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June 2000



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New alliances in a battle to save the seas

FEARING EMPTY NETS, FISHERMEN OPT FOR CONSERVATION

Fishermen have plied the rich waters of the Gulf of Mexico for decades, hoping to find a mother lode of red snapper, grouper or amberjack. These days, they return to port telling tales of woe.

"We're on a downward slope," laments Felix Cox, who has fished the Gulf for 35 years. "No one can make a living at this anymore." Nearly two-thirds of the nation's important fish stocks have been depleted or threatened, including lobster, cod and flounder.

In the Gulf, the once-abundant red snapper was classified as overfished in 1984. The government imposed catch limits and shortened the season but this only made matters worse. A mad dash ensued. Fishermen are compelled to race one another to harvest as many fish as possible, eradicating other species and ultimately driving down snapper prices by creating a supply glut. "The waste is horrific," Cox says. "We're cutting our own throats."

Environmental Defense has

launched a multi-faceted campaign to protect oceans and coastal areas by establishing marine reserves, controlling coastal pollution and reducing overfishing. Some of our most promising work is with fishermen who were initially wary of working with us. For the Gulf red snapper fishery, we've proposed a novel solution: instead of limiting the fishing season, regulators would limit each boat's allowable annual catch. These fishing allowances, called individual transferable quotas, could be bought or sold on the open market, allowing fishermen to fish when they wanted.

"A quota program would give fishermen a direct economic stake in the sustainability of the fishery," says our marine ecologist Dr. Rod Fujita. "These allowances may not be a panacea," says Cox, one of the fishermen developing the plan. "But they're our only hope for survival."

•See envelope inside for a good way you can help save Americas seas.



Ready for the mad dash: Because of outmoded regulations, Gulf fishermen must race each other to the catch, a practice that endangers their lives.



*Separating
the fish
from the
chips*

One evening last August, I found myself on a bluff overlooking the port at Chatham, MA, watching fishing boats bring in thousands of spiny dogfish, or sand sharks as they are popularly known. Once exterminated like vermin, this ancient species then had the sorry luck of becoming the mainstay of the huge fish 'n chips market. Only recently did we discover that female sand sharks, which are pregnant for 24 months, need our protection. By then it was too late: shark populations have plummeted.

The plight of the sand shark symbolizes our profound ignorance and mismanagement of precious marine resources. Less than half of fish populations have been studied, yet we continue to play loose with marine life.

Some coastal waters could resemble polluted bathtubs.

Many people assume fish stocks will always rebound. That's not so. We're approaching the day when some coastal waters could resemble polluted bathtubs.

So I applaud Secretary of Commerce William Daley's recent decision to protect the sand shark. With encouragement from Environmental Defense and our allies, Secretary Daley stood up to a powerful fishing lobby. His bold move makes me hopeful that people are waking up to the plight of the seas.

—Fred Krupp



Jim Schwabel/New England Stock

The Federal government rushed to investigate plans to expand these locks after Environmental Defense released evidence of alleged Army Corps abuses.

Down the Mississippi in a pork barrel

It's no secret that the Army Corps of Engineers does things big—often without regard to environmental costs. America's rivers and shorelines have been reshaped by the Corps' projects, including one that turned the mighty Mississippi into a tame barge canal that Huck Finn would hardly recognize.

Now the Army Corps is scrambling to respond to alleged internal abuses that were uncovered recently with the help of Environmental Defense. The scandal, which broke on page one of *The Washington Post*, unfolded in conversations between Donald Sweeney, a Corps economist, and our attorney Tim Searchinger. Sweeney was a key figure in a \$50 million navigation study of the Upper Mississippi, funded by Congress under pressure from barge interests. The study considered doubling the size of many locks on the river, a move that could severely damage its ecosystem.

After a seven-year analysis, Sweeney concluded the costs of \$1 billion would far outweigh the benefits. The Army Corps generals responded by

removing Sweeney and ordering staff to somehow justify the construction.

