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How Will We Know if 2010 Was the Warmest Year on Record?

Different Groups' Methods Yield the Same Finding: Warming Surface Temperatures

By Tom Yulsman

ClimateCentral.org, December 21, 2010

Earlier this month, NASA's Goddard Institute for Space Studies (GISS) announced that November was the warmest such month in its record books – and that 2010 overall may well turn out to be the warmest year ever.

Now, the National Climatic Data Center (NCDC), part of the National Oceanic and Atmospheric Administration (NOAA), has published the results of its own calculations, showing that November was the second warmest, not the first.

Such conflicts in global temperature rankings aren't terribly unusual. In fact, NASA-GISS and NOAA-NCDC rank 2005 as the warmest year on record. But a third group, a collaboration of the U.K. Met Office's Hadley Center and the Climatic Research Unit known as "HadCRUT," gives the title to 1998. (When December hits the record books, it's possible that 2010 will be crowned warmest year by all three.)

Each of the three groups calculates temperatures at the surface of the land and sea. But two other groups, one at the University of Alabama and the other at Remote Sensing Systems (a private company), use microwave sensors on satellites to estimate the temperature of the lowest part of the atmosphere.

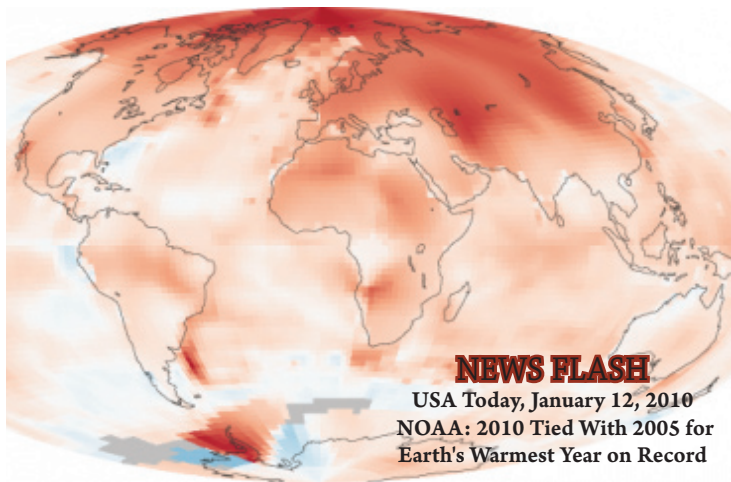
And guess what? Their findings differ a bit from each other and from those of the other groups as well.

What's going on here? And do these discrepancies cast doubt on the conclusion that the world is warming?

Scientific Groups Use Different Techniques

What's going on is quite simple, scientists say: normal science. The groups come up with somewhat different results because each one approaches the complex task of determining global temperature trends in a different way.

Perhaps it's not surprising that the two satellite records tend to differ from the others – because they use a completely different technology and analytical method. Their approach tends to exaggerate the impact of ocean-atmosphere phenomena like El Niño (which causes warming) and volcanic eruptions (which cause cooling). But it may be less obvious why the three groups



Graphic from NASA Earth Observatory
Map of global average temperature anomalies from 2000-2009, showing the most rapid warming in the Arctic and a small portion of Antarctica.

that use much the same basic surface temperature data still diverge in their findings.

"Each group tries to do the best job possible," says Richard Reynolds, a scientist with NOAA, now semi-retired, who helped refine that agency's approach. "Different decisions on the data processing cause the final numbers to differ. However, the differences are very useful to help define the uncertainty in the results."

Despite those uncertainties, a consistent picture has emerged: Since 1970, each decade has been warmer than the one before – and 2000 to 2010 has been the warmest one on record.

Of course, the subject of global temperature trends has become intensely politicized. This has been especially true in the aftermath of the controversy surrounding the unauthorized release of hundreds of email messages between some climate scientists, including Phil Jones, director of the Climatic Research Unit (CRU).

To many climate change skeptics, the emails suggested that Jones and his colleagues at the CRU deliberately manipulated data to concoct a global warming trend and also stonewalled critics, preventing them from accessing CRU data.

Since then, an independent review, headed by Sir Muir Russell, found that while CRU scientists failed to show the appropriate degree of openness, the accusations of fabrication, dishonesty and lack of rigor were groundless. Other reviews also found accusations of data-rigging to be groundless. And there is now a move afoot to make surface temperature data much more easily accessible.

Even so, some public doubt remains about assessments of global temperature trends. A Yale University survey found, for example, that 38 percent of Americans still believe there is significant disagreement among scientists over whether global warming is occurring.

Gavin Schmidt, a scientist with the NASA-GISS team, argues that even though they differ somewhat, the independent assessments of Earth's temperature trends "are exactly what is needed to reassure people. The differences reflect real uncertainties," he says, "but the similarity in the bottom line, despite variations in approach, should increase credibility in the overall warming trend."

Calculating Global Surface Temperature

To understand why different answers to the same question can be perfectly normal from a scientific perspective – and how they all actually add up to the same overall trend – it helps to know how the different groups go about their work.

Each month, the groups use overlapping sets of data to determine global temperature anomalies, meaning the degree to which temperatures around the globe have departed from a long-term average. The data consist of temperature measurements from thousands of measuring stations on land as well as measurements from ships and buoys at sea. Satellite measurements of the sea surface temperature are also added to the mix in some of the analyses.

The groups produce graphs showing how the Earth's temperature has changed over the course of years and decades. They also prepare maps depicting the geographic pattern of temperature anomalies across the globe for a given month, season or year.

To get a clearer idea of just what a temperature anomaly is, imagine taking your own temperature with an oral thermometer and determining that you are running a fever of 101.6°F. Since "normal" is considered 98.6°F, your "temperature anomaly" is plus 3°F.

Similarly, when researchers calculate a temperature anomaly for the Earth, they need a base

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Photo by Amina Tariq

The valley of Chitral has always looked to the glaciers of Tirich Mir for water. Rising above 25,000 feet, Tirich Mir is the highest mountain in the Hindu Kush range.

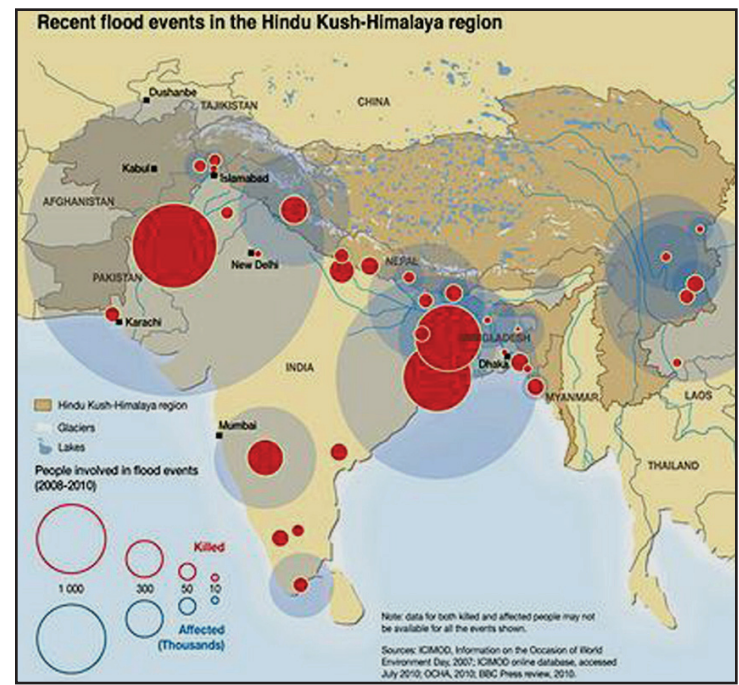
Norway Helps Himalayas Deal with Droughts, Melting Glaciers, Floods

CANCUN, Mexico, December 7, 2010 (ENS) — Climate change is causing mass loss of glaciers in high mountains worldwide. Within a few decades, melting glaciers could leave arid areas such as Central Asia and parts of the Andes even drier as the ice melts into water and flows downhill, causing disastrous floods in the lowlands, finds a new report by the UN Environment Programme presented today at the UN climate talks in Cancun.

Compiled by UNEP's Polar Research Centre GRID-Arendal and experts from research centers in Asia, Europe, Latin America and North America, the report says the larger glaciers may take centuries to disappear but many low-lying, smaller glaciers, which are often crucial water sources in dry lands, are melting much faster.

Glacial melt will change the lives of millions as over half of the world's population lives in watersheds of major rivers originating in mountains with glaciers and snow.

Glaciers in Argentina and Chile, followed by those in Alaska and its coastal mountain ranges, have been losing mass faster and for longer than glaciers in other parts of the world, finds the report, "High Mountain Glaciers and Climate Change: Challenges to Human



Map courtesy UNEP Grid Arendal

The red circles indicate floods from 2008-2010 in the Hindu Kush region and downstream.

Livelihoods and Adaptation."

The third fastest rate of loss is among glaciers in the northwest United States and southwest Canada.

Melting more slowly are glaciers in the high mountains of Asia, including the Hindu Kush region of the Himalayas, the Arctic and the Andes.

Europe's glaciers had been growing since the mid-1970s but they began to lose mass around

the year 2000, the report shows.

"These alarming findings on melting glaciers underline the importance of combating climate change globally. It sends a strong message to us as politicians and climate negotiators in Cancun," said Norway's Minister of the Environment and International Development Erik Solheim.

Solheim announced today that Norway will fully fund, with

See **Norway** on page 8

Marine World Heritage Managers' Gathering Celebrates Hawaiian Islands; New World Heritage Site Created



Photo courtesy NOAA

Schools of pennantfish, pyramid and milletseed butterflyfish on a healthy coral reef in the Papahānaumokuākea Marine National Monument.

HONOLULU, Hawaii, December 6, 2010 (ENS) — Managers of the 43 marine sites on UNESCO's World Heritage List met for the first time last week in Honolulu to explore ways of conserving these unique areas jeopardized by industrialization, acidification and overfishing.

"World Heritage – the very words evoke the global mission to protect the most exceptional and iconic places in the world," said Francesco Bandarin of Italy, UNESCO's assistant director general of culture.

"Out of nearly 6,000 marine protected areas now designated worldwide, only 43 have the highest internationally recognized status for conservation, UNESCO World Heritage Listing," he said.

Marine World Heritage was first recognized by UNESCO in 1981 with the inscription of Australia's Great Barrier Reef Marine Park on the World Heritage List.

Today, 1.4 million square kilometers (nearly 1 million square miles) of ocean – about 0.4 percent of the world's oceans or an area about the size of the Gulf of Mexico – are protected under the World Heritage Convention, including five of the world's 10 largest marine protected areas. World Heritage status can provide governments and conservationists with the lever-

See **Hawaii** on page 8



Photo by Kelli Birkenshaw

Endangered Hawaiian monk seal, gull and albatross on Tern Island, part of the Papahānaumokuākea Marine National Monument.

MAYOR OF MOUNTAIN LAKE PARK, MARYLAND INTRODUCES COMMUNITY RIGHTS ORDINANCE WHICH BANS DRILLING FOR NATURAL GAS

Community Environmental Legal Defense Fund (CELDF)
 January 6, 2011

Tonight, the Mayor of Mountain Lake Park in Garrett County, Maryland introduced Ordinance No. 2011-01 for a First Reading. The bill, titled Mountain Lake Park's Community Protection from Natural Gas Extraction Ordinance, "establishes a Bill of Rights for Mountain Lake Park residents and removes legal powers from gas extraction corporations within the Town."

