

The Week That Was: 2012-03-03 (March 3, 2012)

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The Science and Environmental Policy Project

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March 31: Ken Haapala will be speaking at the Capital Science 2012 Conference sponsored by the Washington Academy of Sciences. The topic is “Wind and Solar Power – the Past or the Future.” Unfortunately, registration and a fee are required.

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Quote of the Week:

“Power tends to corrupt, and absolute power corrupts absolutely.” Lord Acton, 1887

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Number of the Week: 19.7 Billion USD

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THIS WEEK:

By Ken Haapala, Executive Vice President, Science and Environmental Policy Project (SEPP)

EPA Science in Federal Court: On February 28 and 29 The US Court of Appeals for the District of Columbia Circuit heard the oral arguments in the case of the Coalition for Responsible Regulation, et al, petitioners, against the EPA, respondent, concerning the EPA ruling that greenhouse gas emissions endanger human health and welfare, Endangerment Ruling (ER). A panel of three judges heard the oral arguments, including Chief Judge Sentelle. Since it hears many cases concerning Federal regulations, the court is often called the most important among the courts of appeal, second only to the US Supreme Court.

There were a total of 110 petitioners and interveners including state and local governments, members of Congress, industry groups and public interest organizations, of which SEPP was one. The petitions embodied 94 legal issues, or cases, of which the Endangerment Rule encompassed 26 cases. A team of nine attorneys represented the petitioners, including attorneys representing Texas and Virginia. Seven attorneys would present the case with two attorneys providing expert back-up to questions.

Two attorneys from the Department of Justice and two attorneys from EPA represented the EPA. They were complemented by attorneys from states of Massachusetts and New York, as well as the Environmental Defense Fund, which were interveners (third parties). The two sessions were each three hours long.

A brief re-cap is in order. In 2007 the Supreme Court determined that automobile GHG emissions (particularly carbon dioxide) are an air pollutant under the Clean Air Act (CAA), so called tailpipe emissions. This is a narrowly defined circumstance. For two years the EPA did not act on the decision. In April 2009 the EPA, under the new administrator Lisa Jackson, announced will make an ER, that GHG endanger human health and welfare. The Technical Support Document backing the ruling contained no findings as to the toxic levels of carbon dioxide, instead relied on the findings of the UN Intergovernmental Panel on Climate Change (IPCC) Fourth Assessment Report (AR4) and other studies dependent upon that.

For good measure the EPA threw in two GHG that are not emitted by automobiles, HF6 and PFCs (CF4 and C2F6). According to the EPA web site, the former is primarily emitted by semiconductor manufacturing, electrical distribution, and magnesium production, and the latter by smelters. Also, automobiles also are not a primary emitter of two other gases, chlorofluorocarbons (HCFC), and methane. This leaves nitrous oxide (N₂O), which can be separately regulated, and carbon dioxide (CO₂) – the real goal of the EPA. The EPA lawyers call the failure to make scientific distinctions bundling <http://epa.gov/climatechange/emissions/index.html>.

During the public review process SEPP, and many others, objected to the scientific basis of the ER and submitted contradicting scientific evidence, which the EPA ignored. On the second day of the Copenhagen Conference of 2009, which was expected to produce a binding treaty for GHG, EPA announced its ER. Even though President Obama arrived, just after receiving the Nobel Peace Prize, the conference fell apart, partially due to the Climategate emails.

Some of the petitioners to the EPA ER, petition EPA that the ruling should be reconsidered from what the Climategate emails demonstrate. EPA rejected reconsideration with a 360 page finding that the Climategate emails are of no importance to the ER. The normally required public review process was not permitted by the EPA.

During this process EPA created a new procedure, unrecognized in the law, called the Tailoring Rule. The EPA will apply its ER to large emitters of CO₂, but not to small ones even though the CAA was quite specific as to the amount of pollutants emitted in order to require regulations of the facility. The CAA threshold is so low, that if the law were applied, the EPA would have to regulate over 6 million facilities for GHG emissions, a logistical nightmare.

To summarize, the core legal issues can be considered a series: 1) does the 2007 decision require an ER to regulate motor vehicle emissions, 2) do such regulations require regulation of stationary sources (EPA's goal), 3) is EPA's tailoring of the regulations to only large emitters permitted under the law, and 4) does strict application of the law lead to absurd results?

It is important to note that at no time in this process did the EPA consult with, or obtain approval from, its Scientific Advisory Board, which is contrary to tradition and possibly with the law.

The oral arguments were divided into two sessions of three hours each. The first session included the most scientifically interesting components such as: did the EPA correctly interpret the Clean Air Act (CAA) when making the ER, was the EPA arbitrary and capricious in considering the scientific evidence, and did it act properly to deny reconsideration of the ER after the Climategate emails. The second session dealt mostly with administrative law, such as did the EPA act properly when it applied the ER to large emitters of greenhouse gases (GHG), but not small ones. The order was that the plaintiffs go first, followed by the attorneys for the government.

Due to space limitations, only the issues relating to the science will be discussed.

The first attorney for the plaintiffs started the first session by bringing in issues such as the EPA did not consult with its Science Advisory Board and it made a legal error in not making a risk assessment. The jurists asked if the 2007 Supreme Court case did not mandate an ER, and would not rational regulation then ensue? The presentation was interrupted frequently on issues such as this.

The second attorney, Harry MacDougald for the Southeastern Legal Foundation, tried to address the weaknesses in the EPA (IPCC) science to include the high level of uncertainty in the models, which the EPA failed to recognize, the low level of understanding of total solar irradiance, and total solar influence which is not considered. About this time the court told MacDougald it was not interested in hearing about the science. That essentially ended the presentation on the scientific weakness of the EPA ER.

No questions were asked of the expert on the Science Advisory Board who was present.

The second attorney for the government, Angeline Purdy of the Justice Department, was introduced as the technical expert. She made several disturbing statements. One was that there was 90 to 99% certainty that

the models are correct, which was misleading. An appendix in the IPCC AR4, which is part of the written court record, gives the level of understanding for 16 of the forcing agents included in the models. Of the 16, the level of understanding for 11 was rated as low to very low. It is impossible to combine variables with such low levels of understanding in a manner to reach a 90 to 99% certainty in the result. The high level of certainty came from a poll of IPCC experts as to their certainty in their models. It is no more objective than, say, a poll taken six years ago of Wall Street types selling sub-prime mortgages asking what is their level of certainty that US housing prices will never fall.

An even more egregious statement by Ms. Purdy was that the models have been validated, which they have not. Validation is a rigorous process that the models have not undergone, and it is unlikely they ever will be validated. As such, the models have no predictive value, yet it is on predictions of future harm that the ER largely rests.

It was very disconcerting that in the rebuttal the attorneys for the plaintiffs did not forcefully contests these two statements, especially the second one.

Near the end of the arguments in favor of the EPA, an attorney representing the Global Automakers declared that the organization has no objection to the EPA ER, and following GHG regulations. For its membership please see: <http://www.globalautomakers.org/members>

Following the first secession, SEPP expressed to the attorney from CEI, which worked with SEPP, the significance of the false claim that the models have been validated. The attorney presented this to the other attorneys who decided not to bring it up in the second session.

As stated, the second session was largely concerned with administrative law will not be discussed here. However, at one point an attorney for the EPA, Perry Rosen, asserted that the Clean Air Act requires that the court owes extreme deference to the EPA on matters of science, to which the Chief Justice agreed. Mr. Rosen then went on to say that the CAA requires that the court owes extreme deference to the EPA on matters of arbitrary and capricious findings, to which the Chief Justice objected.

On March 1, the CATO Institute hosted a speaking event with four of the attorneys representing the plaintiffs for which Patrick Michaels was moderator. The two attorneys who discussed the administrative issues in the oral presentations offered some, guarded, optimism that the ER may be remanded back to the EPA. The attorney who was prepared to answer questions regarding the Science Advisory Board, pointed out that it was very unusual not to consult with the Board on such a major issue, as the Office of the Inspector General of the EPA had noted.

Attorney Harry MacDougald made a presentation that demonstrated he clearly understood the limitations of the EPA science, little of which was in the oral arguments. When queried on the false claim by the Justice Department attorney that the models had been validated, MacDougald stated that the court had made it clear that it will tolerate no challenges to EPA's science claims in the oral argument. Once can only hope a clerk will pick that up and bring it to the attention of the judges.

