even during a pending lawsuit. San Joaquin County, the city of Stockton and the Greater Stockton Chamber of Commerce sued the California Department of Corrections and Rehabilitation and California Prison Health Care Services in an attempt to stop the project.

The three agencies claim that the environmental impact report on the project failed to adequately address several issues, including traffic, how the hospital would affect surrounding areas and other county services, and how it would affect [air quality](#), according to Deputy County Counsel Mark Myles.

Ochoa said on Monday that when a lawsuit claiming an inadequate EIR is filed, all the judge will do is tell the defendant what needs to be done to make the EIR adequate. The project will still get done anyway, Ochoa said.

Myles said he doesn't see anything unusual about the lobbying effort while the lawsuit is pending.

"In any litigation, comments that are made by a party can be used in court," Myles said. "I don't know there is anything unique or peculiar here."

The prison hospital, for medical and mental health patients, is designed for 1,734 beds and 3,000 employees at Arch and Austin roads, about two miles east of Highway 99. The hospital is expected to have 75 to 100 people visiting inmates daily. It would have a 12-foot-high electrical fence to secure the area along with 11 45-foot-high guard towers every 700 feet, according to the state.

Construction of the \$1.1 billion project is expected to begin in 2010 and last two years, state officials said.

Machado and Garamendi bring established credibility to the effort to bring the hospital to southeast Stockton, Ochoa said.

Ochoa & Moore was hired by California Prison Health Care Receivership, a nonprofit organization formed as the result of a 2001 class-action lawsuit challenging the quality of medical care in state prisons. The receivership is autonomous from the California Department of Corrections and Rehabilitation and the state itself, Ochoa said. Clark Kelso is the receiver for the health care organization.

"Despite misunderstandings, the receiver, Kelso, really is serious about bringing the facility to the area," Ochoa said. "The best way is to have a good relationship with the community."

The idea behind the PR campaign is to meet with as many of opinion makers and decision makers in Stockton and elsewhere in San Joaquin County, Ochoa said. The group will also contact local high schools, San Joaquin Delta College and four-year colleges about the construction, medical and other types of jobs that will be generated by the project, he said.

"We have to be sensitive to hiring locally," Ochoa said. "That's a big issue with the labor unions. We have to be good listeners."

Schwarzenegger says go carefully on climate change

Associated Press

In the Modesto Bee, Stockton Record and other papers, Tuesday, December 15, 2009

WASHINGTON (AP) — California Gov. Arnold Schwarzenegger says world policymakers do not have to choose between a clean environment and economic growth.

Schwarzenegger said "we've proved that over and over again in California." Interviewed by ABC's "Good Morning America" from the Copenhagen conference, he said he thinks world leaders may be risking setback by pushing so aggressively for an accommodation on curbs to heat-trapping emissions.

Schwarzenegger said that people worried about climate change should pay more attention to companies, universities and "ordinary folks" and not put so much emphasis on a multinational consensus. He said that type of thinking is "setting yourself up for failure." He also said poor nations have a right to demand that the richer countries help them to meet tougher pollution standards.

EPA's Clean Air ruling: What effect on coal-producing Kentucky?

Halimah Abdullah and Dori Hjalmarson - McClatchy Newspapers

Merced Sun-Star, Tuesday, December 15, 2009

WASHINGTON — The Environmental Protection Agency's declaration Monday that carbon dioxide and other greenhouse gas emissions endanger the public's health could deeply impact Kentucky's coal economy.

The announcement, which comes as an historic climate change conference gets under way in Copenhagen, could set the groundwork for broader cap-and-trade policies in the U.S. — the kinds of policies the state's coal companies and most of the state's congressional delegation have long tried to block.

"What his arbitrary administrative edict would do is what Congress has refused to do statutorily — tell coal-burning utilities how much, or little, coal can be burned," said Rep. Hal Rogers, a Republican whose district blankets coal-rich eastern Kentucky. "It could prove devastating to Kentucky's coal industry and cause havoc to our working men and women of eastern Kentucky."

