

CLIMATE: Wal-Mart settles Calif. lawsuits over ‘big box’ emissions

Colin Sullivan, E&E reporter

SAN FRANCISCO -- A pair of lawsuits filed under a California land-use law were settled out of court today when Wal-Mart Stores Inc. agreed to adopt climate-mitigation measures at two proposed “supercenters” to be built in the southern part of the state.

The Center for Biological Diversity agreed to drop the suits after Wal-Mart agreed to install solar rooftops at proposed stores in Perris and Yucca Valley. Wal-Mart also pledged to incorporate efficient building designs and energy-saving refrigerators into its plans for construction.

Matt Vespa, one of the attorneys at the center behind the suits, said the settlement is proof that the California Environmental Quality Act is an appropriate tool for getting developers to acknowledge their effect on global warming at the design and permit stage.

“The settlement raises the bar for future projects,” Vespa said. “If big-box stores are to be built in California, measures like the installation of solar-power systems must be adopted to minimize the project’s greenhouse gas pollution.”

Walmart also agreed to contribute \$120,000 to a conservation group in the Mojave Desert to offset

construction impact at the Yucca Valley site, which borders Joshua Tree National Park and is less than 100 miles from Mojave National Preserve along the California-Nevada border.

The center was one of the first groups to use CEQA, which is the state equivalent of the National Environmental Policy Act, to pursue greenhouse gas mitigation in urban planning and development projects. The tactic eventually led the California Legislature to beef up the law with revised climate language, though Gov. Arnold Schwarzenegger (R) has sought to suspend CEQA in some cases to expedite pet projects (E&ENews PM, Oct. 22, 2009).