Given the nature of the CAA, the courts granting special privileges to the EPA protecting them from being confronted for false claims, and the attitude of EPA lawyers, serious issues arise. As long as the legal double standard continues, and scientific organizations do not disavow it, and as long as the globe's climate does not obey climate models, we can expect a general deterioration in rigor of government funded climate science, and much of the public will conclude that all government supported research has little credibility. Please see Article # 2, links under "Litigation Issues," and especially Judith Curry's comments under "Models v. Observations."

Corrections and Amplifications: Last week TWTW referenced comments by Tim Ball on what went wrong with climate science and HH Lamb's his successors at the Climatic Research Unit. Sonja Boehmer Christiansen adds the following amplification:

"I think this change was not only due to 'new' people (e.g Tom W[igley]) but also to a new funding regime: looking for buzz words to get money for contract research groups without academic tenure. Ecological disaster was the flavour of the time, and man-made global warming was one of the best by the late 1980s. Soon the project funded researchers at CRU were caught in a trap. To get any funding at all, they had to sing from the official (and electorally attractive) song sheet. Like most human beings in these circumstances they started to believe the song., egged on by friends in Greenpeace, WWF etc... Soon they were genuine environmentalists and did ideologically (socially responsible?) research. You can't remove scientists from the 'zeitgeist'."

The Danes are Coming: One of the criticisms of the experiments showing a relationship between cosmic rays, modulated by the sun, and cloud formation is that there is not enough sulfuric acid in atmosphere at night to continue growth of "cloud condensation nuclei on which water droplets can form." Denmark's National Space Institute performed a second SKY experiment, SKY 2, which purports to show that the electrons released by the collisions between high energy cosmic rays and molecules in the upper atmosphere can act as catalysts in the formation of sulfuric acid.

Of course, the new discovery will undergo intense review and the experiment will need to be replicated. How does the budget of Denmark's National Space Institute compare with that of the US R & D on climate? Please see links under "Science: Is the Sun Rising."

Number of the Week: 19.7 Billion USD. According *AAAS Report XXXVI, Research and Development FY 2012* produce by the American Association for the Advancement of Science the US budget for 2012 contained \$19.7 Billion for Climate Related R & D.

The big winners in the budget, above \$1 Billion, are the US Global Change Research Program (\$2.6 B), NOAA (\$3.6 B), NASA (\$1.8 B), NSF (\$2.5 B) and the Department of Energy (\$8.5 B). (EPA gets \$557 Million.). Please note these are budgeted amounts, not outlays and may change. The US Senate has not passed a budget in almost three years.

Based on reviewing the EPA Endangerment Ruling and this week's experiences in court, which were long on legal arguments and short on physical evidence, the US is not getting a big bang for its buck.

Please see: Table 1. Climate-Related R&D in the Federal Budget, Chap 15, p. 180,
<http://www.aaas.org/spp/rd/rdreport2012/12pch15.pdf> [H/t Josh and Anthony Watts]

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ARTICLES:

For the numbered articles below please see this week's TWTW at: www.sepp.org. The articles are at the end of the pdf.

1. Climate Deniers Are Giving Us Skeptics a Bad Name

By S. Fred Singer, American Thinker, Feb 29, 2012

http://www.americanthinker.com/2012/02/climate_deniers_are_giving_us_skeptics_a_bad_name.html#ixzz1nn0SciyO

2. Letter to The Guardian

By Fred Singer, SEPP, Feb 28, 2012

Article reference: <http://www.guardian.co.uk/environment/2012/feb/21/heartland-institute-leak-climate-attack?intcmp=122#history-link-box>

3. EPA Air Rules Head to Court

Range of Industries Challenges Mandates as Too Expensive; U.S. Agency Cites Strong Evidence to Support Moves

By Brent Kendall, WSJ, Feb 27, 2012

http://online.wsj.com/article/SB10001424052970204778604577243843528214790.html?mod=ITP_pageone_1

4. Protecting Endangered Farmers

A tale of modern California.

Editorial, WSJ, Feb 29, 2012

http://online.wsj.com/article/SB10001424052970203918304577239472081683362.html?mod=ITP_opinion_2

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NEWS YOU CAN USE:

Science: Is the Sun Rising?

Response of Cloud Condensation Nuclei (> 50 nm) to changes in ion-nucleation

Authors: Henrik Svensmark, Martin B. Enghoff, Jens Olaf Pepke Pedersen, Feb 23, 2012

<http://arxiv.org/pdf/1202.5156v1.pdf>

In the climax to the Danes' experiments, cloud seeds flout the theories

By Nigel Calder, Calder's Updates, Mar 1, 2012 [H/t Anthony Watts, WUWT]

<http://calderup.wordpress.com/2012/03/01/yet-another-trick-of-cosmic-rays/>

[SEPP Comment: A description of the experiment in the article linked above.]

Challenging the Orthodoxy

Ten Years After the Warming

By Roy Spencer, His Blog, Feb 26, 2012

<http://www.drroyspencer.com/2012/02/ten-years-after-the-warming/>

[SEPP Comment: Discussing five possibilities for the recent cessation in warming, that is inconsistent with IPCC models.]

Lindzen's Seminar at the House of Commons

By Judith Curry, Climate Etc, Feb 27, 2012

<http://judithcurry.com/2012/02/27/lindzens-seminar-at-the-house-of-commons/#more-7386>

[SEPP Comment: Curry's comments on Lindzen's influential seminar.]

Day of reckoning draws nearer for IPCC

By Clive Best, His Blog, Feb 29, 2012 [H/t GWPF]

<http://clivebest.com/blog/?p=3303>

Defending the Orthodoxy

Why the Global Warming Skeptics Are Wrong

William D. Nordhaus, New York Review of Books, March 22, 2012

<http://www.nybooks.com/articles/archives/2012/mar/22/why-global-warming-skeptics-are-wrong/>

[SEPP Comment: Starts off with the straw man argument that the planet warmed, implying most skeptics reject that, continues with other straw men. Defines pollutant with legal hair splitting meaning, not with empirical toxicology.]

Climate scientists not cowed by relentless climate change deniers

Groups that provide moral support, legal counsel, and swift rebuttals of misinformation are sprouting up.
By Toni Feder, Physics Today, Feb 2012 [H/t Climate etc.]

http://www.physicstoday.org/resource/1/phtoad/v65/i2/p22_s1?bypassSSO=1

Fossil-fuel interests, says Gavin Schmidt, a climate researcher at NASA, “have adopted a shoot-the-messenger approach. It’s been a very successful strategy. They have created a chilling effect, so other [scientists] won’t say what they think and the conversation in public stays bereft of anyone who knows what they are talking about.”

[SEPP Comment: A straw man argument. Schmidt does not identify the fossil-fuel interests, the amounts, and the recipients of these funds. Yet, he is a recipient of part of \$19.7 Billion in the Federal budget for climate R & D for FY 2012.]

Interesting Quotes By William Ruckelshaus, Former EPA Administrator Reported In The February 7 2012 issue Of EOS

By Roger Pielke Sr, Pielke Climate Science, Mar 2, 2012

<http://pielkeclimatesci.wordpress.com/2012/03/02/interesting-quote-by-william-ruckelshaus-former-epa-administrator-in-the-february-7-2012-issue/>

[SEPP Comment: Ruckelshaus evokes Godwin’s Law.]

Subterfuge vs. propaganda in global warming debate

Environmental advocate Peter Gleick’s admission that he obtained Heartland Institute documents, including its plan to fight global warming policies, has the wrong side answering questions.

By Michael Hiltzik, LA Times, Feb 29, 2012

<http://www.latimes.com/business/la-fi-hiltzik-20120229,0,1163347.column>

[SEPP Comment: In this commentary, who is guilty of obfuscation and propaganda?]

Lying and deception can be justified, says climate change ethics expert

By Andrew Montford, Bishop Hill, Feb 27, 2012

<http://bishophill.squarespace.com/blog/2012/2/27/lying-and-deception-can-be-justified-says-climate-change-eth.html>

[SEPP Comments: According to James Garvey, author of “The Ethics of Climate Change,” drastic action is necessary to suppress the “shills.” He is rebutted by a climate scientist from the Met Office Hadley Centre.]

