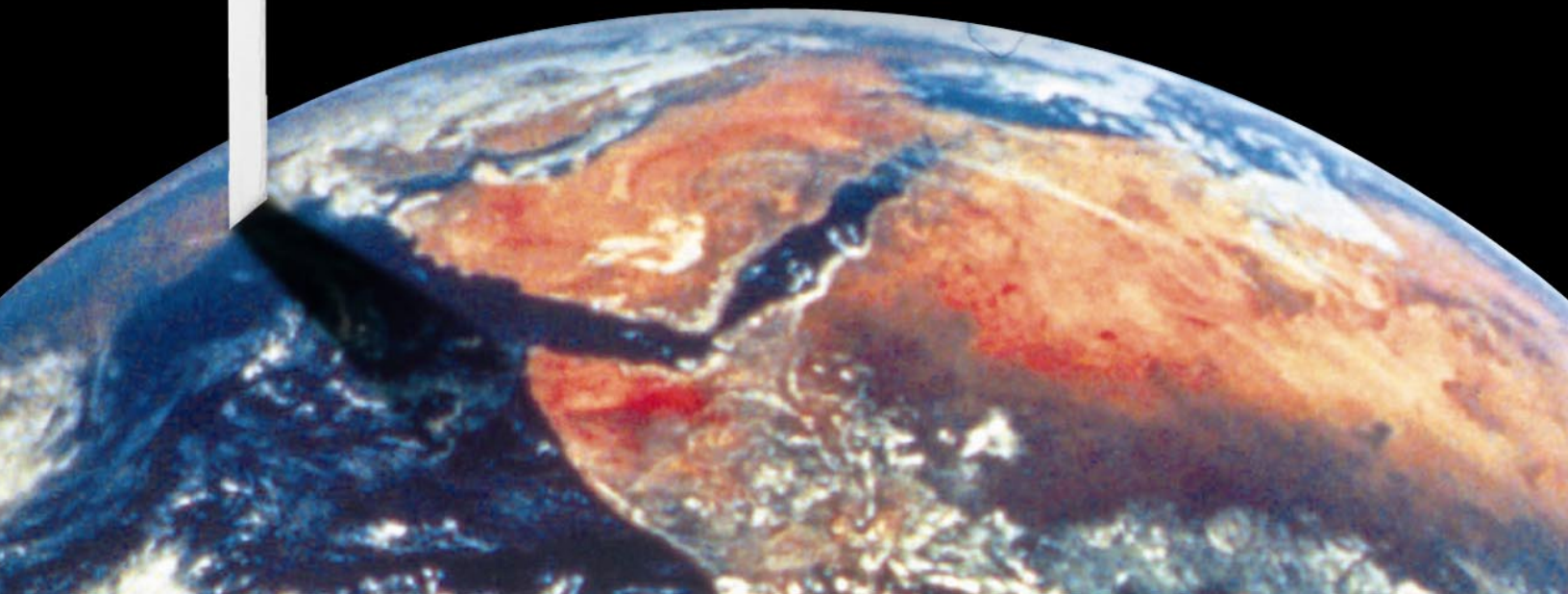


Friends of the Earth

Summer 2002 Newsmagazine

Volume 32, Number 2

Bush Administration: Earth Day Sale



Bush Administration: Tools for Environmental Destruction

In my more than 30 years of working to protect our planet, I have never seen an administration more eager to take a stand against virtually every environmental law and protection ever written or enacted.

We had withheld criticism of the president in the wake of the Sept. 11 tragedy, and even withdrew from planned protests of a World Bank meeting in Washington, D.C., that month. However, Friends of the Earth is convinced that the administration has been using the cover of terrorism to dismantle decades of progress on basic environmental protections and we are speaking out.

We ran a series of ads in *USA Today* (see cover and page 14) accusing the Bush administration of rewarding campaign contributors by weakening vital environmental protections. Our Earth Day message to Bush was: "Put human health and the environment first, not the wealthy polluters who contributed to your campaign."

This issue of the newsmagazine describes how President Bush went from rolling back environmental regulations to slashing funding for environmental protections. The \$5.6 trillion federal surplus that was forecast at the start of 2001 has nearly evaporated. Thus, budget battles are almost guaranteed for months to come.



Brent Blackwelder

Our new *Green Scissors 2002* report offers 78 common sense recommendations to cut environmentally harmful programs that benefit narrow special interests at considerable taxpayer expense.

The House and Senate have passed different versions of energy policy. The House Bill H.R. 4 embodies Vice President Cheney's energy plan—a plan devised behind closed doors with representatives from the power, coal, oil, gas and nuclear energy industries. It calls for huge subsidies for these high-polluting and dangerous energy sources. Friends of the Earth was quoted in *The Washington Post* on the current situation:

"While clearly superior to the House version, the Senate bill offers no coherent view of how to fuel our economy in a cleaner way. It would have reflected forward-thinking when Grover Cleveland was president." There's no way an environmentally friendly bill will be coming out of any House-Senate conference committee.

