Gleick, Other Alarmists Poison Climate Discussion

By James M. Taylor

Efforts to facilitate an open and honest discussion of global warming issues were dealt a serious blow in February as prominent scientist and global warming alarmist Peter Gleick confessed to assuming the identity of a Heartland Institute board member in order to steal the organization’s internal documents and send them to global warming activists and sympathetic members of the media.

Along with the stolen documents, Gleick sent a fraudulent document about fictitious Heartland Institute board member information.

GLEICK, P. 8

Utah Gov. Launches Clean Air Program

By Cheryl K. Chumley

Utah Gov. Gary Herbert (R) issued a call to action to the state’s residents and businesses, urging them to participate in a voluntary initiative for cleaner air.

Called the Utah Clean Air Partnership, or U-CAIR, the program encourages voluntary efforts to clear the air of pollutants and maintain healthy air quality statewide.

“Air quality affects us all,” Herbert said in a public statement. “It is vital to our health, the economy, and our quality of life. I firmly believe that the solutions to Utah’s air quality problems must...”

UTAH, P. 6
The Heartland Institute is organizing its seventh International Conference on Climate Change – a gathering of scientists and economists from around the world to share their research and shed light on what is really happening to the Earth’s climate, and what to do about it.

Don’t miss this important conference! Details about the event will be available soon at heartland.org.

“Skeptics dispute climate worries”
NEW YORK TIMES

“The tide of the debate—at least politically—has turned in their favor.”
U.S. NEWS & WORLD REPORT

“In the words of Gandhi, ‘First they ignore you, then they mock you, then they fight you, then you win.’”
CANADA FREE PRESS

“The Heartland Institute, a Chicago-based think tank devoted to ‘promoting free-market solutions,’ has been holding these confabs since 2008, sometimes twice a year. And the strategy appears to be working.”
THE NATION

REGISTRATION
* To register for the event, or for information about the program, speakers, co-sponsors, and more, contact Nikki Comerford at ncomerford@heartland.org. For media inquiries and credentials, contact Jim Lakely at jlakely@heartland.org.

SPEAKERS
* If you are interested in participating in the International Conference on Climate Change as a speaker or panel moderator, please contact James M. Taylor at jtaylor@heartland.org.

INFORMATION
* Visit climateconference.heartland.org for information and videos presented at previous Heartland climate conferences.
California County Sued Over Solar Fee

By Alyssa Carducci

Two solar energy trade groups are suing Riverside County, California over a new surcharge on large solar power projects. The surcharge is an annual fee of $450 per acre.

Fee vs. Tax

The Large-Scale Solar Association (LSA) and California Independent Energy Producers Association (IEP) filed suit on February 3 in Riverside County’s Desert Judicial District. The trade groups argue Board Policy B-29, often referred to as the “Sun Tax,” violates tax-hiking restrictions contained in Proposition 26 and fails to conform to the California Mitigation Fee Act.

“The Sun Tax not only discourages the development of solar energy projects in Riverside County—it does so by violating the California Constitution,” said Shannon Eddy, executive director of the LSA, in a press statement.

Central to the lawsuit is the assertion the surcharge is a tax rather than a fee. Proposition 26, which clarifies the differences between new taxes and new fees, requires all new taxes be approved by a two-thirds majority vote of the state legislature. According to Prop 26, a fee is collected for a specific purpose related to the surcharge, while a tax is a more general collection of revenue.

“A charge by a governmental entity that is not associated with a specific service provided is a tax,” said Jan Smutny-Jones, executive director of the IEP.

According to the trade groups, Riverside County has attempted to distinguish its policy from a tax by characterizing it as an impact fee designed to compensate the county for any environmental and financial effects of solar development. However, the California Mitigation Fee Act prevents the county from charging a fee unless there’s a clear connection to actual impacts.

“The county has never shown a connection between the fee and actual impacts,” said Eddy, noting the money raised would go directly to the county board’s general fund rather than to alleviate impacts.

Concern for Environment, Economy

The surcharge was passed by the county board unanimously on November 8. County supervisors declined to comment for this story, citing the ongoing litigation.

In the past, supervisors have argued the county deserves compensation for having solar power providers develop large swaths of the county with land-intensive solar panels. Supervisors have pointed out solar power projects have negative environmental consequences that may need to be addressed, and that developing land for solar power means precluding other potential uses of the land.

“In addition, the new federal administration and the potential for new clean energy policies at the federal level may need to be addressed, and that developing land for solar power means precluding other potential uses of the land.”

Solar Producers Reconsider Projects

Smutny-Jones said the fee is causing unexpected financial burdens on solar power producers and already has caused one provider to halt plans for a solar project.

“Projects currently in the advanced siting or construction process did not factor in these fees when they bid their projects. This is obviously a significant challenge for them. One large developer has abandoned its project due to a number of economic problems,” Smutny-Jones said.

Solar Raises Electricity Costs

Daniel Simmons, director of regulatory and state affairs at the Institute for Energy Research, said the cancellation of solar power projects will benefit electricity consumers.

“Solar power generation creates substantial negative environmental impacts, and it is [reasonable] for local governments to be concerned about the impacts of large-scale solar energy,” Simmons said.

“With or without additional taxes or fees, solar is wildly uneconomic,” Simmons explained. “Photovoltaic solar is nearly five times more expensive than new natural gas electricity generation, and thermal solar is nearly 10 times more expensive than natural gas. Those higher prices are passed down to consumers directly through higher power bills and indirectly through higher-priced goods and services.

“Consumers lose when solar power projects go online,” said Simmons.

Alyssa Carducci (ad.carducci@gmail.com) writes from Tampa, Florida.
Oregon Lawmakers Target Mercury in Light Bulbs

By Cheryl K. Chumley

The Oregon state Senate has passed a bill limiting the amount of mercury allowed in compact fluorescent light bulbs that can be sold or distributed in the state.

The Senate passed the bill on February 15 by a vote of 21–8, with one member not voting.

Agreement on Common Bulbs

“It came about through negotiations with the industry for some of the more common consumer bulbs,” said Scott Klag, a senior planner for Metro, an elected regional government body for the Portland area.

The bill, SB 1512, creates very specific standards for compact fluorescent light bulbs, otherwise known as CFLs. Mercury levels cannot exceed 4 milligrams for “screw-based compact fluorescent lamps less than 25 watts,” and 5 milligrams for “compact fluorescent lamps equal to or more than 25 watts and less than 40 watts.”

Consumers will be most affected by “the compact fluorescents with the swirly top,” for which “the limit would be 4 milligrams per lamp,” Abby Boudouris, a solid waste policy analyst with the state’s Department of Environmental Quality, told Environment & Climate News.

Dropping Fees Allowed Passage

This isn’t the first time the Oregon legislature has attempted to impose limits on mercury levels in CFLs. Earlier provisions, however, were more restrictive.

One failed 2011 bill, for example, would have made it illegal to dispose of the CFLs in landfills. The 2011 bill also would have imposed fees on manufacturers for recycling the CFLs. Those fees likely would have been passed on to consumers, leading to higher prices. The recycling fees were stripped from SB 1512, which led to greater support for the bill, Boudouris said.

“It really came down to just coming up with the levels of mercury and finding the scope that industry could live with,” she said.