Should Global-Warming Activists Lie to Defend Their Cause?

By John Horgan, Scientific American, Feb 24, 2012 [H/t Climate Etc.]

<http://blogs.scientificamerican.com/cross-check/2012/02/24/should-global-warming-activists-lie-to-defend-their-cause/>

[SEPP Comment: A philosophical discussion with an unwarranted conclusion – that everybody lies. A typical propaganda photo accompanies the article.]

Is the fight against global warming hopeless?

Editorial, Washington Post, Feb 25, 2012 [H/t David Manuta]

http://www.washingtonpost.com/opinions/is-the-fight-against-global-warming-hopeless/2012/02/17/gIQAhRAXaR_story.html?wpisrc=emailtoafriend

[SEPP Comment: Warming has stopped. Declare victory and go home.]

Questioning the Orthodoxy

Peter Gleick’s Actions Exposes “End Justifies Means” Mentality: Poses Problem for UN Agenda 21

By Tim Ball, A Different Perspective, Feb 26, 2012

<http://drtimball.com/2012/peter-gleicks-actions-exposes-end-justifies-means-mentality-poses-problem-for-un-agenda-21/>

Sir Paul Nurse – saviour of the universe!

By James Delingpole Telegraph, UK, Feb 29, 2012 [H/t Neil Craig]

<http://blogs.telegraph.co.uk/news/jamesdelingpole/100140510/sir-paul-nurse-saviour-of-the-universe/>

[SEPP Comment: Challenging the new head of the Royal Society.]

Number of the month – one

By John Brignell, Number Watch, Mar 3, 2012

<http://www.numberwatch.co.uk/2012%20February.htm#NOM>

[SEPP Comment: Brignell's view of the Richard Dimbleby lecture by Sir Paul Nurse of the Royal Society. See link immediately above.]

Questioning European Green

Carbon bubble or green investment bubble?

By Martin Livermore, Scientific Alliance, Mar 3, 2012

<http://www.scientific-alliance.org/scientific-alliance-newsletter/carbon-bubble-or-green-investment-bubble>

David Cameron says countryside wind farms have been 'wasteful of public money'

Wind farms built across the British countryside have been "over subsidised and wasteful of public money", David Cameron has said.

By Rowena Mason, Telegraph, UK, Feb 29, 2012

<http://www.telegraph.co.uk/news/politics/9114054/David-Cameron-says-countryside-wind-farms-have-been-wasteful-of-public-money.html>

[SEPP Comment: The Prime Minister questioning the government's environmental policies?]

TREND: Europe's Enthusiasm for Renewables Wanes

By Kennedy Maize, Managing Power, Mar 1, 2012 [H/t Toshio Fujita]

http://www.managingpowermag.com/government_and_regulatory/TREND-Europe's-Enthusiasm-for-Renewables-Wanes_376.html?hq_e=el&hq_m=2394487&hq_l=16&hq_v=d51592e9a8

Rising Energy Prices Endanger German Industry

Merkel's Switch to Renewables

By Frank Dohmen and Alexander Neubacher, Spiegel Online, Feb 24, 2012

<http://www.spiegel.de/international/business/0,1518,816669,00.html>

How Germany's powerful renewables advocacy coalition is transforming the German (and European) energy market

By Rick Bosman, European Energy Review, Feb 27, 2012

<http://www.europeanenergyreview.eu/site/pagina.php?id=3552>

'Due to the Energiewende, the conflict between ecology and economy has finally been resolved'

[SEPP Comment: A contrast with the two articles linked immediately above.]

Expanding the Orthodoxy

The United Nation's States Environmental Protection Agency

By Dennis Ambler, SPPI, May 26, 2011

http://scienceandpublicpolicy.org/images/stories/papers/originals/the_un_states_enviro_protection_agency.pdf

[SEPP Comment: A reminder.]

EU wants tangible outcome at Rio climate conference

By Staff Writers, Brasilia (AFP). Feb 28, 2012

http://www.terrardaily.com/reports/EU_wants_tangible_outcome_at_Rio_climate_conference_999.html
[SEPP Comment: *The IPCC was not enough.*]

Problems within the Orthodoxy

Shale gas: dubious game-changer

By Sunita Narain, Down to Earth, India, Mar 15, 2012

<http://www.downtoearth.org.in/content/shale-gas-dubious-game-changer>

The United States has always been the climate change renegade.

[SEPP Comment: *According to the article developing world is not receiving the moneys it should from the developed world. Now shale gas will further delay these money flows.*]

Money matters

Editorial, Down to Earth, India, Mar 15, 2012

<http://www.downtoearth.org.in/content/money-matters>

[SEPP Comment: *The Global Environmental Facility and the Green Climate Fund are part of the World Bank.*]

Those countries not using **their share of the atmosphere** could sell their entitlement to those exceeding their pollution quota. [Boldface added.]

Funding Fights

Climate in the FY 2012 Budget

Jonah V. Steinbuck and Paul A.T. Higgins, American Meteorological Society, AAAS, Chap 15

<http://www.aaas.org/spp/rd/rdreport2012/12pch15.pdf>

The Gleick Affair

Confronting the New York Times on Inaccurate, Unverified Misinformation

Press Release, Charles Koch Foundation, Feb 24, 2012

<http://www.charleskochfoundationfacts.org/2012/02/confronting-the-new-york-times-on-inaccurate-unverified-misinformation/>

One Law for Me, Another for Thee

By Marlo Lewis, National Journal, Feb 29, 2012

<http://energy.nationaljournal.com/2012/02/whats-at-stake-in-climate-deba.php#2171072>

Fakegate versus Climategate

By Diane Carol Bast, Somewhat Reasonable, Mar 1, 2012

<http://blog.heartland.org/2012/03/fakegate-versus-climategate/>

[SEPP Comment: *A view from Heartland.*]

Gleick's Testimony on Threats to the Integrity of Science

By Judith Curry, Climate Etc, Feb 26, 2012

<http://judithcurry.com/2012/02/26/gleicks-testimony-on-threats-to-the-integrity-of-science/#more-7409>

[SEPP Comment: *Gleick's hypocrisy is damaging to everyone who seeks to understand the extent to which carbon dioxide influences climate.*]

Heartland vs. Climategate

By Walter Starck, Quadrant, Feb 28, 2012

<http://www.quadrant.org.au/blogs/doomed-planet/2012/02/heartland-vs-climategate>

[SEPP Comment: A good, brief overview of the difference.]

"Fake But Accurate" Science

By Robert Tracenski, Real Clear Politics, Feb 29, 2012

http://www.realclearpolitics.com/articles/2012/02/29/fake_but_accurate_science_113294.html

[SEPP Comment: A somewhat long but good overview of the issues The Gleick Affair brings up.]

Where Do Gleick's Apologists Draw the Line?

By Donna Laframboise, NFC, Feb 28, 2012 [H/t James Rust]

<http://nofrakkingconsensus.com/2012/02/28/where-do-gleicks-apologists-draw-the-line/>

The Heartland Institute and Joe Bast: An Appreciation

By Robert Bradley Jr., Master Resource, Mar 2, 2012

<http://www.masterresource.org/2012/03/heartland-institute-appreciation/#more-19015>

Fakegate Opens a Door

By Russell Cook, American Thinker, Feb 28, 2012

http://www.americanthinker.com/2012/02/fakegate_opens_a_door.html

The Gleick affair is further proof of the warmists' endless credulity

Dr Peter Gleick provides more evidence that the supporters of the Cause will stop at nothing.

By Christopher Booker, Telegraph, UK, Feb 25, 2012

<http://www.telegraph.co.uk/earth/greenpolitics/9105330/The-Gleick-affair-is-further-proof-of-the-warmists-endless-credulity.html>

No Faith With Skeptics

By Marlo Lewis, Global Warming.org, Mar 2, 2012

<http://www.globalwarming.org/2012/03/02/no-faith-with-skeptics/#more-13279>

18 U.S.C. 1343

By Steve McIntyre, Climate Audit, Feb 28, 2012

<http://climateaudit.org/2012/02/28/18-u-s-c-1343/#more-15750>

[SEPP Comment: Identifying a felony that Gleick committed.]

