

May 8, 2009



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## News:

### Carbon / General

Roundup: Reps Waxman and Markey introduced the American Clean Energy and Security Act (aka ACES, or the "Waxman-Markey bill") in late March. Congressman Waxman originally set a bold timetable for action, which included marking up the bill and moving it out of the House Energy and Commerce Committee, of which he is the Chairman, by the Memorial Day holiday. Markup of the bill was postponed, and Waxman has proposed moving the bill to the full committee and bypassing the subcommittee to keep on track; he is also supposedly considering compromising with Blue Dog Dems to give away allowances rather than auction them, in exchange for Blue Dog support. The overall outlook remains unclear - read on for more...

#### *Dem Centrists Push Pelosi to Shelve Climate Bill*

Democratic centrists are pressing House Speaker Nancy Pelosi to set aside a flagging climate change bill to focus on what they think is a more achievable goal: overhauling the nation's healthcare system.

<http://thehill.com/leading-the-news/dem-centrists-push-pelosi-to-shelve-climate-change-bill-2009-05-06.html>

<http://www.reuters.com/article/GCA-GreenBusiness/idUSTRE5467Q320090507?sp=true>

#### *Waxman Buys Time with Pledge to Produce Climate Bill Next Week*

Rep. Henry Waxman (D-Calif.) bought himself a little bit more time yesterday to produce a consensus on global warming and energy legislation amid a vocal uprising from within his party's moderate ranks to turn the Energy and Commerce Committee's attention over to health care.

<http://www.climateark.org/shared/reader/welcome.aspx?linkid=126876>

#### *Obama Climate Bill Could Anger Greens*

Eager to get a climate change bill out of committee, the White House is telling Democrats it will accept a deal on cap-and-trade legislation that gives away some -- possibly even a large majority -- of the carbon permits to business.

[http://news.yahoo.com/s/ibd/20090507/bs\\_ibd\\_ibd/20090507general01](http://news.yahoo.com/s/ibd/20090507/bs_ibd_ibd/20090507general01)

#### *High Political Stakes for Swing Dems Mulling Cap-and-Trade*

At first glance, the 15 or so moderate Energy and Commerce Committee Democrats who hold the fate of the climate change bill in their hands have little to fear as far as political repercussions in their home state.

Read full article at end of text or by subscription here:

<http://www.eenews.net/EEDaily/2009/05/07/1/>

#### *Waxman Gets an Earful After Proposing Detour*

Rep. Henry Waxman (D-Calif.) tried to quell an uprising yesterday among some moderate Democrats concerned about his admission that a major global warming and energy bill likely will skip a subcommittee vote and go straight before the full Energy and Commerce Committee.

Read full article at end of text or by subscription here:

<http://www.eenews.net/EEDaily/2009/05/07/2/>

#### *Wrangling Threatens Waxman's Cap and Trade Timetable*

Closed-door negotiations are continuing on a US federal cap-and-trade proposal after President Barack Obama urged Congressional Democrats to resolve key differences in the hopes of passing comprehensive climate change legislation this year.

<http://www.carbon-financeonline.com/index.cfm?section=lead&id=12040&action=view&return=home>

#### *World Bank Mulling Funds for Soil Carbon and Poorest Countries*

The World Bank is considering launching new carbon funds to support emissions reduction projects in least-developed countries, and projects related to soil conservation and agriculture.

<http://www.carbon-financeonline.com/index.cfm?section=lead&action=view&id=12019>

#### *Stakeholders Work Toward Forest Sustainability and Renewable Energy Production*

<http://www.eesi.org/update11#7>

#### *Cuts in Greenhouse Gas Emissions Would Save Arctic Ice, Reduce Sea Level Rise*

The threat of global warming can still be greatly diminished if nations cut emissions of heat-trapping greenhouse gases by 70 percent this century, according to a new analysis. While global temperatures would rise, the most dangerous potential aspects of climate change, including massive losses of Arctic sea ice and permafrost and significant sea level rise, could be partially avoided.

<http://www.ucar.edu/news/releases/2009/greenhousecuts.jsp>

#### *Greenhouse Gases Continue to Climb Despite Arctic Slump*

Two of the most important climate change gases increased last year, according to a preliminary analysis for NOAA's annual greenhouse gas index, which tracks data from 60 sites around the world.

<http://www.sciencedaily.com/releases/2009/04/090424195920.htm>

#### *Study Links Wildfires in Sierra to Climate Change*

A warming climate will fuel larger, more frequent wildfires in the Sierra Nevada and other parts of the West, and the fires will contribute to climate change, according to a new study. More than 20 international scientists, in the report published Friday in the journal Science, said fire is not only a consequence of climate change but an important cause.

<http://www.sfgate.com/cgi-bin/article.cgi?f=/n/a/2009/04/24/state/n142301D38.DTL&type=science>

#### *Dust Storms Escalate, Prompting Environmental Fears*

Nestled in the San Juan Mountains at 9,300 feet, and surrounded by 13,000-foot peaks, Silverton, Colo., seems an unlikely place for a dust storm, especially with two feet of snow on the ground. So Chris Landry was alarmed on the afternoon of April 3 when he spotted a brown haze on the horizon; an hour later, a howling wind had engulfed the town in a full-fledged dust storm, turning everything from the sky to the snow a rusty red.

