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## Historic vote on global warming 43 SENATORS SUPPORT McCAIN-LIEBERMAN BILL

The science on global warming is clear. What has been unclear, until now, is where our elected officials stand on the issue.

Finally, the cards are on the table. On October 30, the Senate voted on the McCain-Lieberman Climate Stewardship Act, which calls for a comprehensive economy-wide national policy to cut heat-trapping gases.

Although the bipartisan bill was defeated (55-43), support was much stronger than pundits expected. The bill garnered support from senators in both parties and every region, including farm states, industrial states and coal states.

"This vote puts us within striking distance of victory," says Environmental Defense president Fred Krupp.

"I want to assure my colleagues we will be back," said Senator McCain (R-AZ), vowing to re-introduce the legislation soon. "It took seven years to pass campaign finance reform," he added.

To put global warming on the national agenda, Environmental Defense launched a broad media campaign, including televised spots and radio and newspaper ads. We also recruited more than 200,000 "citizen co-sponsors" for the McCain-Lieberman bill.

"We owe thanks to our members—and a unified environmental community—for telling their elected officials it was time to take a stand," says our climate director Peter Goldmark.

Lieberman plan—modeled after the successful market-based acid rain reduction program in the 1990 Clean Air Act—is the only legislation that would result in global warming pollution going down, not up. Under the plan, major sources of greenhouse gases nationwide would be required to limit their emissions to year 2000 levels by 2010.

An independent M.I.T. study estimates that the costs of the McCain-Lieberman plan would be just \$15 to \$20 per family per year, refuting claims by opponents, including the Bush administration, that it would be too onerous economically.

"We didn't expect to win on this first vote," Krupp says, "but we will win. The history of environmental laws shows we gain momentum when these issues leave the back rooms for the sunshine of recorded votes." According to a recent Gallup Poll, three out of four Americans favor mandatory controls on greenhouse gas emissions.



More on the web: Find out how your senators voted and let them know what you think. Go to [www.undotit.org](http://www.undotit.org).



Richard Ellis/Corbis Sygma

The McCain- For the first time, senators took a stand on warming.

## WHERE WE STAND

By Fred Krupp, President



### Leapfrog is a win-win game

Could developing countries leapfrog over environmental problems that have beset industrial nations? Imagine China using wind power to generate electricity, as many analysts have proposed, instead of burning coal. Or picture a city building a water infrastructure that avoids using precious drinking water to flush sewage as we do.

International financial institutions like the World Bank could be the visionaries. The right investments can fuel economic growth in the developing world while protecting climate, health and biodiversity.

But absent strong environmental standards, these same institutions can bankroll disasters. When one institution raises its

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### Let's help others learn from our mistakes.

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standards, as did the U.S. Export-Import Bank in refusing to fund the destructive Camisea pipeline in Peru (*see page 7*), borrowers race to find less principled lenders.

Toughening environmental rules for these funders is one area where the Bush administration is doing the right thing. But several European governments oppose strengthening the rules for export credit agencies. International financial institutions funnel \$150 billion a year to the developing world, much of it for harmful projects. The Camisea pipeline, now moving ahead with other funding, is a sad example.

Let's help others learn from our mistakes.



Dennis MacDonald/PhotoEdit

The Bush administration's rollback of Clean Air Act rules threatens public health.

## EPA's clean air tango

### ONE STEP FORWARD, TWO BACK ON HARMFUL SMOKESTACK POLLUTION

There are days when visitors to Acadia National Park in Maine need X-ray vision to see through the thick haze. Visibility in eastern parks is about one-fifth what it would be without pollution from humans, and two-thirds in the West, according to the National Park Service.

As part of our broad clean-air strategy, Environmental Defense brought legal action to compel the Environmental Protection Agency to set limits on air pollution that obscures scenic vistas in national parks. Much of this haze is caused by power plants hundreds of miles away. The limits were required by the Clean Air Act 20 years ago but never implemented.

In a major breakthrough, we reached a proposed court settlement with EPA in August requiring the agency to adopt new haze rules by 2005.