At the heart of the ordinance is this statement of law: "It shall be unlawful for any corporation to engage in the extraction of natural gas within the Town of Mountain Lake Park, with the exception of gas wells installed and operating at the time of enactment of this Ordinance."

The bill also recognizes the right of the people to "a form of governance where they live which recognizes that all power is inherent in the people, that all free governments are founded on the people's authority and consent and that corporate entities and their directors and managers shall not enjoy special privileges or powers under the law which make community majorities subordinate to them."

"Why are we doing this?" asked Mayor Leo Martin. "Our main duty is to protect the health

and welfare of the town and especially to protect our water."

Also included in the ordinance is a local "bill of rights" that asserts legal protections for the right to water; the rights of natural communities; the right to local self-government and the right of the people to enforce and protect these rights through their municipal government.

A public hearing on the ordinance is scheduled for February 3rd and a vote on passage of the ordinance is scheduled for March 3rd.

The bill was modeled after the ordinance adopted on November 16th last year by the City of Pittsburgh, Pennsylvania and drafted by the Community Environmental Legal Defense Fund. "If Pittsburgh can do it, we can do it," said the Mayor and he indicated that other Maryland municipalities should take a similar stand.

Energy corporations are setting up shop in communities in Maryland, West Virginia, Pennsylvania, Ohio and New York with plans to drill for natural gas in the Marcellus Shale formation. Corporate "land men" have bus-

ily signed-up property owners to contracts allowing wells to be erected. The prospect of paved-over green spaces, nights lit like airport runways, round-the-clock sounds of loud machinery, broken and pitted roads from the high volume truck traffic, the threat of toxic trespass by a cocktail of patented chemicals and escaping methane into the ground water, has alarmed neighbors and lease-holders alike and they've begun to organize in opposition to the proposed drilling.

The gas extraction technique known as "fracking" has been cited as a threat to surface and ground water throughout the region and has been blamed for fatal explosions, the contamination of drinking water, local streams, the air and soil. Collateral damage includes lost property value, ingestion of toxins by livestock, drying up of mortgage loans for prospective home buyers and threatened loss of organic certification for farmers in the affected communities.

Ben Price, Projects Director for the Community Environmental Legal Defense Fund,

**"Why are we doing this? Our main duty is to protect the health and welfare of the town, and especially to protect our water."
 Mayor Leo Martin**



Photo courtesy ProPublica

Gas drilling equipment is changing the face of neighborhoods and forests to sites that look like heavy-duty industrial facilities because that's exactly what they are. People across the country are working hard to protect their families, homes, towns and water. ProPublica's Abrahm Lustgarten has been covering this issue for years, as has OE.

applauded the Mayor for taking a stand on behalf of community rights. "The State says Maryland residents don't have the right to decide whether or not they get fracked and that only the corporate-lobbied members of the legislature have the wisdom to decide how much harm should be legalized through state-issued

permits. We don't have a gas drilling problem. We have a democracy problem. Its symptoms are the State's refusal to recognize the right to local, community self-government and the issuance of permits to drilling corporations against the consent of the governed."

Contact Ben Price at 717-254-3233 or benprice@celdf.org. CELDF in Chambersburg, PA has been working with people since 1995 to assert their fundamental rights to democratic local self-governance and to enact laws which end rights-denying corporate action aided and abetted by state and federal governments.

GAS-DRILLING BRIEFS

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| <p>Some Appointees to Oil and Gas Commission are Industry Execs, Lobbyists</p> <p>By Marie C. Baca ProPublica, December 13, 2010</p> <p>Joseph Pettey is the owner of Pettey Oilfield Services, Inc. and the 2003 West Virginia Oil and Gas Festival Man of the Year. Thomas E. Stewart is a third-generation driller who lobbies the government on behalf of energy companies. Both sit on the Interstate Oil and Gas Compact Commission, which is increasingly positioning itself as an authority on drilling-related issues like hydraulic fracturing. The 38-state commission was created in 1935 to promote the efficient harvesting of oil and gas...</p> | <p>PA Allows Dumping of Tainted Waters from Gas Boom</p> <p>By David B. Caruso, AP Daily News, Huntingdon, January 4, 2011</p> <p>The natural gas boom gripping parts of the U.S. has a nasty by-product: wastewater so salty and so polluted with metals like barium and strontium, most states require drillers to get rid of the stuff by injecting it down shafts thousands of feet deep.</p> <p>Not in Pennsylvania, one of the states at the center of the gas rush. There, the liquid that gushes from gas wells is only partially treated for substances that could be environmentally harmful, then dumped into rivers and streams from which people get their drinking water</p> | <p>Settlement in Dimock Leave Residents Distraught, Cabot Pleased</p> <p>Responsible Drilling Alliance December 20, 2010 email</p> <p>It has been a long and grueling nightmare for the 19 Dimock Township, Pennsylvania families whose well water was contaminated by Cabot Oil and Gas Corporation's faulty gas wells. With the final settlement in place, Dimock residents feel like they've been given the short end of the stick, while Cabot representatives are satisfied. No surprise, as Cabot saved nearly \$8 million over the original proposal that would have run a new water line to Dimock at Cabot's expense.</p> | <p>Dimock Residents See "Dirty Tricks" in Cabot Document</p> <p>By Laura Legere The Citizen'sVoice.com, December 17, 2010</p> <p>Legal releases delivered Thursday by the gas company deemed responsible for methane contamination in Dimock Township water wells have some township residents accusing the driller of using "dirty, dirty tricks" to try to free itself of a lawsuit pending in federal court.</p> <p>Early on Thursday morning, attorneys for Cabot Oil and Gas Corp. delivered documents to 19 Dimock families who will split \$4.1 million as part of a settlement announced earlier between the Texas-based driller and the state DEP</p> |
|  | <p>Three-quarters of Drilling Waste Haulers Cited, 207 Trucks Placed Out of Service</p> <p>Submitted by Janet Burgan Equinunk, Pennsylvania</p> <p>HARRISBURG, Pennsylvania — The Pennsylvania State Police and the DEP issued citations to 1,066 of the more than 1,400 trucks the agencies inspected late last month as part of the latest enforcement operation focusing on commercial vehicles hauling waste water from Marcellus Shale natural gas drilling. Known as "Operation FracNET," the inspections were conducted October 25-27.</p> <p>Two-hundred-seven trucks were placed out of service because of safety concerns. Fifty-two drivers were also removed from service</p> | <p>Weitz & Luxenberg Addresses Natural Gas Drilling and Storage Concerns</p> <p>NEW YORK, New York (December 13, 2010) — New York-based law firm, Weitz & Luxenberg, P.C. has been invited by a number of Clearville, Pennsylvania residents to address the adverse effects of unconventional natural gas drilling and storage in their community. The firm hosted an informational meeting on December 18th to listen to the concerns of the community, share information and discuss legal options.</p> <p>Weitz & Luxenberg continues to be concerned by the reports it receives from residents in many states, including Pennsylvania, about air and water pollution, property damage and the industrialization of their communities</p> | <p>Why Oil Firms Eye Bucolic France</p> <p>By Anita Elash Christian Science Monitor, December 20, 2010</p> <p>The rolling hills to the east of Paris are known for their cash crops. Large quantities of vegetables and grain, champagne and brie have been produced here for centuries Oil industry estimates claim that there are between 50 billion and 200 billion barrels of oil trapped in shale rock more than a mile below the surface in an 87,000-square-mile geological formation known as the Paris Basin.</p> <p>Now, in a first for Europe, oil companies are bringing technology from the United States, which fueled the natural-gas boom in the U.S. over the past decade, to try to extract it</p> |
| <p>New York Governor Calls Timeout on Fracking for Environmental Review</p> <p>ALBANY, New York (ENS, December 13, 2010) — On Saturday, New York Governor David Paterson made New York the first state to place a moratorium on natural gas drilling that uses hydraulic fracturing, or fracking, to release the gas trapped in shale rock. Responding to public concern that fracturing chemicals pumped underground to crack rock seams and increase gas production can contaminate drinking water, the governor issued an Executive Order directing the Department of Environmental Conservation to conduct a comprehensive environmental review of fracking in the Marcellus Shale. The ban lasts until at least July 1, 2011.</p> <p>"We in government must always focus on protecting the well-being of those whom we represent and serve but we also have an obligation to look to the future and protect the long-term interests for our state and its residents," Governor Paterson said. "Therefore, I am proud to issue this Executive Order, which will guarantee that before any high-volume, horizontal hydraulic fracturing is permitted, the Department of Environmental Conservation will complete its studies and certify that such operations are safe."</p> <p>One concern is the release of underground, naturally-occurring radioactive material through the drilling fluids and equipment. The hydraulic fracturing process also uses large quantities of surface water Environmental and public health groups said the moratorium makes New York the first state to insist on protecting the health and safety of its citizens and drinking water</p> | <p>PA Official Defends Rules on Gas Drilling Waste</p> <p>By David B. Caruso, AP Daily News, Huntingdon, January 5, 2011</p> <p>Pennsylvania's top environmental enforcement official said Tuesday that he is confident that wastewater discharged into rivers and streams by the booming natural gas industry hasn't degraded the state's drinking water.</p> <p>At least 3.6 million barrels of the ultra-salty, chemically-tainted wastewater produced by gas drilling operations were discharged into state waterways in the 12-month period that ended June 30, according to records reviewed by The Associated Press (AP)</p> <p>An AP review of state records found that the state couldn't account for the disposal method for 1.28 million barrels of drilling wastewater, about a fifth of its total, because of incomplete record keeping</p> <p>It also found that in 2009 and part of 2010, about 44,000 barrels of drilling waste produced by the energy company Cabot Oil & Gas were improperly sent to a treatment facility in Hatfield Township, a Philadelphia suburb, despite regulations intended to keep the liquids out of the watershed. The liquids were then discharged through the town sewage plant into the Neshaminy Creek, which flows through Bucks and Montgomery counties on its way to the Delaware River. Customers in 17 municipalities get treated drinking water from that creek</p> | <p>Property Owners Along Pipeline May Be Spared Eminent Domain Fight</p> <p>Responsible Drilling Alliance (RDA) December 6, 2010 email</p> <p>An administrative law judge has recommended that Laser Northeast Gathering Company (a gas pipeline company seeking to operate in northeast Pennsylvania) be denied a Certificate of Public Convenience. The Certificate would have granted the company eminent domain powers, allowing the company to force landowners to sell rights-of-way for pipelines through their property.</p> <p>This is the first time a company building gathering lines (which take gas from wells to larger transmission lines) has sought public utility status in the development of the region's Marcellus Shale deposit. The pipeline would be the first part of an extensive system linking potentially hundreds of gas wells in Susquehanna County, PA to the interstate Millennium Pipeline in Broome County, New York. The company's request comes as the region grapples with an explosive rate of gas drilling and an outbreak of industrial accidents and pollution related to rushed and irresponsible development.</p> <p>Earthjustice, (a non-profit/legal/environmental organization that has been very supportive of RDA's efforts) and attorney Scott J. Ruben represented a concerned resident who has protested the application, to ensure that the company did not get eminent domain power, unless it came with protections for public safety, health and the environment. The Pennsylvania Public Utility Commission will make a final decision on Laser Northeast's application early next year</p> | <p>Experts Challenge Safety of Exploratory Wells, Vertical Drilling</p> <p>By Marie C. Baca ProPublica, December 13, 2010</p> <p>For more than two years, the natural gas drilling debate has focused primarily on the use of hydraulic fracturing in horizontal wells. But expert testimony submitted for a government hearing next month challenges long-held assumptions about the safety of deep vertical drilling and exploratory wells, which operate in many states with limited regulatory oversight. The administrative hearing was to be held by the Delaware River Basin Commission, a federal agency that regulates a variety of water and land activities in PA, NY, NJ and Del....</p> <p>At issue is the commission's June 2010 determination that companies that drill exploratory wells — wells that are drilled to test theories about where gas might be found — must obtain the agency's approval before drilling within its jurisdiction, and whether or not 11 exploratory wells in Pennsylvania that have already been approved should be exempt from the regulation.</p> <p>The commission rarely holds hearings and the progress of this one is being followed closely by industry and environmental advocates because of its implications for the drilling boom in the gas-rich Marcellus Shale rock formation, which underlies much of the basin.</p> <p>The commission's decision to regulate exploratory wells is being challenged by the Northern Wayne County Property-Owners' Alliance, with drilling companies Hess Corp. and Newfield Exploration Co. joining as interested parties</p> |

International Dark-Sky Association



City Light Pollution Affects Air Pollution and Global Warming

International Dark-Sky Association newsletter
December 15, 2010

Excess light at night can contribute to air pollution, according to a study by scientists at the National Oceanic and Atmospheric Administration (NOAA) and the Cooperative Institute for Research in Environmental Sciences (CIRES) at the University of Colorado. Findings presented at the American Geophysical Union in San Francisco on Monday indicate that uplight from outdoor lighting that contributes to sky glow over cities also interferes with chemical reactions that naturally clean the air during nighttime hours.