<http://www.washingtonpost.com/wp-dyn/content/article/2009/04/22/AR2009042203685.html>

#### *US Climate Law May Not be Needed for Global Deal*

Conventional wisdom says the United States has to bring concrete commitment to international climate talks in Copenhagen in December or no other country will act.

<http://www.reuters.com/article/environmentNews/idUSTRE54216K20090503?feedType=RSS&feedName=environmentNews>

And, in the most current issue of PointCarbon's Carbon Markets North America:

- \* Allowance allocation debate continues in Congress
- \* RGGI prices and market commentary
- \* EPA budget includes \$17 m for GHG registry
- \* Obama budget sticks to 100% allowance auction
- \* Obama administration lays out biofuels rule
- \* Senators wary of carbon market speculators
- \* US carbon trader gets \$20 million cash injection
- \* Alberta set to harmonise GHG regulations with Ottawa
- \* Global carbon market news
- \* Guest commentary by Josh Margolis, Cantor CO2e

<http://www.pointcarbon.com/news/cmna/1.1113638>

## **Biomass:**

### *Spirited Debate Over "Renewable Biomass" Definition Continues*

With a strong emphasis in the 111th Congress on energy and climate legislation, a vibrant conversation regarding a federal definition of renewable biomass is once again in full swing.

<http://www.eesi.org/update11#7>

### *US Drafts Rule to Lower CO2 Output from Biofuel*

U.S. President [Barack Obama](#)'s administration issued a draft rule on Tuesday aiming to cut greenhouse gasses emitted by biofuels but confirming his predecessor's target for production of corn-based ethanol.

<http://www.reuters.com/article/environmentNews/idUSTRE5443L320090505?feedType=RSS&feedName=environmentNews>

## **Water:**

### *Water Levels Dropping in Some Major Rivers as Global Climate Changes*

Rivers in some of the world's most populous regions are losing water, according to a new comprehensive study of global stream flow. The study, led by scientists at the National Center for Atmospheric Research (NCAR), suggests that in many cases the reduced flows are associated with climate change. The process could potentially threaten future supplies of food and water.

<http://www.ucar.edu/news/releases/2009/flow.jsp>

### *What Will Global Warming Look Like? Scientists Point to Australia*

Reporting from The Murray-Darling Basin, Australia -- Frank Eddy pulled off his dusty boots and slid into a chair, taking his place at the dining room table where most of the critical family issues are hashed out. Spreading hands as dry and cracked as the orchards he tends, the stout man his mates call Tank explained what damage a decade of drought has done .

<http://www.latimes.com/news/nationworld/world/la-fg-climate-change-australia9-2009apr09,0,7128426,full.story>

### *Warming Could Spur Water Crisis*

Colorado River water users will experience frequent shortages in the coming years as warmer, drier conditions squeeze an already overburdened resource, scientists said Monday. Even without the effects of climate change, the scientists warned that the river may not produce as much water from mountain snowmelt as it did when the flow was divided among seven states in the early 1900s, some of the wettest years in centuries. The result in either case would be tough choices among water agencies about who gets water and who gives it up.

<http://www.azcentral.com/arizonarepublic/news/articles/2009/04/21/20090421climate-river0421.html>

### *Water Trading: Costa Ricans Keep it Simple*

New York City and the Costa Rican Paradise of Heredia each embarked on pioneering efforts to harvest the power of markets to protect their water supplies. While much has been made of New York City and its solution, few have heard of Heredia - much less how it handles its water. Yet the Costa Rican example offers a case study of what payments for ecosystem services can achieve in developing nations.

[http://ecosystemmarketplace.com/pages/article.news.php?component\\_id=6663&component\\_version\\_id=10017&language\\_id=12](http://ecosystemmarketplace.com/pages/article.news.php?component_id=6663&component_version_id=10017&language_id=12)

## **Biodiversity and other General ES News:**

### *Resources for Rent?*

Gary Flomenhoft knew he faced a tall order in trying to convince the Vermont House Committee on Ways and Means that the state should collect economic rent on its natural resources. The concept of charging corporations for the use of water, air and other common assets would be a hard sell and had already died a quiet death two years earlier as a bill that never got out of committee.

<http://www.uvm.edu/~uvmpr/?Page=News&storyID=14216>

Here is the link to the Masters Project mentioned in the above article ("Valuing Common Assets for Public Finance in Vermont"):

[http://www.uvm.edu/giee/research/greentax/documents/Valuing\\_Common\\_Assets\\_3\\_20\\_final.pdf](http://www.uvm.edu/giee/research/greentax/documents/Valuing_Common_Assets_3_20_final.pdf)

## **Reports:**

*Emissions Reductions Under the Waxman-Markey Discussion Draft*

<http://www.wri.org/publication/usclimatetargets>

*Bottom Line on Regulating Greenhouse Gases Under the Clean Air Act*

<http://www.wri.org/publication/bottom-line-ghg-clean-air>

## **Journal Articles:**

Barnett, T.P.; Pierce, D.W. 2009. Sustainable water deliveries from the Colorado River in a changing climate. *Proceedings of the National Academy of Sciences* 106, 7334-7338

<http://www.pnas.org/content/106/18/7334>

Evans, A.M.; Perschel, R. 2009. A review of forestry mitigation and adaptation strategies in the Northeast U.S. *Climatic Change*, 1-17. <http://www.scopus.com/scopus/inward/record.url?eid=2-s2.0-64149086622&partnerID=40>

<http://www.scopus.com/scopus/inward/record.url?eid=2-s2.0-64149086622&partnerID=40>

Fisher, B.; Turner, K.; Zylstra, M.; Brouwer, R.; de Groot, R.; Farber, S.; Ferraro, P.; Green, R.; Hadley, D.; Harlow, J.; Jefferiss, P.; Kirkby, C.; Morling, P.; Mowatt, S.; Naidoo, R.; Paavola, J.; Strassburg, B.; Yu, D.; Balmford, A. 2008. Ecosystem services and economic theory: integration for policy-relevant research. *Ecological applications* : a publication of the Ecological Society of America 18, 2050-2067.

