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## Historic global warming law passed

### CALIFORNIA DIRECTS AUTOMAKERS TO REDUCE POLLUTION

The scary advertisement blared from the pages of the *Los Angeles Times*: "If they really had their way, they wouldn't let you drive at all." This was but one volley from a desperate auto industry attempting to defeat a California bill controlling global warming pollution from cars.

Over a tense weekend in July, state legislators struggled to pass this first-of-its-kind legislation. Under siege from automakers, the bill was in trouble. We redoubled our efforts.

When the phone rang that weekend, key assembly members were surprised to hear Paul Newman asking them to support the bill. Working with a united environmental community, we enlisted Newman, former President Bill Clinton, Senator John McCain and others. We also worked on the inside, forging key political alliances.

The bill passed by a bare minimum of votes. "In the final, critical hours, Environmental Defense helped muster the last few votes needed to get this bill passed," said state senate leader John Burton, a main sponsor. We then rallied 30,000 Action Network members to urge the governor to sign. He did so July 22.

The law requires the state to develop greenhouse gas standards for tailpipes by 2005. Because other states can adopt these, it sets the stage for many states to take

action where the federal government has failed. "California has sent the world a message that Americans care about climate change and are willing to address it," said our executive director Fred Krupp. (*See column, page 2.*)

Automobiles cause 20% of U.S. greenhouse gas emissions but automakers have balked at decreasing pollution. Our recent study, *Automakers' Corporate Carbon Burdens*, finds the problem worsening: these emissions rose 19% from 1990 to 2000. The report can be viewed at [www.environmentaldefense.org/go/more](http://www.environmentaldefense.org/go/more).

Industry plans to fight the law in court, but we're prepared. Working with allies, we will defend this victory and promote similar action to reduce greenhouse gas emissions in other states.

#### WHAT YOU CAN DO

Help us achieve more victories like this. Join our citizens' campaign: [www.actionnetwork.org](http://www.actionnetwork.org). (See envelope inside this issue for details.)



Three out of four SUV owners in California favor the state's new greenhouse gas emissions law.



## Driving change in California

This is more than California dreamin'. In July, Governor Gray Davis signed a new greenhouse gas emissions law for cars and light trucks that is the most significant domestic action yet on climate change. (See story, page 1.) Under the Clean Air Act, the other 49 states now have the option of adopting the same program.

Success didn't come easily, and it's far from secure. The auto industry invested millions in an effort to torpedo the legislation and has vowed to fight the law in court. Despite the distorted rhetoric, the

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*Automakers should invest in engineering, not lawsuits.*

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law provides for economically feasible standards, prohibits banning any class of vehicle and gives the automakers until 2009 to comply.

The car companies should spend money on engineering, not lobbyists and litigators. As responsible members of industry, they have an obligation to produce vehicles that do less damage to the planet. The good news is that much of the technology already exists.

The Golden State has a record of innovation in cleaner cars, and its new law could become an engine driving an economy-wide search for ways to cut greenhouse gas emissions. That would keep U.S. companies competitive while reducing global warming.

—Fred Krupp



Morton Beebe/Corbis

In much of America, rural beauty is marred by poor air quality.

## North Carolina passes landmark clean-air law, setting precedent for other states

North Carolina residents will breathe a bit easier and the skies will be bluer, thanks to the new Clean Smokestacks law passed this summer.

Gov. Michael Easley signed a bipartisan bill in June requiring aging coal-fired power plants in the state to cut their smog-causing emissions roughly 75% over the next decade. The landmark bill, modeled after a plan proposed by Environmental Defense, sets far stricter limits on nitrogen oxides and sulfur dioxide pollution than the federal Clean Air Act. Controlling these pollutants will also reduce mercury emissions, and could be a model for other states.

Among those watching the vote closely was Virginia McLean, a pediatric nurse and mother of four from Fuquay-Varina, NC, who testified in hearings in support of the bill. The McLean family moved from Florida eight years ago, impressed by North Carolina's high rankings in education and jobs. But McLean says she regrets not looking into the state's air quality, which ranks among the worst in the country.