Every night, chemicals from vehicle exhaust and other human-created sources are broken down and prevented from becoming smog, ozone or other irritants by a form of nitrogen oxide called the nitrate radical. Sunlight destroys the naturally-occurring nitrate radical, so this process occurs only in hours of darkness.

Measurements taken over Los Angeles by aircraft show that light pollution from cities is suppressing the radical. Though the

lights are 10,000 [times] dimmer than the Sun, the study's first results indicate that city lights can slow down the nighttime cleansing by up to 7% and they can increase the starting chemicals for ozone pollution the next day by up to 5%.

As many cities are close to their limits of allowable ozone levels, this news is expected to generate immediate interest in light pollution reduction as a way to improve air quality among city, state and federal bodies, including the Environmental Protection Agency.

"[This effect] is more important up in the air than it is directly on the ground so if you manage to keep the light pointing downward and not reflected back up into sky, into the higher parts of the air, then you would certainly have a much smaller effect of this," NOAA investigator Harald Stark told BBC News.

International Dark-Sky Association (IDA) Executive Director Bob Parks is hopeful that results of this study will encourage cities to adopt environmentally-responsible, dark-sky lighting practices that include using fully-shielded fixtures, minimum lighting levels and lighting only

when necessary. "The impending transition to LED outdoor lighting will also allow cities to utilize adaptive lighting controls to dim or turn off lights when not needed. Not only will this vastly reduce energy consumption, based on this new research, it could also improve air quality. This reinforces IDA's long term goal to reduce total lumens in the environment," says Parks.

Starting in 2008, IDA has held yearly educational briefings for both houses of U.S. Congress to raise federal awareness of light pollution. After the 2008 event, 11 members of Congress signed a letter to EPA Administrator Johnson [Jackson] requesting support for research and education on the environmental, health and safety effects of artificial light at night.

On October 9, 2008 EPA was petitioned to review light pollution to monitor and reduce atmospheric discoloration of the night sky under the Clean Air Act. The EPA has made no formal response to the petition [to date].

Information on light pollution and IDA is available at <http://www.darksky.org/page/about-ida>.

U.S. Supreme Court to Rule in Key Greenhouse Gas Lawsuit

WASHINGTON, D.C., December 7, 2010 (ENS) — The U.S. Supreme Court announced Monday that it will hear a definitive greenhouse gas lawsuit on whether federal law allows states and private parties to sue utilities for contributing to global warming.

In *American Electric Power v. Connecticut*, a power company asks the court to rule on enforcement of emissions caps, seeking to overturn a ruling by a lower court, the U.S. Court of Appeals for the Second Circuit.

American Electric Power is joined in the lawsuit by Duke Energy, Southern Company, Xcel Energy and the Tennessee Valley Authority, a nonprofit public utility owned by the federal government.

The high court will rule on whether states and private parties may seek emissions caps on utilities for their alleged contribution to global climate change.

The justices will also decide whether a cause of action to cap carbon dioxide emissions can be implied under federal common law.

Finally, the justices will decide whether claims seeking to cap carbon dioxide emissions based on a court's weighing of the potential risks of climate change against the socioeconomic utility of defendants' conduct would be governed by "judicially discoverable and manageable standards" or could be resolved without "initial policy determination[s]" of a kind clearly for nonjudicial discretion.

Justice Sonia Sotomayor recused herself from the Supreme Court's decision to hear the case because she participated in the Second Circuit ruling before joining the Supreme Court earlier this year. Her absence could mean a split 4-4 ruling, which would leave the lower court decision in effect.

Alice Kaswan, a professor at the University of San Francisco School of Law, explains that this case arose when Connecticut, along with several other states and public interest organizations, brought a public nuisance action against the five largest U.S. electric utility companies. The plaintiffs sought injunctive relief in the form of emissions limits on the utilities' facilities.

"In 2005, the district court held that applying public nuisance law to the problem of climate change presented a nonjusticiable political question and dismissed the case. In 2009, the Second Circuit reversed, reopening the courthouse door to climate nuisance cases," Kaswan explains, writing on the Center for Progressive Reform blog.

This case is timely because the U.S. EPA is about to regulate greenhouse gases under the Clean Air Act's Prevention of Significant Deterioration, PSD, program this January, a move that Republicans and industry groups have been trying to block.

"The question is whether regulating stationary sources under the PSD program amounts to the type of 'comprehensive' regulation that would displace the common law in this context," Kaswan says.

But, she explains, the PSD regulation imposes federal emission control requirements only on new and modified sources of emissions, not on existing sources, unless those sources are mod-



Photo by Cathy Haglund

The John E. Amos coal-fired power plant in West Virginia is owned and operated by Appalachian Power, a subsidiary of American Electric Power.



Photo courtesy TVA

Shown here emitting greenhouse gases, the TVA's coal-burning Paradise power plant is on the Green River in western Kentucky.

ified.

American Electric Power v. Connecticut, by contrast, targets existing stationary sources of greenhouse gases.

The Obama administration intervened in support of allowing the Supreme Court to hear this case. "The administration claims that the EPA has gotten busy implementing the Clean Air Act with respect to greenhouse gas emissions and that allowing federal common law nuisance claims to proceed would interfere with the regulatory initiative," explains Douglas Kysar, a professor at Yale Law School and a member scholar at the Center for Progressive Reform.

President Barack Obama and U.S. EPA Administrator Lisa Jackson have repeatedly said they want limits on greenhouse gas emissions to be legislated by Congress. Although the House of Representatives passed a greenhouse gas cap-and-trade bill, the American Clean Energy and Security Act of 2009, the Senate has failed to pass similar legislation. With the balance of power shifting Republican after the mid-term elections in November, the likelihood of such a bill making it through Congress in the next two years is nil.

The states of Indiana, Arkansas, Hawaii, Kansas, Kentucky, Nebraska, North Dakota, Ohio, Pennsylvania, South Carolina, Utah and Wyoming joined in asking the Supreme Court to rule in this case.

The states argue that the theory of liability advanced in this case has no limiting principle. "It would permit federal courts to impose CO₂ emission limits on any entity in the country and one might reasonably expect that the major economic actors of each state, not to mention state government entities themselves, would be on a list of potential defendants. What is more, this lawsuit threatens substantial

impact on state environmental regulatory schemes," the states say in their brief to the high court.

The states maintain that if the matter is allowed to proceed in the district court, "It will embroil the federal judiciary in one of the most high profile and contentious political debates of our time."

"Reasonable people disagree on many levels over the extent to which greenhouse gas emissions, and especially CO₂ emissions, should be regulated. Given that every industry, and indeed every living mammal, constantly emits CO₂, such emissions cannot simply be banned outright, no matter what the harm to the environment," the states argue. "Someone has to make a policy determination as to how much is acceptable and how much is too much."

That "someone" is the eight Supreme Court justices who will rule on *American Electric Power v. Connecticut*.

The U.S. Chamber of Commerce also requested a Supreme Court hearing because of the "staggering economic implications" of the case.

The Chamber contends that, unless the Supreme Court reverses the lower court decision, a "host of new suits and, inevitably, inconsistent outcomes" will impose "punishing costs on businesses and consumers" that will become worse as this "emerging category of litigation sweeps the nation's courts."

The Chamber argues that, "A meaningful and politically legitimate response to climate change must be national, indeed global, in nature and must be fashioned by the politically accountable branches. The Chamber thus has a vital interest in ensuring that courts do not usurp the roles of the executive and legislative branches by entertaining this type of lawsuit."

For Homeland Security...



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The Bonfire Coalition agrees:

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contact: bonne_fire@yahoo.com

"If you see something, say something!" is Homeland Security's slogan. They don't mean the so-called Solar Radiation Management program...but we do!



Find Green Candidates

www.NewMenu.org

Find Greens running for office near you.

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www.DancingTreesWeb.com



Cartoon by Kahlil Bendib, OtherWords.org

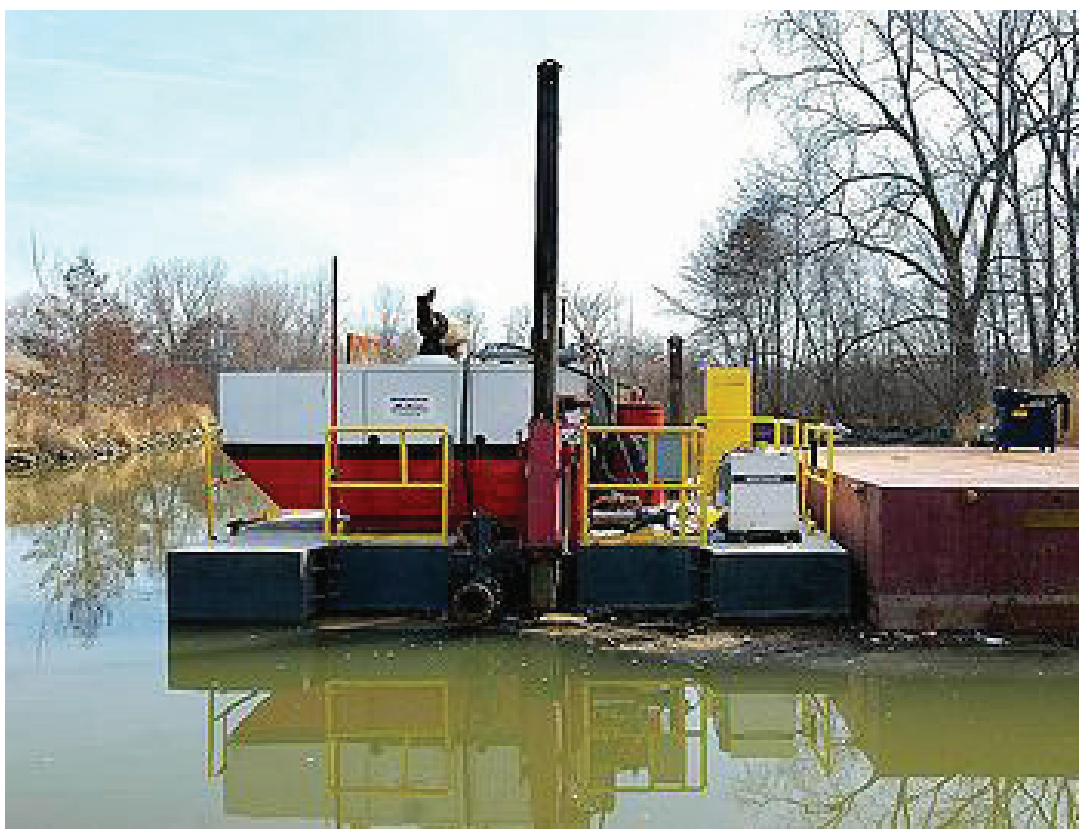


Photo by Lake Scientist

Dredge on the Ottawa River, June 2010. More than 7,500 pounds of polychlorinated biphenyls (PCBs), 80,000 pounds of polycyclic aromatic hydrocarbons and more than a million pounds of heavy metals were removed from the river during the dredging cleanup operation.