Instead of quietly fading away, Sweeney blew the whistle, telling Searchinger about the Corps leadership's attempt to manipulate the study. "I think he values our respect for sound economics," says Searchinger, who released the evidence to the press.

The story prompted other secret Corps sources to step forward and talk to Environmental Defense. One internal memo revealed a plan by the top Army Corps generals—unknown to its civilian leaders—to inflate the budget by 50% in part by devel-

oping unnecessary projects.

Following these revelations, Secretary of the Army Louis Caldera quickly appointed the National Academy of Sciences to conduct a review. Shortly thereafter, the Federal Office of Special Counsel found "substantial likelihood" that the navigation study had violated the law.

Environmentalists have long warned that expansion of the locks would harm the Upper Mississippi,

*A whistleblower
makes the Army
Corps front-page
news.*

which is bordered by a wildlife refuge that hosts much of the central U.S. migrating bird population.

“If a project does not even pass muster economically, why take risks with this ecosystem?” asks Searchinger. We are now working with Congress to make the Army Corps more responsive to environmental concerns. “It’s a long haul,” Searchinger says. “We’re going to need some real public support.”

LAWSUIT AIMS TO PROTECT MISSOURI RIVER WILDLIFE

In a related development, Environmental Defense is suing the Army Corps of Engineers for operating Missouri River dams in a way that jeopardizes three federally protected endangered species—the piping plover, least tern and pallid sturgeon.

“For a decade, the U.S. Fish and Wildlife Service has warned the Corps that the way it operates these dams is causing three magnificent species to go extinct,” says our attorney Tim Searchinger. “The Corps refuses to make recommended changes to save these species only because it wants to protect a miniscule barge industry that it estimates at only \$7 million per year.” The changes would boost the economy, he says, by raising reservoir levels and providing recreational opportunities for the people of Montana and North and South Dakota.



Joe McDonald/Tom Stack & Associates

The piping plover: A brief respite from the battle of the barge.



Jim Brandenburg/Minden Pictures

The purity of wild salmon is threatened by a new genetically engineered variant.

Aquaculture: Farm fresh, but is it safe?

Since 1986, worldwide fish farming, or aquaculture, has doubled. Chances are the salmon on America’s grills this summer never swam in the open sea. Much of the trout and about half the shrimp, striped bass and salmon eaten by Americans is farmed.

While public criticism has focused on bioengineered crops, biologists say even greater environmental havoc may occur in the sea. This spring, an international biotech firm, A/F Protein, announced plans to market genetically engineered salmon that can grow at five to six times the normal rate. Researchers discovered the supersalmon by accident, after they had successfully spliced a flounder gene into a salmon to increase its tolerance of cold waters.

Supporters claim that designer seafood will help feed a burgeoning world population and relieve pressure from dwindling fish stocks. But the technology has also spawned controversy. Farm salmon regularly escape from coastal pens and then breed with wild salmon.

“If you mess up the gene pool, you can make the wild salmon population less able to survive and reproduce in the future,” cautions Environmental Defense biologist Dr. Rebecca Goldberg.

Fish farms pose other threats: they release pollution into coastal waters, threatening local marine ecosystems. Our report, *Murky Waters* (www.environmentaldefense.org/more/10521), prompted

EPA to announce plans this spring to establish pollution limits for fish farms under the Clean Water Act.

A recent analysis by Goldberg and other scientists concludes that some farmed fish—such as catfish, clams, oysters and carp—hold great

promise for the future. Yet contrary to popular belief, Goldberg notes, many types of aquaculture actually deplete wild fish stocks. For example, growing a pound of salmon requires three pounds of fish such as wild anchovy, herring and sardines for the salmon’s feed.

—
*Farm salmon
escaping from
coastal pens
could disrupt the
gene pool.*
—

New thinking needed to save Hackensack Meadowlands

Decades ago, the Hackensack Meadowlands encompassed more than 20,000 acres of wetlands that complemented the meandering Hackensack River as it flowed into Newark Bay. Today only 7000 acres are left, the rest swallowed by development and landfills that once processed most of northern New Jersey's waste.