Kentucky mine regulator blames coal industry for his firing

EPA finds greenhouse gases pose dangers, plans regulation

Meanwhile, Kentucky environmentalists lauded the EPA's announcement as a first step toward addressing global warming and curbing pollution.

"We have chosen an energy source for our electricity," said Tom FitzGerald, director of the Kentucky Resources Council. "What was an economic development edge — the allure of cheap power — is about to become a significant liability."

Fifty percent of the nation runs on coal-generated electricity, and more than 90 percent of Kentucky's electricity is coal-fired — part of the reason the state's energy rates are so low, attracting factories and other industries, coal advocates say.

The coal industry suffers when overly stringent environmental regulations are put in place, said David Gooch, president of Coal Operators & Associates Inc. in Pikeville, Ky. High-sulfur western Kentucky and northern West Virginia mines "saw tremendous downturn" after 1990 crackdowns on sulfur dioxide emissions, he said. Those mines were only able to resume business after they got contracts with power plants that installed sulfur scrubbers.

"Who wants to sit unemployed for 15 years again?" Gooch said.

Passage of the climate bill by the U.S. House of Representatives earlier this year was an important political test for President Barack Obama, who made personal appeals to lawmakers

and stressed his desire to travel to Copenhagen buoyed by a strong national stance on the matter.

It was also an important political test for Rep. Ben Chandler, a Democrat who faced heavy backlash for supporting cap-and-trade energy policies that could lead to penalties for his state's leading industry.

A renewed focus on climate change could once again force Chandler, who generally eschews the spotlight, to take a very public stand on policies aimed at curbing greenhouse emissions.

Chandler's office did not respond Monday to a request for comment about the EPA's announcement.

The Obama administration's announcement also signals that, regardless of Congress' actions, the EPA will use its regulatory powers to curb greenhouse emissions.

The move rankles lawmakers who feel stricter regulations will affect power companies' ability to compete, employ workers and maintain low prices.

"With double-digit unemployment and over 3.5 million jobs already lost this year, the administration inexplicably continues to push for a job-killing national energy tax — either through legislation or regulation," said Senate Minority Leader Mitch McConnell.

Last year, McConnell led a largely successful push against Democratic-backed climate change legislation that would have encouraged companies to use natural gas instead of coal, capped greenhouse gas emissions over the next 40 years and required businesses to buy permits in exchange for going over those caps.

At one point, McConnell brought proceedings to a standstill after calling for all 492 pages of the bill to be read aloud.

The Senate may revisit climate change legislation in 2010. However, both of the state's senators remain firmly opposed.

"EPA's finding is reckless, irresponsible, and will only serve to increase the reach of Washington's bureaucratic arm into the American taxpayer's pocket," said GOP Sen. Jim Bunning. "This finding is based on flawed science and will only serve to kill jobs in Kentucky and endanger industries across the country."

Environmentalists, though, say Kentucky's cheap energy has come at too steep a price. Lexington has the country's largest "carbon footprint" — leading the nation in emitting the greenhouse gases that contribute to global climate change.

Other Kentucky cities follow closely, including the Cincinnati-Northern Kentucky area and Louisville, according to a study of the nation's 100 largest metropolitan areas by the Brookings Institution.

Pope calls for action on climate change

By Alessandra Rizzo- Associated Press Writer

In the Modesto Bee, Tuesday, December 15, 2009

VATICAN CITY -- Pope Benedict XVI called for urgent action to protect the environment, saying Tuesday that climate change and natural catastrophes threaten the rights to life, food, health - and ultimately peace.

In his annual message on the Roman Catholic Church's World Day of Peace, the pope argued that the world's economic, social, and environmental problems are moral crises that require mankind to rethink its way of living.

"We can no longer do without a real change of outlook which will result in new life-styles," he said, touching again on a theme that has earned him a reputation as the "green pope."

Benedict called on advanced societies to adopt "more sober lifestyles," reducing energy consumption and favoring energy-efficient policies. He encouraged research into ways to exploit solar energy, to manage forests and to improve waste disposal.

Action is more pressing than ever "in the face of signs of a growing crisis which it would be irresponsible not to take seriously," he said.