Successful Voluntary Standards

Mark Kohorst, a senior manager of Environment, Health, and Safety at the National Electrical Manufacturers Association (NEMA), says industry has been reducing mercury levels for years in CFLs and is on board with the latest Oregon legislation.

“The first thing to note,” he said, “is mercury is a necessary element in fluorescent bulbs. But the amount of mercury has been going dramatically down for decades. Industry has reduced the use of mercury by 90 percent by proactive, competitive efforts. Fluorescent lamps rely on mercury—they have to have it—but they’ve been relying on it less and less.”

NEMA introduced voluntary recommended mercury levels for producers years ago, Kohorst notes. Companies have taken those recommendations and run with them, to the point where some manufacturers developed CFLs with mercury levels even lower than NEMA’s suggestions, he said.

The new rules in Oregon won’t lead to higher costs on consumers, Kohorst predicted.

“Not that I can see,” Kohorst said of the potential for higher prices. “We ensured we were setting thresholds we could meet. This is a very, very proactive industry when it comes to the issue of mercury in lamps.”

Cheryl Chumley (ckchumley@aol.com) writes from northern Virginia.
Alternative Energy Industry Raking in Iowa Subsidies

By Cheryl K. Chumley

The alternative energy industry has found a reliable benefactor in the form of the Iowa legislature, which between 2003 and 2010 gave most of the state's economic development subsidies to biofuels firms.

New Caps Imposed

Tina Hoffman, marketing and communications director for the Iowa Economic Development Authority, confirmed the scope of the tax breaks but told Environment & Climate News the subsidies are in the process of being curtailed.

"For the last several years, there have been several different types of awards in place," said Hoffman. "Several years ago, maybe three years ago, there have been caps put in place for the tax credits."

The cap, she said, now stands at $120 million per tax credit per year.

Taxpayers Footing the Bill

The Iowa House recently passed legislation extending the biodiesel tax credit program through January 1, 2018, while creating additional breaks aimed at encouraging biofuels production. Supporters of the extended tax credits estimated the subsidies would cost state taxpayers approximately $90 million through 2020.

The biofuels industry, comprised largely of ethanol production, relies heavily on market-share mandates, tax credits, and other taxpayer subsidies to survive. Despite decades of taxpayer subsidies and repeated promises that biofuels are on the verge of replacing conventional transportation fuels, the producers of ethanol and other biofuels repeatedly have told Congress and state legislatures they cannot remain afloat without continuing taxpayer subsidies.

The Iowa subsidies supplement subsidies handed out by other states, as well as federal mandates that require consumers to purchase a growing amount of ethanol and diesel—even though the biofuel does not exist.

Creating More Certainty

Hoffman said the new caps on Iowa subsidies will allow taxpayers and the biofuels industry to understand in advance that there are limits to future subsidies.

"The cap is very helpful," Hoffman said. "It gives lawmakers an understanding of what the commitments are, and the kinds of tax credits awarded are not as large."

Hoffman also said the state has not experienced any industry disadvantage, or faced competitive fallout, from the caps.

"We've been able to work just fine," she said.

Cheryl Chumley (ckchumley@aol.com) writes from northern Virginia.

EPA Fines Firms for Not Using Biofuel that Doesn’t Exist

By Alyssa Carducci

Companies that supply transportation fuel will face a hefty fine when they close their books on 2011 because they didn’t comply with a federal mandate to mix a special type of biofuel into gasoline and diesel—even though the biofuel does not exist.

EPA Imposes Fines

Existing only in a small number of laboratories and workshops, the fuel in question—cellulosic ethanol—is not available on the commercial market. That hasn’t deterred the U.S. Environmental Protection Agency from fining companies a total of $6.8 million for noncompliance.

Oil companies could face even stiffer penalties in 2012. EPA demanded transportation fuel companies mix 6.6 million gallons of cellulosic ethanol into gasoline and diesel in 2011. In 2012 EPA is demanding 8.65 million gallons be blended into gasoline and diesel.

"[Cellulosic ethanol] is not available commercially. ... In a failed attempt at market pull, the government is penalizing business owners for something that is not under the businesses’ control.”

TOM TANTON, PRESIDENT, T2 & ASSOCIATES

Companies Trying Their Best

A company that specializes in developing industrial enzymes is increasing efforts to overcome the difficulty of producing ethanol from cellulose by developing a new enzyme that will help produce more at a lower cost.

Headquartered in Denmark, Novozymes hopes its new Cellic CTec3 enzyme will enable cost-efficient conversion of biomass to ethanol and outperform the firm’s previous product, Cellic CTec2. The company has been dedicated to optimizing these enzymes for more than ten years.

"It is Novozymes’ vision that the biorefineries—ethanol plants—of today form the basis for a bio-based society, one where all the products, chemicals, and materials we use today are made from renewable biomass sugar, rather than oil," said Poul Ruben Andersen, Novozymes’ vice president of bioenergy.

That could be good news for oil companies that are being fined for not blending cellulose into vehicle fuel. But Tanton doesn’t expect miracles overnight.

"This is undoubtedly a great scientific advancement, but there are still large hurdles to overcome before commercialization," Tanton said.

Alyssa Carducci (ad.carducci@gmail.com) writes from Tampa, Florida.
Utah Gov. Launches Clean Air Program

“Mostly Carrot’

“It’s not a whole lot of stick. It’s mostly carrot,” said Marty Carpenter, director of communications for the Salt Lake Chamber of Commerce. “It’s not intended to produce legislation. It’s all about trying to get people to understand that clean air in our state is everybody’s responsibility and that everyone can do something about it. And to that extent, we applaud that effort.”

Herbert’s program also reaches out to local government, schools, and community business groups, such as chambers of commerce, to promote clean air in their own ways.

“We’ve been doing some of these for years,” Carpenter said, referring to individual businesses in Utah that have taken voluntary steps to maintain clean air. Carpenter noted the Hale Center Theatre has converted its vehicle fleet to compressed natural gas. Also, a waste management operation is working toward converting its garbage collection fleet to natural gas, in line with what’s already been done in its truck maintenance shop, he said.

“A lot of businesses are interested in preserving the natural beauty of our state, especially when they can see the bottom line,” Carpenter said. “[We] especially like it when it’s being done without a mandate. We see good responsibility from businesses trying to help out, so a lot of times you don’t even need the mandate.”

Cheryl Chumley (ckchumley@aol.com) writes from northern Virginia.

NRC Approves Two Nuclear Power Plant Applications

By Alyssa Carducci

For the first time in more than 30 years, the Nuclear Regulatory Commission has approved a construction proposal for a new nuclear power plant.

The NRC on February 9 approved Southern Company’s application to build two new plants at its existing Vogtle site near Waynesboro, Georgia.

The commission voted 4–1 in favor of granting the license, with the sole nay vote coming from NRC Chairman Gregory Jaczko.

Unnecessary Obstacles

“The vote to approve construction and operating licenses was a good but overdue move by the Nuclear Regulatory Commission,” said Daniel Simmons, director of regulatory and state affairs at the Institute for Energy Research.

“The two major obstacles to nuclear energy are (1) the upfront costs and (2) the regulatory environment which increases those costs tremendously,” said Simmons. “Much of the second obstacle is completely unnecessary.”

Fukushima’s Impact

U.S. critics of nuclear energy often point to the shutdown of Japan’s Fukushima Daiichi nuclear power plant last year as a reason why nuclear energy should not be pursued in this country.