If President Bush also gets fast track trade negotiating authority, he will proceed to negotiate environmentally damaging trade deals without any input from Congress. The administration favors trade legislation, like the North American Free Trade Agreement, that allows corporations to sue governments if environmental regulations get in the way of profits. The House and Senate will try to reconcile their differing versions of fast track. Meanwhile, we are publicizing and holding accountable members of Congress who voted against environmental safeguards in trade agreements.

We have a tough fight ahead of us and this fall's election will be crucial. As an act of good citizenship and stewardship, Friends of the Earth is urging everyone to vote, and take your children with you to teach them that voting is important.



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UNION
BUG

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Earth Share

EarthShare giving campaigns allow you to designate a donation to Friends of the Earth. Federal employees can donate through the Combined Federal Campaign by marking #0908 on their pledge forms.

Bush Budgets for Corporations to Profit

By Keira Costic

The Bush administration began its assault on the environment by placing industry executives in key agency jobs. They followed it with a series of regulatory rollbacks, including their short-lived attempt to block a rule protecting drinking water from arsenic, a highly toxic substance. Now, the Bush administration is using a new tool to undermine environmental protection: the federal budget.

“The White House is using Enron accounting to hide assaults on clean water, clean air and conservation programs,” said Sara Zdeb, legislative representative for Friends of the Earth. “If President Bush has his way, we’ll be spending \$1 billion less to protect the environment and public health than we did last year.”

Wanted: Money to Enforce our Environmental Laws

For the second year in a row, the Bush budget guts the Environmental Protection Agency’s (EPA) enforcement programs. These programs—civil enforcement, compliance monitoring and incentives—allow EPA to deter polluters from breaking the law. The Bush budget cuts \$4 million from these activities, slashing personnel salaries and cutting at least 200 enforcement staff.

Photo Credit: AP/Wide World Photos



President Bush, pictured here on Earth Day, continues to wield his ax to chop away the budget that protects our environment.

“With the environmental cop off the beat, polluters will have free rein to break laws that protect our air and water,” said Zdeb.

In a related instance of accounting sleight-of-hand, the Bush budget proposes to give more enforcement authority to states—but does so by taking away money from proven federal enforcement efforts. Experience has shown that states often lack the capacity or willpower to adequately enforce environmental laws. And EPA has sole responsibility for some programs, including cracking down on transboundary pollution—like mid-western power plants that cause smog and acid rain in the Northeast.

Draining Clean Water Programs

The White House is threatening to pull the plug on \$344 million of water quality programs and neglecting to fund longstanding successful programs.

Anyone who’s spent summers at the shore knows that pollution can ruin vacations at the beach. In fact, beach-water pollution is such a serious problem that Congress passed a law in 2000 to address it. The Beaches Environmental Assessment and Coastal Health (BEACH) Act provides coastal states and cities with grants to help them monitor, report

and reduce beachwater pollution. The only problem? President Bush wants to cut \$20 million from the \$30 million that Congress approved.

When it comes to clean water, the BEACH program is the rule—not the exception—in the Bush budget. The budget cuts \$138 million from the Clean Water State Revolving Fund, a program that helps states fund municipal wastewater treatment projects and control non-point source pollution. That type of pollution is from rain and snow runoff carrying away pollutants and depositing them into bodies of water—including our drinking water.

While the budget appears not to cut any funds from the Safe Drinking Water State Revolving Fund, it siphons \$27 million from this successful program to fund a new initiative to help small communities reduce arsenic from drinking water. This is a worthy initiative, but one that shouldn't come at the expense of an established program.

"I guess President Bush buys bottled water," said Zdeb. "Otherwise he wouldn't be gutting programs that protect the tap water that ordinary Americans rely upon."

In another accounting trick, the Bush budget creates a brand new, undefined watershed protection program. Environmentalists worry, however, that money could be redirected from EPA's main program for cleaning up polluted waters to fund the new and completely voluntary initiative.

No Funds for Superfund

One out of four Americans lives within a mile of a Superfund site, the nation's most contaminated toxic waste sites. And 85 percent of these sites involve groundwater contamination. There are over a thousand uncontrolled or abandoned toxic waste sites, like New York's Love Canal. Unfortunately, Bush would



Photo Credit: Native American Experience
J. Steven Griles was caught lobbying the Environmental Protection Agency on behalf of former clients after he had signed an agreement not to.

Documents Show Ethics Violation by Deputy Secretary of Interior

According to documents we uncovered Deputy Secretary of the Department of the Interior J. Steven Griles violated two recusal agreements. These agreements were supposed to take him out of the loop for a year on decisions that involved his former clients. But he continued to lobby on behalf of a company he formerly owned and from which he is not fully divested.