<http://www.scopus.com/scopus/inward/record.url?eid=2-s2.0-63249087709&partnerID=40>

Hudiburg, T.; Law, B.; Turner, D.P.; Campbell, J.; Donato, D.; Duane, M. 2009. Carbon dynamics of Oregon and Northern California forests and potential land-based carbon storage. *Ecological Applications* 19, 163-180.

Kimbell, A.R.; Brown, H. 2009. Using Forestry to Secure America's Water Supply. *Journal of Forestry* 107, 146-149. <http://www.ingentaconnect.com/content/saf/jof/2009/00000107/00000003/art00008>

Maness, T.C. 2009. Forest Management and Climate Change Mitigation: Good Policy Requires Careful Thought. *Journal of Forestry* 107, 119-124. <http://www.ingentaconnect.com/content/saf/jof/2009/00000107/00000003/art00004>

Miller, C. 2009. The Changing Climate of Global Forest Management. *Journal of Forestry* 107, 109-110. <http://www.ingentaconnect.com/content/saf/jof/2009/00000107/00000003/art00001>

Profft, I.; Mund, M.; Weber, G.-E.; Weller, E.; Schulze, E.-D. Forest management and carbon sequestration in wood products. *European Journal of Forest Research*. <http://www.springerlink.com/content/57330p5703033451/fulltext.html>

## **Events:**

### **Green Infrastructure Summit and Urban Trees Forum**

May 14-15, 2009

Washington DC

<http://actrees.org/site/stories/summit09.php?tag=news>

### **Local Climate Leadership Summit: Empowering the Local-Federal Climate Action Partnership**

Washington DC

May 18-20, 2009

<http://www.localclimateleadershipsummit.org/>

### **Conference: Economic Valuation of Ecosystem Services**

*University of Chicago*

May 28-29, 2009

Chicago, IL

<http://pge.uchicago.edu/events/08-09/econeco/index.shtml>

### **Carbon in Northern Forests: Integration of Research and Management**

*Northern Institute of Applied Carbon Science*

June 10-11, 2009

Hagerty Center at Northwestern Michigan College,

Traverse City MI

<http://forest.mtu.edu/cinf/>

### **Ecosystem Services on Corporate Lands Conference**

June 11-12, 2009

Crowne Plaza Hotel, Silver Spring, MD

<http://www.wildlifehc.org/events/ecosystems-services.cfm>

### **Ecosystem Markets: Making Them Work**

*Northwest Environmental Business Council, American Forest foundation, and the US Forest Service*

June 18-19, 2009

Doubletree Hotel, Portland, OR

<http://www.nebc.org/content.aspx?pageid=45>

### **Ecosystem Service Markets Short-course**

July 29-31, 2009 (Register by June 17)  
Duke University, Durham, North Carolina  
<http://www.nicholas.duke.edu/del/continuinged/ecoservice7.09.html>

## **Job Announcements:**

### **AFF Forest Adaptation Manager**

DC based non-profit near Dupont Circle that promotes forest conservation seeks an individual to oversee forest adaptation to climate change initiatives. Duties include partnership management with other conservation organizations, state, and federal agencies at both the local and national level; develop and promote forest management and policy strategies to help family forest owners adapt to climate change; oversee on the ground projects that address invasive species, pests, and other forest stressors; and work with development staff to pursue external funding. Individual must possess a thorough understanding of current and developing issues related to climate change and forests, excellent organizational skills, writing skills, able to handle multiple priorities, have the ability to interact with a wide variety of constituents, and enjoy working in a collaborative environment. Position requires some travel. Position offers excellent benefits in a flexible and friendly work environment. For a full job description, please visit [www.forestfoundation.org](http://www.forestfoundation.org). Please e-mail resume and a cover letter that includes salary requirements to [applications@forestfoundation.org](mailto:applications@forestfoundation.org). Applications that do not include salary requirement will not be considered. AFF is an equal opportunity employer and welcomes applicants regardless of race, color, creed, national origin, ancestry, religion, sex, sexual orientation, family responsibilities, marital status, age, disability, citizenship, military status, or status as a Vietnam-era or special disabled veteran.

## **Full Text of Selected Articles:**

CLIMATE: High political stakes for swing Dems mulling cap-and-trade bill (05/07/2009)  
**Alex Kaplun and Darren Samuelsohn, E&E reporters**

At first glance, the 15 or so moderate Energy and Commerce Committee Democrats who hold the fate of the climate change bill in their hands have little to fear as far as political repercussions in their home state.