Simmons says nuclear power critics miss an important point: Not a single person died from the nuclear power plant shutdown, whereas more than 10,000 people died from the earthquake and tsunami that forced the power plant to shut down.

“The disaster at Fukushima Daiichi shows the value of newer, safer reactors like the AP1000,” said Simmons.

Jaczko, however, cited the Fukushima earthquake and tsunami as a primary reason for casting his nay vote.

“I simply cannot authorize issuance of these licenses without any binding obligation that these plants will have implemented the lessons learned from the Fukushima accident before they operate,” Jaczko explained in his dissenting vote.

NRC Says Proposed Plants Safe

NRC spokesperson Scott Burnell told Environment & Climate News the agency’s commissioners concluded the application for construction and operation of the new plants met the safety requirements for a license.

“The commission spent four years and tens of thousands of hours reviewing both the safety and the environmental aspects of Southern’s proposal. ... With regards to other aspects of the situation, the NRC’s only concern is whether or not these applications meet the applicable requirements to make sure the proposed plants can be built and operated safely,” said Burnell.

“When it comes to questions of energy policy, what sort of energy the country should be using, those are questions that are in the purview of the Energy Department,” Burnell explained. “Again, from the NRC’s perspective it’s a merely technical and legal decision as to whether or not it’s appropriate to issue a license.”

Georgia Jobs

The proposed nuclear power plants are expected to create thousands of new jobs in the Peach State. Georgia Power President and CEO Paul Bowers said in a press statement that construction of the nuclear power plants will create 4,000 to 5,000 jobs on the Vogtle site during the peak of construction. Overall, the plants will create 25,000 direct and indirect jobs, said Bowers.

Southern Co. says it expects the project to cost about $14 billion and the two nuclear reactors to begin operation in 2016 and 2017.

Alyssa Carducci (ad.carducci@gmail.com) writes from Tampa, Florida.
Food and Drug Administration Prepares BPA Decision

By James M. Taylor

The U.S. Food and Drug Administration is preparing a decision on whether to ban bisphenol A, a chemical widely used in plastics and the linings of metal food containers.

To settle a lawsuit filed by the Natural Resources Defense Council, FDA agreed to issue its decision by March 31.

The NRDC filed a petition with FDA in 2008 requesting the agency ban BPA. When FDA failed to respond to the petition in the time required by law, the NRDC filed a federal lawsuit to compel an FDA decision.

Studies Confirm Safe Use

Anti-BPA activists allege BPA exposure threatens reproductive health, can cause cancer, and increases the risk of child behavior problems. The assertions are based on some studies indicating rats may suffer these effects when they are fed mega-doses of BPA.

The asserted health risks to rats, however, have never been documented in humans. The studies suggesting BPA may cause negative health effects in rats have been criticized for their methodology and are dependent on huge doses not comparable to any foreseeable human exposure levels.

In 2010 FDA released a report finding, “Studies employing standardized toxicity tests have thus far supported the safety of current low levels of human exposure to BPA.”

“FDA is continuing to consider the low dose toxicity studies of BPA as well as other recent peer-reviewed studies related to BPA,” the FDA report added.

Also in 2010, scientists with the U.S. Environmental Protection Agency published research finding rats do not suffer negative health consequences even when exposed to long-term mega-doses of BPA.

Similarly, the European Food Safety Authority concluded in 2010 that BPA is safe for humans at real-world exposure levels.

‘Unequivocal and Robust’ Exoneration

At the time, the European Food Safety Authority study seemed to conclusively silence anti-BPA allegations.

“The results [of the study] are unequivocal and robust and are based on a valid and rational scientific foundation,” Richard Sharpe, a researcher at the Medical Research Council’s Centre for Reproductive Biology in Edinburgh, told the U.K. Independent.

“The study, with many other studies, ‘more or less close the door’ on the possibility that bisphenol A has oestrogenic effects we need worry about,” said Sharpe.

Activists Continue Opposition

Despite the findings of these various studies, anti-BPA activists have been pushing for federal and state bans on the chemical. Independent of the NRDC’s legal challenge, Rep. Edward Markey (D-MA) is sponsoring a House bill that would ban BPA.

“Every day, millions of American consumers are exposed to this dangerous chemical, commonly used in packaging for canned foods, beverages and even baby formula,” said Sarah Janssen, a senior scientist in the Environment and Public Health program at the NRDC, in an NRDC press statement. “The FDA has an obligation to protect us from toxic food additives.”

Two Paths

“Not one of the more than 5,000 studies conducted on BPA worldwide has shown harm to humans of any age in normal consumer use,” said Henry I. Miller, a former FDA medical reviewer who now serves as the Robert Wesson Fellow in Scientific Philosophy at the Hoover Institution at Stanford University.

“This was confirmed yet again in early 2011 when a group of German researchers analyzed the scientific literature. Their report in the journal Critical Reviews in Toxicology concluded, ‘The available evidence indicates that BPA exposure represents no noteworthy risk to the health of the human population, including newborns and babies,’” said Miller.

“The role of the FDA and the nature of the American regulatory process are at a crossroad, and the stakes are high,” Miller explained.

He continued, “The FDA can take one of two paths. One would reaffirm the government’s commitment to a science-driven regulatory process that relies on empirical data and sound risk analysis. The other would actually compromise public health and would constitute capitulation to the NRDC, giving encouragement to every special interest and activist group that wants custom-drafted regulations based on ideology and speculation and that can afford expensive litigation.”

James M. Taylor (jtaylor@heartland.org) is managing editor of Environment & Climate News.

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Gleick, Other Warming Alarmists, Poison Discussion

Continued from page 1

land Institute programs designed to cast the organization as anti-science and a tool of special interests. The Heartland Institute publishes Environment & Climate News in addition to its numerous other public policy efforts.

Gleick’s Methodology

On January 27, Gleick set up an email account designed to mimic that of a Heartland Institute board member. He then sent an email from that account to a Heartland Institute staffer, explicitly claiming to be the Heartland Institute board member. Gleick asked the staffer to email him internal documents relating to a recent board meeting. Between January 27 and February 14, Gleick sent repeated emails to the Heartland Institute staffer requesting more information, which the staffer sent. The final document Gleick stole was a directory containing personal contact information for members of Heartland’s board of directors.

On February 14, Gleick, under the cloak of another false identity, this time claiming to be a “Heartland Insider,” sent those documents to sympathetic media and global warming activists. Gleick also sent a fake “2012 Climate Strategy” document that he falsely claimed to have received from The Heartland Institute.

The stolen documents revealed personal, confidential, and private information about Heartland Institute personnel, donors, and programs. None of the stolen documents contained anything embarrassing about Heartland Institute operations or programs. Apparently as a result of finding nothing scandalous in the stolen documents, Gleick sent out the fake “2012 Climate Strategy” document along with the stolen documents.

Fake Document’s False Assertions

The fake Climate Strategy document was written in a manner to induce readers to believe The Heartland Institute has launched unethical programs to stifle discussion of global warming science and related issues. Within minutes of Gleick sending out the stolen and fake documents, global warming alarmists and sympathetic media called special attention to two of the alleged programs in the fake Climate Strategy document.