A memo from Griles, on Interior Department letterhead, to Deputy EPA Administrator Linda Fisher asked EPA to work out their differences with Interior before EPA sends out "environmentally unsatisfactory" comments on a draft Environmental Impact

Statement for coal bed methane projects in the Powder River Basin.

"The memos reveal that Griles violated his recusal agreement and helped his former clients and friends in the mining industry," said Friends of the Earth Interior Department Watchdog, Kristen Sykes. "The Bush administration hired a fox to guard the henhouse—that's been their approach to environmental protection and enforcement since day one."

Visit <http://www.foe.org/eco/interior/griles/index.html> to read the whole story, including recusal agreements, memos and background information.

rather help his polluter pals than the citizens living near these toxic hotspots.

Congress established the Superfund program in 1980 in order to remediate these toxic sites. The program is backed up by a trust fund, which is tapped to fund cleanups when the government can't identify the responsible party. A tax on polluting industries generated about \$1.5 billion annually for the trust fund, which reached a high of \$3.8 billion in 1996. The Republican Congress has failed to reauthorize the tax since it lapsed in 1995, and this year President Bush didn't even ask them to.

The Superfund trust is now dwindling, and the pace of cleanups slowing. This year, the Bush administration plans to clean up only 40 toxic sites—a 50 percent reduction from the final four years of the Clinton administration. Even worse, as the trust shrinks, taxpayers are forced to foot

more of the bill for toxic cleanups. Under the Bush budget, taxpayers—not polluters—will spend \$700 million on Superfund.

Public Lands in Corporate Hands

As campers and hikers enjoy national parks, wildlife refuges and other public lands, Bush is taking money away that maintains these national treasures. Even worse, the budget shifts funds from natural resource conservation and restoration to resource exploitation and extraction.

Once again, Bush falls short on another one of his campaign promises: to fully fund the Land and Water Conservation Fund (LWCF). This fund, created by Congress in 1964, provides money for federal, state and local governments for land acquisition and protection.

Continued on Page 14

Blowing the Tops Off Mountains

Photo Credit: Vivian Stockman, Ohio Valley Environmental Coalition



The Bush administration re-wrote the Clean Water Act to legalize dumping mining waste and other waste into waterways across the country.

By Sara Zdeb

Across the Southeastern United States, a practice called mountaintop removal is destroying communities and laying waste to the environment. In this ruthless practice, mining companies literally blow the tops off of Appalachian mountains in order to reach seams of coal. They then dump the millions of tons of waste they've generated into nearby valleys, burying streams and killing aquatic life. In West Virginia and Kentucky alone, these "valley fills" have buried more than 1,500 miles of streams.

The blasting associated with removing the tops of mountains devastates nearby communities. It bombards residents with noise, cracks the foundations of their houses, covers their homes with coal dust and occasionally launches rocks at their roofs. Under these circumstances, residents face an unappealing choice: pack up and leave their generations-old community, or stay and endure the conditions.

Remarkably, there is no law preventing coal companies from blowing the tops off of mountains. When Congress passed the Surface Mining Control and Reclamation Act in

1977, the practice was limited. Officials barely contemplated the expansion of mountaintop removal, or the scope of today's operations—some of which bury miles of streams at once.

Therein lies the hope for environmentalists and coalfield residents. While the surface mining law doesn't prohibit mountaintop mining, the Clean Water Act outlaws burying streams with mining waste. For years, the Army Corps of Engineers (Corps) has turned a blind eye to this landmark statute, issuing illegal permits for coal companies to fill valleys and bury streams. Kentucky citizens knew that the Corps was acting illegally, and in 2001 filed suit in a federal court.

The Bush administration realized they were vulnerable to this court challenge. In an attempt to head off a loss this spring, the administration finalized a Clean Water Act rule that marks the most dramatic rollback of the law in nearly 30 years. The administration's move seemed to say: Why bother enforcing the law if you can simply rewrite it?

The White House's attempt to legalize valley fills by rewriting the law hinges on a few words in a technical, regulatory definition. Under the Clean Water Act, the Corps can

issue permits to "fill" waterways. Since 1977, the agency has defined "fill material" as anything that raises the bottom elevation of a waterway, with one critical exception: waste cannot be used as fill. In practice, this meant a developer could place material in a stream to build an embankment for a bridge, but couldn't dump trash there.

On May 3, the Corps revised the rule, deleting the waste prohibition. In so doing, the White House resurrected a rule originally proposed by President Clinton in 2000 who abandoned it after overwhelming public opposition. The Bush administration attempted to portray the change as a simple bureaucratic matter of word-smithing. In reality, the change rolls back three decades of progress under the Clean Water Act, codifying a previously illegal practice that has obliterated the very waters the law is supposed to protect.