Her two youngest daughters were later diagnosed with asthma, some-

thing McLean attributes to the state's poor air. "Without clean air, everything else is secondary," she says.

"This legislation sends a clear message to the region and the nation," says our Southeast air quality manager Michael Shore, who helped draft the bill. "North Carolina is serious about protecting the health of its citizens by improving air quality."

The 14 coal-fired power plants affected by the law account for a majority of the state's air pollution. Numerous studies have linked power plant emissions to premature deaths, respiratory illnesses and asthma attacks.

State Sen. Stephen Metcalf, the bill's chief sponsor, says he and other state officials waited for more than a decade for Washington to help address his state's mounting power plant pollution problems. "Frankly, we felt we needed to do it ourselves," he explains.

The legislation hit a snag in the North Carolina House last year when businesses raised concerns that the bill might increase electric bills. Environmental Defense played a key role ironing out the details of a revised bill.

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*"Without clean air, everything else is secondary."*

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The state's two major utilities, Duke Energy Corporation and Progress Energy, agreed to absorb most of the \$2.3 billion cost of installing anti-pollution equipment and the state agreed to freeze utility rates for the next five years.

"Clean Smokestacks is a testament to Environmental Defense's approach to problem-solving—using sound science, law and economics, while working closely at the table with the major parties," says Bill Ross, head of North Carolina's Department of Environment and Natural Resources.

Recently, Connecticut, Illinois, Massachusetts and New Hampshire have also passed laws to reduce power plant pollution. "The challenge now is to get other states in the Southeast and elsewhere to follow suit," says Shore. Some 150 coal-fired power plants create air pollution in the Southeast.

"Clearly, we're making progress at the state level," says Shore. "But ultimately we need stronger national standards."

### Tired of an uncertain market?



#### LOCK IN A FIXED RETURN WITH A GIFT ANNUITY

Charitable gift annuities to Environmental Defense perpetuate your commitment so we can keep the world healthy for all living creatures.

With a gift of \$10,000 or more, you earn a fixed annual sum for life and receive an immediate charitable deduction. An example of the current rates offered are: 60yrs-6.4%; 70yrs-7.2%; 75yrs-7.9%.

To learn how your gift can help, call toll-free 1-877-677-7397 or write: Anne B. Doyle, Environmental Defense, 257 Park Avenue South, New York, NY 10010.

## In defense of the longleaf pine



David Muench/Corbis

These soaring pines harbor the red-cockaded woodpecker and other endangered creatures.

When naturalist William Bartram journeyed across America in the 18th century, he was awed by the grandeur of the 92 million acres of longleaf pine blanketing the Southeast. Only three million acres remain, most privately owned.

Recognizing that an ecosystem is in peril, Environmental Defense has designed a variety of ways to engage private landowners in preserving the forest and the endangered animals that depend on it. All told, we've helped conserve nearly half a million acres of longleaf forest.

In Mississippi, we're working with retired veterinarian John Lambert, who has agreed to manage his 750-acre tree farm to benefit two endangered species: the gopher tortoise and red-cockaded woodpecker. A "Safe Harbor" agreement ensures that his actions will not lead to added restrictions on his land.

"Safe Harbor allows me to manage my land for profit—and at the same time help wildlife," he says. "I get an assurance that some bright morning I won't be faced with a regulatory problem."

Recently recognized as the state Tree Farmer of the Year, Lambert attributes his conservation ethic to his father, who acquired the land in 1922.

In cases where longleaf tracts are already fragmented or under more intense development pressure, we've introduced another tool: conservation banking. Under this approach, landowners can earn credits for improving the most promising wildlife habitat. Once endangered species are established there, the credits can be traded in, permitting development of less optimal land elsewhere.