One of the fictitious programs allegedly aimed to prevent teachers from teaching children science. The other allegedly aimed to prevent believers of a global warming crisis from having a public forum to express their views. The fake document identified by name one scientist alleged to be the focus of The Heartland Institute’s fictitious program to silence global warming activists: Peter Gleick.

Internet Sleuths Finger Gleick

Soon after the stolen and forged documents began appearing on the Internet, The Heartland Institute confirmed the Climate Strategy document was a fake. Internet sleuths immediately began suspecting Gleick as the author of the fake document. Gleick was the only alarmist scientist named in the fake document as allegedly targeted for silencing, though Gleick is not generally considered a “top-tier” apologist for global warming alarmism.

Moreover, the fake document used unusual words and phrases Gleick frequently uses; the writing style in the fake document was very distinctive and identical to Gleick’s writing style; digital fingerprints showed the fake document was created in the Pacific Time Zone, where Gleick works and lives; the fake document placed a curious emphasis on the impact of the Forbes.com Web site, where Gleick regularly blogged; and Gleick had frequently targeted The Heartland Institute in rants about the global warming debate.

As the evidence pointing to Gleick mounted and bloggers increasingly identified him as the most likely suspect, Gleick on February 21 published a statement admitting to obtaining Heartland Institute documents under false pretenses. He did not, however, admit to writing the fake Climate Strategy document.

Since releasing his statement, Gleick has refused to answer questions or discuss his actions. He did, however, hire a prominent attorney and a crisis-control public relations expert.

Poisoning the Debate

In his confession letter, Gleick claimed he engaged in the misconduct because “a rational public debate is desperately needed” and there are coordinated efforts to “prevent this debate.”

Ironically, on the very same day he launched his acts of fraud and theft against The Heartland Institute, Gleick turned down Heartland’s invitation to publicly debate global warming and share his climate concerns at The Heartland Institute’s 2012 anniversary benefit dinner.

Scientists expressed disappointment that Gleick’s misconduct, regardless of his asserted intentions, further poisoned the global warming debate.

“What [Fakegate has] revealed is the intellectual dishonesty which exists on the government-funded side of the debate,” said Roy Spencer, principal research scientist at the University of Alabama in Huntsville and U.S. Science Team Leader for the Advanced Microwave Scanning Radiometer flying on NASA’s Aqua Satellite.

“Scientists like me, Richard Lindzen, John Christy, et al., have always known about their biases against alternative hypotheses for recent warming, but it takes the other side getting caught red-handed for the public to become aware of their tactics. They claim to be upholding science, when in fact they are perverting science,” Spencer observed.

“The climate alarmists should be on the defensive about the Fakegate affair,” noted Howard Hayden, emeritus professor of physics at the University of Connecticut. “The Fakegate affair does not change the science in any way; it only speaks to the motives of some climate alarmists.”

Gleick’s misconduct “demonstrates the unjustified disdain these elitist scientists have for those who don’t agree 100 percent with their ‘settled science,’” said meteorologist Joe D’Aleo, executive director of the International Climate and Environmental Change Assessment Program.

“They wish to portray those of us who agree that climate change is real but that natural factors can account for past and current climate changes and extremes, as a small group of well-paid-for shills who attack open and honest scientific debate,” said D’Ale. “They seem to avoid questions about their science and go immediately to either ad hominem attacks or claims that we are trying to make money destroying science.

“Nothing could be farther from the truth,” D’Aleo said. “Like many others, I have labored for a nonprofit corporation to disseminate factual climate information.

“Gleick’s misconduct shows that anti-science poisoning of debate is indeed occurring, but it is being perpetrated by those who attack the so-called skeptics,” D’Aleo explained.

James M. Taylor (jtaylor@heartland.org) is managing editor of Environment & Climate News.
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Wisconsin DNR Rejects New Curbs on Sand Mining

By Kenneth Artz

Wisconsin state environmental officials say they have no plans to impose new restrictions on the mining of sand for use in hydraulic fracturing of oil and natural gas.

The state Department of Natural Resources on January 25 confirmed the results of its September 2011 study finding little support for claims of environmental damage caused by sand mining.

Unique Sand Resources

Fracking requires a special type of sand that is spherical in shape and has a high quartz content to withstand the extreme pressures required in the fracturing process. The best frack sand comes from Wisconsin and Minnesota.

Because of the boom in fracking, demand for frack sand is booming, creating well-paying jobs in western Wisconsin sand mines despite the nation’s ongoing economic troubles.

Kennan Wood, executive director of the Wisconsin Mining Association, says there are about 60 frack sand mines currently operating in Wisconsin and 40 more in the process of gaining permits.

“Sand mining is having a big impact on the state, especially in the rural areas. These mines encompass anywhere from three- to four-man small operations to big industrial mines that extract a million or more tons annually,” Kennan told Environment & Climate News.

“Wisconsin needs jobs for today and for the future,” said Michael Ford, research director for the Wisconsin Policy Research Institute. “An environmentally sound mining policy that brings economic benefits for northern Wisconsin and is a boon for the manufacturing industry in southeastern Wisconsin is a no-brainer.”

Unsupported Environmental Claims

Activists opposing mining of natural gas, however, have been seeking new restrictions on sand mining, claiming it poses health and environmental risks.

The state DNR has reaffirmed the lack of evidence supporting the assertions of anti-natural gas groups.

“The current nonmetallic mining regulations implemented at the county level, as well as the various environmental regulations implemented by the department, are adequate to ensure that permits for individual sand mining operations and processing facilities are protective of public health and the environment,” the DNR stated in its January 2012 report, Silica Sand Mining in Wisconsin.

Impressive Environmental Record

Scott Manley, director of environment and energy policy for Wisconsin Manufacturers and Commerce, says there is no reason for the newly asserted claims against sand mining because sand has been safely mined in the region for decades for other industrial uses. The only thing that seems to have changed, Manley says, is a recent shift in utilizing the sand for hydraulic fracturing.

“It was once used by foundries in their molds, but now we’re seeing a huge boom in the need for frack sand. We’ve seen pretty significant expansion in sand mines, as well as efforts by environmentalists to block expansion,” Manley said.

Mike Caron, director of land use affairs for the Tiller Corp., which operates a mine in northwestern Wisconsin on behalf of Minnesota-based International Energy Partners, says existing regulations sufficiently safeguard the environment. He reports mining companies have been implementing voluntary environmental programs as well.

“The towns that are home to the sand mines have strict requirements, just like they do for limestone mines. I believe that we’ve adequately addressed the majority of the environmentalists’ concerns so the only thing left is they don’t want the mines in their backyard,” Caron said.

Ulterior Motives Seen

Environmental activist groups, said Caron, don’t like using the sand for oil and natural gas fracking, “but the reality is that we all use petroleum. Where the petroleum is, they don’t have the sand, and they have to have it.”

“We’re seeing outside environmental interests lining up and organizing locals against the frack sand industry. These environmentalists are alarmed by fracking because it offers an entry point to affordable, abundant fossil fuels, so they’re using this as another front to attack the fracking industry by depriving it of the sand it needs,” Manley explained.

Last year approximately a dozen Wisconsin residents presented a petition to the DNR requesting it establish ambient air quality standards for silica from sand mining. They also requested the DNR regulate silica as a toxic air pollutant. The petition was very sophisticated, clearly having required environmental experts and lawyers to draft, said Manley.