Along with the NY-NJ Baykeeper and other environmental groups, Environmental Defense is fighting to protect the remaining wetlands. But private firms claim a large part of these wetlands and plan to fill them with office complexes, warehouses and a giant mall.

Federal and state agencies have prepared a plan that calls for filling 465 additional acres, which could permanently fragment the remaining wetlands. "In light of the huge past loss of wetlands, we consider such additional losses to be unacceptable," says Environmental Defense general counsel James Tripp.

We've asked New Jersey Governor Whitman to acquire the wetlands. Development now slated for the wetlands could be shifted to land currently occupied by two sports teams, the Nets and the Devils. The sports teams are scheduled to leave the Meadowlands.



NY/NJ Baykeeper

Could this become an oasis of beauty? We've asked the state to make a park out of the last wetlands in the Meadowlands.



Sharon Gerig/Tom Stack & Associates

Adirondack lakes bear the scars of continuing sulfur and nitrogen oxide pollution from coal-burning power plants.

Court backs clean summer air

In a bitterly contested decision, a Federal appeals court has ruled in favor of clean air advocates and guaranteed that 18 states must limit pollution that causes high smog levels in the Northeast.

The court upheld an EPA rule curbing nitrogen emissions from Midwestern and Eastern states that produce acid rain and smog in the Northeast. Environmental Defense economist Sarah Wade and attorney Joseph Goffman helped design key elements of the EPA rule, including an emissions trading program that allows states to efficiently reduce nitrogen oxides (NO_x). The program resembles a successful emissions reduction plan for sulfur dioxide (SO₂) that we

helped design in 1990.

Rejecting a utility industry lawsuit, the court mandated that NO_x emissions from power plants be sharply reduced during the summer months when smog is most prevalent. A bipartisan bill now before Congress would require such NO_x reductions year-round and would further curb sulfur emissions.

A recent federal report found that 48 of 52 Northeastern lakes enjoyed sulfur reductions thanks to the 1990 law, but nitrogen levels have risen in half the region's waterways, resulting in acidification and fish kills. Said Goffman: "This is our first nitrogen victory in a decade. It comes in the nick of time."

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Prodded by the Internet, chemical companies test for toxicity

Children in the desperately poor Denver neighborhood of Globeville know exactly what a Superfund site is. They live in one. To reach school, they pass through a grid of factories belching toxic chemicals. Then, twice a week, they enter a computer classroom provided by Environmental Defense where they log on to a special Internet site and learn how to cajole the polluting factories to clean up their emissions.

By promoting the Internet in such communities, we recently won an important concession from America's most powerful chemical companies. More than 400 chemical manufacturers reversed the practice of a quarter century and volunteered to screen thousands of their most heavily used chemicals for possible health hazards.

"We have always taken our responsibilities to the public very seriously," said Fred Webber, president of the Chemical Manufacturers Association. "Electronic right-to-know has greatly expanded interactions between the chemical industry and its stakeholders. With

more people becoming connected through the Internet, we're listening and increasing the amount of information publicly available."

THE HUMAN EXPERIMENT

In 1997, Environmental Defense published a landmark study, *Toxic Ignorance*, which revealed that 70% of high-production-volume chemicals in the United States had never had even preliminary tests to see what their impact on human health might be.

"It turns out we'd all been walking around as a giant experiment," said Environmental Defense executive director Fred Krupp. Krupp invited the CEOs of the country's top 100 chemical manufacturers to voluntarily test their high-volume chemicals (those sold in quantities of

more than one million pounds per year). Vice President Gore took up the case, challenging the industry to supply the missing information.

Since then, 400 companies have agreed to sponsor testing of over 2,000 individual chemicals.