Eats, Shoots, and Leaves

By Steve McIntyre, Climate Audit, Mar 1, 2012

<http://climateaudit.org/2012/03/01/eats-shoots-and-leaves-the-gleickian-comma/>

[SEPP Comment: Tracing down Gleick.]

Gleick and America's Dumbest Criminals

By Steve McIntyre, Climate Audit, Feb 25, 2012

<http://climateaudit.org/2012/02/25/gleick-and-americas-dumbest-criminal/>

Seeking a Common Ground

The IPCC May Have Outlived its Usefulness - An Interview with Judith Curry

By James Stafford, Oil Price.com, Feb 27, 2012 [H/t Joe Bast]

<http://oilprice.com/The-Environment/Global-Warming/The-IPCC-May-Have-Outlived-its-Usefulness-An-Interview-with-Judith-Curry.html>

Climate Science and Special Relativity

By Andi Cockroft, WUWT, Mar 1, 2012

<http://wattsupwiththat.com/2012/03/01/climate-science-and-special-relativity/>

Bigfoot, the Loch Ness Monster, and High Climate Sensitivity

By Patrick Michaels, World Climate Report, Feb 27, 2012

<http://www.worldclimatereport.com/index.php/2012/02/27/bigfoot-the-loch-ness-monster-and-high-climate-sensitivity/#more-529>

Communicating Better to the Public – Exaggerate, or be Vague?

'Storm of the century' may become 'storm of the decade'

By Staff Writers for Princeton News, Princeton NJ (SPX) Feb 28, 2012

http://www.terraddaily.com/reports/Storm_of_the_century_may_become_storm_of_the_decade_999.html

Climate change may increase risk of water shortages in hundreds of US counties by 2050

By Staff Writers, Washington DC (SPX), Feb 27, 2012

http://www.terraddaily.com/reports/Climate_change_may_increase_risk_of_water_shortages_in_hundreds_of_US_counties_by_2050_999.html

[SEPP Comment: As compared to the Dust Bowl of the 1930's?]

Models v. Observations

What can we learn from climate models? Part II

By Judith Curry, Climate, Etc, Mar 1, 2012

<http://judithcurry.com/2012/03/01/what-can-we-learn-from-climate-models-part-ii/#more-7473>

[SEPP Comment: A rather technical post on what is needed to achieve verification and validation of models. Among the issues missing in the discussion is that the chaotic nature of the models produces different results each time. This requires multiple runs of each model before a rough probability distribution of the results can be established for that model. (See Singer, NIPCC v. IPCC, 2011, http://www.sepp.org/science_papers/ICCC_Booklet_2011_FINAL.pdf)]

Study: Cheaper gas lowered emissions

By Staff Writers, Cambridge, Mass. (UPI) Feb 27, 2012

http://www.energy-daily.com/reports/Study_Cheaper_gas_lowered_emissions_999.html

[SEPP Comment: Questionable inference, how quickly did natural gas replace coal fired generation of electricity in the areas delineated.]

Changing Weather

An Embarrassment of Riches

By Roger Pielke Jr, His Blog, Mar 2, 2012

<http://rogerpielkejr.blogspot.com/2012/03/embarrassment-of-riches.html>

[SEPP Comment: Taking on the claims of unprecedented disasters. If we lived in shacks, a major storm would not be as costly.]

Arctic sea ice decline may be driving snowy winters seen in recent years

By Staff Writers, Atlanta GA (SPX), Mar 01, 2012

http://www.terraddaily.com/reports/Arctic_sea_ice_decline_may_be_driving_snowy_winters_seen_in_recent_years_999.html

Increasing Winter Cold in Recent Years and the Arctic

By Joseph D'Aleo, Weatherbell Analytics, Feb 29, 2012

http://icecap.us/index.php/go/political-climate/increasing_winter_cold_in_recent_years_and_the_arctic/

[SEPP Comment: Challenging the article linked immediately above.]

Changing Climate

10th century writings give climate clues

By Staff Writers, Badajoz, Spain (UPI) Feb 27, 2012

http://www.terrillardaily.com/reports/10th_century_writings_give_climate_clues_999.html

[SEPP Comment: Climate changed long before major human emissions of CO2.]

Glacial carbon may hold record of environmental change

By Staff Writers, New Haven CT (SPX), Feb 27, 2012

http://www.terrillardaily.com/reports/Glacial_carbon_may_hold_record_of_environmental_change_999.html

Changing Sea Ice

Ice, ice, baby: Arctic sea ice on the rebound

By Mark Johnson, Newsnet5, Mar 2, 2012 [H/t GWPF]

http://www.newsnet5.com/dpp/weather/weather_news/ice-ice-baby-arctic-sea-ice-on-the-rebound

[SEPP Comment: Let's wait for a long term trend before celebrating.]

Acidic Waters

Ocean acidification rate may be unprecedented, study says

Few parallels in 300-million-year geologic record

By Staff Writers, The Earth Institute, Columbia University, Mar 1, 2012

<http://crocodoc.com/ChGFVkw>

[SEPP Comment: Highly questionable. Also the cause of the increase in CO2 may be the cause on the mass extension, rather than the increase in CO2 itself.]

A CO2 Warning Etched in Stone and Sediment

By Andrew Revkin, Dot Earth, NYT, Mar 1, 2012

<http://dotearth.blogs.nytimes.com/2012/03/01/a-co2-warning-etched-in-stone-and-sedimen/?ref=science>

[SEPP Comment: What is not stated in the article or the links is that the oceans remain above pH 7, alkaline. Some fresh water lakes are acidic and have a very low pH, 3.5 to 4, yet are thriving.]

Agriculture Issues & Fear of Famine

Early ripening of grapes pinned to warming, soil moisture

By Staff Writers, Paris (AFP) Feb 26, 2012

http://www.seddaily.com/reports/Early_ripening_of_grapes_pinned_to_warming_soil_moisture_999.html

[SEPP Comment: The researchers ignored what is likely the most dominant reason – carbon dioxide fertilization.]

The Political Games Continue

Inhofe: Cap and trade is ‘dead, gone, forever’

By Will Rahn, Daily Caller, Feb 29, 2012 [H/t DeWitt Edwards]

<http://dailycaller.com/2012/02/27/inhofe-cap-and-trade-is-dead-gone-forever/>

Litigation Issues

Daubert and the Admissibility of Climate Models as Evidence in a Court of Law

By Roy Spencer, His Blog, Feb 29, 2012

<http://www.drroyspencer.com/2012/02/daubert-and-the-admissibility-of-climate-models-as-evidence-in-a-court-of-law/>

[SEPP Comment: If the EPA wins in the ER case, then the models may become admissible in court even though the EPA has special privileges that others do not.]

What's at Stake in Climate Debate?

By Amy Harder, National Journal, Feb 27, 2012

<http://energy.nationaljournal.com/2012/02/whats-at-stake-in-climate-deba.php>

[SEPP Comment: Not particularly perceptive.]

Opponents question EPA authority in greenhouse gas case

By Valerie Volcovici, Reuters, Feb 29, 2012

<http://www.reuters.com/article/2012/02/29/us-epa-greenhouse-gas-idUSTRE81S2H620120229>

Arctic Ocean drilling: Shell launches preemptive legal strike

By Kim Murphy, LA Times, Feb 29, 2012

<http://www.latimes.com/news/nation/nationnow/la-na-nn-arctic-drilling-shell-20120229,0,3008891.story>

Cap-and-Trade and Carbon Taxes

Airlines Shouldn't Crater to the E.U. Carbon Caper

By Larry Bell, Forbes, Feb 28, 2012

<http://www.forbes.com/sites/larrybell/2012/02/28/airlines-shouldnt-crater-to-the-e-u-carbon-caper/>

Subsidies and Mandates Forever

Wind Subsidies vs. Oil Subsidies

By David Kreutzer, The Foundry, Feb 28, 2012 [H/t Cooler Heads]

<http://blog.heritage.org/2012/02/28/wind-subsidies-vs-oil-subsidies/>

[SEPP Comment: Do away with obvious subsidies to all – no accounting tricks.]