Ottawa River Contaminated Sediment Removal Complete

TOLEDO, Ohio, December 13, 2010 (ENS) — Federal and Ohio State agencies, the City of Toledo and a consortium of corporations jointly announced today that they have finished removal of contaminated sediment from the Ottawa River that runs through Toledo.

The cleanup involved dredging 242,000 cubic yards of contaminated sediment from a five-and-a-half mile section of the river.

The U.S. Environmental Protection Agency (EPA) provided \$23.5 million for the project through the Great Lakes Legacy Act, a federal program targeted at cleaning up contaminated sediment in Great Lakes Areas of Concern.

Another \$23.5 million was provided by the Ottawa River Group, a consortium of private businesses in partnership with the City of Toledo, including Allied Waste North America Inc., E.I. du Pont de Nemours and Co., GenCorp Inc., Honeywell Inc., Illinois Tool Works Inc., United Technologies Corp., Varta Microbattery Inc., The Mosaic Co., Perstorp Polys Inc. and Grand Trunk Western Railroad.

The City of Toledo provided space in the municipal landfill as its cost share.

"This cleanup brings us closer to the day when it is safe to swim in the Ottawa River and

all its fish are safe to eat," said Cameron Davis, senior advisor to EPA Administrator Lisa Jackson.

"Previous Great Lakes Legacy Act cleanups have improved local economies as well as the environment and this is an important step forward for the region in efforts to restore the Great Lakes," Davis said.

Arising in southeast Michigan, the Ottawa River flows for 15 miles through northwest Ohio. It drains an area on the Ohio-Michigan border along the eastern and northern fringes of the city of Toledo and flows into Lake Erie's Maumee Bay.

The contaminated sediment resulted from runoff and discharge from industrial sites, landfills and sewers and from the river's form and structure, since it has a slow flow.

More than 7,500 pounds of polychlorinated biphenyls (PCBs), 80,000 pounds of polycyclic aromatic hydrocarbons and more than a million pounds of heavy metals were removed from the river during the dredging cleanup operation.

This sediment contamination was a key contributor to the "Do Not Eat" fish advisory and the "No Contact" water advisory that are currently in place for the Ottawa River.

"The Ottawa River contamination was a side effect of the region's great industrial legacy,"

said Chris Korleski, director of the Ohio EPA. "Today, we are creating a new legacy for future generations — a clean river that has potential to be a real showcase and a great example of what can be accomplished when government and private business(es) work as partners."

On May 1st, crews began to remove the sediment using hydraulic cutterhead dredges. These large suction systems pulled in the sediment and river water and pumped them to the Hoffman Road Landfill for processing and disposal.

The water was collected and treated to meet discharge standards before it was returned to the river.

About 15,700 cubic yards of sediment with the highest concentrations of PCBs were treated separately and sent to a landfill in Michigan that is licensed to accept this type of waste.

Charlie Wooley, deputy regional director, U.S. Fish and Wildlife Service, Midwest Region, said, "This project is an important step in providing the people of Ohio healthy fish to catch, a clean environment to hunt in and improved bird watching experiences."

The completion of this project marks further progress in the cleanup of the Maumee River Area of Concern, a key priority under the Great Lakes Restoration Initiative.

Cancer-Causing Chromium-6 Widespread in U.S. Drinking Water

WASHINGTON, D.C., December 23, 2010 (ENS) — Tap water from 31 of 35 U.S. cities tested contains hexavalent chromium, or chromium-6, according to laboratory tests commissioned by the nonprofit Environmental Working Group (EWG) and revealed in a report Saturday. The highest levels were detected in Norman, Oklahoma; Honolulu, Hawaii and Riverside, California.

The cancer-causing chemical is best known to the general public from the 2000 movie "Erin Brockovich," starring Julia Roberts.

The film dramatized the plight of the cancer-stricken residents of Hinkley, California who, in 1996, won a \$333 million settlement from Pacific Gas and Electric Co. for contaminating their tap water with hexavalent chromium.

The Environmental Working Group (EWG) says, "Despite mounting evidence of the contaminant's toxic effects, including a U.S. Environmental Protection Agency draft toxicological review that classifies it as 'likely to be carcinogenic to humans' when consumed in drinking water, the agency has not set a legal limit for chromium-6 in tap water and does not require water utilities to test for it."

Hexavalent chromium is discharged from steel and pulp mills as well as metal-plating and leather-tanning facilities. It can pollute water through erosion of soil and

rock, the EWG report shows.

The National Toxicology Program has found that hexavalent chromium in drinking water shows clear evidence of carcinogenic activity in laboratory animals, increasing the risk of otherwise rare gastrointestinal tumors.

In response to this study and others, California officials last year proposed setting a public health goal for chromium-6 in drinking water of 0.06 parts per billion.* This is the first step toward establishing a statewide enforceable limit.

Levels of the carcinogen in 25 cities tested by Environmental Working Group were higher than California's proposed public health goal. Tap water from Norman, Oklahoma, with a population of 90,000, contained more than 200 times California's proposed safe limit. Norman is home to the University of Oklahoma.



Photo by Drita Buzuku

It appears to be a simple glass of water, but... it just might contain poisonous chemicals.

"At least 74 million Americans in 42 states drink chromium-polluted tap water, much of it likely in the form of cancer-causing hexavalent chromium," the EWG says in its report. "Given the scope of exposure and the magnitude of the potential risk, the EPA should move expeditiously to establish a legal limit for the chemical in tap water and require water utilities to test for it."

EPA Administrator Lisa Jackson met with 10 U.S. senators Wednesday to brief them on the issue of chromium-6 in drinking water as reported by the EWG. Jackson described EPA's current

See **WATER** page 14

Reader Survey

Dear Friends,

I am fortunate to have a friend who is going to help me do some marketing in Nevada and he encouraged me to develop a "Reader Survey" to help me learn how to improve this newspaper. Along these lines, I will be looking for new advertisers and new subscribers so, if you know of anyone who might be interested in *The Order of the Earth*, will you please tell them about us? We now have PayPal online and I just arranged for my first paid ad to appear in *Prison World* magazine, which had a huge circulation.

Many years ago, I met a man who ran a "Street" newspaper, which means that it was sold by homeless or impoverished people on the streets of New York City. I always bought one when I was travelling through the City by mass transit. I was wondering if I should do that — stand on a street corner and hawk my papers — but out here in rural Pennsylvania, I don't think that would work very well. The way I remember his operation was that the sellers got to keep most of the proceeds or at least the profits. If you know of anyone in a city environment who might be willing to do this, please let me know. Or, similarly, if you know of an organization which works with poor people who might like to sell OE, please tell me about it. I am trying to find ways to increase the circulation and effectiveness of my paper. In 2009 OE took in twice as much money as in 2010. Having said that, here are a few questions that come to mind:

1. What stories/articles have you enjoyed most during the past year? _____
2. What types of articles would you like to see more of? _____
3. What issue do you think is most important in the world today? _____
4. How can we make this paper more effective in reaching people? _____
5. Is there any way we can help you get involved in the issues you care about? _____
6. Do you know of a library, school, university or business which might enjoy receiving a subscription and would you be willing to purchase it for them? _____
7. What other suggestions do you have for helping to make this a better newspaper? (If it's a time-consuming idea, please be willing to help carry it out.) _____

.....

NAME _____
 ADDRESS _____
 EMAIL _____
 PHONE NUMBER _____

*Thank you for taking time to fill this out and mail it back to:
 Iona, 21431 Marlin Circle, Shade Gap, Pennsylvania 17255.*

Research: SW Must Reduce its Water Use

Arizona Daily Star
 December 14, 2010

With Lake Mead falling and the drought showing no sign of abating, it's time for the Southwest to start doing more of less: Do more to cut water use instead of simply chasing new supplies for thirsty cities and farms.

That's the conclusion of several researchers in a special presentation in a national journal on this area's problems and future concerns with water supplies, growth, drought and climate change.

The researchers wrote that the Southwest needs to consider everything from limiting swimming pools to building more rainwater-harvesting and gray-water systems to installing low-flow toilets, shower heads and

washing machines.

Several authors said it's time to look more closely at limiting and managing population growth. That includes the building of more high-density subdivisions instead of current Sun Belt-style developments with large lots containing lots of grass.

One reason the changes are needed is that, regardless of whether global warming makes our drought worse, it is unlikely that this region will ever return to the moist climate of the two decades ending in about 1998, one of the papers said. Another paper, reporting on Phoenix, said that, if the region grows as expected, by 2030 without water-use limits, there's no way to prevent major groundwater depletion no matter what hap-

pens with the weather.

The articles were published this week in the *Proceedings of the National Academy of Sciences*.

"I don't know what will be needed to push water managers and policymakers to take more aggressive and sustainable actions to solve our water problems in the Southwest but something must be done to avoid the coming crisis," said one of the authors, think-tank director Peter Gleick, in an interview. Gleick is president of the Pacific Institute for Studies in Development, Environment and Security in Oakland.

"We're in a car heading for a brick wall and there is little indication that we've even taken our foot off the gas, much less applied the brakes."

I chose...to live so that which came to me as seed goes to the next as blossom and that which came to me as blossom, goes on as fruit.

Dawna Markova

Animals

Concerns Over Eagle Safety Stall Wind Projects



A researcher releases a golden eagle near Central City, Pennsylvania. Researchers are trying to see what, if any, effects wind farms have on the birds' migratory habits. Photo by Melissa Rohm/melissarohm-photography.com.

By The Associated Press
December 13, 2010, excerpt

Fears that whirling wind turbines could slaughter protected golden eagles have halted progress on a key piece of the federal government's push to increase renewable energy on public lands, stalling plans for billions of dollars in wind farm developments.

The U.S. Bureau of Land Management (BLM) suspended issuing wind permits on public land indefinitely this summer after wildlife officials invoked a decades-old law for protecting eagles, according to interviews and documents obtained by The Associated Press.

The restriction has stymied efforts to "fast-track" approvals for four of the seven most promising wind energy proposals in the nation, including all three in California.

Now, these and other projects appear unlikely to make the year-end deadline to potentially qualify for hundreds of millions of dollars in stimulus funds. If extensions aren't granted in the lame duck session of Congress, the future of many of these plans could be in doubt

The birds are renowned for their flying range, traveling miles to hunt down a jack rabbit. The latest population estimate in 2004 placed the number at about 80,000 in North America. But biologists say the birds have been declining, partly because they were getting killed by wind turbine blades.

While the eagles are found across the country, populations are larger in the West. California's three priority projects alone are within 10 miles of 21 golden eagle territories, the closest 1,000 feet away

MEANWHILE...