—
*Are thousands
of untested
chemicals dan-
gerous?
No one knows.*
—

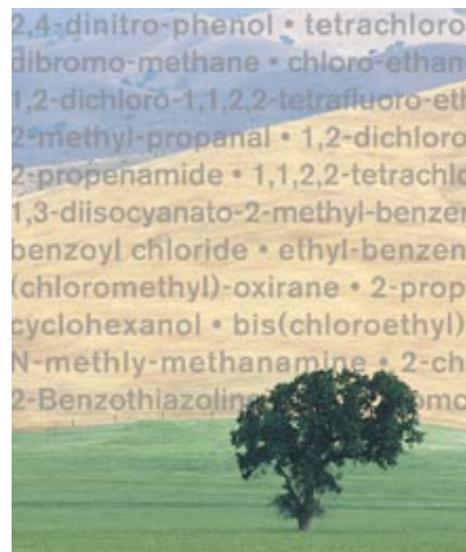


Photo Disk/Photo Illustration: J. Caswell

As chemical products abound, testing them for potential harm becomes critical.

Webber, of the chemical trade association, praised our campaign. "This is the largest voluntary chemical health and safety program ever, and working together made it possible," he said. "Disclosure is a key element of safety, and these efforts will produce knowledge much faster than merely following the requirements of law."

At our insistence, the participating companies will display the progress of their testing on Internet sites like our Chemical Scorecard (www.scorecard.org).

By the time the tests are complete in 2004, the odds are that some of today's common chemicals will be proven to be harmful. "We're not saying untested chemicals are dangerous," said Environmental Defense senior attorney David Roe. "We just don't know."

Much work remains to be done. Some 75,000 chemicals in U.S. commerce remain largely untested. However, thanks to the specter of some citizens, like those kids in a gritty Denver neighborhood, confronting and monitoring powerful corporations, we are seeing industry accept much greater responsibility for chemical safety in America.



T. Charles Erickson

To sway chemical companies, we relied on gentle persuasion as well as promises of embarrassing public exposure of those companies declining to test for health hazards.

Message in a Bottle

Consumers who don't trust their public water (or don't like its taste) are increasingly turning to bottled water as an alternative. More than 80 million Americans drink bottled water regularly, with sales topping \$4 billion in 1998. It turns out, however, that up to 40 percent of bottled water comes from the tap. Alaskan Falls water, for example, comes from the Worthington, OH, city water supply.

In a major loophole, the U.S. Food and Drug Administration excuses 70 percent of bottled water from regulation because it is packaged and sold within the same state. And when regulations are applied, they're often weaker than the standards governing urban tap water. Tests on 103 brands of bottled water found that a third had "significant contamination."

RESOURCES:

- The Clean Water Network, at (202) 289-2395, offers a \$5 report with state-by-state breakdowns of water quality, including violations, enforcement and wetlands destruction.
- The EPA Safe Drinking Water Hotline at 1-800-426-4791 can help you find a certified water testing laboratory in your area.
- The Natural Resources Defense Council's report on bottled water, "Pure Drink or Pure Hype?" is available in a 209-page print version for \$14 at (212) 727-4486, or can be found on the web (below).

For these and other resources on the web, see www.environmentaldefense.org/more/10520.



J. Lotter Gurling/Tom Stack & Associates

New, tougher EPA standards for tap water, such as this supply from the Grand Coulee Dam, could prevent up to 115,000 illnesses a year from bacteria and parasites.

Drinking problems

WATER IS OUR MOST BASIC NEED. HERE'S HOW TO KEEP IT SAFE.

The fact that unclean water kills four million people a year worldwide appears a distant tragedy to most Americans. We tend to take our drinking water for granted, but there are reasons we shouldn't be so complacent.

Public water supplies have some built-in protections but dangers still exist. The 1993 cryptosporidium outbreak sickened 400,000 Milwaukee residents, and high bacteria counts were discovered throughout the District of Columbia's water supply in 1996.