Ironically, one week later, EPA quietly finalized plans to roll back a key provision of the Clean Air Act affecting some of the same plants. The new policy inspired outrage nationwide. *The Austin American-Statesman* denounced it as "a huge mistake," while *The New York Times* called it "reckless and insupportable."

"Cleaning up the industries that pollute our national parks is important," says our attorney Vickie Patton, "but we need a comprehensive solution. The health of

millions of Americans is at stake."

Environmental Defense went back to court, joining with other environmental and health groups—and a dozen states—in a lawsuit against EPA. At issue is the Clean Air Act provision known as New Source Review, which requires companies to install modern pollution equipment when they make changes resulting in significantly more air pollution. Under the new policy, thousands of aging coal-fired power plants and factories will be able to expand their facilities without installing new pollution controls.



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“EPA is stripping away vital measures that have protected Americans from industrial air pollution for a quarter century,” says Patton. The new rule could result in millions more tons of harmful pollutants in the air and jeopardize dozens of existing lawsuits against companies for New Source Review violations.

“This is a body blow to state and local power to protect public health,” Patton adds. In Congress, Environmental Defense is promoting bipartisan legislation that would grant states the right to choose whether to adopt the New Source Review exemptions.



## MAILBAG

### Dear Environmental Defense:

I often participate in your email action alerts. I received an alert about new rules to clean up diesel fuel and offroad vehicles like tractors (May-June *Solutions*). Many, like my father, are small farmers, and new regulations without government support would be financially devastating.

**Cherie Gough, San Diego, CA**



Dennis MacDonald/PhotoEdit

### Our attorney Janea Scott responds:

We support state programs that give farmers financial assistance to change to cleaner engines. We're working to win a similar program nationwide. Grants in California are issued through the Carl Moyer Program; contact the California Air Resources Board at 800-242-4450. EPA also has a voluntary program.

**LET US HEAR FROM YOU!**  
See addresses at left.

## Farmers aid an endangered butterfly and help themselves



USFWS

The Karner blue butterfly is said to “dance with fire” because its prairie and barrens habitat requires periodic fires to thrive.

In the words of renowned novelist Vladimir Nabokov, the Karner blue butterfly once “fluttered like blue snowflakes” across the Great Lakes states and New England. A noted lepidopterist, Nabokov first identified the postage-stamp-sized butterfly in 1943. Now extinction threatens the Karner blue. It has declined by 99%, disappearing as farms and subdivisions devour its prairie and barrens habitats.

Environmental Defense helped initiate a program to aid the butterfly and assist farmers. We convinced officials in Wisconsin, where the butterfly is most numerous, to create a seed mix that nourishes Karner blues. The mix includes wild lupine, essential for the butterfly’s survival: Its caterpillars will feed on nothing else.



Nabokov Archive

Novelist Vladimir Nabokov passed a love of butterflies on to his son.

We helped ensure that farmers who use the seed mix will gain points toward winning scarce federal Farm Bill

conservation funds. In addition, the Leopold Stewardship Fund, a joint initiative of Environmental Defense and the Sand County Foundation, provides financial assistance to Wisconsin farmers who restore the butterfly’s habitat. “This program not only creates a lifeline for the Karner blue, it also helps farmers and restores native prairie,” says our ecologist Regina Hirsch.

Nabokov discovered the Karner blue in pine barrens near Karner, NY, west of Albany. With The Nature Conservancy there, we are working to expand Karner blue habitat using Safe Harbor agreements, which help landowners restore habitat for endangered species without fear of added restrictions on their land.

“My father would have enthusiastically endorsed the creative undertaking of Environmental Defense and encouraged landowners and the authorities to participate in the Safe Harbor initiative to protect this and other endangered creatures,” says the author’s son, Dmitri Nabokov, who has translated *Nabokov’s Butterflies*, a collection of his father’s unpublished writings.