Record Number of Eagles Counted at Sanctuary

KEMPTON, Pennsylvania (AP in *Daily News*, Huntingdon) — Bird-watchers at a ridgetop preserve (Hawk Mountain) in eastern Pennsylvania counted a record number of migrating bald eagles this fall, another sign of the species' remarkable comeback following a century of decline.



Photo by Tom Ashby

An Australian recreational fisherman holds his catch of southern bluefin tuna.

Bluefin Tuna Boycott Popular; Australia Protects Southern Bluefin

SAN FRANCISCO, California, December 9, 2010 (ENS) — Just 10 days after the Center for Biological Diversity called for a boycott of bluefin tuna in sushi restaurants, the advocacy group said today more than 20,000 people from all 50 states and 91 countries have signed a pledge not to eat bluefin or patronize restaurants where it is sold.

Bluefin tuna are being pushed to extinction by decades of overfishing. Market prices soaring to \$177,000 for a single bluefin earlier this year motivate illegal and unreported fishing and a large black market was documented in a report published in October by the International Consortium of Investigative Journalists.

The western Atlantic population of bluefin has dropped by more than 80 percent since 1970, while the eastern Atlantic population dropped by 74 percent between 1957 and 2007.

Last spring, western Atlantic bluefin tuna, which breed in the Gulf of Mexico, were harmed by the BP oil spill at the height of their spawning season. The Center cites scientific estimates that the spill killed more than 20 percent of juvenile western Atlantic bluefin tuna and negative effects of the oil spill are expected to persist into the future.

"Even prior to this catastrophic spill, the Atlantic bluefin tuna was in severe decline and on a path toward extinction," the Center warns.

In November, the International Commission for the Conservation of Atlantic Tunas (ICCAT), the intergovernmental agency charged with managing bluefin tuna, failed to cut next year's quotas to the levels recommended by its own scientists for the species' recovery.

Immediately after the ICCAT meeting ended, the Center for Biological Diversity launched its boycott, hoping that restaurant goers would save the unique fish by reducing demand for it.

"By voting with their wallets, consumers are saving bluefin tuna by keeping it off their plates and steering clear of sushi restaurants with the rare fish on their menu," said Catherine Kilduff, a staff attorney at the Center, which in May sought U.S. Endangered Species Act protections for Atlantic bluefin.

The National Marine Fisheries Service is now deciding whether or not to list the Atlantic bluefin tuna as endangered or threatened in response to the Center's petition.

"Eating bluefin tuna is handing out a death sentence to the last remaining survivors of this majestic marine species," said Kilduff.

Bluefin tuna can grow up to 10 feet long and can weigh as much as 1,200 pounds. Unlike almost all other fish, bluefin tuna are warm-blooded and able to regulate their body temperature. Top ocean predators that sometimes hunt cooperatively, bluefin tuna can cross the Atlantic in just 60 days.

The boycott also calls on chefs and restaurant owners to sign a pledge not to buy or serve bluefin. Five restaurants in the United States that advertised bluefin tuna on their online menus in November — Nobu in New York City, Las Vegas and Los Angeles; Sushitaro in Washington, D.C. and Kabuto Sushi in San Francisco — received hand-delivered requests to stop serving bluefin.

As of today, none of the five have stopped serving bluefin, although Kilduff says Sushitaro no longer specifies online that its "fatty tuna" is bluefin.

Consumers can tell if the tuna on a menu is bluefin by asking restaurant personnel or noting the price. "If it's expensive," says Kilduff, "it could be bluefin."

The southern bluefin tuna, which swims in Australian waters, was promised protection by the Australian government in November.

After many thwarted attempts, Humane Society International announced success in having southern bluefin tuna formally protected under Australia's national environment laws as a threatened species.

The southern bluefin tuna population has been reduced to 4.6 percent of its unfished biomass.

The Humane Society submitted a nomination for the southern bluefin to be protected under the Commonwealth Environment Protection and Biodiversity Conservation Act in December 2006 and, on November 24th, Environment Minister Tony Burke announced that protection will be granted.

Even so, southern bluefin tuna has not been listed in the category the Humane Society says it qualifies for — Critically Endangered — because that would put a stop to the commercial exploitation and export of the fish from Australia.

Instead, Minister Burke has opted for the lesser Conservation Dependent listing which is the

lowest protection available for a threatened species and which allows for continued fishing and exports.

"This listing will not prevent or restrict fishing or create additional regulatory burden on the industry," said Burke. "Fishing can continue under existing arrangements but it will now be a legal requirement that the species remain under a plan of management that includes actions to stop its decline and support its long-term recovery."

"Australia's tuna fishers are already working towards sustainable management; such a plan is already in place," the minister said.

"Because of its highly migratory nature, a global management strategy is the only way to help the recovery of southern bluefin tuna," said Burke. "A ban on southern bluefin tuna fishing in Australia would not necessarily result in a reduction of global catch, as the global catch limit may not change."

"A Conservation Dependent listing allows for continued southern bluefin tuna fishing but gives the federal environment minister stronger opportunities to intervene in management to ensure recovery," said the Humane Society's Alexia Wellbelove. "The minister must ensure southern bluefin tuna does not continue to suffer 'business as usual' and that management actions are in place to achieve its recovery."

"Scientists have predicted that only a zero catch gives the southern bluefin tuna population a decent chance of recovering to 20 percent of its unfished biomass in 20 years," said Wellbelove. "The minister now needs to insist southern bluefin tuna gets this respite from fishing in Australian waters and that Australia works to achieve this internationally at the Commission for the Conservation of Southern Bluefin Tuna."

The International Union for the Conservation of Nature (IUCN) classifies the western Atlantic bluefin tuna population and the southern bluefin tuna as Critically Endangered with an extremely high risk of extinction in the wild in the immediate future.

The IUCN classifies eastern Atlantic bluefin tuna as Endangered, meaning that it faces a very high risk of extinction in the wild in the near future.

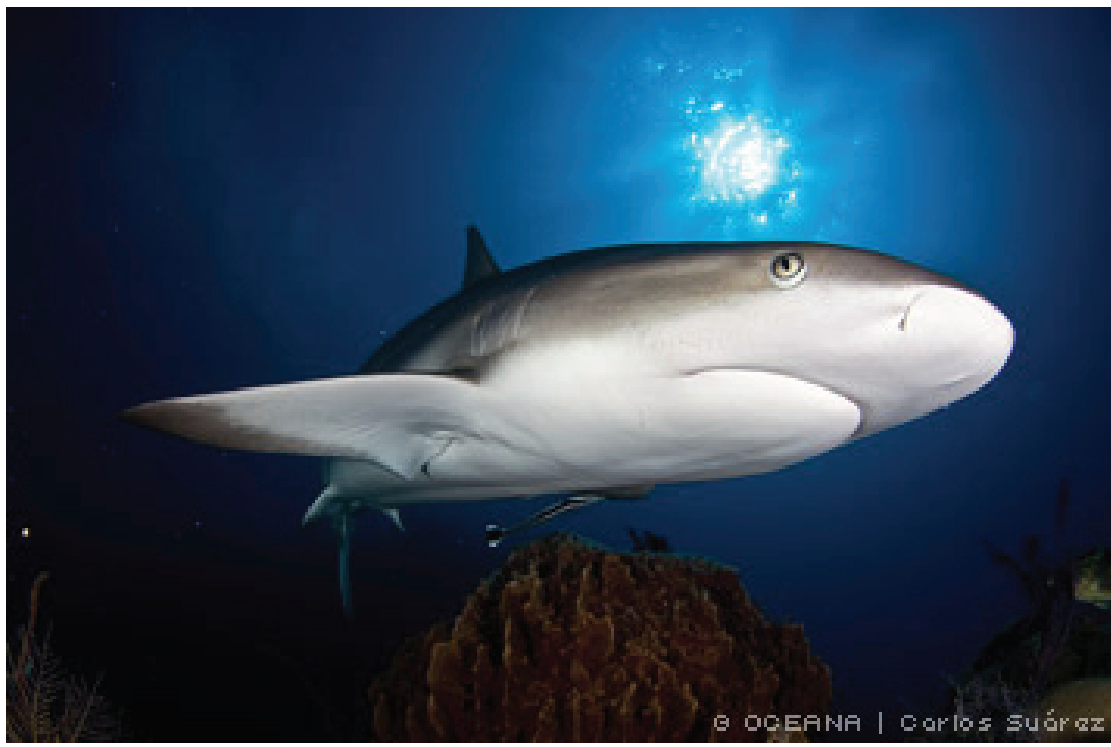


Photo from Oceana Web site

Sharks are being slaughtered just so people can make soup out of their fins. Recent public outcries are bringing a halt to this practice.

U.S. Senate Passes Shark Conservation Act

Dear Iona,

After years of hard work, I'm happy to announce that the Senate just passed the Shark Conservation Act, which will end shark finning in U.S. waters.

Thank you so much — this could not have happened without you! [Ed.: OE participated in this email action.]

Shark-fin soup is an expensive dish that drives the shark-fin trade but the role sharks play in marine ecosystems is

priceless. By improving shark conservation, the U.S. is improving overall ocean health.

Each year, commercial fishing kills more than 100 million sharks worldwide — including tens of millions for just their fins. The requirement to land sharks whole, as well as a new prohibition on the transfer of fins at sea, will help end shark-finning by U.S. fishing vessels.

The House still has to pass the Shark Conservation Act before it

becomes law but I didn't want to wait to share this exciting news — your love of the oceans and sharks has helped protect these magnificent creatures for generations to come.

Thank you once again and be sure to spread the good news!

For the oceans,
Beth Lowell
Federal Policy Director
Oceana

Northern Mariana Islands Protect Sharks From Fin Trade

NEW YORK, New York, December 13, 2010, WORLD-WIRE — WildAid (www.wildaid.org) and Shark Savers (www.sharksavers.org), two international conservation organizations working to protect sharks from over-fishing, applaud the Commonwealth of the Northern Mariana Islands (CNMI) Senate's vote to outlaw the shark-fin trade. The bill was originally introduced by Representative Diego Tenorio Benavente into the CNMI House of Representatives, where it was approved on November 17th.

The landmark bill recognizes sharks to be "an essential element of the ocean's ecosystem"

because of their role as apex predator of the sea. It seeks to stop the severe over-fishing of sharks that occurs worldwide in order to feed the status-driven demand for shark-fin soup.

The bill makes it "unlawful for any person to possess, sell, offer for sale, trade or distribute shark fins in the CNMI." The bill is similar in that regard to one recently passed in the State of Hawaii. If signed into law, the CNMI will join another Pacific island nation, Palau, which has also taken a bold stand to protect its nation's sharks.

"The Senate's move today takes the CNMI one step closer to stopping the shark-fin trade,

Sharks are especially vulnerable to overfishing because they reproduce slowly. It is the combination of overfishing and inability to overcome it via reproduction that has resulted in alarming shark population declines in recent decades.

perhaps the most wasteful and destructive practice affecting ocean life," said Peter Knights of WildAid. "It's heartening to see the CNMI taking the lead among Pacific island nations to adopt tough anti-shark-fin-trade laws to protect their nation's wildlife

and resources from such destruction."

The bill goes on to explain that sharks are especially vulnerable to overfishing because they reproduce slowly. It is the combination of overfishing and inability to overcome it via reproduction

that has resulted in alarming shark population declines in recent decades.

"Increasingly, the countries most dependent on the ocean are rallying to the defense of sharks, perhaps the ocean's most important inhabitants," said Michael Skoletsky of Shark Savers. "The CNMI's intelligent decision to preserve sea life will benefit future generations and attract lucrative underwater tourism rather than allowing foreign fisheries and shark-fin cartels to plunder its resources."