Nat Gas Act is no boondoggle

Backing natural gas is essential for national security

By R. Emmett Tyrrell, Jr, Washington Times, Feb 29, 2012

<http://www.washingtontimes.com/news/2012/feb/29/nat-gas-act-is-no-boondoggle/>

[SEPP Comment: National security is not a justification for subsidizing vehicles that run on natural gas any more than it is a justification for subsidizing electric vehicles. The US has plenty of oil, but for years Washington has prevented its development.]

EPA and other Regulators on the March

EPA still hopes for power plant climate rules ‘early’ in ’12, but refinery plans unclear

By Ben Geman, The Hill, Feb 28, 2012

<http://thehill.com/blogs/e2-wire/e2-wire/213067-epa-still-hopes-for-power-plant-climate-rules-early-in-12-but-refinery-plans-unclear>

EPA Makes the Best Case for State Regulation

By Eric Waeckerlin, Managing Power, Mar 1, 2012

http://www.managingpowermag.com/opinion_and_commentary/EPA-Makes-the-Best-Case-for-State-Regulation_372.html?hq_e=el&hq_m=2394487&hq_l=17&hq_v=d51592e9a8

[SEPP Comment: Expect the worst from EPA regulation of hydraulic fracturing (fracking). Rigorous science is not known to the EPA and the environmental industry wants to shut it down.]

EPA chief vows ‘strong science’ on hydraulic fracturing

By Ben Geman, The Hill, Feb 28, 2012

<http://thehill.com/blogs/e2-wire/e2-wire/212929-epa-chief-vows-strong-science-on-hydraulic-fracturing>

[SEPP Comment: Her definition of strong science may differ from most.]

Energy Issues – Non-US

China claims world's biggest shale gas reserves

China is planning an investment blitz to unlock its vast reserves of shale gas, convinced it can match the energy revolution under way in the US and meet a significant part of its fast-growing fuel needs.

By Ambrose Evans-Pritchard, Telegraph, UK, Mar 1, 2012 [H/t GWPF]

<http://www.telegraph.co.uk/finance/china-business/9117072/China-claims-worlds-biggest-shale-gas-reserves.html>

Oil sands pollution comparable to a large power plant

By Staff Writers, Washington DC (SPX), Feb 28, 2012

http://www.energy-daily.com/reports/Oil_sands_pollution_comparable_to_a_large_power_plant_999.html

[SEPP Comment: Those protesting oil from Canada should protest in Venezuela.]

Harper's strategy gets double boost

Obama and McGuinty prove Ottawa's -market-based energy plan is working

By Peter Foster, Financial Post, Feb 28, 2012

<http://opinion.financialpost.com/2012/02/28/peter-foster-harpers-strategy-gets-double-boost/>

The Harper government's notion of an energy strategy — emphasize the power and efficiency of markets, get rid of red tape, finger environmental radicals, and remind the U.S. how secure Canadian supplies are — received a double boost this week.

New group shows oil sands industry serious about environment

By Claudia Cattaneo, Financial Post, Mar 1, 2012

http://business.financialpost.com/2012/03/01/new-group-shows-oil-sands-industry-serious-about-environment/?_lsa=d7606b66

Energy Issues -- US

U.S. Oil Exports: Open Letter to Bill O'Reilly from Economist Donald Boudreaux (Keystone XL a-okay)

By Robert Bradley Jr., Master Resource, Feb 28, 2012

<http://www.masterresource.org/2012/02/boudreaux-oreilly-oil-exports/>

Will the Keystone XL pipeline lower gasoline prices?

By Glenn Kessler, Washington Post, Mar 2, 2012

http://www.washingtonpost.com/blogs/fact-checker/post/will-the-keystone-xl-pipeline-lower-gasoline-prices/2012/03/01/gIQAtWkXIR_blog.html

[SEPP Comment: Overall not a bad analysis, if one ignores time. If the Keystone had been approved several years ago, it could influence gasoline prices. Had ANWAR opened up ten years ago, when it could have, there no doubt it would. It takes years to develop resources, something few newspaper analysts consider.]

The best way for government to reduce oil dependence? Do nothing

By David Frum, National Post, Can. Feb 25, 2012

<http://fullcomment.nationalpost.com/2012/02/25/david-frum-the-best-way-for-government-to-reduce-oil-dependence-do-nothing/>

Oil and Natural Gas – the Future or the Past?

UT Study on Frac Water Contamination: “No Evidence” (Anti-drilling false alarm cut down to size)

By Steve Everley, Master Resource, Feb 27, 2012

<http://www.masterresource.org/2012/02/ut-frac-study-no-evidence/>

[SEPP Comment: More detailed statement of the University of Texas study than presented in TWTW last week.]

East Africa hits it big in oil, gas boom

By Staff Writers, Maputo, Mozambique (UPI) Feb 29, 2012

http://www.energy-daily.com/reports/East_Africa_hits_it_big_in_oil_gas_boom_999.html

How to Extract Gas Responsibly

By Joe Nocera, NYT, Feb 27, 2012 [H/t David Manuta]

http://www.nytimes.com/2012/02/28/opinion/nocera-how-to-frack-responsibly.html?_r=1&emc=eta1

[SEPP Comment: State policies may be better than Federal policies. The New York Times has editorialized against hydraulic fracturing.]

Return of King Coal?

Rigs Goeth Before a Fall

By Frank Clemente, Energy Facts Weekly, Feb 28, 2011

<http://us1.campaign-archive2.com/?u=29bc7d5d85828d574f86c157a&id=c352eba794&e=>

[SEPP Comment: As seen in recent years, conversion of on-land rigs drilling for oil or for gas is very flexible. The issue is the demand price of the product, which translates to profit margins. As developers see profits fall (to negative) in the blast for gas, and boom is in the urge for oil. The market will adjust as it always does in the absent of government interference. The important issue is that the resources of the nation are enormous and constrained mainly by governmental policies.]

Oil Spills & Consequences

BP Spill Trial Starts Amid Settlement Pressure

By Margaret Cronin Fisk and Jef Feeley, Bloomberg News, Mar 02, 2012

<http://www.businessweek.com/news/2012-03-02/bp-gulf-spill-trial-to-start-as-settlement-pressure-increases>

Nuclear Energy and Fears

Japan feared Fukushima could 'finish' Tokyo: panel

By Staff Writers, Tokyo (AFP), Feb 28, 2012

http://www.terrordaily.com/reports/Japan_fearered_Fukushima_could_finish_Tokyo_panel_999.html

India freezes aid group funds over nuclear protests

By Staff Writers, New Delhi (AFP), Feb 25, 2012

http://www.nuclearpowerdaily.com/reports/India_freezes_aid_group_funds_over_nuclear_protests_999.html

Alternative, Green ("Clean") Solar and Wind

Denmark is not model for the United States

By Daniel Simmons, Institute for Energy Research, Feb 24, 2012

<http://www.instituteforenergyresearch.org/2012/02/24/denmark-is-no-model-for-the-united-states/>

Wind energy is clean, but wind energy systems are not

Unreliability of turbines means they must be backed up by polluting energy sources

By Alex Pavlak, Baltimore Sun, Feb 9, 2012 [H/t John Droz, Jr.]

<http://www.baltimoresun.com/news/opinion/oped/bs-ed-clean-energy-20120209,0,5869528.story>

Wind farm on hold over bald eagle concerns

By Staff Writers, Red Wing, Minn. (UPI) Feb 24, 2012
http://www.winddaily.com/reports/Wind_farm_on_hold_over_bald_eagle_concerns_999.html
[SEPP Comment: After millions in advertising, T. Boone is still trying to build a wind farm.]

Windpower Case Study in Ontario (Part 1: Coal-fired generation not displaced)

By William Palmer, Master Resource, Feb 29, 2012
<http://www.masterresource.org/2012/02/ontario-windpower-case-study-i/>

On Energy, Massachusetts Tilts At Windmills

Editorial, IBD, Feb 24, 2012
<http://news.investors.com/article/602312/201202241858/massachusetts-mandates-wind-power-electricity-use.htm>

Alternative, Green (“Clean”) Other Energy

U.S. Ethanol Policy: The Unintended Consequences
By James M. Griffin and Mauricio Cifuentes Soto, Energy Tribune, Feb 29, 2012
<http://www.energytribune.com/articles.cfm/9973/US-Ethanol-Policy-The-Unintended-Consequences>
[SEPP Comment: High international food prices are a consequence of US ethanol policy.]