# Regional update

## Ferry cleanup will help clear the air for all New Yorkers

As New York City's waterfront comes back to life, ferries once again ply the harbor. Boats set off up to 1,000 times a day, many carrying commuters who lost train access to lower Manhattan from New Jersey in the World Trade Center attacks. But ferries and other commercial vessels plying the busy harbor produce as much particulate matter as 572,000 vehicles on the road, and officials predict ferry traffic will continue to increase.

This fall Environmental Defense announced an innovative partnership to slash ferry pollution by as much as 90%. The project brings together the city's three private ferry companies with government agencies and universities to identify, test and install pollution controls on these ferries by fall 2004. The city, state and federal government put up \$6.8 million to fund the effort. Our experts will

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### New York is to be a model for cleaner ferry technology.

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help evaluate technology such as filters and cleaner fuel. Diesel exhaust, a potent trigger for asthma attacks, contains more than 40 cancer-causing compounds, ranking it among the most dangerous air pollutants. Marine engines are some of the worst offenders because they lack modern pollution controls.

"This project not only will reduce unhealthy diesel emissions for New Yorkers but also will make the city a worldwide model in clean technology for marine engines," says our attorney Andrew Darrell.



Hailing a new kind of taxi: Ferry traffic has doubled in New York harbor since 2001.

Radcliffe Royce/AP Photo



Jennifer Pitt

Boondoggle: A massive desalting plant threatens to dry up the Cienega de Santa Clara, designated as a Biosphere Reserve. Local residents guide ecotourists through the labyrinth of bays and channels.

## Protecting a vital wetland across the border in Mexico

An oasis of cattails and willows, the Cienega de Santa Clara is a vestige of wetlands that once covered the Colorado River delta. Naturalist Aldo Leopold described it in *The Sand County Almanac* as a place where the river lost itself among "emerald lagoons."

Over the years, dozens of dams have been built on the Colorado, changing the delta forever. Now Congress is keen on restarting a huge desalinization plant in Yuma, AZ, putting the Sonora Desert's largest remaining wetland at risk.

The \$256 million plant was mothballed shortly after its completion in 1992. If it is put back online, it will discharge toxic brine into the Cienega and deprive the wetland of 70% of its water. "This plant would kill the Cienega," says Environmental Defense water analyst Jennifer Pitt, who is helping coordinate

efforts to save the wetland.

For years, runoff diverted to the Cienega from U.S. farms has allowed the wetland to flourish. The area is a stopover point for migratory waterfowl. It is home to hundreds of bird species, including the endangered

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### A threat to emerald lagoons

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Yuma clapper rail, a secretive shorebird whose cry sounds like hands clapping.

The U.S. Bureau of Reclamation, which will determine the plant's fate, has identified an alternative: leasing water from farmers. Says Pitt: "This would save money and help the environment." Several irrigation districts and one tribe are interested, and we're working to convince state and federal officials of the wisdom of this approach.



# Protect the coral, save the fish



Animals-Animals

Commercial and recreational fishermen are starting to agree on ocean protection.

Rising to spectacular undersea pinacles, Oculina or ivory tree coral grows in the deep waters off central Florida and nowhere else in the world. By the time Oculina Banks, a rich fishing area off Fort Pierce, received protection from trawling and dredging in 1984, most of the delicate coral structures had been reduced to rubble.

Soon commercial fish grew scarce, and bottom fishing was declared off limits for a decade. This year, urged by our marine ecologist

Dr. Doug Rader, the South Atlantic Fisheries Management Council closed the 92-square-mile Banks indefinitely.

The closing reflects growing agreement among scientists, environmentalists and fishermen. With coral thickets reviving through restoration efforts and groupers, snappers and amberjack coming back, the talk at meetings is about how to enforce management plans. "We're all singing, if not the same song, then from the same songbook," says Rader.

Environmental Defense advocates a broad plan to create a network of mostly deepwater marine reserves from Florida to North Carolina and to prohibit the sale of important fish species during spawning season.

Such solutions were backed by a recent Pew Oceans Commission report, which found oceans in severe peril from pollution, overfishing and lack of coordinated management. We hope an upcoming report from the U.S. Commission on Ocean Policy, which requires a response from President Bush, will take a similar approach.