Sharks, as apex predators, play a vital role in regulating the health of important commercial fish species, population balance

and coral reefs. Despite this importance, up to 73 million sharks are killed annually for their fins, with some shark populations declining by as much as 90%. Stopping the shark-fin trade is seen as a critical means to stop the depletion of shark populations.

The bill still needs to be reconciled with the slightly different version approved by the House before being signed into law by Governor Benigno R. Fitial.

Contact: Peter Knights at knights@wildaid.org or Michael Skoletsky, Shark Savers, at michaelskoletsky@sharksavers.org.

Views

Earth Psalms: Song 98

By Angela Magara ©
www.angelamagara.com

A new song is rising, rising from a frozen waste.
Marvels and mysteries walk under the sun.
Magic swirls colors across the noonday sky.
Now we all remember.
Truth is recalled again and again.
Across Earth joy is shouting.
Chanting life into life.
Sing, play harp, shout rejoicing.
Take instruments under the sky.
Join sea swell and river's roar.
Rejoice and melt this age of Ice
With singing.

Earth Psalms is full of familiar words spoken in a new voice based on the Biblical Psalms but with the heart of Earth-based spirituality.
Printed with the author's permission.



Photo by Iona

Surely an artist designed this beautiful water garden in Perugia, Italy. It adds a sense of loveliness and tranquility to the center of the city.

Art as an Engine of Change

By Adele Stan
AlterNet, December 19, 2010

When the going gets tough, the tough make art. And in America today, there's some tough going ahead. That's why AlterNet is renewing its commitment to covering the arts and culture. Sign up for our new culture newsletter at AlterNet.org.

As we progressives seek to tell the story of America and the change we want to make and as we look to present progressive ideas to the wider population of Americans, it is through the arts that we are likely to make the broadest impact.

You can't hum a piece of legislation but a song can process complex ideas in eight bars. A film or television show can either reflect our experience back on us or distort it – either way – to an effect more powerful than a pundit's quip can deliver. A spoken-word piece, be it rap or poetry, can name a dilemma in

a stanza – the same dilemma a wonk takes pages to illustrate. There's often more truth told in a work of fiction than there is on the nightly news.

In most successful movements for social change, artists are in the vanguard. In many cases it is their soundtrack, their visual sensibilities, their literature that comes to define a particular movement in the popular imagination. Think of the civil rights movement and the role played by music. Recall the anti-war movement of the 1960s, propelled by rock-'n'-roll and psychedelic art. Remember the controversy stirred by artist Judy Chicago's art installation, *The Dinner Party*, which told the story of the women's movement with provocative imagery.

But the work of artist-activists is just one half of the equation. The other entails the ways in which popular culture absorbs and reflects the tensions of our age and represents us as Ameri-

cans. Those works demand the attention of the critical progressive mind.

Going forward, you will find more media criticism, such as Don Hazen's look at bad behavior by men of "Mad Men," the popular AMC series. You'll also find analyses of culture industries, like *Culture* editor Julianne Escobedo Shepherd's take-down of monopolies in the music business.

And we want to hear from you. What music are you listening to? What films are you watching? What fiction are you reading? Is there a video about to go viral that you think we should know about? Please let us know, using AlterNet's "site feedback" button.

As we head into a new year, let's renew our spirits with an injection of creativity. As Emma Goldman told us, a revolution without dancing is not worth having.

Adele Stan is AlterNet's Washington Bureau Chief.



Photo by Iona

Hundreds of bikes are parked outside of the Hospital University of Pennsylvania in Philadelphia.

One Less Car: Bike Maryland Event February 22

The Maryland Bicycle Symposium will take place Tuesday, February 22, 2011 from 9:00 a.m. to 4:00 p.m. in Annapolis. Hosted by Bike Maryland, the Symposium will bring together advocates, industry leaders, on- and off-road recreational cyclists and commuters, elected officials and staff from the tri-state region.

Location: 11 Bladen Street, Annapolis, Maryland; East Miller Office Building in the President's Conference Center.

You won't want to miss this event! The purpose of the Symposium is to educate and empower advocates and attendees, identify common issues in our local communities, set priorities for improving the future of bicycling in Maryland and demonstrate the economic impact of our state's bicycling community.

Who should attend?

If you are interested in seeing better bicycling in Maryland, this Symposium is for you! Attendees will include people with interests in job creation, tourism growth, transportation planning and design, mountain bike trails and

land preservation, investments in bicycling, health and wellness, and the environment.

Keynote Speaker Announced

Andy Clarke, the President of the League of American Bicyclists (LAB), is the keynote speaker at the Bicycle Symposium. Clarke was appointed president of LAB in 2004 after successfully leading efforts to create, interpret and implement the various transportation programs that are available to improve conditions for bicycling and walking as the League's State and Local Advocacy Director.

Before joining the League, Clarke provided technical assistance to the highly regarded Pedestrian and Bicycle Information Center on site at the Federal Highway Administration. In addition to his strong policy background, Clarke has managed a range of bicycle and pedestrian planning projects at the state and metropolitan levels and has worked extensively with state and local advocacy groups.

Clarke is a 1984 graduate of the University of Birmingham, United Kingdom with an undergraduate degree in law. He is on the board of directors for America Bikes and a member of the Association of Pedestrian and Bicycling Professionals.

Bike Maryland and LAB partner to promote bicycling for fun, fitness and transportation. We are working together to create a Bike Friendly Maryland! Clarke will present the Bike Friendly Maryland Campaign.

This is a spectacular opportunity to learn how to make your business, university and community increasingly bike friendly.

The agenda is sure to be chock-full of renowned presenters and educational topics. Exhibits will be open all day. The Symposium agenda is posted at www.bikemd.org.

Contact: One Less Car, 1209 North Calvert Street. Baltimore, Maryland 21202, www.bikemd.org.

Nature's Artwork on Iona's Wintery Windshield



New Book - Zapped: Why Your Cell Phone Shouldn't Be Your Alarm Clock and 1,268 Ways to Outsmart the Hazards of Electronic Pollution

by Anne Louise Gittleman (recommended by Sunny War Eagle)

Dedication: "To all the canaries among us who can learn to fly like eagles."

Quote in introduction by Aldous Huxley: "Facts don't cease to exist just because they are ignored."

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Musings

FROM BEHIND THE RAZOR WIRE



Image from Office Publisher

INVITATION TO WONDER *Shadows*

By Elizabeth Ayres
California, Maryland

Don't read this. You'll end up like me, falling Alice-fashion through a rabbit hole into a topsy-turvy world. You'll never be the same again if you manage to escape, which you may not manage at all.

Still here? Well, I warned you. So, okay, I was driving south through Southern Maryland on Route 235. All that flat, black, boring macadam. Those tedious, humdrum stores. I was minding my own business, you understand, neither wishing for this nor hoping for that, not expecting anything except more of what I already had when I saw a scrollwork, a filigree, a lacy marvel of delicate shapes splashed and spangled across the road. Shadows. Cast by the three-o'clock sun beaming behind a strip of skinny, skimpy, barren trees growing forlornly along the curb.

That was the hole and I fell hard. Flagpoles, traffic lights, cars, garbage cans . . . stripped of their detail and pared down to pure outline, they all possessed an exotic and intoxicating beauty. Mesmerized, I could hardly drive myself home but even there I was no longer safe. My same-old-same-old Venetian blinds turned a blank wall into a spectacular gridwork of slanting lines. An unremarkable collection of objects atop my coffee table changed a bland carpet into a fantasy garden.

What did I tell you? See? Now you're stuck, same as me, scoping out the nooks and crannies of your formerly ho-hum existence. Have you noticed? Depending on the angle of the light source, shadows faithfully mimic but hopelessly distort their originals. Thicker, thinner, longer, shorter, awry, askew, tilted. Objects get duplicated every which-a-way on any which-a-thing: a mailbox

on a barn roof, a person climbing a chimney - why, just this morning a tree grew itself right through my window and onto my dining table, bringing a soft breeze with it on trembling leaves.

Shadows are the funhouse surprise hidden in life's serious underbelly but they can have important consequences. Peter Pan risked everything to get his back and its recovery inaugurated the journey to NeverNever Land. Where would we be without Tinker Bell and Captain Hook? Then there's that pesky groundhog, whose amblings make no sense at all; I mean, if the creature sees his shadow, the sun's out and spring should be closer, not further away, but the folks up in Punxsutawney, Pennsylvania have invented some flabberdflap about a Candelmas Day legend, which you can check out for yourself; I don't give it much credence.

A rain shadow is a dry area behind a mountain range. Sound vanishes into an acoustic shadow. The psychologist Carl Jung called the negative parts of ourselves we don't want to admit we have "our shadow." He said real maturity only comes when we take responsibility for those ugly, unwelcome news-flashes from the soul's frontier.

It's still February but when I walked through the woods last week all the multiflora vines sported bright new leaves.

Is that a shadow?

I don't know, Alice, it's just you and me together in this topsy-turvy world.

Elizabeth Ayres, author of *Know the Way and Writing the Wave*, is the founder of the Center for Creative Writing (CreativeWritingCenter.com). For a free excerpt or MP3 download from her new book *Invitation to Wonder: A Journey through the Seasons*, visit InvitationToWonder.com.

I discuss my thoughts with mountains coming into winter robed with clouds and snow, leaving golden leaves behind for the unity and diversity of the long, cold nights and I talk of leaving birth and even things before birth in order to embrace an appreciation for life, and for all changes -- still, the most intangible things are the most wonderful maybe even those after death

By Sandy Chilcote
Newfoundland, Canada

Hello Iona,

(This is from the middle of his letter; I have always admired Mike's ability to get the most out of typewriter ribbons since he is very clever with these things, having worked with printing machines professionally in years past.)

Looks like the recycled ribbon took a turn for the worse here as it's cracking up badly. Sometimes I have to open up the cassette(s) and remove the second-time used ribbon because it has been stretched out at the bottom and not at the top where the typing grease is missing, causing uneven rolls on the take-up roller. It gets jammed up a lot, binding the release arm . . . I just remove the two-timed ribbon and re-start the roll-up processes all over again and it's real good like this letter started out - could not even tell, then it jammed itself and started skipping in advancement and will do like you see now until I pull all the wrinkled (two-timed) ribbon back off the take-up roller!

Another thing started happening now that concerns us both: our mail is no longer confidential or what the Bureau of Prisons (BOP) in Jesup has decided to disregard, special mail commandments to news Media Publishers and Editors. The Code of Federal Regulations CFR, Title 28, states specifically in §540.18 and .19 that mail to a newspaper (media) is confidential and may not be opened OR read by the BOP. Well, last week the investigators ripped into letters to you and Phil (publisher of *The Sovereign* newspaper) and took the stamps I sent you - and did not mail the letters or give them back to me. Both letters were read and I'm sure copied - seized - and they told me I will be charged with fraud, "This is not legal mail."

I have filed over 30 administrative remedies and two U.S. court actions for relief, now these SOB's just tear into and destroy my attempts to get justice . . .

Not a free state now,
Michael Kirkpatrick
Jesup, Georgia

Mike added some quotes:

- ⇒The great things in life aren't things.
- ⇒Life is a rummage sale without returns.
- ⇒When the cookies are passed to you, GET ONE!

Outlawed, Cellphones Are Thriving in Prisons

By Kim Severson and Robbie Brown
New York Times, January 2, 2011, excerpt

ATLANTA — A counterfeiter at a Georgia state prison ticks off the remaining days of his three-year sentence on his Facebook page. He has 91 digital "friends." Like many of his fellow inmates, he plays the online games FarmVille and Street Wars. He does it all on a Samsung smartphone, which he says he bought from a guard. And he used the same phone to help organize a short strike among inmates at several Georgia prisons last month.