The Roman Catholic Church marks the World Day of Peace on Jan. 1. but the pope's message to world leaders is released by the Vatican in advance. The message this year comes as world leaders are arriving for high-profile climate talks in Copenhagen designed to hammer out a deal to curb emissions of the heat-trapping greenhouse gases that cause global warming.

Noting that climate change, and resulting desertification, could push millions into poverty, hunger, conflict and displacement, the pope said: "All these are issues with a profound impact on the exercise of human rights, such as the right to life, food, health and development."

Benedict said industrialized countries should recognize their responsibility for the current environmental crisis and show solidarity toward developing nations. However, emerging countries are not exempt from their own responsibility and there is a need for internationally-coordinated action, he said.

Talks in Copenhagen hit a snag Monday when developing countries temporarily boycotted, fearing wealthier countries were going back on promises to cut greenhouse gases. Deep divisions remain between rich and poor countries, particularly over financing for developing countries to deal with global warming.

Environmental protection is a theme close to Benedict's heart and he has made frequent calls to save the planet.

During his papacy, the Vatican has been taking steps toward greater environmental sustainability, joining a reforestation project aimed at offsetting its CO2 emissions, and has installed solar cells on the roof of its main auditorium.

Climate change talks enter 'important moment'

By Juliet Eilperin

The Washington Post, Tuesday, December 15, 2009

COPENHAGEN -- Global warming talks entered what the top United Nations climate official described as "a very distinct and important moment in the process" Tuesday, as top ministers searched for a way to ensure the commitments nations made here would stand up over time.

Yvo de Boer, the executive secretary of the U.N. Framework Convention on Climate Change, told reporters both large and small countries will have to make concessions in the coming days because "there is still an enormous amount of ground to be covered if this conference is to deliver what people around the world expect it to deliver."

The United States and other industrialized nations are still pressing for a way to verify that China, India and other emerging economies will make the greenhouse gas emissions cuts they've promised to make in the context of a new agreement, while developing countries argue these rich nations have not provided the financing and ambitious climate targets that would be commensurate with their historic responsibility for global warming.

Connie Hedegaard, the Danish chairman of the conference, said in an interview that monitoring and verifying future emissions cuts "is one of the very difficult issues because the major players both have serious red lines" on the issue. "One is waiting for the other [to move]. We must solve that problem."

On Monday, the largest group of developing nations brought the talks to a halt as they accused the United States and other industrialized countries of forsaking the Kyoto Protocol, the climate agreement that currently imposes emission limits on nearly all of the world's developed nations.

Hedegaard resolved the issue by establishing a series of small working groups where ministers could tackle key issues such as global emissions targets and money to help poor countries cope with climate change.

Indian environment minister Jairam Ramesh has already announced his nation would be willing to report on both its emissions reductions and future plans as part of an existing "national communication" that countries submit to the UNFCCC.

The United States had yet to embrace that proposal as a solution, and Ramesh said in an interview Tuesday that he had specifically asked deputy national security adviser [Mike Froman](#) what the United States meant when it demanded "transparency" in the arena of greenhouse gas emissions reporting.

"You need to be transparent about what 'transparency' means," Ramesh said. "Are you worried China and India will make up our figures?"

The fact that the major players in the negotiations have not shifted their positions significantly since the talks began last Monday, de Boer said, highlights the fact that the talks' organizers can only push the different parties so far. Organizers hope the more than 110 world leaders arriving over the next three days can bring the talks to a final resolution, he said.

"There's a saying in English, 'You can lead the horse to water, but you can't make it drink,' " de Boer said, adding that Denmark had spent two years "bringing 192 horses to water. But you can't, at the end of the day, make the horse drink. Now it is the job of world leaders to make sure we get a result here."

US-China showdown looms over climate talks

By John Heilprin and Cara Anna Associated Press Writers

In the Tri-Valley Herald, Tuesday, December 15, 2009

COPENHAGEN—In a showdown between the world's two largest polluters, China accused the United States and other rich nations Tuesday of backsliding on commitments to fight global warming and the top American envoy declared the U.S. would not change its offer on cutting greenhouse gas emissions.