“I realized then that frack sand mines were up against very strong opposition. The DNR denied the petition last month, but I just learned today [February 27] that the group is now asking the federal Environmental Protection Agency (EPA) to establish a national ambient air quality standard for silica,” Manley reported.

Activists’ Opposition Intensifies

Anti-natural gas groups are continuing their campaign at the state level, too.

“There is land use legislation currently in the Wisconsin legislature [to impose new restrictions]. There is also a rare butterfly on the Endangered Species List that the environmentalists are using to try and shut down frack sand mining operations. In addition, there have been a series of moratoriums enacted by several local governments to prohibit frack sand mining,” said Manley.

“As a result, I think the industry itself is beginning to organize because it has recognized that it is running up against well-organized and well-funded environmental groups. The industry sees the need to put an economic and human face on sand fracking,” he said.

Kenneth Artz (iamkenartz@hotmail.com) writes from Dallas, Texas.
EPA Targets New York Fracking Standards

By Kenneth Artz

The U.S. Environmental Protection Agency has sent a series of letters to New York state officials suggesting dozens of restrictions on natural gas fracking above and beyond those being contemplated by state officials.

Although fracking regulation always has been handled by the individual states, many observers say EPA is firing a shot across the bow of New York and other states, indicating it may soon seek to usurp state authority on fracking.

Huge Energy Deposits

Upstate New York is sitting on huge deposits of natural gas that can be mined through a process known as hydraulic fracturing, also known as fracking. Many farmers and local residents are eager to lease their lands to oil and gas companies and start collecting royalties. Independent studies have confirmed fracking will deliver tremendous economic benefits to the troubled state economy.

Nevertheless, EPA Regional Administrator Judith Enck is proposing dozens of restrictions in addition to what the New York Department of Environmental Conservation (DEC) is considering as part of its hydro-fracking environmental roadmap, released for public comment in September 2011. Among the additional restrictions, Enck is proposing a ban on fracking activities within one mile of selected water supply wells and giving the state Public Service Commission a voice in issuing fracking permits.

Fracking already is underway in Pennsylvania and other states, revitalizing local economies. In North Dakota, where fracking is unlocking substantial oil deposits beneath private lands, recent high school graduates can make more than $100,000 per year in the oilfields, and the unemployment rate is hovering around 3 percent.

Toward a National Standard?

H. Sterling Burnett, a senior fellow with the National Center for Policy Analysis, says he fears Enck is seeking to impose unnecessarily burdensome restrictions in New York as a first step toward EPA imposing similar restrictions nationally.

“She’s using the EPA to make New York’s fracking rules the toughest in the nation and wants the state to set the standards for the rest of the nation to follow,” Burnett said.

Find a single case of drinking water contamination, Graby notes. “So what’s the hold-up?” he asked.

Competing Values

Graby says actor Mark Ruffalo, who lives in the area and has opposed fracking, is trying to make a name for himself by supporting that cause.

“The environmentalists want celebrities to jump on the bandwagon so that others will support their cause. I can venture to say that Mr. Ruffalo probably hasn’t been to the construction of one well site,” said Graby. “The people fighting for this are ordinary folks: farmers, teachers, lawyers, etc., because they want to grow the economy. But people like Ruffalo come here from the city because they want peace and quiet. They don’t want things to change.

“Three companies want to develop here. So far, they are unable to invest any money here because they are not sure of the outcome over fracking. If the people opposed to fracking studied the science and let the oil and gas people speak, they would see that fracking does not pollute the water,” explained Graby.

The wealthy activists are trampling on other citizens’ rights, says Graby.

“People in the state of New York desperately need fracking. Families can’t afford to stay here because taxes are too high and there are no jobs. We’ve worked out our differences with the oil and drilling companies. Now our fight is with the Park Foundation, Open Space Coalition, and the Mark Ruffalos of the world. They think they can come in here and take away our property rights by preventing natural gas drilling.”

Kenneth Artz (kennartz@hotmail.com) writes from Dallas, Texas.
New York Gov. Signals Decision on Fracking Is Near

By Bonner R. Cohen

New York Gov. Andrew Cuomo (D) has signaled his long-awaited decision on whether to lift his state’s ban on hydraulic fracturing, also known as fracking, will be forthcoming “in a couple of months.”

Upstate Economy Hurting

At stake is nothing less than the economic future of the southern tier of upstate New York, an area that has been in a steep decline for decades, punctuated by growing unemployment, sinking tax revenues, falling property values, and declining population.

The area, stretching from just south-west of Albany all the way west to Buffalo, sits atop vast reserves of natural gas encased in the energy-rich Marcellus and Utica Shale.

A decision by Cuomo to lift the ban—a move vigorously opposed by a host of environmental groups—would enable landowners, construction workers, and business owners in the southern tier to join their counterparts in neighboring Pennsylvania in cashing in on the shale energy boom.

State environmental officials are still reviewing—and responding to—tens of thousands of comments submitted on the issue. If Cuomo gives a green light to fracking—and, by extension, to its companion technology of horizontal drilling—state regulators will shortly thereafter begin the process of issuing permits to energy companies eager to extract the natural gas buried underground.

Though estimates vary, as many as 75 permits could be issued by the end of the year.

Factories Reopening

Hydraulic fracturing involves injecting water, sand, and chemicals into shale formations deep underground to dislodge natural gas or oil. Combined with recent advances in horizontal drilling, which enables one rig to extend its drilling activity in several directions simultaneously, fracking has revolutionized the oil and gas industry.

Lower electricity prices brought about by an abundance of natural gas are fueling a resurgence of domestic manufacturing, particularly in the chemical industry. Many abandoned factories in the Rust Belt, long thought to be permanent eyesores, are being refurbished so manufacturers can take advantage of cheap electricity.

Return of Prosperity Thwarted

For communities suddenly caught up in the shale energy revolution, the old ways of doing things are quickly giving way to efforts to cope with a potential level of prosperity few thought possible a few years ago.

“The farmers and landowners of upstate New York have weathered for three decades the decline of their once-prosperous agricultural and rural communities,” said Karen Moreau, president of the Foundation for Land and Liberty in Albany, New York. “It looked like a miracle turnaround was within their grasp, as they watched their Pennsylvania neighbors reap the benefits of the shale gas boom.

“It’s now four years of waiting and watching and, for some, seeing their properties lost to foreclosure while wealthy second-home dwellers and environmental activists continue to throw up roadblocks to gas development,” Moreau said.

Moreau produced the recently released documentary The Empire State Divide (available for viewing at www.fll.org). The film shows the human consequences of deindustrialization in New York’s southern tier and contrasts that with the shale boom that has benefited neighboring Pennsylvania.

Bonner R. Cohen, Ph.D. (bcohen@nationalcenter.org) is a senior fellow at the National Center for Public Policy Research.
N.D. Oil Production Surpasses OPEC Nation Ecuador

By Kenneth Artz

Oil production in North Dakota has surged to more than a half-million barrels per day, now surpassing the production levels of OPEC member Ecuador.

North Dakota’s 6,300 wells produce enough oil to displace U.S. imports from foreign suppliers such as Iraq and Colombia, according to the state’s Oil and Gas Division.

Private Lands Key to Production

North Dakota oil production is booming for several reasons. Geologists recently discovered vast oil reserves in the Bakken Shale formation that lies under much of the state. At the same time, technological advances have recently made oil production from shale formations economically worthwhile.