Worse, the rule change won't just expedite mountaintop removal's destruction of Appalachian streams. It will allow the Corps to authorize the dumping of hardrock mining waste, construction and demolition waste, and other types of industrial waste into waterways across the country. If the Bush administration

Continued on Page 11

Horror Stories from an African Mine

By Steve Herz

I recently traveled to Tanzania to investigate allegations of a Canadian Mining Company, Sutton Resources, bulldozing over mining pits and burying alive 52 small-scale miners. In August 1996, Tanzanian authorities forcibly evicted a community of tens of thousands of small-scale miners from their homes and worksites to make way for Sutton Resources at the Bulyanhulu gold mine – the largest mine in East Africa.

None of the displaced people were compensated for the loss of their homes, possessions or livelihoods. It has also been suspected that the evictions were brutal and swift and caused enormous economic and social harms

Despite these claims, the Multilateral Investment Guarantee Agency (MIGA), the World Bank's political risk insurance arm, provided a guarantee to the project's current owner, Barrick Gold Corporation. Barrick is another Canadian corporation that bought Bulyanhulu from Sutton Resources.

I joined an international NGO fact-finding mission to inquire into the events at the Bulyanhulu gold mine. Our group included journalists and activists from the United States, Canada and the Netherlands.

But the Tanzanian police physically obstructed the road to Bulyanhulu to prevent us from visiting the communities in the area, and ordered us to return immediately to the capital, Dar es Salaam. They claimed that we lacked appropriate authorization and had misstated the purpose of our trip on our visa applications.

Despite the efforts of the Tanzanian authorities to stop us, we



Melanie Baesi waited for her sons, Jonathon and Ernest, to come home from mining in their open pit the night of August 7, 1996. But only her friend returned home to tell Baesi her sons had been buried alive with 10 others.

were able to interview a variety of individuals with differing perspectives on the Bulyanhulu controversy. Fifteen individuals—mostly small-scale pit owners from the communities around Bulyanhulu—met us at our guest house and related their experiences. Many claim to be eye-witnesses to various relevant events and some said they lost loved ones in the pits when they were bulldozed.

The people told powerful, sometimes harrowing stories of the alleged evictions and the violence and brutality with which they were carried out. We were impressed by their willingness to take significant risks to their own personal safety to come and speak with us. We also learned that some 250 others waited several hours for us to arrive in Bulyanhulu so that they, too, could tell their stories.

Our experiences in Tanzania convinced us of the necessity of an independent, impartial, transparent and comprehensive inquiry into the

allegations of uncompensated mass evictions of small-scale miners and their communities, and killings of miners at Bulyanhulu during the summer of 1996. We are more certain than ever that public institutions involved in the current project—MIGA and the Canadian Export Development Corporation—should fulfill their public interest mandate by releasing any results of their investigations that may shed light on the truth of these allegations.

Recent Developments:

In early May, the Tanzanian government brought sedition charges against one of our hosts, Tundu Lissu of the Lawyer's

Environmental Action Team, his colleague Rugemeleza Nshala and Augustine Mrema, Chairman of the Tanzanian Labor Party, for their efforts to publicize these allegations. Since they have publicly discussed the government's role in the evictions, they face imprisonment for making statements which "bring into contempt or to excite disaffection against the lawful authority" of the Government of Tanzania. Mr. Lissu and Mr. Nshala are appealing for help from individuals and organizations around the world.



Take action!

Register your concerns regarding the sedition charges, go to <http://www.foei.org/cyberaction/tanzania.php>



Go to <http://www.lead.or.tz/active/buly/> to find out more about the mine. Visit <http://www.foe.org/international/index.html> for the full trip report.

Your Taxdollars at Work... For Enron

Photo Credit: Derrick Hindery, Amazon Watch



A holding area for pipeline supplies off of one of the many service roads cutting through the Chicquitano Dry Tropical Forest, the world's largest remaining tract of primary tropical dry forest. Roads have opened the area to poaching, old growth logging, illegal cattle grazing and hunting.

By Jon Sohn

The *Washington Post* broke a story prompted by Friends of the Earth's findings that bankrupt Enron

Corporation received \$2.4 billion of U.S. taxpayer money for outstanding loans, guarantees and insurance from the U.S. Overseas Private Investment Corporation (OPIC) and the Export-Import Bank of the United States (Ex-Im). Since Enron was so skillful at blocking bad publicity, are the problems with these damaging projects finally coming to light.

In the case of Enron's disastrous Cuiaba pipeline project, which runs from Bolivia to Brazil, the Bush administration was facing a tough decision: release hundreds of millions of dollars to Enron for this pipeline

that has fractured indigenous communities and the last intact tropical dry forest in Bolivia, or cancel the loan.

Enron lobbied Congress to save OPIC from extinction, and in return OPIC approved the project in 1999. The pipeline is a year behind schedule due to "unanticipated" environmental problems. It is not only destroying the world's largest remaining tract of primary tropical dry forest—the Chiquitano Forest—and harming the Pantanal - the world's largest wetland -but it directly violates OPIC's own environmental policies.