Virtually all of them won their last election by large margins and for most it has been several years since they saw a serious political challenge. Several are in districts that appear to be so overwhelmingly Democratic that it is hard to see them being knocked off by a Republican challenger in 2010, even in an unfavorable political climate.

[http://www.eenews.net/eed/documents/climate\\_bill\\_house.pdf](http://www.eenews.net/eed/documents/climate_bill_house.pdf)

But a closer examination of each moderate's political situation also shows that a closely contested election may not be as far off as it may seem. And in many instances a vote on climate change legislation - depending on which side ultimately wins the public relations battle on the issue -- could play a key role in their political futures.

Rep. Charles Gonzalez (D-Texas) is one of those undecided Energy and Commerce Committee Democrats who acknowledges the political ramifications of his vote. "Every vote does," Gonzalez said. "Sure, it has consequences to me. But the truth of the matter is, it won't matter. If I've got opposition, the way I respond to that charge is I was looking out for the best interest of my consumer. My ratepayer."

An E&E analysis of the districts from which those moderates hail clearly shows that in many instances the political future of the lawmakers hangs on who wins the message war over climate change and, perhaps even more importantly, the actual impact of the bill years down the line.

One of the difficulties with gauging the public's potential reaction to a vote on climate change legislation is that most voters simply know very little about the issue and the bill.

The road to 30
Democrats must convince 12 of 19 fence sitters to pass the climate and energy bill through the Energy and Commerce Committee. Here's E&E's projected vote breakdown:
Yes (18)
Henry Waxman (D-Calif.) Ed Markey (D-Mass.) Frank Pallone (D-N.J.) Anna Eshoo (D-Calif.) Lois Capps (D-Calif.) Jane Harman (D-Calif.) Janice Schakowsky (D-Ill.) Jay Inslee (D-Wash.) Tammy Baldwin (D-Wis.) Anthony Weiner (D-N.Y.) Doris Matsui (D-Calif.) Donna Christensen (D-V.I.) Kathy Castor (D-Fla.) John Sarbanes (D-Md.) Christopher Murphy (D-Conn.) Jerry McNerney (D-Calif.) Bruce Braley (D-Iowa) Peter Welch (D-Vt.)
Maybe (19)
John Dingell (D-Mich.) Rick Boucher (D-Va.) Bart Gordon (D-Tenn.) Bobby Rush (D-Ill.) Bart Stupak (D-Mich.) Eliot Engel (D-N.Y.) Gene Green (D-Texas) Diana DeGette (D-Colo.) Mike Doyle (D-Pa.) Charles Gonzalez (D-Texas) Mike Ross (D-Ark.) Jim Matheson (D-Utah) G.K. Butterfield (D-N.C.) Charlie Melancon (D-La.) John Barrow (D-Ga.) Baron Hill (D-Ind.) Zach Space (D-Ohio) Mary Bono Mack (R-Calif.) Betty Sutton (D-Ohio)
No (22)
Joe Barton (R-Texas)

Fred Upton (R-Mich.)  
Ralph Hall (R-Texas)  
Cliff Stearns (R-Fla.)  
Nathan Deal (R-Ga.)  
Ed Whitfield (R-Ky.)  
John Shimkus (R-Ill.)  
John Shadegg (R-Ariz.)  
Roy Blunt (R-Mo.)  
Steve Buyer (R-Ind.)  
George Radanovich (R-Calif.)  
Joseph Pitts (R-Pa.)  
Greg Walden (R-Ore.)  
Lee Terry (R-Neb.)  
Michael Rogers (R-Mich.)  
Sue Myrick (R-N.C.)  
John Sullivan (R-Okla.)  
Tim Murphy (R-Pa.)  
Mike Burgess (R-Texas)  
Marsha Blackburn (R-Tenn.)  
Phil Gingrey (R-Ga.)  
Steve Scalise (R-La.)

"It's not something that resonates deeply in the public," said Mike Digby, chair of the political science department at Georgia College and State University in Milledgeville, Ga., represented by Rep. John Barrow (D). "They're just not fully aware of it yet. Once that gets closer to a vote, I'd guess that stuff is really going to hit the fan, and public opinion could crystallize really quickly."

Several fence-sitters represent districts where both messages could resonate -- areas that center around manufacturing where a climate bill would either bring more jobs and revive industry or send jobs fleeing overseas. And even though many of them prevailed by large margins in their last election, several come from districts that Sen. John McCain (R-Ariz.) carried in last fall's presidential race or where Republicans held the seat in the recent past.

Interest groups on both sides of the policy debate have launched ad campaigns targeted specifically at moderate Democrats. On the left, it means "green jobs" -- the same message Barack Obama used during his presidential campaign to sell voters on his economic and energy agenda. On the right, it means focusing on the economic costs of the bill and raising the specter that it would amount to a new "tax" -- a line of attack that has been a winner for Republicans on the campaign trail for decades.

#### **Does cap and trade matter at the polls?**

Until last year, it was difficult to find a recent campaign that centered around energy policy or even races where it was a top-tier issue. As a result, many of the Energy and Commerce Committee members have never been involved in campaigns where energy -- and certainly climate change -- were the deciding factors in an election.

As such, even advocates of cap-and-trade legislation say it is not surprising that some members are treading lightly, having little idea of how the public will respond to their proposals.