Technology is changing life inside prisons across the country at the same rapid-fire pace it is changing life outside. A smartphone hidden under a mattress is the modern-day file inside a cake. "This kind of thing was bound to happen," said Martin F. Horn, a former commissioner of the New York City Department of Corrections, who teaches at the John Jay College of Criminal Justice. "The physical boundaries that we thought protected us no longer work . . ."



Artwork by Malachi Stops, Herlong, California with the following message:

Keep up the excellent work. I'm in full support and am looking forward to the next issue impatiently!
May your day be filled with unexpected pleasures.

21ST CENTURY FREEDOM

BY DEVIN BAKER
BOISE, IDAHO

An unwise woman once said, "Drill baby Drill," But this before BP's historically large petro spill Kill switch faulty on platform of Deep Horizon Now oil is all one is to see on the horizon. Who wants to go swim in a greasy ocean? There's a hole in the ozone but toxins in my suntan lotion. The American Dream is but a fleeting fantasy Unless you get in on the ground floor Of the newest best groundless opportunity But worry not you captains of industry For you own the papers, your story they won't print And lawyers with legal loopholes will cover up mismanagement. Joe Blow only cares about the latest diet Society so submissive, subdued they care not to riot Government oversight? Ha! Their voices came from wallets. American people are left sitting in the stands But oil washes onto the seashores of our land. And it is our blood they shed on foreign sands. Is this really what it means to be a free man? . . .

Prisons Ordered to Clean Up Air

By George Germann
Daily News, Huntingdon, 1/5/11, excerpt

SCI Huntingdon and three other Pennsylvania prisons will improve air quality as the result of a settlement involving the federal Environmental Protection Agency (EPA), the U.S. Department of Justice, Pennsylvania's Department of Corrections and the Department of General Services.

It had been alleged there were federal Clean Air Act violations at prison boiler plants that generate power, heat and produce hot water. According to the EPA, the settlement secures air pollution reductions and additional reporting requirements for SCI Huntingdon, SCI Muncy in Lycoming County, SCI Laurel Highlands in Somerset

County and SCI Rockview in Centre County. The prisons are owned and operated by the Department of General Services and the Department of Corrections.

Under the agreement, the Department of Corrections will pay a civil penalty of \$300,000. "Today's settlement will improve the air quality in four Pennsylvania communities," said Shawn Garvin, EPA Mid-Atlantic regional administrator. "It is important that all sources of air emissions, including prisons, comply with environmental regulations to ensure that the standards are met in nearby communities."

Under the terms of the settlement, each of the four facilities is making changes at its boiler plant to reduce emissions of particulate matter, sulfur dioxide and nitrous oxides. The pollutants can cause respiratory problems, exacerbate cases of childhood asthma and create haze . . .

Crafting Beauty for Women Behind Bars

By Jennifer Golson, excerpt
The Newark Star-Ledger, November 9, 2010

Seated at a round, wooden table in the kitchen of her Trenton home, Vivian Ferguson takes her silver scissors and cuts magazines, catalogues and junk mail into a variety of shapes.

In her hands, the pieces become dancing figures, faces and families the grandmother glues to a rainbow assortment of construction paper, turning them into greeting cards.

It looks like a simple craft but Ferguson, 85, has been doing it for more than two decades, sending tens of thousands of cards to women she likely will never meet: inmates at the Edna Mahan Correctional Facility for Women in Hunterdon County.

The cards are provided for free to the inmates, who send them to friends and loved ones.

Ferguson doesn't think about the crimes the women have committed. "That's none of my business because I'm not supposed to judge," she says . . .

The prison receives three or four of Ferguson's packages a month, with at least 100 and sometimes as many as 200 cards . . .

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Heads-in-the-Sand Action in Cancun Draws Attention to Climate Obstructionists

Email from Tyla Matteson
 Richmond, Virginia

To the right is an amazing photo of an event Sierra Club put together in Cancun.

You can see my husband (Glen Besa) in the front row, wearing the flag of the USA. I am also there, in the second row from the back. We are not happy with many countries who are putting the Earth in peril by not acting quickly to address climate change.

The photo and action we did on the lovely beach in Cancun was shared around the world. Standing next to the poor polar bear is Bill McKibben of 350.org and author of *Eaarth*, an excellent book I highly recommend.

We stayed busy the week we were there and made many acquaintances with people from all over, such as the youth delegates from New Zealand and the top environmental negotiator from Nepal, who also stayed at our hostel located in downtown Cancun, away from the hotel strip.

The final results of the UN conference showed some movement forward – not enough, but better than the feared collapse.

One good summary is Justin Guay's Sierra Club report, which is found on the Sierra Club's Web site notepad "Compass."

Here it is.



Photo from Sierra Club Web site

Bill McKibben is agog as Sierra Club volunteers play the nations of the world who are burying their heads in the sand, despite rising seas and the imminent extinction of the polar bear. The players in the beach theater were a part of the Cancun UN Climate Change Conference delegation.

Copenhagen: It's All About the Money

By Justin Guay

[Musician] Wu-Tang unwittingly summed up one of the central problems preventing international action on climate change with their hit song: Cash Rules Everything Around Me (CREAM). The rap giants whose famous financial advice was to "diversify your bonds, son!" is

well heeded when it comes to the international politics of climate change. Financing is central to any deal that may come out of Copenhagen and, not surprisingly, developed countries like the United States have very different views on the issue compared to their counterparts in the developing world. These views hinge on two fundamental issues: who controls the money and how much of it there is. In short, it's all about CREAM.

For their part, developing countries are demanding that the United Nations Framework Convention on Climate Change (UNFCCC) controls the flow of finance committed to a potential international deal in Copenhagen. They want and need this to happen because without UNFCCC control they have no input into the crucial decisions on how the money is spent.

Their concerns reflect the decades of western-centric develop-

ment aid that has been focused through a few high-powered channels – think: the World Bank and the IMF – that have in many cases enriched western countries and contractors, while leaving developing countries worse off than they were prior – think: *Confessions of an Economic Hit Man*, large scale dams and the displacement of indigenous populations.

Developing country negotiators are not fools; they understand how the West's aid financing works and they are looking to circumvent the damaging ways of the past by increasing their control over future financial flows through the UNFCCC.

On top of concerns over how the money is spent, the actual dollar amount of financing needed for both mitigation and adaptation to climate change weighs heavily over the international negotiations. Estimates vary widely; however, the commonly accepted numbers for mitigation and adaptation together range from \$150 to \$300 billion annually starting in 2020. That is until a host of recent reports challenged those numbers, including a new UN report that finds that developing nations need a "\$600 billion Marshall Plan to tackle climate change with support from rich nations on a scale not seen outside wartime recovery."

The report is a global wake-up call that we have been drastically underestimating the scale of fi-

nancing needed to avert climate crisis. The UN report states that failure to finance low-carbon development in countries like China and India "runs the real danger of locking in dirtier investments for several more decades" – think: the future of our planet and existence as a species. Financing on this level is also not unprecedented – have we already forgotten the Wall Street bailout?

The hope of many in the international community is that a declaration at the G-20 in Pittsburgh later this month will address this crucial issue by pledging specific amounts to an international "green fund" to be included in a Copenhagen deal. Sadly, the likelihood of such a declaration is looking grimmer by the day.

Developed countries like the United States are incredibly reluctant to commit to specific dollar amounts for a host of reasons including the recent financial crisis and stimulus package, as well as mounting domestic concerns about sending money and resources overseas during a recession.

Ultimately, financing is a question of priorities, not political realities. Our skewed priorities have created a rapidly evolving crisis and it is time that the public stands up and demands our politicians act, or pushes them out of the way. Of course that means following the money because, as Wu-tang knows, it's all about CREAM y'all.

One Good Reason for White House to Believe in Environmental Justice: Judy Bonds in the Coalfields

By Jeff Biggers
 AlterNet.org, December 15, 2010

As the White House convenes the first-ever forum on environmental justice today, millions of pounds of explosives detonating across the historic ranges and communities in our nation's first frontier of Appalachia, it might be easy to slip into a state of despair over the future of besieged coalfield residents.

Yet, as we head into another winter of discontent in the coalfields, Judy Bonds, the indefatigable Goldman Prize-winning activist in the Coal River Valley of West Virginia, always gives me a reason to believe in the still small possibility of environmental justice in America.

Failed attempts at improved mine safety legislation last week have been shamelessly matched by the failure of the hand-wringing Obama administration this year to halt reckless mountaintop removal operations that have left parts of Appalachia in ruin.

Mountaintop removal (MTR) coal provides less than eight percent of our nation's coal production and yet it provides one of the most enduring examples of environmental crimes, economic ruin and human rights violations in our times.

Nearly two years ago on a bit-

NEWS FLASH, January 14: Today the U.S. EPA vetoed the largest single mountaintop removal coal mining permit in West Virginia history, the Spruce No. 1 mine.



Judy Bonds: "In southern West Virginia, we live in a war zone. Three-and-a-half million pounds of explosives are being used every day to blow up the mountains, blasting our communities, blasting our homes, poisoning us, trying to intimidate us. I don't mind being poor. I mind being blasted and poisoned. There ARE no jobs on a dead planet."

terly cold day in Washington, DC, Bonds riveted a huddled crowd at the Capital Power Plant by calling on our nation to envision a clean energy future. "I don't mind being poor," she told the crowd. "And I don't mind being made fun of. But I draw the line at being blasted and poisoned." She invoked Frederick Douglass' charge that "change requires thunder and lightning." Judy reminded the crowd: "...You are the thunder. You are the lightning."

I filed my first story on mountaintop removal ten years ago when my family's historic homestead in the Shawnee National Forest in southern Illinois was

strip-mined into oblivion but I will never forget standing at the abyss of a strip-mine in West Virginia in the summer of 1983 with famed labor organizer and poet Don West. Back in the 1960s, West had written:

If we native mountaineers can now determine to organize and save ourselves, save our mountains from the spoilers who tear them down, pollute our streams and leave grotesque areas of ugliness, there is hope... It is time to realize nobody from the outside is ever going to save us from bad conditions unless we make our own stand.

West reminded me that Appa-

lachians have always been on the frontlines of social justice movements that have shaped America's legacy of democracy, especially in moments of despair and seeming hopelessness; that mountaineers turned the tide of the faltering American Revolution at the battle of Kings Mountain in 1780; that Appalachians published the first anti-slavery newspaper in 1819 and inspired the northern abolitionist movement; that mountain people galvanized the labor movements with their fearless battles and trained the shock troops of the Civil Rights movements at the Highlander Folk Center.

A coal miner's daughter and a grandmother, Judy Bonds has added a new chapter to Appalachia's – and our nation's – struggle for environmental justice in the 21st century.

Over the past decade, as co-director of the Coal River Mountain Watch and a tireless campaigner for a just transition to a clean energy future across the country, Judy Bonds has given us a reason to believe that we can save ourselves, save our mountains – that there is hope.