Friends of the Earth has been working with non-governmental organizations and indigenous groups in Bolivia to stop this project from the start. Recently under increased congressional and public scrutiny,

OPIC cancelled the loan, seeking to walk away from the problems enabled by the U.S. government.

"While taking taxpayer dollars away from Enron is good, the damage has already been done, and promises of a \$20 million conservation fund from Enron and their minority partner Shell, which were a key condition of OPIC Board approval of the project, have evaporated," said Friends of the Earth President Brent Blackwelder.

Separate field visits and reports by non-governmental organizations all reveal contractual violations and chronic environmental problems. Key violations include: unfettered access to the right of way; creation of unplanned access roads; failure to implement a long-term Indigenous Peoples Development Plan; negative

impacts to the Pantanal Wetland; destruction of primary tropical forest; and associated impacts including the opening of a gold mine in the middle of the Chiquitano Forest.

Economic issues are astounding as well. According to *The Washington Post*, Enron booked \$65 million in revenue in 1999 for the pipeline with a pair of accounting tricks. Enron wanted to record profits from the project by using market-to-market calculations, an accounting trick that allows projected revenue to be booked in the current year. But it was illegal for Enron to use such a calculation because its pipeline ultimately connected to an Enron power plant. To get around that, Enron sold a 13 percent stake in the plant for \$11.3 million to LJM1, a partnership of Enron executives. That allowed Enron to book the revenue, and it did so in the last two quarters of 1999. All this while the pipeline was not even delivering gas to the power plant that

Friends of the Earth's Recommendations to OPIC:

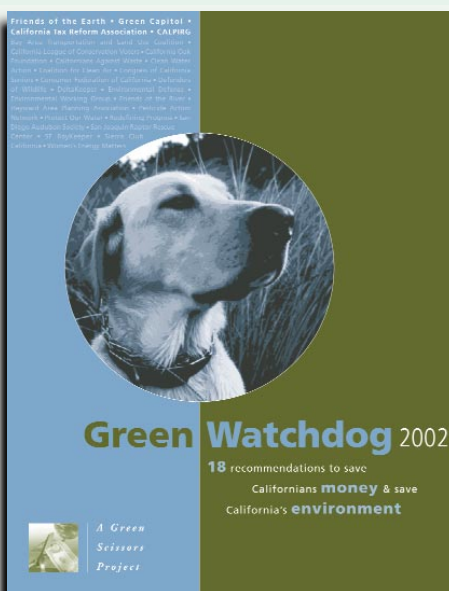
- OPIC should acknowledge the problems it has caused with Enron in Bolivia and lessons learned for future lending practices using U.S. taxpayer dollars.
- Use a portion of the over \$4 billion in reserves it claims to establish as a reparations mechanism for damage caused to the environment and indigenous communities in Bolivia.
- Establish a moratorium on fossil fuel extraction projects, followed by clear plans to establish no-go zones in areas of high conservation and a phase-out of fossil fuel extraction with U.S. taxpayer dollars.
- Set up targets for clean, renewable energy, like solar and wind, in their energy portfolio as required pursuant to the National Environmental Policy Act.
- Institute congressional hearings as a requisite before OPIC and Ex-Im are able to provide insurance or financing to these projects.

would allow real revenue to be produced.

Now rather than face the problems it has caused and its own lack of due diligence for loans, OPIC has taken a hit-and-run strategy. Friends

of the Earth maintains that OPIC and Enron owe an ecological debt to the indigenous peoples of Bolivia and Brazil for harming their communities and the ecologically sensitive forest.

Green Scissors Could Cut CA Deficit



The state of California has a \$23.5 billion dollar deficit, the highest in state history, and legislatures are faced with some tough choices. Unfortunately, state officials are cutting important programs and polluters are getting a free ticket to pollute.

We, along with a coalition of 26 taxpayer, environmental, and consumer interest organizations, published *Green Watchdog 2002*. This new report outlines \$28 billion in state budget savings that would protect the environment and improve public health in California. We propose elim-

inating wasteful subsidies, tax loopholes and other activities that encourage environmentally harmful practices with 18 budget-cutting recommendations.

The recommendations include: requiring refineries instead of taxpayers to pay for the clean up of MTBE contamination – a toxic gas additive that poisoned ground-water; delaying the initial construction of the UC Merced Campus until all environmental studies are complete; and requiring the agricultural industry to pay for the clean up of pesticide run-off.

To view a copy of the report visit www.greencap.org.

Genetically KRAFTed: Not In My Kitchen!

By Lisa Archer

Do you know what Kraft is putting in your food? It's untested, unlabeled and could put your family's health and the environment at risk. It's "genetically Krafted" and people across North America are telling Kraft: Not in my kitchen!