"This is a new issue to a lot of people. It's very complicated," said Rep. Jay Inslee (D-Wash.). "Everyone comes at it with a sense of, if not unease, wanting to know more before they make a commitment. It's not a surprise. It's not a surprise we are where we are, where people are still wrapping their minds around this."

Others also say moderate Democrats should look to Obama -- who seemingly used the message successfully in the campaign -- to provide political cover.

"My guess is there'll be other issues that'll be more important to most of those campaigns," said Paul Bledsoe, a former Clinton White House aide now working as spokesman for the National Commission on Energy Policy. "But at a certain point, you have to have the courage of conviction on your support for the president's overall programs."

One thing is for certain: Republicans in Washington believe that a vote for climate change could be politically detrimental for some moderate Democrats and have already attacked them for potentially supporting legislation that will raise costs on consumers (*E&E Daily*, April 28).

Below is an E&E rundown of eight Democrats who are on the fence on the climate change bill in the Energy and Commerce Committee and whose districts are competitive enough that their vote may play a key role in their re-election bids. Absent any surprise GOP defections, sponsors of the bill can lose six Democratic members and still pass the bill.

#### **Charlie Melancon (Louisiana's 3rd District)**

If any Democratic Energy and Commerce Committee member is likely to be in the GOP's sights, it is Louisiana Rep. Charlie Melancon. The third-term congressman from the southern portion of the state is the only Democrat left in Louisiana's congressional delegation, and Republicans are almost certain to attempt a strong challenge against him next year.

Melancon was unopposed in 2008, but his district went overwhelmingly -- 61 percent -- for McCain in the presidential race. The Louisiana 3rd District, which covers much of the state's coastline, is a major hub for the domestic oil and gas industry, and its refineries, offshore facilities and other infrastructure are a major district employer.

In 2006, a Democratic-leaning year, Melancon won with 55 percent of the vote and in 2004 he won a narrow runoff over the son of former Energy and Commerce Committee chairman, Billy Tauzin, with 50.2 percent of the vote. At least one Republican -- state Rep. Nickie Monica -- has expressed an interest in challenging Melancon.

Additionally, Melancon appears to harbor some statewide ambitions -- he was rumored as both a potential gubernatorial candidate in 2007 and as a challenger to Sen. David Vitter (R-La.) in 2010. He declined to enter both of those races but certainly support for climate change legislation -- especially if it is seen as damaging to the state's oil and gas industry -- would be a negative in a state that has increasingly trended Republican.

#### **Baron Hill (Indiana's 9th District)**

Rep. Baron Hill is another Democrat that is never far from political danger, having already lost one congressional election as an incumbent.

Hill's district, which covers the southeastern corner of Indiana, has seen a number of fierce battles in recent years between Hill and former Republican congressman Mike Sodrel. In 2004, Sodrel narrowly defeated Hill, ousting the then-third term Democrat. Two years later Hill won back his seat from Sodrel by half a percentage point.

In 2008, Hill actually had his easiest political win of his career, again beating Sodrel but this time with 57 percent of the vote.

Still, that easy win is not necessarily a sign of things to come as Hill triumphed in a Democratic-friendly year and as Obama carried the state -- the first time a Democrat had won Indiana since 1964. Even so, McCain narrowly edged Obama in Hill's district.

Already, several Republicans have expressed an interest in challenging Hill in 2010, though Sodrel is not one of them. And like Melancon, Hill may have statewide ambition: Indiana blogs and news outlets have reported that Hill is interested in running for Indiana governor in 2010. In a state that leans significantly on manufacturing and on coal for electricity generation, a vote on cap and trade could certainly have major implications in a statewide election.

#### **Mike Ross (Arkansas' 4th District)**

Arkansas Rep. Mike Ross is one of several Energy and Commerce Committee Democrats who has skated through to easy election victories in recent years but who also sits in a district that could easily go Republican under the right circumstances.

In 2008, Ross garnered 86 percent of the vote, running against a Green Party candidate. At the same time, McCain won the district by a large margin and the district was essentially evenly split between President George W. Bush and the Democratic candidates in 2000 and 2004.

Ross first won the seat in 2000 by 2 percentage points, defeating an incumbent Republican. He won a rematch again in 2002 and has not seen a close contest since. Republicans, however, have repeatedly pegged the seat as a potential target, though so far they have simply not been able to find a serious challenger.

**Jim Matheson (Utah's 2nd District)**

Rep. Jim Matheson appears to have built up significant goodwill and political support from his district but also represents an area that -- at least on paper -- favors Republicans.

Matheson won a fifth term last year by 19 percentage points, following a similar win by a margin of 22 percent in 2006. But Matheson's district also went for McCain by a similarly lopsided margin.

Utah's 2nd District was actually crafted specifically for a Republican candidate, but Matheson won in 2000 by a relatively narrow margin and held on to the seat by less than 2,000 votes in 2002.

The Democratic moderate said recently that constituents are getting bombarded with cable TV ads urging them to contact their congressman and urge him to vote one way or another.

Asked how the commercials were influencing his decisions, Matheson replied, "The reality is for my constituents, I represent 900,000 people, that's a lot of different points of view. On this issue, where there are a lot of complexities that aren't being discussed in those message points from various interest groups back home, my constituents want me to get into the details and look at the complexities and all these specifics and figure out what all this means."

But Matheson also said he was not so sure his district was ready to embrace the draft legislation. "I don't know if I want to speak for them as a group," Matheson said. "There's genuine concern about this is an issue we ought to look at."