For example, we helped International Paper design a 5,500-acre conservation bank that includes old-growth longleaf pine in Georgia for the red-cockaded woodpecker. Since the bank opened in 1999, the woodpecker population has increased from three birds to 27.

"Prior to the bank, the company had little incentive to manage for woodpeckers," says our economist Robert Bonnie. "The longleaf ecosystem can be resilient, if we give it time and act as responsible stewards."

## Big win for Jersey wetlands

A wetland area almost 40% larger than Manhattan will be protected by new regulations that Environmental Defense helped develop in New Jersey.

Our general counsel James Tripp, with attorney Brad Harsch, undertook a close examination of the state's Freshwater Wetlands Protection Act. They wanted to maximize wetlands protection in New Jersey's Highlands, only an hour from New York City and threatened by sprawl. What they discovered resonates far beyond the Highlands.

Under the act, wetlands anywhere in the state that are critical habitat for endangered or threatened species qualify as "exceptional resource" areas and require 150-foot buffers instead of the standard 50 feet. This legal discovery was buttressed by a Geographic Information System analysis by our scientist Jason Patrick. Our findings became a brief filed with the state. The result: approximately 20,000 additional acres of wetlands will be protected.

More than 200 species—including the bald eagle, osprey and bog turtle—will have their homes protected. The wetlands will also function as natural filtration systems, protecting water that might otherwise have needed expensive purification plants. "It's a huge victory," says Patrick. "People can enjoy this land as open space, not have to endure it as strip malls."



Rudi VonBriel

Once lowly "swamps" are today appreciated for their beauty.



Bob Evans/Peter Arnold, Inc.

SOS: Pacific fisheries require urgent conservation action.

## Emergency closure of fishery highlights ocean's plight

What began as a warning by Environmental Defense and others about collapsing Pacific fish stocks culminated this summer in the dramatic closure of a West Coast fishery.

"This desperate action by the Pacific Fishery Management Council is a painful demonstration of why we need stronger ocean protection," says our marine ecologist Dr. Rod Fujita.

The Council closed much of the West Coast continental shelf from Washington to central California to bottom fishing for the rest of the year. The closure will expand next year in a last-ditch attempt to reverse steep declines in Pacific red snapper and other groundfish. One species, the bocaccio rock-

fish, hovers at around 3% of its natural abundance and may be headed for extinction. It could take up to 100 years to rebuild the Pacific groundfish fishery fully.

In response, we have redoubled our efforts to create marine reserves in vital spawning areas such as the Channel Islands.

"If managers had created such reserves a decade ago, we'd have a sustainable fishery now and fishermen wouldn't be out of work," says Fujita. A decision on the Channel Islands reserve is expected soon.

"Only marine reserves can achieve total protection," says Fujita. "Protecting fish before they are depleted is like keeping money in the bank rather than living from paycheck to paycheck."

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# Gene research: A better way to protect us from toxic chemicals?

The Human Genome Project, now working to identify 35,000 or more human genes, will revolutionize medicine. Will it also revolutionize the way we regulate people's exposures to chemicals? Many scientists think so.

"Chemicals are considered innocent until proven guilty," says Dr. John Balbus, director of our Environmental Health program and the first medical doctor on our staff. "With traditional toxicological tests costing millions and taking years, it's no surprise most chemicals haven't been put on trial." We are working with the chemical industry and EPA to complete these tests on high production chemicals, but there may be an even better way to end toxic ignorance.

New genomic methods promise faster results than traditional testing. By detecting responses in thousands of genes at the same time, genomic methods also could improve our understanding of how chemicals cause toxicity and

allow us to better screen chemicals. "Current tests don't pick up certain subtle effects which can cause serious problems over the long term," says Balbus.

Genetic technologies are already used to identify people who may be more susceptible to adverse reactions to chemical exposures.

As more genes are identified, our understanding of why individuals differ in their susceptibility is likely to grow. This could enable regulators to better protect the most vulnerable people, but there are potential pitfalls. For example, focusing on susceptibility may divert attention from the usual reason why some people suffer ill effects from chemicals and others don't: the fact that some are exposed to far more chemicals than others.