Trying to ease the tension, U.N. Secretary-General Ban Ki-moon said rich and poor countries must "stop pointing fingers" and should increase their pledges to cut emissions to salvage the faltering talks on a climate pact. The European Union also urged both the U.S. and China to increase their commitments on emissions targets.

New negotiating drafts circulating Tuesday showed key issues, including emissions targets for industrial countries and climate financing for developing countries, remained unresolved.

"The texts are getting less precise, seemingly," said Melinda Kimble, senior vice president of the U.N. Foundation and a former U.S. climate negotiator.

Ban's warning in an interview with The Associated Press came as world leaders began arriving in Copenhagen, kicking the two-week conference into high gear in its quest to deliver a deal to curb emissions that cause global warming.

The conference so far has been marked by sharp disagreements between China and the United States and deep divisions between rich and poor nations.

"You can't even begin to have an environmentally sound agreement without the adequate, significant participation of China," said U.S. special climate envoy Todd Stern.

China and other developing countries are resisting U.S.-led attempts to make their cuts in emissions growth binding and open to international scrutiny rather than voluntary.

China, the world's largest polluter, is grouped with developing nations at the talks, but the U.S. doesn't consider China to be in need of climate-change aid.

In Beijing, China accused developed countries Tuesday of trying to escape their obligations to help poor nations fight climate change.

"We still maintain that developed countries have the obligation to provide financial support," Foreign Ministry spokeswoman Jiang Yu said, adding that was "the key condition for the success of the Copenhagen conference."

President Barack Obama and Chinese Prime Minister Wen Jiabao are among more than 110 world leaders expected in Copenhagen this week.

The U.S. has offered a 17 percent reduction from 2005 emissions levels by 2020. That amounts to a 3 percent to 4 percent cut from 1990 levels—the baseline year used by many other countries. China has pledged to cut "carbon intensity"—a measure of carbon dioxide emissions per unit of production—by 40 percent to 45 percent by 2020, compared with 2005 levels.

Since China's economy is expected to double in size in coming years, that pledge means China's emissions will only increase by nearly 50 percent, instead of doubling.

Scientists have warned that the world's commitments so far fall short of what is needed to keep global temperature increases below 2 degrees C (3.6 degrees F) above pre-industrial levels and head off the worst of global warming. They say global warming will create rising sea levels, increasing drought, more extreme weather and the extinction of some species.

Neither the U.S. nor the Chinese offer impressed the 27-nation EU, which has promised to reduce its emissions by at least 20 percent of 1990 levels by 2020—and go up to 30 percent if others make comparable commitments. Japan and Russia have already promised 25 percent cuts.

"We expect them both to raise ambition level," EU environment spokesman Andreas Carlgren said of the U.S. and China. "Otherwise we won't be able to reach the 2-degree target."

Stern defended the U.S. emissions-cutting target as "equal to or higher" than most of what the EU is proposing.

"I'm not anticipating any change in the mitigation commitment," he said. "Our commitment is tied to our anticipated legislation."

The House in June passed a bill with the 17 percent target. The Senate is discussing a similar bill, but it is not expected to come for a vote for months.

China believes the U.S. and other rich nations have a heavy historical responsibility to cut emissions, and that any climate deal should take into account a country's development level.

Ban said he remains cautiously optimistic about a successful outcome, but he warned that negotiators must work out their differences and not leave major problems for world leaders to resolve.

"This is a time where they should exercise the leadership," Ban said. "And this is a time to stop pointing fingers, and this is a time to start looking in the mirror and offering what they can do more, both the developed and the developing countries."

He said all nations "must do more" to keep carbon emissions below dangerous levels and rich countries should step up commitments to provide a steady flow of money for poor countries to combat climate-linked economic disruptions such as rising seas, drought and floods.

Speaking to the AP at a hotel in Copenhagen, Ban said if negotiators cannot resolve those problems before the leaders arrive, "the outcome will be either a weak one, or there will be no agreement."

"This will be a serious mistake on the part of the negotiators and the leaders if they go back empty-handed," he said.

Zimbabwe President Robert Mugabe was among the first heads of state to touch down in the Danish capital, avoiding a travel ban imposed by Western nations because he was attending to a U.N. conference. Mugabe was to address the conference Wednesday.