Round Two for Safe Food: April Week of Action

Thousands of consumers sent Kraft demands to remove genetically engineered ingredients from its products after our first day of action in February with events in 170 cities. The launch of the campaign was featured in *The Wall Street Journal*, *Chicago Tribune*, *Chicago Sun-Times*, *Boston Herald*, and on nationwide radio and television news including *CNN Headline News*. Despite the consumer uproar and press coverage, Kraft still did not respond to our request for a meeting with company officials to discuss our concerns.

We countered this apathetic move with a week of nationwide consumer actions starting April 17 and culminating on April 22, the day of Kraft's first annual shareholder meeting since its split from parent company, tobacco king Phillip Morris in July 2001.

This second round of actions was an even bigger success than the first, with events in close to 200 cities across the United States and Canada. Actions included leafleting and edu-

Graphic By: Free Range Graphics



Kraft Food products can be found in 99 percent of U.S. households. Many Kraft products such as Oreos, Lunchables and Stovetop Stuffing are likely to contain untested and unlabeled genetically engineered ingredients that may put Kraft's customers at risk.

cational events outside of grocery stores and at Earth Day events. We also organized a national call-in week that generated thousands of calls from concerned customers to Kraft.

Why Kraft?

Kraft Foods is the largest food company in the country, and the second largest in the world, with products that can be found in 99 percent of U.S. households. Yet many of these products, such as Taco Bell taco shells, Oreos, Lunchables and Stovetop stuffing, are likely to contain untested and unlabeled genetically engineered ingredients that may put Kraft's customers at risk.

Risks include health and environmental hazards such as new allergies, new plant toxins, harm to other plants and animals, the creation of "super-

weeds" from cross pollination and the use of more pesticides. Almost two-thirds of genetically engineered crops grown on a commercial basis in the United States have been modified to tolerate certain proprietary herbicides. Farmers, therefore, can douse their fields with herbicides without having to worry about killing their crops.

Kraft officials are aware of the potential health and environmental risks of genetically engineered foods. In the fall of 2000 Friends of the Earth discovered StarLink corn, a genetically engineered corn not approved for human consumption, in Kraft products, which resulted in the company recalling millions of boxes of taco shells at a cost of tens of millions of dollars. Kraft was forced to switch to non-genetically engineered white corn in its corn-based taco

products to avoid further contamination.

However, Kraft continues to use questionable genetically engineered ingredients in many of its other products. Although in Europe it avoids using genetically engineered ingredients in all of its products because of consumer demand there for genetically-engineered-free products. U.S. consumers are demanding this change as well, as evidenced by poll after poll showing that between 85 and 93 percent of Americans want labeling of genetically engineered ingredients in foods they buy.

At the Shareholder Meeting

Kraft held its first Annual Shareholder Meeting on Earth Day this year in an obscure corporate facility in East Hanover, N.J. Protesters with signs and banners and some dressed as tacos and macaroni and cheese boxes, braved torrential rain to greet shareholders as they entered the meeting.

“In all likelihood some of our products do contain biotech ingredients from [genetically modified] crops.”

Kraft Foods, consumer letter, Oct. 1999.

A representative from Genetically Engineered Food Alert was able to enter Kraft’s shareholder meeting on a proxy from Green Century Fund, an environmentally responsible investment fund. While inside, we raised the health, environmental and financial risks that genetically engineered ingredients pose to Kraft Foods in a question addressed to the Board. The Genetically Engineered Food Alert representative also had the opportunity to speak directly to Kraft CEO

Betsy Holden, and ask for a dialogue with the company. Holden feels it is unnecessary for us to meet, since Kraft is following federal regulations.

Take Action For Safe Food:

EMAIL: Go to www.gefoodalert.org and click on “Take Action” to send an e-mail to Kraft CEO Betsy Holden.

CALL: Kraft at 1-800-323-0768, and say that you want to speak to Betsy Holden and ask that they stop using untested, unlabeled genetically engineered ingredients.

WRITE: Ms. Betsy Holden, President and CEO Kraft Foods, 3 Lakes Drive, Northfield, IL 60093.

GET INVOLVED: In the campaign and our next round of actions. Please contact Lisa Archer at larcher@foe.org or 1-877-843-8687.

GET INFO: From our Web site for more information, updates, upcoming actions, press stories and photos of events! www.gefoodalert.org. ■

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has its way, our nation’s rivers, streams, lakes, wetlands and coastal areas could become little more than dumping grounds for polluters.


Environmentalists weren’t the only ones expressing outrage over the administration’s decision. Judge Charles Haden, the federal district judge whose impending decision on the Kentucky citizen suit provided the impetus behind the rule change, issued a ruling shortly after the White House acted. His opinion said that not only is it illegal for coal companies to bury streams beneath mining waste, but that the Corps had no legal authority to rewrite its own rules. The administration has asked the

judge to suspend his ruling, pending an appeal.