Michael Newman/Photo Edit

Do this baby's genes hold clues to future risks from toxic chemical exposure? Advances in genetic technology will help us find us out.

"The environmental community has a strong interest in seeing that the new technology is applied correctly," says Balbus. "Environmental Defense can be the public-interest voice that understands the technology, interprets the findings and makes sure industry uses the technology for the public good."

## Kresge Foundation gives environment the technology edge

Advanced computer systems give Environmental Defense an edge in tackling tough environmental problems. Without such technology, our scientists could not have located the "hot spots" across the nation where endangered species are threatened. Nor could we have demonstrated to local government officials the damaging effects of sprawl.

Much of our computer technol-



Tim Commer

Mapping system helps fight sprawl.

ogy has been provided through challenge grants from The Kresge Foundation. Support from this foundation put networked computer terminals in all our offices 20 years ago, before most organizations had heard of the Internet, and allowed us to regularly update our technology.

Now, The Kresge Foundation has pledged \$1.5 million for infrastructure improvements including expanded office space and new computer equipment essential to our work in protecting biodiversity, climate, oceans and human health.

The pledge is an all-or-nothing challenge to The Campaign for Environmental Defense: We get Kresge's grant only if we raise an additional \$13.5 million from our members and friends.

The Campaign for Environ-

mental Defense was launched to tackle new and immensely complicated challenges including global warming and the loss of endangered species. Leadership gifts already have helped raise \$160 million toward the campaign goal of \$200 million. The Kresge challenge will help close the gap by motivating other donors who seek to leverage their contributions.

Beyond improving teamwork between Environmental Defense and its allies, Kresge's support will cut pollution by increasing our use of videoconferencing in place of travel and electronic documents in place of paper.

For more information about The Campaign for Environmental Defense, please call Paula Hayes, Director of Development, at 212-505-2100.

## Cool rides

To follow up on ideas mentioned in the story, contact any of these resources:

Dynamic Ridematching. Environmental Defense, 5655 College Ave., Suite 304, Oakland, CA 94618; 510-658-8008. Demonstration web site at [www.ridenow.org](http://www.ridenow.org) or contact [dkirshner@environmentaldefense.org](mailto:dkirshner@environmentaldefense.org).

National Association of Rail Passengers. 900 2nd Street, NE, Suite 308, Washington, DC 20002; 202-408-8362; [www.narprail.org](http://www.narprail.org).

American Public Transportation Association (APTA). 1201 New York Ave., NW, Washington, DC 20005; 202-898-4084; [www.apta.com](http://www.apta.com).

Bikestation Coalition. Ocean Center Building, 110 West Ocean Boulevard, Suite 810, Long Beach, CA 90802; 562-733-0106; [www.bikestation.org](http://www.bikestation.org).

CarSharing Network. [www.car-sharing.net](http://www.car-sharing.net). Find a car-sharing program near you at [www.car-sharing.net/where.html](http://www.car-sharing.net/where.html) or worldwide at <http://www.gocarlink.com/about/links.htm>.

The National Station Car Association is at [www.stncar.com](http://www.stncar.com).

Surface Transportation Policy Project. 1100 17th Street, NW, 10th Floor, Washington, DC 20036; 202-466-2636; [www.transact.org](http://www.transact.org).

ZEV-NET. University of California, Irvine, CA 92697; [www.zevnet.org](http://www.zevnet.org). The nation's largest station car program.



Mark Richards

There are now smarter ways to get to work. . . if only commuters knew about them.

## Getting there

### OVERTHROWING THE TYRANNY OF ONE PERSON, ONE CAR

The satiric publication *The Onion* recently cited a fictitious poll in which four out of five Americans felt “everyone else” should take the train or bus. That’s funny because it contains an uncomfortable grain of truth.