"The meeting may be taking place on Danish soil but we're playing by U.N. rules and these rules mean that all the world leaders can meet," Danish Prime Minister Lars Loekke Rasmussen told reporters.

British Prime Minister Gordon Brown was also expected later Tuesday—a day earlier than planned to help push the talks forward.

The U.N. conference's working groups were finishing up two years of work and drawing up their final recommendations on such issues as deforestation, technology transfers and the registration of plans by developing countries to control their emissions.

Drafts on those issues showed some narrowing of gaps but left many disputes to be decided by environment ministers, which ultimately may go up to the heads of state and leaders.

"Ministers have to be very clear and focused over the next 48 hours if we are to make it," said conference president Connie Hedegaard of Denmark.

Talks on a global climate deal hit a snag Monday when developing countries walked away temporarily from the negotiations, fearing industrial countries were backpedaling in their promises to cut greenhouse gases.

The issues concern the details of a final treaty to be negotiated in the next six to 12 months and may not even be included in the political deal reached in Copenhagen.

Former Vice President Al Gore proposed speeding up a binding climate deal.

Instead of finishing up work with a treaty in Mexico City in a year, Gore proposed a final meeting and treaty agreement in July 2010, saying he was sure that Mexico would go along with the hurried-up schedule.

Gore also urged Congress to come up with its climate legislation by April 22—the 40th anniversary of Earth Day.

EPA proposes settlement in Utah air quality case

By Associated Press

In the S.F. Chronicle, N.Y. Times and other papers, Tuesday, Dec. 15, 2009

Salt Lake City (AP) --The public has until Jan. 6 to comment on a proposed settlement in a lawsuit involving Utah's air and the federal Environmental Protection Agency.

The environmental group WildEarth Guardians filed a lawsuit in September challenging Utah rules that the group claims let industrial facilities exceed emissions limits when pollution-control equipment breaks down.

The group wants EPA to tell the state that the provision doesn't comply with the federal Clean Air Act.

The lawsuit was filed in U.S. District Court in Denver.

The proposed settlement, published in the Federal Register on Dec. 7, would require the EPA to decide by February 2011 whether Utah needs to revise its rules.

Environmentalists want TVA prosecuted in ash spill

By Bill Poovey, Associated Press

In the S.F. Chronicle, N.Y. Times and other papers, Tuesday, Dec. 15, 2009

Chattanooga, Tenn. (AP) -- Environmental groups said Monday they want the Tennessee Valley Authority to be prosecuted for its huge coal ash spill in Tennessee and not shielded from penalties for polluting.

In response, officials with the nation's largest public utility said they are already subject to penalties and lawsuits filed by the Environmental Protection Agency and it's working to change the way it stores its coal ash.

The groups argue that TVA should not be protected from prosecution or penalties by a long-standing federal rule that limits how the Justice Department can prosecute federal agencies.

The Dec. 22, 2008, spill is considered one of the largest environmental disasters in TVA history. About 5.4 million cubic yards of metals-laden ash spilled when an earthen dike failed at the coal-powered plant and a cleanup is ongoing.

Representatives of the Environmental Integrity Project, Sierra Club and other groups said a report by TVA's own inspector general shows the Knoxville-based utility's spill at the Kingston plant is only its "latest and most dramatic example of environmental mismanagement."

Eric Schaeffer, the Environmental Integrity Project's director, said the groups sent a letter to President Barack Obama, urging him to have the Justice Department stop protecting TVA from penalties for the spill and the utility's record of violating air and water pollution laws.

The White House press office and a spokesman for the Justice Department did not answer an e-mail message seeking comment.

Schaeffer declined to say Monday if he believes there has been criminal wrongdoing by TVA, but "the IG report suggests that the misconduct was either intentional or what we would call pretty bad negligence."

TVA spokeswoman Barbara Martocci released an e-mail statement saying the utility is already subject to federal penalties by the Environmental Protection Agency and others "under the statutes they have the authority to enforce. TVA, like all federal agencies, and consistent with the Department of Justice's position on the issue, is not subject to civil penalties in suits brought by citizen groups under some federal environmental statutes."