Thanks to the Clean Water Act of 1972, which Environmental Defense helped bring about, two-thirds of the nation's lakes and rivers are now deemed safe for swimming and fishing, compared to only 36 percent in 1970. A billion pounds a year of toxic chemicals that once would have been dumped down the drain are now kept out of wastewater. Does that translate to cleaner drinking water? "We're moving in the right direction

because of upgrades to drinking water treatment plants and pollution prevention," says Environmental Defense engineer Lois Epstein.

WHAT TO WATCH FOR

Not all tap water meets federal standards. One disturbing trend is the decline in watershed protection for public reservoirs and aquifers. Everyone, it seems, wants to live next to a reservoir. In Connecticut, soaring land values led the Bridgeport Hydraulic Company to begin selling large buffers of undeveloped land around the Aspetuck Reservoir. Only a grassroots campaign, advised by Environmental Defense, saved the area as open space. But on New York's Long Island, developer Bob Rubin overcame local protests and built a private luxury golf course atop a critical aquifer.

Contaminated water does not necessarily look, smell or taste any different than clean water and your supply

This Green Living article is one of a series by the editors of E, the leading independent environmental magazine. Opinions in these guest articles are those of the authors and not necessarily those of Environmental Defense staff.

can even be affected by a home's aging lead pipes, lead solder or brass fittings. State health departments can test your water, as can private laboratories. You can also learn about your water from federally mandated Consumer Confidence Reports, which are distributed by larger water utilities.

There is no problem-free way to disinfect public drinking water, especially when it has to travel long distances. Most communities rely on chlorination but Environmental Defense prefers non-chlorinated water treatment because chlorina-



Alix Lambert

Try the tap instead. Some 80 million Americans buy bottled water even though it's largely unregulated and sometimes contaminated.

tion can produce carcinogenic contaminants.

If you get your water from a well, you should have it tested if it's near a chemical facility, pipeline or livestock confinement area, within 50 feet of a septic tank, or near a junkyard or road-salt storage site. For well owners (about 95 percent of rural residents), the U.S. Department of Agriculture through its cooperative extension agencies maintains a program called Home*A*Syst that offers a step-by-step tour of potential sources of well contamination.

Home water filters can do a good job of removing many contaminants. There's a bewildering variety to chose from, including under-the-sink models, carafes, and faucet-mounted units. The most expensive units are not necessarily the best. According to Consumers Union, even inexpensive carafes (\$10 to \$30) effectively filter lead and chloroform (a chlorine byproduct). Remember to replace the disposable filter in these units. It loses effectiveness after a month or two.

—By Jim Motavalli

Climate change could be a leading cause of biodiversity loss

Environmental Defense ecologist Dr. Janine Bloomfield and trustee Prof. Harold Mooney were among 19 authors of a major paper in *Science* magazine stating that climate change will be a leading cause of biodiversity loss in arctic, alpine and northern regions in the 21st century. A major thrust of current Environmental Defense research is to find ways to reduce the greenhouse gas emissions that threaten so many species.

Many scientists say we are witnessing an extinction spasm of historic proportions and it's being triggered by human activities. Key among these activities is the burning of fossil fuels, which dumps carbon dioxide (CO₂) into the atmosphere. Concentrations of atmospheric CO₂ are now the highest they've been in the last 160,000 years. Nearly half that increase has occurred in the past three decades.

Following the rise of CO₂ are average global temperatures, "which have increased almost a full degree Fahrenheit in the last 30 years," notes Bloomfield. "Changes of this speed have not occurred in the past millennium."

In a rapid chain reaction over the past 25 years, Adelie penguin populations have plummeted by 33% in some areas, possibly reflecting the decline of the krill they feed on, which are vanishing along with vast expanses of the Antarctic ice shelf. Similarly, "as temperatures increase, an alpine wildflower clinging to a mountaintop can't migrate upward to find cooler climate," explains Bloomfield. "It has nowhere else to go."