Review of Recent Scientific Articles by NIPCC

For a full list of articles see www.NIPCCreport.org

The Roman Warm Period vs. the Current Warm Period

Reference: Chen, L., Zonneveld, K.A.F. and Versteegh, G.J.M. 2011. Short term climate variability during the "Roman Classical Period" in the eastern Mediterranean. *Quaternary Science Reviews* 30: 3880-3891.
<http://www.nipccreport.org/articles/2012/feb/29feb2012a4.html>

Palaeoecology Reveals Real-World Biotic Responses to Global Warming

Reference: Vegas-Vilarrubia, T., Rull, V., Montoya, E. and Safont, E. 2011. Quaternary palaeoecology and nature conservation: a general review with examples from the neotropics. *Quaternary Science Reviews* 30: 2361-2388.
<http://www.nipccreport.org/articles/2012/feb/29feb2012a3.html>

Global Warming Implications of Anthropogenic Nitrogen Inputs to the Environment

Reference: De Vries, W., Kros, J., Reinds, G.J. and Butterbach-Bahl, K. 2011. Quantifying impacts of nitrogen use in European agriculture on global warming potential. *Current Opinion in Environmental Sustainability* 3: 291-302.

<http://www.nipccreport.org/articles/2012/feb/28feb2012a2.html>

Global Warming and Extreme Weather Events

Reference: Büntgen, U., Brázil, R., Heussner, K.-U., Hofmann, J., Kontic, R., Kyncl, T., Pfister, C., Chromá, K. and Tegel, W. 2011. Combined dendro-documentary evidence of Central European hydroclimatic springtime extremes over the last millennium. *Quaternary Science Reviews* 30: 3947-3959.
<http://www.nipccreport.org/articles/2012/feb/28feb2012a3.html>

Health, Energy, and Climate

UI researcher notes importance of particulate matter on climate, health

By Staff Writers, Iowa City IA (SPX), Feb 27, 2012
http://www.terrardaily.com/reports/UI_researcher_notes_importance_of_particulate_matter_on_climate_health_999.html

[SEPP Comment: Another largely unknown forcing agent in IPCC models – may contradict the importance of GHG.]

Oh Mann!

Va. Court Halts Quest for Climate Change Emails

By Larry O'Dell, AP, Mar 2, 2012

<http://abcnews.go.com/US/wireStory/va-court-halts-quest-climate-change-emails-15834129#.T1ENafm74w>

American Tradition Institute Comments on Virginia Supreme Court Decision

By Anthony Watts, WUWT, Mar 2, 2012

<http://wattsupwiththat.com/2012/03/02/american-tradition-institute-comments-on-virginia-supreme-court-decision/#more-58223>

[SEPP Comment: The decision on the state case does not stop the private case.]

Environmental Industry

Why the Environmental Movement Is Not Winning

A new report places the blame on misguided strategies of environmental funders.

By Peter Montague, AlterNet, Feb 24, 2012

http://www.alternet.org/environment/154290/why_the_environmental_movement_is_not_winning

[SEPP Comment: The problem may be that environmental foundations funded issues Mother Nature does not support.]

Other Scientific News

Nature Editorial: If you want reproducible science, the software needs to be open source

By Kyle Niemeyer, ars technica, Feb 29, 2012 [H/t WUWT]

http://arstechnica.com/science/news/2012/02/science-code-should-be-open-source-according-to-editorial.ars?utm_source=rss&utm_medium=rss&utm_campaign=rss

Immortal worms defy aging

By Staff Writers, Nottingham UK (SPX), Mar 01, 2012

http://www.terrillardaily.com/reports/Immortal_worms_defy_aging_999.html

Climate change, increasing temperatures alter bird migration patterns

By Staff Writers, Chapel Hill NC (SPX), Feb 29, 2012

http://www.terrillardaily.com/reports/Climate_change_increasing_temperatures_alter_bird_migration_patterns_999.html

[SEPP Comment: Spurious induction? Food may be available earlier thanks to CO2 fertilization.]

Ice Age coyotes were supersized compared to coyotes today

By Staff Writers, Durham, NC (SPX), Mar 01, 2012

http://www.terrillardaily.com/reports/Ice_Age_coyotes_were_supersized_compared_to_coyotes_today_999.html

[SEPP Comment: Unlike a study on horses, this study does not claim that global warming causes animal shrinking?]

Other News that May Be of Interest

Mechanism Behind Capacitor's High-Speed Energy Storage Discovered

By Staff Writers, Raleigh, NC (SPX), Feb 28, 2012

http://www.spacemart.com/reports/Mechanism_Behind_Capacitor_High_Speed_Energy_Storage_Discovered_999.html

[SEPP Comment: The premise in the editorializing is wrong. Electric sport cars outperform similar gasoline cars. The Tesla electric car outperforms its gasoline counterpart the Lotus Elise – it only costs twice as much, and has limited range when driven as a sports car.]

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BELOW THE BOTTOM LINE:

Taking tips from Vikings can help us adapt to global change

By Staff Writers, Edinburgh UK (SPX) Feb 27, 2012

http://www.terrardaily.com/reports/Taking_tips_from_Vikings_can_help_us_adapt_to_global_change_99_9.html

[SEPP Comment: When it was warm, the Vikings settled Greenland; then it became too cold to leave.]

Do Dolphins and Whales Have Rights?

Nick Sibilla, Reason, Feb 28, 2012

<http://reason.com/blog/2012/02/28/do-dolphins-have-rights>

[SEPP Comment: If a killer whale eats a dolphin, is it excising its natural rights?]

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ARTICLES:

1. Climate Deniers Are Giving Us Skeptics a Bad Name

By S. Fred Singer, American Thinker, Feb 29, 2012

http://www.americanthinker.com/2012/02/climate_deniers_are_giving_us_skeptics_a_bad_name.html#ixzz1nn0SciyO

Gallia omnia est divisa in partes tres. This phrase from Julius Gaius Caesar about the division of Gaul nicely illustrates the universe of climate scientists -- also divided into three parts. On the one side are the "warmistas," with fixed views about apocalyptic man-made global warming; at the other extreme are the "deniers." Somewhere in the middle are climate skeptics.

In principle, every true scientist must be a skeptic. That's how we're trained; we question experiments, and we question theories. We try to repeat or independently derive what we read in publications -- just to make sure that no mistakes have been made.

In my view, warmistas and deniers are very similar in some respects -- at least their extremists are. They have fixed ideas about climate, its change, and its cause. They both ignore "inconvenient truths" and select data and facts that support their preconceived views. Many of them are also quite intolerant and unwilling to discuss or debate these views -- and quite willing to think the worst of their opponents.

Of course, these three categories do not have sharp boundaries; there are gradations. For example, many skeptics go along with the general conclusion of the warmistas but simply claim that the human contribution is not as large as indicated by climate models. But at the same time, they join with deniers in opposing drastic efforts to mitigate greenhouse (GH) gas emissions.

I am going to resist the temptation to name names. But everyone working in the field knows who is a warmista, skeptic, or denier. The warmistas, generally speaking, populate the U.N.'s IPCC (Intergovernmental Panel on Climate Change) and subscribe to its conclusion that most of the temperature increase of the last century is due to carbon-dioxide emissions produced by the use of fossil fuels. At any rate, this is the conclusion of the most recent IPCC report, the fourth in a series, published in 2007. Since I am an Expert Reviewer of IPCC, I've had an opportunity to review part of the 5th Assessment Report, due in 2013. Without revealing deep secrets, I can say that the AR5 uses essentially the same argument and evidence as AR4 -- so let me discuss this "evidence" in some detail.

IPCC-AR4 uses only the *global surface* temperature (GST) record (shown in fig. 9.5 on page 648). It exhibits a rapid rise in 1910-1940, a slight decline in 1940-1975, a sharp "jump" around 1976-77 -- and then a steady increase up to 2000 (except for the temperature "spike" of the 1998 Super-El Niño). No increase is seen after about 2001.