Rader hopes South Atlantic fisheries will become models for regional management elsewhere. "The ecosystem approach works, and we have proof it works," he says. "Now we need to make it happen."

## Thinking of fish for dinner?



Many of the fish we love to eat are disappearing from the world's oceans. Do we have to stop eating fish? No, but by choosing seafood wisely we

can help save our seas.

To help you decide what fish to buy, Environmental Defense has created a Pocket Seafood Selector highlighting the best and worst choices. Detach yours from the center of this issue, and please pass along the extra copy to a friend.

## Help for a lagoon on the edge

In the Gulf of Mexico, the border between Texan and Mexican waters means nothing to fish. It's a real barrier to our scientists, however, as they work to protect the Gulf's web of life under differing laws and customs. For years we've helped create incentives for Texas fishermen to sustain sea life. Now, with support from the Campaign for Environmental Defense, we aim to do the same in Mexican waters.

Our focus is the Laguna Madre, a fragile marine ecosystem wedged between the mainland and a rim of barrier islands extending from Corpus Christi into Mexico. Shallow and nearly landlocked, the Laguna supports an astonishing variety of life. A nursery for Texas's valuable shrimp fishery, it is visited by nearly half the state's fin fish, as well as white pelicans and redhead ducks.

Working with Mexican scientists, we're surveying the Laguna's biological health. "It is critical to get Mexican fishing communities involved," says our marine biologist Pamela Baker.

Continued progress on this and other initiatives depends on our raising \$3.4 million from members by December 31 to reach the \$200 million campaign goal. We ask our entire community of friends to help us meet this challenge. For campaign information, please call Paula Hayes at 212-505-2100.



Gordon and Cathy Illeg/Animals-Animals

Nearly 80% of North America's redhead ducks spend their winters in the Laguna Madre.

## Liquid assets

Clean Water Action advocates for clean, safe and affordable water: 4455 Connecticut Ave., NW, Suite A300, Washington, DC 20008; [www.cleanwateraction.org](http://www.cleanwateraction.org). Call 202-895-0420.

Consumer Reports has online ratings of water filters and bottled waters. In-depth analysis of specific brands requires a \$24 yearly subscription. [www.consumerreports.org](http://www.consumerreports.org).

Co-op America's National Green Pages lists bottlers that practice environmental sustainability: 1612 K Street NW, Suite 600, Washington, DC 20006; [www.greenpages.org](http://www.greenpages.org). Call 800-58-GREEN.

EPA's Office of Ground Water and Drinking Water oversees drinking water safety: Ariel Rios Building, 1200 Pennsylvania Avenue, NW, Washington, DC 20460; [www.epa.gov/safewater/wot/on-tap.html](http://www.epa.gov/safewater/wot/on-tap.html). Call 800-426-4791.

One company that takes back used water filters is Global Environmental Technologies. Call 610-821-4901.

The Water Quality Association is a hub (and useful locator) for water professionals. On the user-friendly website, you can diagnose your own drinking water. 4151 Naperville Road, Lisle, IL 60532; [www.wqa.org](http://www.wqa.org). Call 800-749-0234.

To find out test results for your tap water, call the phone number on your water bill or your public health department. To test your household's water, contact the water certification officer in your state's public health department for a list of certified private labs.



Chris Mellor/Lonely Planet

Don't believe the hype: Tap water is often the safest option.

## Water, water everywhere BOTTLED WATER MAY BE CHIC, BUT IS IT HEALTHIER?

"What kind of water will you have with your dinner, sir?" asks the hip, young waiter at an upscale Manhattan café. Behind the bar, a refrigerator is stocked with bottled waters of various shapes. Some are from far-flung places like Fiji; another may come from nearby Queens, NY, but that fact isn't mentioned on the blue designer label.

Many Americans believe bottled water is healthier than what comes from the tap. In fact, 20% of U.S. consumers refuse to drink tap water. Bottled water sales have grown nine-fold over the past 20 years.