Finally, and perhaps most importantly, most of the Bakken Shale formation lies under privately owned land, whereas most other oil and natural gas reserves in Western states are under federal lands where resource production is forbidden or severely restricted.

Production Keeps Rising

“North Dakota is now producing more than half-a-million barrels of oil per day, at approximately 510,000 barrels,” the state’s Oil and Gas Division reported in a January 10 press statement. “That’s an increase of about 22,000 barrels from October and an increase of more than 150,000 barrels a day from one year ago.”

“Oil production in the state has increased anywhere from 8,000 to 40,000 barrels a day, every month since June,” Oil and Gas Division Director Lynn Helms said in the press statement.

State Fears Federal Intervention

State officials fear the federal government will soon seek to restrict production via newly asserted regulatory powers over the hydraulic fracturing production process. State officials vow to vigorously defend their rights in relation to the federal government.

“We continue to affirm our position that the state is in the best position to regulate hydraulic fracturing,” said Helms in a separate press statement on November 28. “While some reports try to frame this issue as EPA regulation versus no regulation, the state of North Dakota has been regulating hydraulic fracturing and is in the process of promulgating new rules to continue to strengthen the sound regulatory oversight.”

The press statement continued, “North Dakota has already demonstrated that the Oil and Gas Division of the Department of Mineral Resources is best situated to closely monitor oil and gas drilling and fracturing operations to ensure they are conducted in an environmentally sound manner. The state is fully prepared to assert and defend its regulatory rights to do so.”

Kenneth Artz (iamkenartz@hotmail.com) writes from Dallas, Texas.

U.S. Announces New Cutbacks on Shale Oil Leases

By Kenneth Artz

The U.S. Department of the Interior has announced new cutbacks in the amount of oil-rich federal lands on which the government will allow energy production.

Cut More than 75 Percent

The Interior Department is reducing available lands for oil shale production in Colorado, Utah, and Wyoming by more than 75 percent.

Additionally, on the small number of leases that remain, oil companies will not be allowed to drill unless they can demonstrate they will be able to produce viable quantities of oil and can meet new environmental requirements in the process.

The administration’s new restrictions mark a stark contrast to oil production on private lands in North Dakota that is fueling the state’s robust economy, with the state’s unemployment rate at roughly 3 percent.

According to the U.S. Department of Energy, there are nearly one trillion barrels of recoverable oil in the Colorado/Utah/Wyoming tri-state region. Ninety percent of that oil is under federal lands and has been held largely off-limits for production.

Discouraging New Production

Reid T. Porter, media relations representative of the American Petroleum Institute, says the Obama administration’s move sends the wrong message to oil and gas developers and the American people.

“It creates uncertainty for the oil and gas industry over whether to invest in a costly but potentially lucrative fuel source,” Porter explained.

Dan Kish, senior vice president for policy at the Institute for Energy Research, said withdrawing the federal lands from research and development harms consumers.

“The United States has the largest supplies of oil shale in the world, but President Obama’s approach is to make it nearly impossible to bring oil to market. Part of the administration’s plan is to make energy so expensive that it forces consumers to use politically correct but expensive sources of energy favored by the administration,” Kish said.

Part of Larger Anti-Energy Plan

H. Sterling Burnett, a senior fellow with the National Center for Policy Analysis, says the move is curious, especially since Obama claims he is doing everything he can to increase domestic energy supplies.

“There’s no reason for him to be doing this. Once again, he’s kowtowing to environmental interests, and it’s going to make our energy less secure,” said Burnett.

“As disappointing as the president’s decision is, this shouldn’t be a surprise to anyone who listened to him while he was campaigning for president. He bluntly said he wanted to raise the cost of fossil fuels as a way to force a switch to more expensive alternative energy sources. Now he’s doing it,” Burnett said.

Kenneth Artz (iamkenartz@hotmail.com) writes from Dallas, Texas.
Audubon Official Seeks Halt to Altamont Solar Arrays

By Bonner R. Cohen

An official with the Audubon Society has called for a five-year moratorium on permitting new solar arrays near the nation’s largest wind farm, at Altamont Pass, California.

**Arrays Worsen Wind Impacts**

Rich Cimino, conservation director for the Ohlone Audubon Society, says new solar arrays near Altamont Pass will worsen serious environmental impacts already being imposed by existing wind turbines. Ohlone is an Alameda County community near Altamont Pass that is experiencing firsthand the negative environmental impacts of wind power.

Wind turbines at Altamont Pass kill approximately 5,000 birds each year. Cimino reports raptors in particular are affected, and he is urging Alameda County to create a raptor refuge in the Altamont area.

Cimino told a February meeting of the Alameda County Planning Commission local birds face a new threat from a deadly combination of proposed solar power projects and existing wind turbines.

According to Cimino, clearing area lands to erect solar arrays will chase away rodents, a prime food source for an assortment of raptors that frequent the area. Many of the rodents, he predicts, will relocate near the Altamont Pass wind turbines, and will be pursued by hungry birds. Those birds will in turn face higher risks of being chopped up by the spinning blades of wind turbines. Cimino cited the Lodi, California wind farm as an example where this has already occurred.

**Federal Protection Lacking**

Although wind farms are not exempted from the Endangered Species Act and aviary protection laws, the federal government has yet to prosecute or impose any fines on wind power companies for killing protected and endangered birds. Without such federal action, state and local governments offer the only hope for bird protection.

Alameda County officials have yet to decide on the moratorium and raptor refuge. Greatly complicating their task is California’s renewable energy mandate, which requires 33 percent of the state’s power come from “green” sources by 2020. Adoption of a county-wide five-year moratorium on solar arrays might cut down on bird kills, but it would undercut efforts to comply with the Golden State’s renewable energy mandate.

**Subsidies Promoting Bird Kills**

Analysts note the irony of federal subsidies to the wind and solar power industries coming at environmental as well as economic costs. In the wake of several recent scandals regarding handouts to the wind and solar industries, however, those subsidies may be in danger. Congress is likely to allow wind power’s lucrative production tax credit (PTC) to expire at the end of the year. Wind power is already substantially more expensive than conventional power, and without the PTC the retail price would rise still higher.

“Federal support of allegedly green energy policies such as the wind PTC and similar subsidies of solar power has indisputably scarred both the taxpayer and the environment,” said Jackie Moreau, an energy researcher at the Competitive Enterprise Institute. “The PTC is completing its twentieth year of funding, yet the results leave much to be desired. Higher electricity costs associated with wind power create a net harm on the economy, and the enormous upheaval of land and species has similarly harmed the environment.”

Moreau pointed out state programs to promote or require wind and solar power production are similarly harmful.

“Those states that have rolled the dice on subsidized wind and solar power are left between an unforeseen rock and a hard place,” said Moreau, as efforts to please some environmental activist groups come at the expense of damaging the economy and angering other environmental groups.

Bonner R. Cohen, Ph.D. (bcohen@nationalcenter.org) is a senior fellow at the National Center for Public Policy Research.
Migratory birds may pose the biggest threat to the wind energy industry. To date, the Migratory Bird Treaty Act has not been applied to wind farms, but the potential liability could pose a real problem to the industry. The law does not require intent, meaning incidental kills could be prosecuted by the Justice Department.