Most everyone seems to agree that this earlier increase (1910-1940) is caused by natural forces whose nature the IPCC does not specify. Clearly, the decline of 1940-1975 does not fit the picture of an increasing level of carbon dioxide, nor do the "jump" and "spike." So the IPCC uses the increase between 1978 and 2000 as evidence for human (anthropogenic) global warming (AGW).

Their argument is somewhat strained, and their evidence is questionable. They claim that their models simulating the temperature history of the 20th century show no warming between 1970 and 2000 -- when they omit the warming effect of the steady, slow CO₂ increase. But once they add the CO₂ increase into the models, they claim good agreement with the reported global surface temperature record. Ergo evidence for AGW.

There are three things wrong with the IPCC argument. It depends very much on detailed and somewhat arbitrary choices of model inputs -- e.g., the properties and effects of atmospheric aerosols, and their temporal and geographic distribution. It also makes arbitrary assumptions about clouds and water vapor, which produce the most important greenhouse forcings. One might therefore say that the IPCC's evidence is nothing more than an exercise in curve-fitting. According to physicist Freeman Dyson, the famous mathematician John von Neumann stated: "Give me four adjustable parameters and I can fit an elephant. Give me one more, and I can make his trunk wiggle."

The second question: can the IPCC fit other climate records of importance besides the reported global surface record? For example, can they fit northern and southern hemisphere temperatures using the *same* assumptions in their models about aerosols, clouds, and water vapor? Can they fit the *atmospheric* temperature record as obtained from satellites, and also from radiosondes carried in weather balloons? The IPCC report does not show such results, and one therefore suspects that their curve-fitting exercise may not work, except with the global surface record.

The third problem may be the most important and likely also the most contested one. But first let me parse the IPCC conclusion, which depends crucially on the reported global surface warming between 1978 and 2000. As stated in their Summary for Policymakers (IPCC-AR4, vol 1, page 10): "Most of the observed increase in global average temperatures since the mid-20th century is very likely due to the observed increase in anthropogenic greenhouse gas concentrations."

But what if there is little to no warming between 1978 and 2000? What if the data from thousands of poorly distributed weather stations do not represent a true global warming? The atmospheric temperature record between 1978 and 2000 (both from satellites and, independently, from radiosondes) doesn't show a warming. Neither does the ocean. And even the so-called proxy record -- from tree rings, ice cores, ocean sediments, corals, stalagmites, etc. -- shows mostly no warming during the same period.

Now let me turn to the deniers. One of their favorite arguments is that the greenhouse effect does not exist at all because it violates the Second Law of Thermodynamics -- i.e., one cannot transfer energy from a cold atmosphere to a warmer surface. It is surprising that this simplistic argument is used by physicists, and even by professors who teach thermodynamics. One can show them data of downwelling infrared radiation from CO₂, water vapor, and clouds, which clearly impinge on the surface. But their minds are closed to any such evidence.

Then there is another group of deniers who accept the existence of the greenhouse effect but argue about the cause and effect of the observed increase of atmospheric carbon dioxide. One subgroup holds that CO₂ levels were much higher in the 19th century, so there really hasn't been a long-term increase from human activities. They even believe in a conspiracy to suppress these facts. Another subgroup accepts that CO₂ levels are increasing in the 20th century but claims that the source is release of dissolved CO₂ from the warming ocean. In other words, they argue that oceans warm first, which *then* causes the CO₂ increase. In fact, such a phenomenon is observed in the ice-core record, where sudden temperature increases precede increases in CO₂. While this fact is a good argument against the story put forth by Al Gore, it does not apply to the 20th century: isotopic and other evidence destroys their case.

Another subgroup simply says that the concentration of atmospheric CO₂ is so small that they can't see how it could possibly change global temperature. But laboratory data show that CO₂ absorbs IR radiation very strongly. Another subgroup says that *natural* annual additions to atmospheric CO₂ are many times greater than any human source; they ignore the natural sinks that have kept CO₂ reasonably constant before humans started burning fossil fuels. Finally, there are the claims that major volcanic eruptions produce the equivalent of many years of human emission from fossil-fuel burning. To which I reply: OK, but show me a step increase in measured atmospheric CO₂ related to a volcanic eruption.

I have concluded that we can accomplish very little with convinced warmistas and probably even less with true deniers. So we just make our measurements, perfect our theories, publish our work, and hope that in time the truth will out.

- "The data doesn't matter. We're not basing our recommendations on the data. We're basing them on the climate models." -Prof. Chris Folland, Hadley Centre for Climate Prediction and Research
- "The models are convenient fictions that provide something very useful." -Dr David Frame, Climate modeler, Oxford University
- "It doesn't matter what is true, it only matters what people believe is true." -Paul Watson, Co-founder of Greenpeace
- "Unless we announce disasters no one will listen." -Sir John Houghton, First chairman of the IPCC
- "No matter if the science of global warming is all phony ... climate change provides the greatest opportunity to bring about justice and equality in the world." -Christine Stewart, former Canadian Minister of the Environment

2. Letter to The Guardian

By Fred Singer, SEPP, Feb 28, 2012

Article reference: <http://www.guardian.co.uk/environment/2012/feb/21/heartland-institute-leak-climate-attack?intcmp=122#history-link-box>

Sir

It can certainly understand why Bob Ward, who is policy and communications director at the **Grantham Research Institute** at LSE, promotes climate alarmism (The Guardian, Feb 21, 2012). After all, the spectre of future climate catastrophes, backed by dubious science, keeps money flowing to Grantham. But I cannot condone his attacks on the Heartland Institute and on the NIPCC (Nongovernmental International Panel on Climate Change) for trying to correct such IPCC science. Science debate should be encouraged.

**I agree with Mr Ward that Dr. Peter Gleick, who acquired private internal Heartland documents by impersonating a board member, is a “water scientist;” not a climate scientist.

Clearly, it was not a “*leak*” but information gotten by fraud. Seems to me that not so long ago Scotland Yard investigated an analogous case involving *News of the World*. Gleick has committed a crime and may well do prison time for what Ward calls “*alleged*” deception. Good Lord! Gleick has already confessed and pleaded guilty.

** Contrary to Bob Ward and his science friends at Grantham, opposition to CO2 control is founded on sound science; it logically leads to opposition to taxpayer-subsidized, uneconomic, and unreliable solar and wind energy, and to all the financial gimmicks of the Kyoto Protocol.

**Heartland did not “*sponsor*” NIPCC. I founded NIPCC in 2007 to provide a platform for scientists skeptical of the UN-IPCC reports -- and turned to the Heartland Institute to publish the report: HI neither writes nor controls the content. As a good publisher, however, Heartland promotes the sale and distribution of NIPCC reports through advertising and through its six (so far) International Climate Change Conferences.

The purpose of our NIPCC reports is to first examine critically IPCC’s evidence for anthropogenic global warming (AGW) and then present evidence that shows natural forces controlling climate change, not emissions of CO2 from the use of fossil fuels. You can access the 2008, 2009, and 2011 reports at no cost at www.NIPCCreport.org and judge for yourself.

**Mr Ward seems to object to Heartland’s plans to present school children with a balanced picture of climate science. I recall that just 10 years ago Mr Justice Burton ruled that British school children should not be exposed to the unbalanced, one-sided global-warming propaganda of Al Gore, which contained at least 9 errors of fact. Ward apparently favors indoctrination, as advocated by [the US National Academy of Sciences](#), whose report begins with the completely false statement: "The global scientific and policy community now *unequivocally* accepts that human activities cause global climate change" [emphasis added].

**Mr Ward uses an inappropriate time-worn tobacco analogy and dredges up the smear book “Merchants of Doubt” by “science historian” Naomi Oreskes. She is neither a scientist nor a competent historian. Pls see www.marshall.org/pdf/materials/894.pdf and judge for yourself. See also http://www.americanthinker.com/2011/06/science_and_smear_merchants.html

Full disclosure: A few years ago, I had the pleasure of helping the UK Centre for Policy Studies produce a scientific response to a Royal Society pamphlet by Mr Ward

3. EPA Air Rules Head to Court

Range of Industries Challenges Mandates as Too Expensive; U.S. Agency Cites Strong Evidence to Support Moves

By Brent Kendall, WSJ, Feb 27, 2012

http://online.wsj.com/article/SB10001424052970204778604577243843528214790.html?mod=ITP_pageone_1

Republicans on the campaign trail have long bashed President Barack Obama's environmental regulations. This week the battle moves to the courtroom, where several industries and GOP lawmakers are trying to overturn the administration's rules for reducing greenhouse gases.