Most consumers don't realize that bottled water, the product of a largely self-regulated industry, generally is held to looser standards than tap water. Scientists have found little evidence that bottled water is any cleaner or healthier. In fact, a third of the bottles tested in one study contained contaminants such as arsenic. One "spring water" featured a graphic of pristine mountains but pumped its water from a parking lot near a hazardous waste site.

Bottled water also has environmen-

tal implications. Distribution of the product requires substantially more energy than delivering tap water. Supplying Americans with water bottles for one year consumes enough oil to fuel 100,000 cars; only one out of 10 plastic water bottles is recycled.

So what is a conscientious consumer to do? Here are some tips:

**Tap the tap.** Co-op America suggests "Often the safest option is to drink from a tap." Overall, America's municipal water system has an excellent safety record. Unlike private water bottlers, municipal systems must make available to the public the results of mandatory lab tests. Well owners might want to get their water tested by a certified lab. Consumers can also get involved politically to protect watersheds.

**Fabulous filters.** Still concerned about your tap water or don't like its taste? Filters are cheaper than bottled water and leave a lighter ecological footprint. Do your homework before deciding on a model, as

*Guest columnist Brian Howard is an editor 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 those of Environmental Defense staff.*

quality varies considerably. Buy from companies like Global Environmental Technologies, which takes back used filters so they don't release toxic materials.

**Clear the chlorine.** To remove chlorine from tap water, simply expose the water to sunlight for an hour in a clear, uncovered bottle, or leave it in the refrigerator for 24 hours. The chlorine will dissipate into the air.

**Rinse and reuse.** For convenience on the go, consider fill-

ing your own bottles. Glass doesn't leach chemicals, and sturdy plastics can be repeatedly washed without worrying about bacteria. For a lessened environmental impact, spring water can be purchased in bulk and then poured into manageable containers.

**Beware the hype!** If you do decide to buy bottled water, find a brand you can trust. Call the bottler and request lab results. Ask about their environmental philosophy.

By Brian Howard

## YOUR BEQUEST NOW HELPS MORE THAN EVER

When you make a new bequest to Environmental Defense in your will, a generous matching grant established by Robert W. Wilson will contribute an additional \$100 to \$10,000, depending on the amount of your bequest.



Jennifer Loomis/Animals Animals

This is an extraordinary opportunity to leverage your support, so please be sure to notify us of your bequest. Estate gifts from current Osprey Society members also qualify if you notify us by December 31. For more information, contact Anne B. Doyle, Environmental Defense, 257 Park Avenue South, New York, NY 10010 or phone 212-505-2100. Email: [adoyle@environmentaldefense.org](mailto:adoyle@environmentaldefense.org).

## NEWS BRIEFS

### McDonald's changes packaging; pledges to offset environmental impacts

Over the next several months, McDonald's will change the packaging for several of its sandwiches from paper wraps to rigid containers and will switch to bleached white carryout bags, which it had discontinued more than a decade ago in favor of environmentally preferable unbleached brown bags. The new bags will have 30% recycled content (all postconsumer), as compared with 100% in their current bags (30% postconsumer). These changes, to take effect nationwide, will mean significantly higher environmental impacts compared to the packaging being replaced. After discussions with Environmental Defense, however, McDonald's has committed itself to offset these negative impacts by making improvements elsewhere.

The longstanding relationship between Environmental Defense and McDonald's allowed us to secure this promise from the company. "When I met with McDonald's CEO Jim Cantalupo this summer, he assured me he would do what was needed to offset the impacts fully," said Krupp. "We will monitor progress on this commitment and will hold the company accountable for meeting these goals. McDonald's has gained a clear reputation as an environmental leader and, going forward, sustained improvements in packaging will be needed to maintain that leadership."

In addition to being bleached with chlorine compounds, the new bags contain less recycled content, and the new sandwich cartons use more material than the packaging they replace. Negative impacts on the environment will include increased use of wood, water, energy and chemicals,

increased release of air and water pollutants and increased solid waste.