Closer to home, climate change also threatens biodiversity. Imagine a park or wildlife reserve surrounded by development. "Since the reserve's boundaries remain fixed," says Bloomfield, "species will be unable to shift their ranges in response to changing conditions."

"Species close to the brink of extinction may be pushed over the edge by the added stress of climate change," says Environmental Defense economist Robert Bonnie. At this November's climate change conference in The Hague, we will be pushing to adopt solid rules for energy use, forest conservation, and land management. "Only by acting now can we avert a massive die-off of species," says Bonnie.



Mark Newman/New England Stock

The last dance? Rising temperatures imperil Adelie penguins.

At last: Better organic standards

Organic foods are a welcome addition to the American table. But in attempting to bring order to a market that's growing by 20% each year, the U.S. Department of Agriculture (USDA) nearly scuttled the industry in 1997 when it proposed standards that violated the basic tenets of organic farming. Environmental Defense criticized the proposal and USDA received a record-setting 275,603 comments.

Now, USDA has proposed vastly improved standards for what food can be labeled organic. Irradiated and genetically engineered food can no longer be labeled organic. Neither can food that has been treated with antibiotics. We encourage members to support the standards, provided that USDA:

1. adjusts fees to make compliance more affordable for small farmers
2. clarifies the terms "pasture" and "outdoor access" to prevent factory animal farms from being certified as organic.

See the proposal at www.environmentaldefense.org/more/10522. Readers can comment by fax at (703) 365-0760, or on the web.



Grace Davies/New England Stock

Lovely, but can small farmers afford to grow this organic tomato?



J. Contreras Chace/International Stock

Monarchs on the move: Following revelations that Bt corn may harm monarch butterflies, the National Academy of Sciences urged closer scrutiny of gene-altered crops.

New doubts about genetic engineering

The federal government's embrace of genetic engineering in food production may be wavering following the release of a critical report by the National Academy of Sciences. Spurred by Environmental Defense biologist Dr. Rebecca Goldberg, who served on the Academy's genetic-engineering panel, the scientists urged the government to do a better job of testing and regulating crops modified to resist pests.

The report represents a dramatic shift from the academy's traditional stance of championing the safety of bio-engineered plants. Although it found no evidence that gene-altered foods are unsafe, the panel urged regulators to investigate such foods more thoroughly. "The report should serve as a catalyst for stricter government regulation," says Goldberg. At present, federal oversight is spotty. Various federal agencies review plans submitted by biotech companies, but

products often do not require regulatory approval. The influential Academy report should help EPA finalize long-delayed regulations for pest-resistant crops.

As the only environmentalist on the panel, Goldberg pushed hard for more comprehensive regulations to protect consumers and the environment. Following her advice, the academy recommended that EPA extend its oversight to include crops engineered to be resistant to viruses, which can create so-called superweeds. Genetically modified crops now constitute half the soybeans and more than a third of the corn grown in the United States. The report also called for better ways of identifying allergens in gene-altered foods that could afflict millions of people. With an estimated 30,000 products made from modified crops—from cantaloupes to cornflakes and ice cream—Goldberg says the public deserves to know the risks.



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A turtle's travels: In search of safer water

This summer, about fifteen Kemp's ridleys, the world's most endangered sea turtle, will emerge from the Gulf of Mexico and labor ashore in South Texas. Each will lay about 100 soft, white eggs. Some 50 days later, a line of one-inch hatchlings will head for the sea, where their fate is far from assured. In 1950, 40,000 Kemp's ridleys laid eggs in a single day. By 1985, collisions with fishermen had taken their toll—only 700 nests were found.

Despite elaborate conservation measures, including devices for turtles to escape from nets, turtle deaths remain high. Last year, 95 turtles washed up on Texas shores, mostly during the shrimping season. Environmental Defense biologist Pamela Baker has co-authored a plan to protect sea turtles, which both Texas wildlife officials and the shrimp industry are evaluating. "By moving shrimp boats to deep water, away from the turtles' shallow mating grounds, we can protect both turtles and spawning white shrimp that share the turtle's mating areas," she said. "The industry can become more profitable." The \$600 million-a-year shrimp industry, while concerned about restrictions, is eager to help the floundering turtles.