In the month since the White House issued the new rule, environmentalists and local citizens have worked to reverse it. Activists from West Virginia and Kentucky have traveled to Capitol Hill twice, teaming with national groups like Friends of the Earth to educate members of Congress about the rule change and rally opposition against it. In response, a bipartisan group of House members, led by Reps. Chris Shays (R-Conn.) and Frank Pallone (D-N.J.) introduced legislation to reverse the administration’s rule, and Sen. Joseph Lieberman (D-Conn.) has pledged to do the same.

Together, the court decision and recent legislation serve as a ray of hope for citizens whose communities and environment have been devastated by coal companies bent on profit. Friends of the Earth will work to defend them, and in so doing protect the remaining mountains, streams and communities of Appalachia—and the rest of the nation.

 *Take action!* Contact your member of Congress and ask him or her to co-sponsor H.R. 4683, the Clean Water Protection Act.

 For more information, visit www.saveourwaters.org. ■

Court Victory on Sprawl!



For the past 20 years, the Army Corps of Engineers has illegally authorized the development of hundreds of thousands of acres of subdivisions, strip malls and freeways without complying with well established federal environmental laws like the Clean Water Act.

By Keira Costic

Pursuant to the settlement agreement secured by Friends of the Earth, the Army Corps of Engineers has withdrawn a permit under which it illegally allowed developers to issue any new permits that allow developers to drain and fill wetlands and streams in Virginia. For the past three years, Friends of the Earth has been monitoring and challenging the sprawl-inducing decisions of multiple federal agencies in the D.C. area, and finally secured a settlement with the Corps in federal court after 18 months of litigation.

The Corps was permitting development that contributes to urban sprawl in Virginia without complying with federal environmental laws including the National Environmental Policy Act, the Endangered Species Act and the Clean Water Act.

“The settlement addresses Friends of the Earth’s concerns and offers greater protection for wetlands, streams and the countless species that

depend on these aquatic environments throughout Virginia,” said Chris Weiss, D.C. Environmental Network director at Friends of the Earth.

The settlement agreement includes measures designed to insure that the Corps complies with the National Environmental Policy Act, the Clean Water Act and the Endangered Species Act before issuing additional development permits.

Specifically, the settlement agreement:

- Prohibits the Corps from issuing any additional development permits under ASP-18—a blanket permit that allows the Corps to bypass complete environmental assessments of projects.
- Places limits on the extent to which existing permits granted under ASP-18 can be modified.
- Requires the Corps to complete a supplemental environmental analysis disclosing the direct, indirect and cumulative impacts of all of its permitting activities in

the State of Virginia.

- Requires the Corps to consult with the U.S. Fish and Wildlife Service in regards to the effects of its permitting programs on threatened and endangered species if the Corps determines that such programs may affect these species.

Friends of the Earth has an additional suit pending against the U.S. Small Business Administration raising similar concerns.

“The Army Corps is just one of many federal agencies fueling sprawl in the D.C. area,” said Weiss. “These actions, along with other legal efforts we are using, like challenging inadequate water pollution permits for D.C., will result in meaningful improvements to the region’s ecosystems and residents’ quality of life.”



For more information about the D.C. Environmental Network call (202) 783-7400 x120 or e-mail cweiss@foe.org.

Cloning Consequences

By Larry Bohlen

Pet Cloning

Genetic Savings & Clone can now replicate your family-pet, if you put up the money. On Valentine's Day the news media announced the first successfully cloned cat created by Texas A&M University, partner of Genetic Savings & Clone. The picture of the cute kitten in a lab-beaker shown in newspapers and on television tugged at people's heartstrings. But before you go and clone your pet, you should know the facts.

Typically, an immense number of animals die in the process of producing one clone. Before Dolly the sheep was cloned, about 200 experiments ended in failure and loss of life. Some cloned animals also grow disproportionately large in the womb, killing the mother.

Friends of the Earth joined The Humane Society in opposing pet cloning in a letter to Texas A&M. It said, "We are concerned about the well-being of the animals involved in these experiments and about the larger environmental and animal welfare issues that would emerge from a wider application of this procedure."

Endangered Species Cloning

Cloning companies say cloning is a future means to recovering endangered species. The technique may not be possible though, as their experiments are producing previously unknown creatures like one with panda genes inserted into rabbit eggs incubated in brown bears, and genes of a rare ox inserted into a cow's egg.



Doctors Tae Young (left) and Mark Westhusin of Texas A&M University hold up the first-ever cloned kitty.

Even if endangered species cloning were possible, environmentalists assert that habitat protection is the number one means to ensure that species survive. In fact, investment in cloning may actually divert resources from the critical need to protect disappearing landscapes.

"Trophy specimens in laboratories or pens are not the same as animals living in the wild in their natural habitats," said Friends of the Earth President Brent Blackwelder.

Companies that stand to benefit from the destruction of animal habitat are funding environmental front groups like the Audubon Nature Institute (ANI)—not related to the National Audubon Society—that endorse cloning to protect endangered species. ANI is a member of a coalition of oil drilling and land speculation companies that actually lobbied against the Endangered

Species Act, and the head of ANI works for a cloning company.