In an interview last year, Bonds called on activists to not give up the fight against mountaintop removal and ramp up a groundswell of pressure to give

politicians the courage to end mining abuses:

This issue will have to be resolved by a groundswell of outrage on behalf of the public and activists, putting grassroots activists on the ground while putting pressure on officials, politicians and media to force change is the immediate key to resolving the issue here. Currently we have proposed two bills: a House bill: (H.R. 1310, the Clean Water Protection Act) and a Senate bill (S. 696, the Appalachia Restoration Act). Both bills will sharply reduce mountaintop removal coal mining and protect clean drinking water for many of our nation's cities. It will also protect the quality of life for Appalachian coalfield residents who face frequent catastrophic flooding and pollution or loss of drinking water as a result of mountaintop removal coal mining. But I honestly believe these bills will not be passed into law unless the politicians have the courage to do so. Mountaintop removal and strip mining is as black and white an issue as it gets. I believe many politicians are looking for the courage to act appropriately, the people just need to put the pressure on them and that will provide the courage needed. So, the silver lining is the people on the ground.

If Judy Bonds, on the frontlines

of mountaintop removal, can see that silver lining, then clean energy activists across the nation have a reason to believe.

To support Coal River Mountain Watch, visit www.crmw.net. Various film documentaries have featured Judy, including *On Coal River and Coal Country*.

Jeff Biggers is the American Book Award-winning author of *Reckoning at Eagle Creek: The Secret Legacy of Coal in the Heartland* (Nation/Basic Books), among other books. Visit his Web site: www.jeffbiggers.com.

Judy Bonds Dies

(Email from Cindy Waugh, January 10, 2010)

Judy Bonds, the environmental activist that rallied the troops against MTR in West Virginia died last week from cancer. Here is her memorial page: www.judy-bondsmemorial.com.

I thought you might be interested in reading and seeing this wonderfully-assembled, multifaceted conglomeration of photos, videos, comments and stories about Judy. The mountains lost an active, fierce and vital Mother Jones-type [woman].



Artwork by David Dees

Phil Schrader, publisher of *The Sovereign* newspaper, sent this image saying: "There was a huge bird kill the other day in Arkansas using these wireless weapons that you can't see or hear. Also, Louisiana has mass bird kill, days after Arkansas." If Americans don't start fighting back, they're going to end up like the birds in the attached picture by the wonderfully infamous David Dees."

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Grassroots Action

ASPCA Assists in Interstate Transfer of 35 Rescued Puppies

ASPCA Alert: November 12, 2010

In mid-October, the ASPCA (American Society for the Prevention of Cruelty to Animals) was contacted about an organization in North Dakota, the Central Dakota Humane Society (CDHS), which had seized 129 dogs from an alleged puppy mill.

The raid had filled the CDHS shelter to capacity, forcing the agency to leave approximately 60 dogs at the mill until more shelter space could be made. According to Sue Buchholz, CDHS shelter director, all the rescued dogs had parasites and were underweight; some were nearly dead of starvation while others had old wounds, ear infections, pregnancies and other health issues.

It was clear that dogs had to be moved out, and quickly – so the ASPCA reached out to their partners to see if there were any organizations in the region willing and able to accept a sizable transfer of rescued dogs.

Colorado's Humane Society of Boulder Valley stepped forward to take 35 canines but did

not have the resources to move them to Colorado so the ASPCA offered the use of their custom-built animal transport vehicle.

On November 5th, the driver, an animal assistant and a group of mostly mixed-breed dogs completed their journey of more than 600 miles and arrived at Boulder Valley. "Almost every dog we received is highly social but also highly fearful," says Connie Howard, Humane Society of Boulder Valley Vice President of Operations.

All 35 dogs were evaluated and placed in the shelter's behavior modification program, where trainers work with them individually at least twice a day. "They are struggling, of course, with tasks such as walking on leashes but overall are making rapid progress and doing really well," reports Howard. Most of the dogs have been made available for adoption and two lucky pups have already gone home with new pet parents.

For more information visit ASPCA.org's Anti-Cruelty section.



Photo courtesy Bruno Manser Fund

Samling bulldozers in the primary jungle near Ba Jawi, an immediate threat to the community and the region's unique biodiversity.

2011 Means New Penalties for Worst Wildlife Violators

Daily News, Huntingdon
January 4, 2010, excerpt

Pennsylvania Game Commission Executive Director Carl G. Roe announced that on January 1st, Pennsylvania officially became the 36th member state of the Interstate Wildlife Violator Compact, under which the worst of convicted wildlife violators will stand to lose their hunting privileges in all states enrolled in the Compact.

"The coming new year will bring a whole new penalty for those who are convicted of some of the worst violations of our state's hunting laws," Roe said. "Pennsylvania will band together with 35 other states in a united front against convicted poachers, who steal from all citizens, most especially, law-abiding hunters... Under the new law, the Game

Commission must report to other Compact states those convicted of the following offenses under Title 34 (Game and Wildlife Code): hunting or furtaking while on revocation; unlawful use of lights to take wildlife; buying and selling game; hunting or furtaking under the influence; shooting at or causing injury to a human; counterfeit, alter or forge license or tag; threatened or endangered species violations; assault/interference or bodily injury to a wildlife conservation officer; illegal taking or possession of big game in closed season and accumulated wildlife violations for which the penalty provided by Title 34 is no less than a summary offense of the fourth degree and the violation is not the only violation in a 24-month period"

Penan Go to Court to Defend Heart of Borneo Rainforests

Bruno Manser Fund
December 21, 2010

Ba Jawi community sues logging group and Sarawak government to protect high-conservation-value rainforest

BA JAWI (Sarawak), Malaysia — Sarawak's Upper Baram region has today lodged a collective action lawsuit against Malaysian timber giant Samling and the state government of Sarawak over 15,000 hectares (37,000 acres) of primary rainforest in order to protect their livelihood from being destroyed by logging.

The case was filed this morning by lead plaintiff Lija Agan, headman of the tiny village of Ba Jawi, and three other plaintiffs who are claiming that the Ba Jawi forests have been used since time immemorial by their ancestors and urgently need to be protected against logging. "About 200 years ago, the ancestors of the plaintiffs were living in and around Ba Jawi, exercising native customary rights over the land in Ba Jawi and its vicinity," the Penan's statement of claim reads. "They hunted and gathered food from the forests and lived on sago (uvut) as their staple

food. The plaintiffs are presently exercising these rights over that same land."

The Penan are claiming that a logging licence held by Samling Plywood, a subsidiary of the Malaysian Samling group of companies, should be rescinded since it was issued by the Sarawak government in an "unlawful, improper, unconstitutional and therefore null and void" manner.

The new case is the fifth native customary-rights case lodged by Eastern Penan communities from Upper Baram since 1998. It has been prepared with assistance from the Bruno Manser Fund and will be represented by the renowned law office of Messrs. Baru Bian in Kuching. The area covered by the Ba Jawi claim is a key region of the Penan Peace Park, a self-administered conservation region in the Heart of Borneo, which was proclaimed a nature reserve by 17 Penan communities in November 2009 and covers twice the size of Singapore. (See January 2010 OE.)

In February 2007, the governments of Malaysia, Indonesia and Brunei signed the tripartite "Heart of Borneo Declaration" in which they committed themselves to protecting the rainforests of central Borneo; however, the declaration has not been followed by much action on the ground. In December 2009, Sarawak's director of forests, Len Talif Salleh, even condemned the Penan Peace Park as an "illegal" project that "tainted Sarawak's image."



Photo courtesy Bruno Manser Fund

Giant tree in Ba Jawi's virgin jungle, a high-conservation value region within the Penan Peace Park.

Bruno Manser Fund, Socinstrasse 37, CH-4051 Basel, Switzerland; www.bmf.ch; info@bmf.ch; telephone 41-61-261-94-74 (Switzerland) or www.penanpeacepark.org.



Photo by Albert Botha, Stornoway Productions
Valerie Stanley, who has written many, many good articles for OE on vegetarianism and animal issues, is shown here with her rescued horse, Judge. We wish her the best in her continuing work on behalf of animals. She will write for us occasionally in the future on similar issues.

WATER continued from page 7

chromium-6 risk assessment, a review the agency started in 2008 in response to new science showing a link between chromium-6 ingestion and cancer. This risk assessment, which would be the first step to updating the drinking water regulations, will be finalized after an independent scientific peer review in 2011.

Jackson told the senators that, based on the draft risk assessment, "EPA will likely revise drinking water regulations to account for this new science." Revisions would only take place after an independent science panel has verified the underlying science, she said.

Within days, the EPA will take action to address chromium-6 in drinking water, first assessing the extent of the problem, then issuing guidance to water system operators on monitoring and sampling programs for chromium-6.

"It is clear that the first step is

to understand the prevalence of this problem," Jackson said. "While the EWG study was informative, it only provided a snapshot in time. EPA will work with local and state officials to get a better picture of exactly how widespread this problem is."

"We will also offer significant technical assistance to the communities cited in the EWG report with the highest levels of chromium-6 to help ensure they quickly develop an effective chromium-6 specific monitoring program," said Jackson.

"Strong science and the law will continue to be the backbone of our decision-making at EPA," said Jackson. "EPA takes this matter seriously and we will continue to do all that we can, using good science and the law, to protect people's health and our environment."

*Zero is the only safe level of exposure for carcinogens.

Helping Your Environment: Downspout Disconnection

Submitted by Mare Cromwell
Baltimore, Maryland

Herring Run Watershed Association, 12/21/10

What is Downspout Disconnection?

Downspout disconnection is the technical term for diverting rainwater from rooftops onto a vegetated surface rather than into the storm sewer system.

In the City of Baltimore and parts of Baltimore County, most of the rain that falls is conveyed directly to local streams via pipes, culverts and storm drains. All water that is not absorbed or otherwise retained where it falls, is called stormwater or urban runoff.

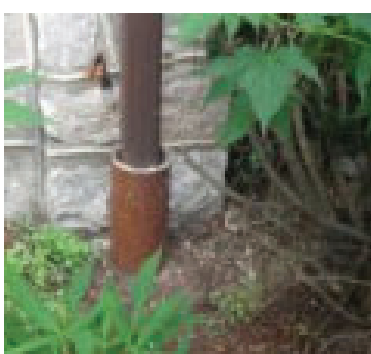
In urban and suburban settings, a majority of precipitation becomes stormwater due to the high percentage of impervious surfaces, which prevent the natural process of water filtration. Impervious surfaces include rooftops, roads, sidewalks and roofs.

Stormwater picks up nutrients, particulates, sediment, debris, pathogens, heavy metals, automobile fluids and toxins, delivering them to the local stream and ultimately to the Chesapeake Bay. By disconnecting downspouts, we will reduce the volume of storm water as well as the pollutant load that negatively impacts our waterways.

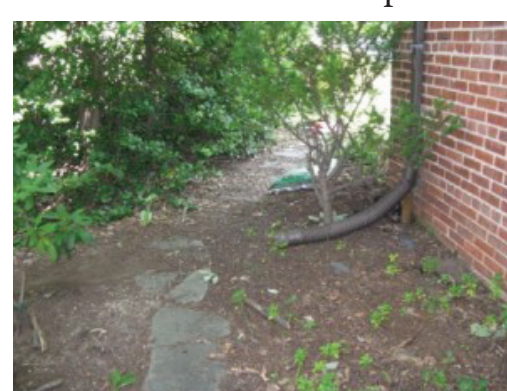
The Difference Between a Connected and a Disconnected Downspout

If your downspout is 'connected,' it conveys water from your roof directly to the road

Connected Downspouts



Disconnected Downspouts



and/or storm sewer pipes. Connected downspouts cause stream bank erosion, stream flooding and water pollution. A 'connected' downspout looks like the pictures on the left above.

If your downspout is 'disconnected,' it conveys rain from your roof onto your yard,

helping to protect the streams. A 'disconnected' downspout looks like the pictures on the right above.

Sign up today to do your part to protect our streams! Contact Dana Puzey at 410-746-4170 or dpuzey@jonesfalls.org.