The TVA statement said the utility agrees that courts "have already ruled that EPA is free to sue TVA and we have never disputed this."

The Environmental Integrity Project made a few more recommendations in a report, saying TVA uses some of the worst practices in utility industry, but it could offer the Obama administration an opportunity to transform it into a "model of clean energy production and environmental stewardship."

The project recommends Obama appoint new directors to TVA's governing board, that the utility produce a timeline for its plan to convert all wet coal waste storage to dry, zero-discharge systems and that it phase out old coal-fired plants.

The utility said it has committed to change its wet coal ash storage to a dry system within 10 years, at a cost of up to \$2 billion.

Two congressional panels held hearings last week on TVA's Kingston spill that an EPA official said has left pollutants at elevated but acceptable levels in treated drinking water around the site on the Emory River about 40 miles west of Knoxville.

Tom Kilgore, TVA's chief executive and president, said in a hearing that the utility has removed about two-thirds of the ash that spilled into the river and is on schedule to complete the river clean up by next spring.

Kilgore said it will probably take until 2013 to clean up remaining ash on nearby land.

TVA is the nation's largest public utility serving nearly 9 million customers in Tennessee, Alabama, Mississippi, Kentucky, Georgia, North Carolina and Virginia.

[Tri-Valley Herald and Contra Costa Times Editorial, Tuesday, December 15, 2009](#)

Editorial: Bay Area air regulators should drop mandatory no-burn night

MediaNews editorial

Once again, the Bay Area Air Quality Management District has made a mess of a winter Spare the Air night. The latest bungle was last week when it issued a mandatory no-burn order for home fireplaces and wood stoves on the same night that the National Weather Service issued a freeze warning and hazardous weather outlook for the second straight night.

That brings both energy conservation and public safety into the equation, or at least it should, because Bay Area residents had little choice but to use more electricity cranking up their heaters to stay even reasonably warm.

Most temperatures around the Bay Area that night sank below 30 degrees, such as Livermore (25 degrees), Santa Rosa (25 degrees) and Danville (28). At the very least, regulators should take into consideration the expected low temperatures before issuing a no-burn order.

As we have said before, the winter Spare the Air program has been badly flawed from the beginning. In fact, its foundational premise is entirely wrong. BAAQMD scrapped a voluntary no-burn program for a mandatory one. It cynically decided to wield the hammer of government for its purpose rather than ask the governed more forcefully for cooperation.

Any residents caught burning wood or firelogs in their fireplaces or wood stoves receive an ominous first-time warning and nasty fines after that.

Now, of course, BAAQMD enacted this without having near enough enforcement personnel, which meant that their "plan" relies heavily on neighbors turning in neighbors. Nice touch.

Which is exactly what happened on Thanksgiving when BAAQMD issued a Spare the Air order. It received 138 public complaints that had to be checked out. But there is one problem: the no-burn order exempts cooking fires and it turns out that lots of people in the Bay Area like smoked turkey on Thanksgiving. Who knew?

BAAQMD said it had nine air pollution inspectors patrolling on Thanksgiving Day and 22 violations were detected and 10 of those were exempt because they live off the electric grid in Marin County. This is for the entire nine-county Bay Area, mind you.

So let's get this straight. We have nine people burning fuel and polluting the air on a holiday so they can find 12 other people "illegally" polluting the air out of the 7.1 million people who live in the Bay Area. Now there is a program only a government could love.

We have always opposed mandatory Spare the Air nights during the winter. It's ineffective and invasive to the public.

We are not making light of air pollution or its impact on public health, but there are more effective and less intrusive ways to handle such a program.

A prime example is that the Spare the Air program used in the summer months is a voluntary one. You don't see regulators fining people who driving cars during Spare the Air days in the summer. True, the pollutants are different, but the concept is the same.

That program asks the governed for help and they respond. The winter program should be the same kind of program and those nine air pollution inspectors should be put to better uses.

The winter program would have to be advertised more widely, but we believe that given plenty of notice and instruction, the public will cooperate in the winter just as they do in the summer.