**John Barrow (Georgia's 12th District)**

Few members of Congress -- much less of the Energy and Commerce Committee -- have been in the Republican Party's sights in recent years as consistently as Georgia's John Barrow.

Rep. Barrow won his district, which covers August, Savannah and a slew of counties in between, in 2004 by narrowly defeating incumbent Rep. Max Burns. Two years later Barrow again fended off a challenge from Burns by less than 1,000 votes.

Things were a little easier for Barrow last year as he won the district with 66 percent of the vote against an underfunded challenger, with President Obama also carrying the district with 54 percent of the vote. On paper, the district appears to lean slightly toward the Democrats, but by a narrow enough margin that most future races figure to be competitive.

Republicans are again promising to make Barrow a target in 2010 and two challengers have already entered the race.

Barrow's GOP opponent in the 2008 campaign -- who is not running in 2010 -- said this week that he views the climate vote as a potentially difficult political issue for the incumbent. "A lot of it depends on the public relations battle on this and what the public believes," said John Stone, who fell to Barrow by a nearly 2-to-1 margin. Stone now works as press secretary to Rep. John Carter (R-Texas).

"It'd be a very damaging vote," Stone said. "To come back and raise prices on energy and raise prices on farming the way it would, it'd be a real insult to the working people of the district. ... This could very well be a defining issue for 2010 and for 2012."

**Zack Space (Ohio's 18th District)**

Perhaps no other member represents the political difficulty associated with a climate change vote as much as sophomore Rep. Zack Space of Ohio.

Space took over a Republican-leaning district previously held by embattled Rep. Bob Ney (R) in 2006, capturing 62 percent of the vote against a GOP candidate who was tied to Ney. Upon arriving in Washington, Space was quickly viewed as one of the new faces of the Democrats' majority in no small part because he seemingly rode a wave of discontent with the Republican leadership in Washington.

Last year, Space won re-election with 60 percent of the vote. But Space's district is still far from safe for Democrats -- McCain carried it by 8 percent -- and he remains a major target for Republicans.

Space seemingly recognizes his potential vulnerability, having raised \$421,000 for his re-election bid in the first three months of 2009 with a large chunk of that coming from electric utilities and other energy industry groups. Indeed, coal jobs are a major economic engine in the district and any vote that is seen as damaging to the industry could certainly be damaging for his re-election prospects.

But Space's district has also been targeted by interest groups on the left with ads promising that climate legislation could spur economic development and help revive some of the industries in the area.

**Bart Stupak (Michigan's 1st District)**

Rep. Bart Stupak has seen few serious political challenges, but Republicans are clearly showing signs of going after the nine-term Democrat in future elections and it is certainly possible that a Republican could win here.

Stupak's district covers Michigan's Upper Peninsula and has a clear conservative streak on social issues. George Bush carried the district twice, and Obama won the district by 2 percentage points -- even though Obama won the state by 16 percentage points.

At the moment, it is unclear if Stupak, the chairman of the Oversight and Investigations Subcommittee, will have a serious challenger in 2010. The National Republican Congressional Committee has sent out press releases targeting the Democrat and asking if he intends to support a "national energy tax that could hurt middle-class families and cost American jobs."

#### **Bart Gordon (Tennessee's 6th District)**

Rep. Bart Gordon actually represents a district that was once held by former Vice President and Nobel Laureate Al Gore. But that certainly does not mean that the 13-term congressman and chairman of the House Science Committee is safe from future political challenges -- after all, Gore was unable to carry the state in the 2000 presidential election.

The 6th District, has leaned increasingly Republican in recent years -- McCain won here by 25 points, even exceeding the 20-point margin for Bush in 2004.

And the district, which covers areas surrounding Nashville, relies heavily on auto manufacturing for its jobs -- an industry that could certainly see some effects from sweeping energy legislation.

It remains to be seen if the one Republican currently in the race -- retired Army Reserve Maj. Gen. Dave Evans -- can mount a serious challenge to Gordon, but the GOP certainly views the district as a potential pick up opportunity.

#### **More than just 2010**

The political calculus for many members extends beyond next year, as future ambitions, the changing nature of the districts and constituent backlash may all play a factor in their decision-making.

Some members such Rep. G.K. Butterfield (D-N.C.) and Gonzalez of Texas are in districts where it is hard to see them losing to a Republican anytime soon. But they have also built much of their political identity on serving as advocates for low-income voters, which represent a large portion of their base.

"I think I can explain my position to the people I represent. I'm getting a lot of pressure from both ends. And the opposition is coming from both the left and the right," Butterfield said this week. "I think I've got to look at the merits of this and decide what's best not only for my constituents, but for the American people."

Other members -- such as Reps. John Dingell (D-Mich.), Gene Green (D-Texas), Rick Boucher (D-Va.) and Mike Doyle (D-Pa.) -- also do not appear to be in any immediate political danger, but they have spent decades advocating for industries that are the centerpiece of their districts and could certainly be affected by climate change legislation.

Doyle said this week that any effort to sell the legislation to his constituents must include specifics on just what the legislation will mean to the country's economic picture and his constituents. "Eventually we have to get out and explain and sell this to the American people," he said. "This needs to have grassroots support, and we need bipartisan support too."