Industry groups, including those representing chemical, energy, farming and mining interests, have brought several challenges to the Environmental Protection Agency's first-ever rules limiting carbon-dioxide emissions.

Industry groups will challenge an EPA finding on greenhouse gases. Above, a coal-fired power plant near Springfield, Ill., is shown last year.

In the lead case, the plaintiffs are challenging the EPA's finding that such greenhouse gases endanger public health and welfare. That finding formed the basis for agency rules that imposed greenhouse-gas-emissions standards on cars beginning with the 2012 model year and set initial rules on permits for power plants and factories.

Beginning Tuesday, the U.S. Court of Appeals for the District of Columbia Circuit will hear two days of arguments on that case and three others involving challenges to those rules. The court often is considered the second most influential in the U.S. after the Supreme Court.

"The entire U.S. effort to limit greenhouse gases hangs in the balance, because it is abundantly clear that nothing is going to happen in Congress for the foreseeable future," said Frank O'Donnell, head of the environmental group Clean Air Watch.

The challengers, which also include individual companies including Alpha Natural Resources Inc. and Peabody Energy Co., say the EPA rules give the agency the power to affect energy production in the U.S. They also say the case has broader implications because the EPA could use its greenhouse-gas findings as a basis to regulate other parts of the economy.

The EPA regulations followed a landmark Supreme Court ruling in 2007 that authorized the agency to regulate greenhouse-gas emissions under the Clean Air Act.

The agency says industries are trying to recycle arguments already rejected by the Supreme Court. The plaintiffs argue that the EPA's rules aren't based on hard data and would carry huge costs while doing little to affect climate change.

In a landmark 5-4 ruling in 2007, the Supreme Court authorized the EPA to regulate greenhouse-gas emissions under the Clean Air Act, and the agency followed in December 2009 by finding that greenhouse gases endanger public health.

"EPA will claim the ability and perhaps even the obligation to regulate everything from lawn mowers to airplanes," said Eric Groten of Vinson & Elkins LLP, one of the lawyers representing the challengers.

The EPA rules are "assuredly the most burdensome, costly, precedent-setting and far-reaching set of regulations ever adopted" by the agency, the industry plaintiffs said in a court brief.

The challengers will have to meet a high legal burden to knock out the EPA regulations because the agency's actions are entitled to deference under the Clean Air Act. The plaintiffs would have to show that the EPA acted in an arbitrary or capricious manner or exceeded its legal authority.

The agency has said in court briefs and statements that it has strong evidence to back up its finding that greenhouse-gas emissions were likely responsible for most global warming over the past half-century, and that climate change poses a range of threats to humans and the environment. It says the regulations will achieve important reductions in emissions, and it says it has "carefully considered the legal precedents and basis for all of its [greenhouse gas] actions."

The EPA has backing from states including California, New York and Massachusetts. But perhaps its most noteworthy supporter is one of the industries being regulated, the car industry. Car makers said in a court brief that the EPA's rules on tailpipe emissions are "an important step forward" and would alleviate the burden the industry would otherwise face from a patchwork of state and federal standards.

The challengers include some Republican members of Congress and states including Texas and Virginia. Texas Gov. Rick Perry and Virginia Attorney General Ken Cuccinelli, both Republicans, have been vocal skeptics of global-warming science. Republican lawmakers in Congress have proposed bills to postpone or permanently bar the EPA greenhouse-gas rules, but the measures have stalled in the Democrat-controlled Senate.

The EPA already is moving to expand its rules on greenhouse-gas emissions. The agency is writing new standards for power plants and for cars starting in model year 2017.

The challengers have a tiered strategy. In their best scenario, the D.C. appeals court would reject the EPA's fundamental finding that greenhouse gases endanger the public, and nullify all the rules based on it.

Failing that, the plaintiffs hope to knock out as many of the specific rules as possible. For example, if the court were to strike down the tailpipe rules for cars, the EPA would lose the underpinning for its greenhouse-gas regulations on industrial facilities.

Environmentalists, however, said the challengers aren't likely to succeed on their core arguments because the agency based its rules on a voluminous scientific record.

"Endangerment is a science-based decision," said David Doniger of the Natural Resources Defense Council, a former EPA official during the Clinton administration. The EPA's findings "rest on a multilevel pyramid of peer-reviewed work."

The appeals court is the first federal court to consider the issue because challenges to agency rule-making go straight to the appellate level. The court is expected to issue decisions in coming months.

A wild card for both sides is the EPA's decision to phase in restrictions for power plants and other emitters.

To avoid burdening small business, the agency, using what it describes as "permissible discretion," would subject only the largest industrial facilities to the rules at first.

If the court disagrees with the EPA's approach, thousands of small farms, restaurants and other businesses could be forced to comply, which might lead Congress to consider changes to the law.

An EPA loss on any part of the cases could be a problem for the agency because the partisan split in Congress means it is difficult to pass technical fixes to the law, said Michael Gerrard, director of the Center for Climate Change Law at Columbia Law School.

4. Protecting Endangered Farmers

A tale of modern California.

Editorial, WSJ, Feb 29, 2012

http://online.wsj.com/article/SB10001424052970203918304577239472081683362.html?mod=ITP_opinion_2

Rick Santorum may have had a point the other day when he said that some environmentalists care more about animals than people. Take the water restrictions the federal government has imposed on California farmers to protect the three-inch delta smelt.

Environmentalists have long complained that the San Joaquin-Sacramento River Delta's pumps, which send water to Central Valley farmers and southern California residents, trap and kill fish. In 2006 the Natural Resources Defense Council sued the U.S. Fish and Wildlife Service for issuing a biological opinion that supported pumping more water south because the agency didn't analyze how the pumping might affect the smelt. A federal court ordered the agency to be more mindful of the smelt.

So the agency demanded that water regulators reduce pumping. The National Marine Fisheries Services joined the fun by recommending that regulators restrict pumping to protect salmon, sturgeon and steelhead too. These opinions have superceded the water contracts of farmers and resulted in 3.4 million acre-feet of fresh water flowing into San Francisco Bay each year—enough to irrigate over a million acres of land.

More than 10,000 farm jobs have been lost as a result, and regional unemployment stands at about 15%. Environmentalists blame the water shortages on drought, but even in wet years farmers aren't getting the water they're due.

The kicker is that the biggest threat to the smelt might be other fish. The National Academy of Sciences noted in a 2010 report that factors other than the water pumps appear to be contributing to the smelt's decline, namely nonnative predatory fish and pollution from wastewater treatment plants. Environmentalists still blame the pumps since they want to shrink the state's corporate agribusinesses, which produce more than half of America's fruits and vegetables. Maybe farmers should petition the Interior Department for protection against predatory environmentalists.

At any rate, even the same federal court now thinks the feds have gone too far. In a lawsuit brought by the water districts against the Fish and Wildlife Service in 2010, the court scored the agency for not considering "reasonable and prudent alternatives" that minimized the impact on humans and for attempting to "mislead and to deceive the Court into accepting what is not only not the best science, it's not science."

The court ordered the agency to revise its biological opinion, but the Natural Resources Defense Council has appealed. Meanwhile, regulators have told farmers to expect only 30% of their contractual water allowance this year. Good grief.

GOP Congressman Devin Nunes of Fresno is trying to restore some certainty to farmers and sanity in the water wars. He's introduced legislation that would cap the amount of water that annually flows into the Bay at 800,000 acre-feet per year, which is what Congress agreed to in 1992 before environmentalists started suing.

The House is expected to pass his bill Wednesday, but its prospects in the Senate are less sanguine. California's Democratic Senators Dianne Feinstein and Barbara Boxer have dismissed it as "overkill" and called for "consensus-based solutions that respect the interests of all stakeholders."

Funny, that's what the environmentalist groups are saying too. Trouble is they seem to think that the most important stakeholders are the fish.

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