Human Cloning

Friends of the Earth teamed with several national environmental groups to send a letter to the U.S. Senate in February calling for a ban of human reproductive cloning and strict government regulation of embryo cloning for research. The letter said, "such research clearly increases the risks of fully-formed human clones eventually being born." On the list of environmental concerns, the groups added that human cloning and genetic modification "will lead us down a slippery slope toward the redesign of all life."



Read about Friends of the Earth's Campaign to Stop Cloning materials at

www.foe.org/stopcloning

Continued from Page 5

What looks like a proposal to fully fund LWCF with \$911 million in actuality falls short. After a closer analysis, the budget only allocates \$486 million to original LWCF programs and the rest of the money comes from shifting numerous other activities into the fund.

“President Bush continues to try to fool the public,” said Kristen Sykes, Friends of the Earth’s Interior Department watchdog. “Hopefully, members of Congress will see through his accounting gimmicks and give our precious public lands the funds they truly need.”

The Bush budget also falls short on the administration’s promise to eliminate the maintenance backlog at our national parks. A specific park in danger is the Florida Everglades. It is one of the top-ten most threatened national parks, according to the National Park Conservation Association. The park is damaged by polluted runoff from agriculture and from flood-control projects.

A project underway, the Modified Water Deliveries Project,

Bush Administration: Money Talks!

During the last election, America's most environmentally destructive industries buried the Bush campaign in money.

What has George Bush done to repay them?

- BROKE HIS PROMISE TO REDUCE CARBON DIOXIDE EMISSIONS FROM POWER PLANTS.
- STALLED EFFORTS TO STRENGTHEN THE FUNDING FOR ARSENIC IN DRINKING WATER.
- OPENED UNSHIELDED NATIONAL FOREST AREAS TO LOGGING.
- APPROVED MINING PERMITS IN PROTECTED WILDERNESS AREAS.
- PUT CORPORATE LIAISONS IN CHARGE OF THE GOVERNMENT'S ENVIRONMENTAL AGENCIES.
- WROTE NATIONAL ENERGY PLAN IN SECRET MEETINGS WITH OIL INDUSTRY EXECUTIVES.
- REFUSED TO SIGN THE GLOBAL WARMING TREATY.

THE FUTURE IS CLEAR. The big polluters who gave the Bush team millions are getting what they paid for. Instead of protecting our environment, George Bush is handing it over to his corporate contributors to pollute and abuse for profit. Americans deserve better from their president.

**President Bush: Put Our Health and Environment First,
- Not Your Corporate Contributors!**

earth
www.foe.org

This full-page ad we ran in *USA Today* and accused President Bush of handing the environment over to corporate contributors to pollute and abuse for profit.

would help restore the Everglades to its natural state, but Bush’s budget cuts its funding in half. The administration even goes so far as to zero out the research budget for the park.

While the Bush budget slashes funds to protect public lands, it increases funding to exploit them. The budget increases funding for the Bureau of Land Management to implement the Bush energy plan, in turn helping the oil, mining and gas industries. It boosts funding for the Minerals Management Service by \$5 million to promote drilling on the Outer Continental Shelf. The Bush budget also has \$650,000 for coal leasing to promote more lease sales per year.

The Bush administration is so busy protecting its corporate backers with favors and money; the environment is stuck in the waiting room. We need your help to educate members of Congress, the administration and your friends.



Take action! Keep visiting the take action section of our Web site,

www.foe.org/takeaction.

Thanks Novell®

Novell, Inc. donated \$15,700 of Net services software to Friends of the Earth.

“Novell’s generous software donation will give our computer network a much needed shot in the arm,” said Friends of the Earth Executive Director Norman Dean. “This technology will be invaluable in our efforts to

work with citizens and communities to clean up the Earth’s environment.”

Novell’s software donations are part of its Community Relations program, which seeks to enable nonprofit organizations to develop and realize their visions through the power of technology.



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Help Elect Environmentalists!

Good environmental laws start with good environmental lawmakers. That's why Friends of the Earth Action needs your help.

Friends of the Earth's hard-hitting, non-tax deductible sister organization, Friends of the Earth Action, is making sure members of Congress are held accountable for their environmental records. Through

paid newspaper and radio ads and through media outreach we are calling attention to those members of Congress who are doing the most to harm the environment.

And through our affiliated political action committee, we will be "putting our people where our politics are" in this November's elections. We will place environmentalists trained in essential campaign skills to work supporting candidates we've

endorsed in the most critical electoral races around the nation.

Among the dozens of environmental organizations nationwide, we're one of a few with a political arm. Check out Friends of the Earth Action on the web at www.foeaction.org to see how we are using political power to protect the environment. ■

Yes, I want to support **Friends of the Earth Action**
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Volume 32, No. 2

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