The legal uncertainty over the potential liability of wind farms might make an FWS permitting process the lesser of two evils for the wind industry. Fearful a permitting process would lead to costly bureaucratic delays, the American Wind Energy Association (AWEA) has expressed a clear preference for FWS’s proposed voluntary guidelines. But a change of heart by the Justice Department leading to prosecution of owners of wind farms for incidental kills of migratory birds would cast a pall over the whole industry.

The industry has never been told it would not be prosecuted. Similarly, if endangered birds or bats are killed in sufficient numbers by wind farms so as to trigger lawsuits under the Endangered Species Act, the industry could be facing even greater uncertainty and costly litigation.

Congress Reconsidering Subsidies
Meanwhile, the wind industry, which has seen its political connections pay off in recent years, is facing a serious threat from another direction: Congress is losing its appetite for subsidizing renewable energy. The spectacular bankruptcy of solar panel maker Solyndra, with a loss of more than $500 million suffered by U.S. taxpayers, has made Capitol Hill lawmakers wary of loan guarantees and other subsidies designed to prop up renewable energy ventures.

For years, the wind energy industry has benefited from, and indeed depended on, one such subsidy, known as the production tax credit (PTC). The PTC provides a 2.2 cents-per-kilowatt-hour subsidy for wind power generators for their first ten years of existence. In effect since 1992, the PTC could expire at the end of this year. In working out a deal earlier this year on the extension of the payroll tax cut, the House and Senate, despite heavy lobbying by AWEA, refused to include an extension of the PTC.

Without the PTC, the industry will be hobbled in its efforts to compete with cheaper coal and natural gas. With the growing likelihood of an expiration of the PTC at the end of the year, orders for new turbines have come to a screeching halt.

Environmental Downside

“It’s about time that we look at the downside of alternative energies,” said Marita Noon, executive director of the Citizens’ Alliance for Responsible Energy.

“Since the theory of manmade climate change became fashionable, we’ve heard only that fossil fuels are bad and renewable energy is good,” said Noon. “The propaganda shows pictures of black smoke belching out of stacks contrasted with pristine, white, wind turbines. Neither reflects reality. The black smoke was cleaned up years ago. Wind turbines kill birds and bats.

“As Americans make energy decisions, they need to be based on reality, on complete science,” Noon explained. “There is no free lunch, and energy policy should fully weigh the pros and cons of each option.”

Bonner R. Cohen, Ph.D. (bcohen@nationalcenter.org) is a senior fellow at the National Center for Public Policy Research.
Feds OK Fewer Oil and Gas Leases

By Brian Fojtik

The number of oil and gas leases granted by the federal government in the western United States declined by 44 during the first two years of the Obama administration versus the last two years of the Bush presidency, according to a new study prepared for the American Petroleum Institute by EIS Solutions.

The study raises questions about the accuracy of federal Bureau of Land Management claims the federal government increased the granting of oil and gas leases on public lands in 2011. According to the study, more than 58 percent of the leases cited by the BLM were not new at all, but rather leases sold in prior years and tied up in administrative or legal challenges.

Misleading Assertions

Kathleen Sgamma of the Western Energy Alliance says when public-land oil and gas leases sell at auction, the government faces a 60-day window within which it is required to provide the lease to the winning bidder. The uptick in 2011 leases cited by the BLM included leases from a significant backlog of leases that were two to five years old. According to Sgamma, BLM cleared the backlog in 2011, but it didn’t increase the number of new leases issued.

Sgamma explained the Interior Department added three layers of analysis to the leasing process in 2010. Sgamma also noted Interior Secretary Ken Salazar canceled 77 oil and gas leases in Utah for environmental concerns just one month into the Obama administration’s term.

“Last year in Colorado, four parcels were offered for sale representing about 4,400 acres for development,” said Sgamma. “Five years earlier, about 300 parcels were offered representing 220,000 acres. Leasing in Colorado for 2011 is down 98 percent.”

Contrasting Private, Public Lands

During his State of the Union speech in January, President Barack Obama said domestic oil production is “the highest it’s been in eight years,” but much of the production has occurred on private lands in Montana, North Dakota, and Texas that are not subject to the slow-moving federal lease process.

“The Bakken produced about 100,000 barrels in 2007 and has grown to 540,000 barrels in 2011, a near 450 percent increase,” said Ron Ness, president of the North Dakota Petroleum Council. “The state has seen a $1 billion budget surplus going on three years, which has allowed the legislature to cut income, property, and corporate taxes the last two legislative sessions.”

Sgamma attributes the success of the Bakken to the fact that it falls largely on private property.

“If the Bakken were on federal lands, we would only be in year five of a seven-year environmental analysis, with still a few more years to add onto that for permitting. Compare that to an average thirty-day permitting time for state and private lands,” Sgamma observed.

According to the National Conference of State Legislatures, North Dakota has the nation’s lowest unemployment rate, at around 3 percent.

Brian Fojtik (bfojtik@gmail.com) is president of Brownstone Communications.

INTERNET INFO


Florida Tea Partiers Revolt Against Renewable Power Bills

By James M. Taylor

Florida Tea Partiers and grassroots conservatives are expressing frustration at the state’s Republican-dominated legislature for passing legislation that would ramp up taxpayer subsidies to Solyndra-style renewable power projects.

Bills Hand Over Subsidies, Preferences

If signed by Gov. Rick Scott (R), the legislation will require taxpayers to hand over millions of dollars in new renewable power subsidies. The legislation also directs state regulators to give special preferences to expensive renewable power projects while creating additional obstacles for energy companies proposing to build power plants utilizing inexpensive coal and natural gas.

House Bill 7117 and Senate Bill 2094 sailed through their respective chambers nearly unanimously.

Putnam Calls Bills ‘Modest Step’

Agriculture Commissioner Adam Putnam, a Republican whom many political observers see as a future candidate for governor, is said to be the political force behind the bills.

“The primary backer of this bill is Agriculture Commissioner Adam Putnam, who in a letter mildly chastised the Legislature for never being serious about renewable energy. He called the bill a ‘modest step’ toward more renewable energy,” the Gulf Coast Business Review reported.

Grassroots in ‘Uproar’

Grassroots conservatives expressed outrage at the legislation during a February 15–16 Tea Party gathering in the state capitol building. Norm Knighton told Environment & Climate News “there was a cry and uproar” when grassroots activists from The Villages, a retirement community near Ocala, learned of the legislation during their trip to Tallahassee for the gathering.

The Florida Legislature Tea Party Caucus posted notice of the legislation on its Facebook page as a “Bad Bill Alert.” Notice of the legislation drew dozens of comments from Tea Partiers opposing the bills and vowing to rally against the legislation.

“When legislators say they are limited-government conservatives and friends of the Tea Party, it is surprising to thereafter see these same legislators voting for government handouts and market interventions on behalf of companies selling expensive, failed energy schemes,” said Tea Party leader Karen Jaroch.

James M. Taylor (jtaylor@heartland.org) is managing editor of Environment & Climate News.
Sierra Club Accepts Millions in Fossil Fuel Money

By Alyssa Carducci

Sierra Club, an environmental activist group leading the charge against affordable coal power, is in trouble with donors and activist allies for accepting more than $25 million in funding from a natural gas company to promote the organization’s anti-coal campaign.