[Sacramento Bee, Guest Commentary, Tuesday, December 15, 2009](#)

Eugene Robinson: Palin's view on global warming undergoes a convenient freeze

By Eugene Robinson, Washington Post

Sarah Palin is such a cold-eyed skeptic about the Copenhagen summit on climate change that it's no surprise she would call on President Barack Obama not to attend. After all, Obama might join other leaders in acknowledging that warming is a "global challenge." He might entertain "opportunities to reduce greenhouse gas emissions." He might even explore ways to "participate in carbon-trading markets."

Oh, wait. Those quotes aren't from some smug Euro-socialist manifesto. They're from an administrative order Palin signed in September 2007, as governor of Alaska, establishing a "sub-Cabinet" of top state officials to develop a strategy for dealing with climate change.

Back then, Palin was governor of a state where "coastal erosion, thawing permafrost, retreating sea ice, record forest fires and other changes are affecting, and will continue to affect, the lifestyles and livelihoods of Alaskans," as she wrote. Faced with that reality, she sensibly formed the high-level working group to chart a course of action.

"Climate change is not just an environmental issue," wrote Palin. "It is also a social, cultural and economic issue important to all Alaskans."

Palin mentioned having created the climate change unit in an op-ed piece she wrote last week for the Washington Post. What she didn't acknowledge was the contrast between what she says about climate change now and what she said – and did – about it as governor of our most at-risk state. When she was in office, Palin treated the issue as serious, complex and worthy of urgent attention. Now that she's the iconic leader of a populist movement that reacts with anger at the slightest whiff of pointy-headed, "one world" intellectualism, she writes as if the whole idea of seeking ways to mitigate climate change is a crock.

"Alaska's climate is warming," Palin wrote to Alaskans in a July 2008 newsletter. "While there have been warming and cooling trends before, climatologists tell us that the current rate of warming is unprecedented within the time of human civilization. Many experts predict that Alaska, along with our northern latitude neighbors, will warm at a faster pace than any other areas, and the warming will continue for decades."

In her administrative order, Palin instructed the sub-Cabinet group to develop recommendations on "the opportunities to reduce greenhouse gas emissions from Alaska sources, including the expanded use of alternative fuels, energy conservation, energy efficiency, renewable energy, land use management and transportation planning." She also specifically instructed the group to look into "carbon-trading markets."

But in her op-ed last week, Palin – while acknowledging "natural, cyclical environmental trends" and the possibility that human activity might be contributing to warming – states flatly that "any potential benefits of proposed emissions reduction policies are far outweighed by their economic costs." What she once called "carbon-trading markets" she now denounces as "the Democrats' cap-and-tax proposal."

Palin cites the "Climate-gate" e-mail scandal as reason enough for the president to skip the Copenhagen meeting. I've written previously about those e-mails and why, despite what skeptics say, they do not begin to prove that climate science is fraudulent, politicized or fundamentally flawed. The most compelling evidence for climate change is found in the Arctic, and Palin has seen it firsthand.

In her 2008 newsletter, Palin mentioned one coastal village, Newtok, that would have to be relocated because of flooding due to the effects of warmer temperatures. Since then, relocation plans have been developed for two more towns, Shishmaref and Kivalina. The Army Corps of

Engineers has identified more than 160 villages that are threatened, according to a recent newsletter from Palin's successor, Gov. Sean Parnell. At least 31 are judged to be in "imminent" peril.

In case anyone was wondering, Palin's hometown of Wasilla sits at an elevation of 333 feet – high and dry.

The chairman of the cabinet working group that Palin assembled to develop a climate change strategy, Larry Hartig, is scheduled to deliver a presentation at the Copenhagen summit. Posted in advance on the Internet, the presentation shows that Alaskans aren't just fretting about the abstract possibility of impacts from warming. They're dealing with a real, live situation.

I predict we'll see more artful dodges of this kind from Palin. She made any number of pragmatic, reasonable, smart decisions as governor – and now, it seems, will be obliged to renounce them all. Her tea-party legions have one answer – a shouted "No!" – for every question.

Palin knows better, but she has to fiddle her followers' chosen tune – not while Rome burns, but while Nome melts.