Texas Parks & Wildlife

Scientists believe the turtles die from stress caused by repeated capture and release from the shrimping nets.



Outdoor Oklahoma

The prairie-chicken needs the good will of private landowners.

Prairie-chicken to benefit from novel conservation effort

Most ranchers on the high plains that span western Oklahoma, southwestern Kansas, Colorado, New Mexico and the Texas Panhandle remember when the lesser prairie-chicken was a common—even abundant—sight in the shortgrass prairie of that region. Those days are long gone. Today the prairie-chicken is headed for federal listing as a threatened or endangered species. Now a few ranchers have stepped forward to take part in a novel effort to restore this species of grouse.

Eighty thousand acres of private rangeland in Oklahoma and New Mexico have been enrolled in "candidate species conservation agreements" under which ranchers will improve range

conditions for the prairie-chicken. Candidate species agreements are a direct outgrowth of "safe harbor" agreements, an approach pioneered by Environmental Defense. Safe harbor agreements aid species already on the endangered list; candidate agreements try to help species before they get on that list.

The ranchers joined the High Plains Partnership for Species at Risk, in which Environmental Defense, other groups, state and Federal agencies and numerous farming and ranching organizations are participating.

The prairie-chicken needs the good will of private landowners since 70 percent of its habitat is on private land.

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©2000 Environmental Defense. Published bi-monthly at New York, NY. ASSN 0163-2566

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Following Honda and Toyota, Ford joins the clean car race

Environmental Defense has long advocated hybrid gasoline-electric vehicles for their fuel efficiency and pollution reduction. Already, Honda has released a hybrid in the U.S. market and Toyota follows suit this summer. Now Ford Motor Company has announced plans for a hybrid SUV in 2003. It's called the Escape. This is the first time hybrid technology has been tried on an SUV, currently America's most popular type of vehicle.

These vehicles all feature regenerative braking, which recharges the battery during deceleration. Ford unveiled its first hybrid car, the diesel-electric Prodigy, recently, but Environmental Defense scientists have concerns about diesel emissions, and the Prodigy may never be produced. The Escape SUV will be a gasoline-electric hybrid.

We are encouraging Ford to achieve further innovations, while pressing General Motors and Daimler-Chrysler not to get left behind in the clean car race. "Hybrid technology is a means but not the measure of environmental progress," cautions Kevin Mills, director of our Pollution Prevention Alliance. "Carmakers can stick with yesterday's technology, or they can build a profitable market that benefits both consumers and the environment."



Ford Motor Company

Escape the fuel crunch: Ford's hybrid SUV is expected to deliver 40 miles per gallon, far more than current SUV's.



Sharon Gergl/Tom Stack & Associates

Adirondack lakes bear the scars of continuing sulfur and nitrogen oxide pollution from coal-burning power plants.

Court backs clean summer air

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Steel mill legal settlement curbs unbridled development

Environmental Defense and its allies have successfully settled two lawsuits against the state of North Carolina over a new steel mill on the Chowan River.

The mill, to be operated by Nucor Corporation, is located on the banks of the Chowan, a principal tributary of the Albemarle Sound and the last bastion of a once-vibrant herring fishery. Environmental Defense sued after the state rushed its environmental review of the mill, overlooking serious threats to marine resources. By issuing permits before the environmental assessment was complete, the state set a terrible example for its aggressive campaign to recruit heavy industry to rural, environmentally sensitive areas.