Mass transit ridership is at its highest level in 40 years (it’s actually rising faster than automobile use), yet commuters of 1950—or even of 1900—had more transportation options than today’s ultra-modern commuter. The environmental consequences of cars are simply hard for most people to avoid.

This may be changing soon. Experts predict that in 10 to 15 years the first hydrogen-powered fuel-cell engines, whose only byproduct will be clean water, could become commercially available. In the meantime, realistic plans to get Americans out of their cars need to offer alternatives with nearly the same level of convenience and comfort.

Here’s what’s on the cutting edge today:

- **Car sharing.** Cheaper and more con-

venient than car rentals, this rapidly growing concept offers car ownership only when you need it. Members can reserve cars at strategic locations around a city or region and access them directly using advanced electronic chip cards or lockboxes. Rates (on top of membership fees) vary from \$8 to \$16 an hour, plus mileage. Well-established in Europe, share cars are now available in many of America’s larger cities through companies like Zipcar and Flexcar.

- **Station cars.** Focusing on predictable, daily trips, station car programs let commuters borrow low-emission electric vehicles (EVs) to drive to and from the train station, where a plug-in charger awaits. Ideally, the EV is also used by a second commuter during the day.

- **Dynamic ridematching.** As work schedules have become more varied, traditional carpooling has declined. Computer-based matching, which

*This guest article is one of a series by the editors of E/The Environmental Magazine (for subscription information: 800-967-6572 or [www.emagazine.com](http://www.emagazine.com)). Opinions are the author's and not necessarily those of Environmental Defense staff.*

allows carpools to form “on demand,” can help offset this trend. Dynamic ridematching already exists in Europe. Environmental Defense has teamed with Alameda County, CA, to match riders to and from Bay Area Rapid Transit stations, where parking spaces are reserved for carpools.

- **Wireless dispatch.** Transportation on demand, or paratransit, dispatched by telephone, radio or computer, has nearly doubled in the United States since 1985. Modern communications makes coordinating rides much more efficient. Looking to the future, Dan Sperling of the University of California says, “Up-to-the-minute service information would eliminate the need for reservations. Travelers could request rides by telephone, cel-



Bike stations make the ride smoother.

lular phone, interactive television or modem-equipped computer.”

- **Bike stations.** In 1996, Long Beach, CA, became the first American city to offer beleaguered bicycle commuters an oasis of safe, attended parking and a full range of services.

The idea caught on quickly: There are now bustling bike stations in several cities. “Bike stations make it easy to take transit,” says Michael Replogle, Environmental Defense transportation director.

- **Dedicated busways.** Buses compete well with cars and trains when allowed to run on dedicated bus-only roads where they can skip traffic lights. In Curitiba, Brazil, the city’s 20 intermodal stations and five busway corridors are seen as an international model. Smaller systems have been built in several U.S. cities. Many of them average more riders per capita than any other transit systems and are cheaper to build than light rail.

By Jim Motavalli

## Keeping America’s communities safe from attack

### STRUGGLE CONTINUES FOR CHEMICAL PLANT SAFETY

When the September 11 attacks occurred, suburban Washington, DC resident Fred Millar was well aware of the danger facing the nation’s capital should attackers target chemical plants. For 10 years he’d been pressing the Blue Plains sewage treatment plant nearby to remove the chlorine gas stored there in giant tanks. A release from a single tank could kill or injure thousands and spread poison gas over Capitol Hill.

Millar visited the plant in the 1990s and found ten chlorine tanks, though the facility used only one each

week. “When I asked the facility representative why they had so much chlorine, he looked down, shuffled his feet and admitted there was a sale so he had stocked up. That’s how lax attitudes were,” said Millar.

In response to community pressure, the plant agreed to a long-term plan to shift to a less toxic disinfectant. After September 11, however, the facility quickly removed the chlorine. We’re working with Millar and others to convince plants across the country to take similar steps.