McDonald's has committed itself to offset these increases through environmental improvements in its other packaging. Specifically, it will offset 100% of the increased impacts by January 2004 and an additional 5% by March 2004. Changes in the works include increasing the recycled content of napkins and switching to lighter-weight paperboard for some fry cartons.

"We are disappointed that McDonald's has chosen to make these changes," said Fred Krupp. "We believe these changes are unnecessary for packaging with a useful life typically on the order of minutes. But we are pleased that McDonald's has pledged to ensure that the overall impact of its packaging on the environment does not increase."

### Drawing the line in the Amazon rainforest

After months of pressure from Environmental Defense and its allies, the U.S. Export-Import Bank refused to make a \$214 million loan for the environmentally damaging Camisea natural gas project in the Peruvian Amazon. It marked the first time the Ex-Im bank has rejected a final loan application on environmental grounds.

Before anyone could celebrate, the Inter-American Development Bank (IDB) approved a \$75 million loan, with the U.S. abstaining. The IDB added stronger environmental safeguards, however, following pressure from us.

Our social scientist Aaron Goldzimer influenced Ex-Im's rejection of the loan by mobilizing Congress and providing analysis on impacts. Says Goldzimer: "This could raise the bar for other controversial projects."



# Judge: Carmakers must pay to remove mercury

Automakers who knowingly used toxic mercury in cars for more than two decades must help pay for its cleanup, a federal magistrate has ruled. The ruling upholds a Maine law, which Environmental Defense helped write, requiring automakers to pay \$1 per car to scrap dealers to remove mercury that otherwise would be released into the environment from junked cars. Mercury causes brain, lung and kidney damage, particularly in children.

In 1995, the Big Three U.S. automakers committed to rapidly phase out mercury, used primarily in convenience light switches, but our 2001 report *Toxic by Design* showed they had failed to do so. In fact, we showed, they were pursuing additional uses like brake switches and mercury vapor headlights.

Pressured by us and others, the Big Three stopped using mercury switches in 2002, but balked at taking responsibility for the more than 200 million switches still in cars on the road.

"This decision serves notice that companies can't disperse chemicals they know harm our children and then walk away," said our attorney Kevin Mills.



Martin Bond/Peter Arnold

A heap of trouble.



Bryan & Cherry Alexander

When opponents of the Kyoto Protocol launched a campaign to destroy it, we revealed that inaction on global warming could spell the death of the taiga.

## A climate showdown in Moscow

It is in Russia that the fate of the Kyoto Protocol will be determined. The treaty, ratified by 119 countries but rejected by the Bush administration, will go into force once Moscow ratifies. To discuss the issue, President Vladimir Putin recently convened a World Conference on Climate Change.

Working with our Russian partner, the Center for Russian Environmental Policy, we organized a parallel Civil Society Social Forum where experts from 33 countries moved the debate forward.

Then came a shock. Returning from America, Putin suddenly announced a delay in ratification. An anti-Kyoto barrage ensued, encompassing newspapers, music and even children's television. Scientists at the World Conference found their microphones cut off and the floor given to officials financed by Exxon-Mobil, who argued that ratification would plunge Russia into poverty.

We took the offensive. With

over a decade of experience in Russia, Environmental Defense was uniquely positioned to help get Kyoto back on track. We organized a press conference where scientists pointed out that likely consequences of inaction include the drowning of Putin's hometown of St. Petersburg. We then detailed our new project with the giant Archangelsk Pulp and Paper Mill for a greenhouse gas inventory.

After a marathon effort by our team and partners, both conferences issued statements endorsing the evidence of human-caused global warming and calling for prompt action.

"There was a lot of clumsy maneuvering to discredit the Kyoto process," said Peter Goldmark, director of our Climate program. "What remains clear is that Russian citizens have an enormous amount to gain by Russia's signing the treaty."



More on the web: For updates on President Putin's actions, visit [www.environmentaldefense.org](http://www.environmentaldefense.org).



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