“It’s unfortunate that it took a lawsuit to make the state enforce its own regulations against unbridled development,” said Environmental Defense attorney Daniel Whittle. We argued that recent successes in reviving the Chowan’s fish stocks could be undone by the new mill. In settling the lawsuit, the authorities mandated stricter pollution monitoring at the mill and agreed to close loopholes that had allowed Nucor to obtain permits prematurely. Nucor, for its part, agreed to fund nearly \$1 million of river restoration projects downstream of the mill.



Doug Reader

Environmental Defense won a big victory over a steel mill near here, but will this once-vibrant herring fishery ever return?



Mark E. Gibson/International Stock

Excessive logging could spell trouble for North Carolina’s timber industry and its 144,000 employees.

Amid building boom, a plan for sustainable forestry

With America in a building boom, more wood is being harvested from forests in the southeastern United States than from any other region in the world. Environmental Defense has launched a campaign to protect North Carolina’s diverse forests. Most of the state’s forest land is held by 664,000 private owners, who are not always well-informed. Poorly planned logging pollutes streams, while the broad conversion of forests to monoculture pine plantations has led to a widespread loss of wetlands and habitat for endangered species and neo-tropical migrant birds.

“North Carolina’s for-

ests support a wide array of plant and animal communities and are fundamental to the state’s economic health, yet the state lacks a real policy to sustain this precious resource,” says Environmental Defense policy associate Crystal Lovett.

Researchers project that over the next 20 years the rate of timber harvesting will continue to skyrocket throughout the Southeast. Our campaign promotes a range of incentives for landowners to improve management practices. Additionally, we believe landowners should notify the state prior to harvesting their timber.

Environmental Defense Newsletter

Editor: Peter Klebnikov
257 Park Avenue South, New York, NY 10010
Main number: 212-505-2100

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Caution urged for private dams

Over the past 100 years, California's largest utility, Pacific Gas and Electric (PG&E) has tamed the state's rivers, often at great environmental cost. Now PG&E seeks to auction off its hydroelectric holdings—including 175 dams, 100 reservoirs and more than 140,000 acres of lands.

The auction plan ignores huge environmental and social impacts. One disaster in the works is the Potter Valley Project. "This project diverts 98 percent of the Eel River into the Russian River for electricity," says Environmental Defense analyst Johanna Thomas. "The excess water in the Russian has fueled growth in Sonoma, Mendocino and Marin counties." These counties now depend on this water, but so do the devastated populations of Eel River coho and chinook salmon and steelhead trout. All three are on the Federal list of threatened and endangered species, and their survival will require restoration of the Eel River flows.

Future owners of projects like Potter Valley may be even less environmentally inclined than PG&E. "The new owners will be under intense pressure to divert more water for development," warns Thomas. She has co-authored a report that she hopes will inspire state action to delay the auction and safeguard public resources.



Ysrealya Horner

Each of the 175 California dams to be sold off to the highest bidder should first face a thorough environmental screening.



California Department of Water Resources

Over 50 years, big water projects have sculpted cotton fields out of dust bowls. They have also devastated California's salmon.

California fish win day in court

In a major victory for Environmental Defense, a U.S. District Court has ordered the Federal government to release large quantities of water in California for fish restoration.

"This is one of the largest amounts of water ever returned to the environment," said Environmental Defense hydrologist Spreck Rosekrans.

"Fish gotta swim. It's that simple," says Zeke Grader, head of the Pacific Coast Federation of Fishermen's Associations. "It's about time we got some water back, thanks to Environmental Defense." It may be simple that fish need water, but there has been nothing simple about getting it for them. The Central Valley Project is the pride of

California's huge agribusiness interests. In 1992, Congress mandated that 800,000 acre-feet of Project water be provided each year for restoration of salmon and steelhead. But under pressure from agribusiness, the government released only half the promised water.

Together with our partners, we sued the government and won. Rosekrans testified that the Department of the Interior had double-counted the environmental water. District Court Judge Oliver Wanger directed Interior to free the entire water allotment for the fish and to correct the errors identified by Rosekrans. "It's not often," said Rosekrans, "that the environment wins such a clear-cut victory in court."

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