The climate change vote could also have dramatic political ramifications well beyond 2010, as the legislation would not even kick in until 2011 and campaigns certainly are not shy about using old votes against incumbents. That could be especially daunting given that redistricting is just around the corner and some members who are in safe districts today could find themselves in hot water two years from now, having to explain their votes to a whole new batch of constituents.

#### **CLIMATE: Waxman gets an earful after proposing detour (05/07/2009)**

##### **Darren Samuelsohn, E&E senior reporter**

Rep. Henry Waxman (D-Calif.) tried to quell an uprising yesterday among some moderate Democrats concerned about his admission that a major global warming and energy bill likely will skip a subcommittee vote and go straight before the full Energy and Commerce Committee.

A handful of Democrats on the Energy and Environment Subcommittee questioned Waxman's initial statement to reporters yesterday afternoon that time constraints likely will force him to bypass them in favor of a vote before the entire 59-member panel.

[http://www.eenews.net/eed/documents/climate\\_bill\\_house.pdf](http://www.eenews.net/eed/documents/climate_bill_house.pdf)

"It may have been a trial balloon," said Rep. Gene Green (D-Texas). "But I'd still like to see us do regular order."

"Something as monumental as climate legislation, we need to go through regular order," argued Rep. G.K. Butterfield (D-N.C.), who also serves as the subcommittee's vice chairman. "The way to do it is for the subcommittee to work its will, and then to the full committee."

Butterfield said he was more concerned with following normal House protocol than meeting Waxman's Memorial Day deadline for approving the legislation. "I'd be willing to sacrifice a few weeks in order to respect regular order," he said.

Rep. Roy Blunt (R-Mo.), the former House majority whip, also urged Waxman to stay with the subcommittee markup. "Every step along the way is important and I hope we don't skip any of them," he said.

Speaking to reporters yesterday, Waxman again repeated his inclination to skip the subcommittee, though he acknowledged that he may have disclosed this information a bit too soon.

"I think for the limited time we have, there's an argument to make to go to full committee and not have the whole debate repeated in two different committees," Waxman said. "But I want to consult with my members before I make that decision absolutely, contrary to what was said right here yesterday by me." Several other Democrats who have been working closely with Waxman in the closed-door talks shrugged off the procedural question.

"It's not the chairman putting himself in this position," said Rep. Mike Doyle (D-Pa.). "It's the negotiations that are putting him in this position. It's not like he's trying to just move this to the full committee on purpose or something. He's running out of time, basically, and we're not done."

Rep. Rick Boucher (D-Va.) said it is Waxman's call to move on to the full committee and that he was focused on reaching a consensus that can pass the committee, the House and then spark action in the Senate. "It is much more important than the actual process," he said.

House Speaker Nancy Pelosi (D-Calif.) told reporters yesterday that she was not keeping track of the "day to day" movements on the climate bill. Asked if she planned to intervene to speed up the talks, she replied, "They seem to be doing very well, I think. They're making good progress."

Pelosi said she expected Waxman to complete the legislation before Memorial Day so that he can turn his attention next to health care reform, echoing a similar point President Obama made during yesterday's meeting with 34 Democrats on the Energy and Commerce Committee.

"I said we've got to wrap this up by Memorial Day because we've got to deal with health care," Waxman said. "Some members said perhaps we should put it off. And [Obama] said, 'No, don't put things off. Just keep moving forward.' And I thought he made a good point."

#### **'We have the general framework'**

Democrats working on the climate bill offered a small glimpse into their efforts yesterday, though they were far from certain when a final agreement would be reached.

"I think we have the general framework for how the bill is going to look," Doyle said. "Now, there's just some haggling over what the final numbers are going to be. Is it going to be 35 or 40? Is it going to be 15 or 13? It's this kind of stuff. What's the final cap going to be? Is it going to be 14, is it going to be 20, is it going to be somewhere between 14 and 20? Is it going to be 6?"

On the distribution of valuable emission allowances, Doyle said lawmakers are edging closer to a deal that would give away a large share of the credits for free during the opening 10 to 15 years of the cap-and-trade program.

By going this route, Doyle said Congress would help U.S. steel, paper, cement and other industries to stay competitive with developing countries while the contours of an international climate agreement take shape. And it also would allow carbon capture and storage technologies time to reach widescale deployment.

"Remember, this is an 80 percent reduction by 2050," Doyle said. "This is 2009. We've got 41 years in this deal, and we shouldn't be so worried about the first 10 years. Because if we can't mitigate the economic impact of the first 10 years, we're not going to have a bill anyway. You're just not going to build public support for it and members of Congress to vote for it."

Democrats also will not be following Obama's campaign pledge to auction off 100 percent of the credits, though that would eventually be the goal. "It's not going to be a big number initially," Doyle said of the auction. "It's going to get bigger. That's the idea."

#### **Administration outreach**

Obama administration officials continued their outreach yesterday to key lawmakers on Capitol Hill. U.S. EPA Administrator Lisa Jackson met with the Congressional Black Caucus to describe her views on the climate legislation, as well as other agency priorities on air and water pollution.

White House energy and climate adviser Carol Browner also held a series of one-on-one meetings on Capitol Hill that included a chat just off the House floor with Rep. Betty Sutton (D-Ohio). "We want comprehensive legislation," Browner said. "Nothing's changed in that."