Last fall we helped found the Safe Hometowns Initiative, a coalition of community and labor groups pressing facilities to use safer alternatives that are often readily available. About 300,000 plants across the country use or store hazardous chemicals. An attack at any of the largest 125 facilities could affect a million or more people.

The government responded to last year’s attacks by making risk information secret. We fought to protect the public’s right to know about potential hazards and helped design legislation to set safety standards at chemical plants.

Our specialist Carol Andress testified before Congress in support of the tougher safety standards, which could become law this fall. “Rather than hiding risks from the public, government and industry should work to make facilities truly safe by removing hazardous chemicals—then they’ll have nothing to hide,” Andress says.



Simple steps could make this plant less of a target.

# Stopping environmental disasters before they happen

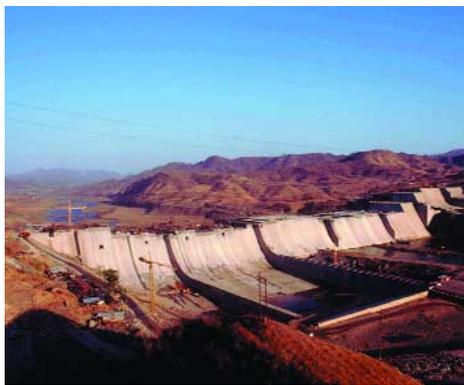
## GLOBAL CAMPAIGN HALTS INDIA'S GIANT MAHESHWAR DAM

Traditionally, huge dams in developing countries have been financed and built by well-heeled multinational consortiums. Dam opponents—no matter how passionate—are inevitably local. Guess who usually prevails?

The pivotal role Environmental Defense played in the recent defeat of India's Maheshwar dam shows how this pattern is changing. This time, multinational corporations in search of global financing encountered a well-organized, international network of environmental and human rights groups that blocked them in every country they tried. Our economist Korinna Horta catalyzed opposition in Portugal after the corporations—rebuffed in the United States and Germany—made a last-ditch attempt to win financing there.

### HALTING A DESTRUCTIVE DAM

The Maheshwar dam in India's Narmada Valley would have flooded 61 villages, displaced 35,000 people and devastated local ecosystems. Even though displaced villagers were promised new land, six



Dinodia Photo Library

The cost of not acting: An earlier Narmada River dam, Sardar Sarovar, submerged 248 villages.

dams in the area had already left a backlog of 100,000 people waiting for resettlement. In addition, landless fishermen and silt-bank cultivators would have lost their livelihoods.

Plans for the dam generated massive local protests. Since 1995, thousands of farmers occupied the Maheshwar site, barricading entrance roads and staging mass demonstrations and hunger strikes. The Indian government responded with police attacks and arrests.

Meanwhile, an international network of human rights and environmental groups had set to work convincing foreign corporations and export credit banks to drop the project. Citing financial risks as well as human rights and environmental concerns, the network met with bankers and sponsored demonstrations and letter-writing campaigns. The U.S. utility PacifiCorp backed out in 1998, followed by two German utilities. Faced with a public campaign endorsed by 124 organizations in 27 countries, the U.S. energy company Ogden Corporation withdrew in 2000.

A number of companies, however, including the German-based Siemens and Swiss-Swedish conglomerate ABB, continued seeking loans to build the dam. German groups in our network



AP Photo

When local protests against a destructive dam were suppressed, we shifted the fight to the global stage and blocked financing.

successfully blocked them in Germany. Quietly, one of the corporations reapplied in Portugal, where it hoped to meet less environmental opposition.

But the conglomerate didn't reckon on Horta, a 10-year veteran of our international program, who speaks both German and Portuguese. "They thought no one would notice," she says, smiling. "They were wrong."

Horta brought German and Portuguese environmentalists together to oppose the export credit application, which was denied. By March of this year, dam builders were auctioning off equipment, and Maheshwar was effectively dead.

"It was the first time northern and southern Europeans worked together on an export credit challenge," says Horta. "We showed that civil society groups all over the world can work together just as the companies' multinational components do."



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