The company, Chesapeake Energy, gave Sierra Club the secret donations between 2007 and 2010, Sierra Club has acknowledged. Fellow environmental activist groups are criticizing Sierra Club for hypocrisy in its battle against the fossil fuel. Sierra Club claims it is promoting natural gas as merely a “bridge fuel” on the way to a future without fossil fuels.

The money flowing to Sierra Club from Chesapeake Energy was approximately the same as the entire 2007–2010 budget of The Heartland Institute, which publishes Environment & Climate News and has come under fire recently for its efforts to promote sound science and common sense in the climate change debate.

“The partnership between Sierra Club and Chesapeake Energy began in 2007 with funding for Sierra Club’s Beyond Coal campaign. The campaign focuses on impeding proposed coal-fired power plants and helping phase out existing plants to make way for renewable energy sources.

“Back in 2007, Chesapeake and the Sierra Club had a shared interest in moving our nation toward a clean energy future based on the expanded use of natural gas, especially in the power sector,” said Chesapeake Energy spokesperson Jim Gipson.

“Over the years, Chesapeake has been proud to support a number of organizations that share our interest in clean air and agree that America’s abundant supplies of clean natural gas represent the most affordable, available, and scalable fuel to power a more prosperous and environmentally responsible future for our country,” said Gipson.

Gipson said the partnership ended by mutual agreement in 2010.

Sierra Club says many environmental groups recently considered natural gas a cleaner alternative to coal. Now that production is booming and natural gas is becoming more affordable, however, Sierra Club and other environmental activist groups are vociferously opposing the fuel.

“Now that we know more about the dangers of drilling and fracking, and have no confidence that the current gas regulating system will protect our health and the environment, we must end our use of gas as quickly as possible and move to clean energy and energy efficiency,” said Maggie Kao, Sierra Club’s national press secretary.

Much of the controversy regarding Sierra Club’s relationship with Chesapeake Energy stems from club members having been largely unaware the group was accepting such large amounts of fossil fuel money. Sierra Club members have joined other environmental activist groups in criticizing the organization for its partnership with Chesapeake Energy.

“It is not out of the ordinary in the nonprofit world for some donors to remain anonymous, due to privacy or security concerns. In this case, ... no [Sierra Club] director was given clear and timely information about the source or amounts of the gifts.”

MAGGIE KAO, NATIONAL PRESS SECRETARY SIERRA CLUB

Alyssa Carducci (ad.carducci@gmail.com) writes from Tampa, Florida.

Concerned about Climate Change? James Taylor says there’s no cause for alarm!

James M. Taylor is managing editor of Environment & Climate News, a senior fellow with The Heartland Institute, and one of the nation’s most sought-after speakers on climate change. He has addressed elected officials, civic organizations, and church groups — always to applause and praise for his knowledge and accessible speaking style.

Taylor is author of The Cap and Trade Handbook (Heartland Institute, 2010) and other Heartland publications. He has appeared on CNN’s Glenn Beck show, the Fox News Channel, and the “Good Morning America” and “Newsmakers” national radio programs. His writing on environmental issues has appeared in the Los Angeles Times, Houston Chronicle, Detroit News, Boston Globe, Tampa Tribune, and elsewhere. He writes a popular weekly column on climate change for Forbes.com.

Engagements are scheduled on a “first come, first served” basis, so call 312/377-4000 today to schedule James Taylor to keynote your next event! An outstanding speaker ... and an expert on environment issues!
Informative Book on Plant Life Encourages Further Inquiry

Review by Jay Lehr

Two university professors have teamed up to write a book explaining the nexus of environment and politics as it applies to plant life. The book, How the Government Got in Your Backyard, is an interesting and informative read that has few if any competitors among books currently in print. Although the authors reveal subtle liberal biases in their writing and analysis, they attempt to present unbiased analysis and largely succeed.

Jeff Gillman is an associate professor of plant science at the University of Minnesota, and Eric Heberlig is an associate professor of political science at the University of North Carolina. The two have combined forces to investigate how government policy might, should, can, or does control things that live in our environment. To my knowledge, no one has ever attempted to explain the nexus of environment and politics as it applies to things that grow.

Recognizing this book could be a colossal bore, Gillman and Heberlig chose an eye-catching title. It should instead be titled, “How and Why the Government Regulates Things that Grow.”

Scientific Errors, Useful Facts

The authors claim to be neutral politically rather than liberal or conservative, but try as they may their liberal bent comes through. That is not a significant detriment to their work, because they do present both sides of every issue. It is an amazing and unique book from which I, who have worked in the realm of agriculture for more than half a century, learned a great deal from the political science point of view while being somewhat frustrated by some of the erroneous science presented as fact in the book. Even that can be excused to some degree, however, by the authors’ efforts to present so much information.

We are all raised to despise lobbyists as if it were a dirty word, but the authors explain lobbyists are people whose profession it is to gather information about their clients’ public policy preferences, gain access to government officials, and explain why proposed policies would be good or bad. Surprisingly, lobbyists have a strong incentive to play it straight; otherwise, they lose credibility and access.

In a chapter on organic food, the authors summarize and explain the issues in a fair and objective manner. They question why the government ever got involved in organic food issues and designations, which is something that should be left entirely to the discretion of consumers and groups with particular interest in organic foods. In this discussion the authors clearly explain that no manufactured pesticides used in conventional agriculture have ever created human health harms.

Thorough Explanations

The authors tackle plant-related controversies in the garden and farm including fertilizers, ethanol, biotechnology, plant patents, invasive plants, illegal plants, local restrictions, and global warming. They reach the wrong conclusions sometimes, but they do so in a totally transparent way that always presents objective opinions from different sides of the political spectrum.

In each chapter, Gillman and Heberlig explain what they understand the science to say and how it is viewed from both the political right and left. They do a particularly good job explaining the pros and cons of ethanol production and the potential overuse of fertilizer in crop production.

Turning to illegal plants, the authors provide a thoughtful explanation and summary of the problem of invasive plants. Although many invasive plants were introduced into the North American ecosystem accidentally, others were introduced deliberately through good intentions or carelessness. Containing invasive species is a difficult problem with unique challenges for each type of invasive plant.

A marvelous chapter deals with the restrictions state and local governments place on what you grow in your backyard and how people tend to their lawns and gardens. The authors present the advantages and disadvantages of different levels of intervention and make the case for voluntary homeowner associations. They present the example of Kelo v. City of New London, in which the U.S. Supreme Court upheld far-reaching eminent domain powers, as a particularly troublesome use of government power.

Encouraging Objective Inquiry

When Gillman and Heberlig address global warming, they offer all sides of the argument fairly objectively for those who do not really have the facts. As is the case in other sections of the book, the authors present a variety of proposed policies and discuss how they are viewed on both the right and the left.

To my knowledge, there has not ever been a book like this written on the environment. It could be an excellent college textbook, as it is far more balanced than most used today. The authors’ ultimate point is that most so-called information on environmental issues regarding plant life is designed to induce people to draw one conclusion or another.

Gillman and Heberlig encourage readers to research the topics themselves. They indeed go even further, encouraging readers to distrust the facts they present in their book. They argue everyone should be skeptical of asserted facts and arguments until they verify them for themselves. This book is a good first step on the road to objective inquiry.

Jay Lehr, Ph.D. (jlehr@heartland.org) is science director of The Heartland Institute.
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**FEBRUARY 2012**

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The Southern Hemisphere’s temperature was 0.21°C below normal.

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