Last night, Browner offered a brief snapshot into Obama's meeting with the committee Democrats during a speech at the League of Conservation Voters' annual dinner at Washington's Union Station.

"The sole purpose of that meeting was for the president to say to Chairman Waxman, Subcommittee Chairman [Ed] Markey, Chairman Emeritus [John] Dingell and all of the members there, 'Send me comprehensive energy legislation, cap-and-trade legislation, this year,'" Browner said.

Browner also teased the threat of U.S. EPA regulations on climate change, saying that White House lawyers were "into the weeds on the Clean Air Act, which is exactly where we need to be right now."

#### **A vocal farm state complaint**

Interestingly enough, it was a recent EPA draft regulation on renewable fuels that prompted House Agriculture Chairman Collin Peterson (D-Minn.) yesterday to decry Congress' effort to pass a global warming bill.

"I will not support any kind of climate change bill," Peterson said during a hearing on a federal biofuels proposal that included testimony from EPA and Agriculture Department officials. "I don't care. Even if you fix this. I don't trust anybody anymore."

Peterson said later that he would support a climate bill only if it were "ironclad" and detailed enough to keep EPA from writing implementing rules. But he added that he was unsure this was possible. The chairman also told reporters he would suggest that other Democrats from ethanol states hold back their support from the House climate bill.

A major concern for many farm state lawmakers in both parties is EPA's consideration of greenhouse gas emissions from "indirect" land-use changes spurred by biofuels production. The lawmakers say these measurements are based on unproven models that paint an unfair picture of corn ethanol's emissions. Peterson is among the lawmakers who say the 2007 energy bill that expanded the biofuels mandate placed overly restrictive limits on sources of biomass that can be harvested for renewable fuels that count toward the renewable fuels standard. Crops and crop residue must come from land cleared or cultivated before the law was passed and also does not allow materials from federal forest lands.

Rep. Earl Pomeroy (D-N.D.), a member of the Agriculture Committee, said Peterson is not alone in his concerns about the EPA proposal. "I certainly think there is a sentiment for what the chairman has expressed, although the conservation is early and I would not take this as the final point for anybody," he said.

Pomeroy said EPA's proposal raises concerns for members from agricultural districts, noting it could create fewer opportunities for farming areas that will face costs under a climate change bill.

"With legislators carefully evaluating how all these issues will hit their districts, EPA has signaled that there will be less opportunity for agriculture than we had hoped, and that is a negative development in terms of building a broad consensus for a climate bill," Pomeroy said.

EPA has vowed peer review of its models for assessing "lifecycle" emissions, including emissions related to land-use changes.

But an agency official also defended inclusion of the measurements at yesterday's hearing, saying they are needed to accurately gauge the global warming effects of the fuels. Gauging land-use effects nationally

and internationally must be part of these reviews, said Margo Oge, director of EPA's office of transportation and air quality.

"Not including or addressing indirect emissions due to land-use changes would ignore a large part of the greenhouse gas emissions associated with different fuels, and would result in a greenhouse gas analysis that bears little relationship to the real-world emissions impact of the fuels," Oge said.

Another Agriculture Committee member, Stephanie Herseth Sandlin (D-N.D.), is trying to attach a bill to the climate and energy package to ease certain biomass restrictions from the 2007 energy bill that expanded the biofuels mandate to reach 36 billion gallons annually in 2022. The majority of the fuels would ultimately come from next-generation fuels including cellulosic ethanol, which can be made from woodchips, grasses and other materials, while corn ethanol peaks at 15 billion gallons.

Herseth Sandlin's bill would allow use of trees, brush, chips and other materials from national forest lands to be biofuels feedstocks -- if they are removed for reducing fire risks, curbing disease or insect infestation, or to restore "ecosystem health." Peterson is among the co-sponsors.

She is hoping to have her plan included in the Waxman-Markey plan. "If it isn't included it will be hard for me to support that bill," she said, unless there is a commitment that the measure would move as stand-alone legislation.

Democrats on the Energy and Commerce Committee said they planned to speak with Peterson in the coming days. Waxman declined comment. And Boucher questioned how Peterson could criticize the Democrats' climate bill when the details are not finished.

"Has he seen the bill? I haven't yet," Boucher said. "I want to get a bill written first and then explain what's in it and see if it's perhaps something he can support."

#### **'One day at a time'**

Peterson is not the first House Democrat not in Waxman's committee to express concern about the global warming proposal. Rep. Jason Altmire (D-Pa.) said he has doubts about addressing climate change through a cap-and-trade approach. Reps. John Larson (D-Conn.) and Pete Stark (D-Calif.) favor a carbon tax.

And House Ways and Means Chairman Charles Rangel (D-N.Y.) still has to weigh in as well. In an interview yesterday, Rangel said he will not be writing his own climate bill but instead would wait for a referral from Waxman. "They don't have agreement enough to even come up with anything," Rangel said. "So I have to wait."

Rangel has previously said he would try to mark up climate legislation by Memorial Day too. But the tight timeframe was not causing him any alarm. "I'm 79," he said. "One day at a time."

Asked about the competing views within the Democratic caucus on the issue, Pelosi yesterday explained that climate change and energy security stand out as her "flagship issue."

"As I've said to my members, we're all going down this path together," she said. "This is not leaving anybody out. And that takes some time. But I believe it will be done this year."

*Senior reporter Ben Geman contributed.*