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CREATOR:Owens.Denise@epamail.epa.gov ( Owens.Denise@epamail.epa.gov [ UNKNOWN ] )

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TO:Mulvaney.Susan@epamail.epa.gov ( Mulvaney.Susan@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Otis.Rick@epamail.epa.gov ( Otis.Rick@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Hunt.Loretta@epamail.epa.gov ( Hunt.Loretta@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Nelson.Kim@epamail.epa.gov ( Nelson.Kim@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Knutti.Emil@epamail.epa.gov ( Knutti.Emil@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Anderson.Diane@epamail.epa.gov ( Anderson.Diane@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Horton.Ashley@epamail.epa.gov ( Horton.Ashley@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Cunningham.John@epamail.epa.gov ( Cunningham.John@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Ross.William@epamail.epa.gov ( Ross.William@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Torma.Tim@epamail.epa.gov ( Torma.Tim@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Walker.Jan@epamail.epa.gov ( Walker.Jan@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Damm.Thomas@epamail.epa.gov ( Damm.Thomas@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Roos.Michelle@epamail.epa.gov ( Roos.Michelle@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Skinner.Thomas@epamail.epa.gov ( Skinner.Thomas@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Lemley.Rich@epamail.epa.gov ( Lemley.Rich@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Kalla.Patty@epamail.epa.gov ( Kalla.Patty@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Kahn.Miles@epamail.epa.gov ( Kahn.Miles@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Rayner.Marcus@epamail.epa.gov ( Rayner.Marcus@epamail.epa.gov [ UNKNOWN ] )

READ:UNKNOWN

TO:Makris.Jim@epamail.epa.gov ( Makris.Jim@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Duteau.Helen@epamail.epa.gov ( Duteau.Helen@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Carter.Donnell@epamail.epa.gov ( Carter.Donnell@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Conklin.Craig@epamail.epa.gov ( Conklin.Craig@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Basile.Tom@epamail.epa.gov ( Basile.Tom@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Cunningham.Robert@epamail.epa.gov ( Cunningham.Robert@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Cooper.Mildred@epamail.epa.gov ( Cooper.Mildred@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Jaeger.Lisa@epamail.epa.gov ( Jaeger.Lisa@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Glazier.Kelly@epamail.epa.gov ( Glazier.Kelly@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Deleon.Dona@epamail.epa.gov ( Deleon.Dona@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Evans.Cary@epamail.epa.gov ( Evans.Cary@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Administration.EPA@epamail.epa.gov ( Administration.EPA@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Lopez.David@epamail.epa.gov ( Lopez.David@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Tulis.Dana@epamail.epa.gov ( Tulis.Dana@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Means.Bruce@epamail.epa.gov ( Means.Bruce@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Wiggins.James@epamail.epa.gov ( Wiggins.James@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:White.Rebecca@epamail.epa.gov ( White.Rebecca@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Bowles.Jack@epamail.epa.gov ( Bowles.Jack@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Mcneil.Tucker@epamail.epa.gov ( Mcneil.Tucker@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Grant.Pamela@epamail.epa.gov ( Grant.Pamela@epamail.epa.gov [ UNKNOWN ] )

READ:UNKNOWN

TO:Luttner.Pamela@epamail.epa.gov ( Luttner.Pamela@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:luttner.mark@epamail.epa.gov ( luttner.mark@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Holmstead.Jeff@epamail.epa.gov ( Holmstead.Jeff@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Baker.Jan@epamail.epa.gov ( Baker.Jan@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Thompson.Doris@epamail.epa.gov ( Thompson.Doris@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Esanu.Diane@epamail.epa.gov ( Esanu.Diane@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO:Hope.Brian@epamail.epa.gov ( Hope.Brian@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

CC:Popkin.Roy@epamail.epa.gov ( Popkin.Roy@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

CC:Chick.Kelly@epamail.epa.gov ( Chick.Kelly@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

CC:Queen.Janice@epamail.epa.gov ( Queen.Janice@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

CC:Berger.Diane@epamail.epa.gov ( Berger.Diane@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

CC:Trovato.Ramona@epamail.epa.gov ( Trovato.Ramona@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

CC:samuel\_a.\_thernstro@ceq.eop.gov ( samuel\_a.\_thernstro@ceq.eop.gov [ UNKNOWN ] )  
READ:UNKNOWN

CC:Baker.Michael@epamail.epa.gov ( Baker.Michael@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

CC:Mackinnon.Kathleen@epamail.epa.gov ( Mackinnon.Kathleen@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

CC:Keho.Ginger@epamail.epa.gov ( Keho.Ginger@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

CC:Burnett.Andrew@epamail.epa.gov ( Burnett.Andrew@epamail.epa.gov [ UNKNOWN ] )  
READ:UNKNOWN

CC:Blackburn.Elizabeth@epamail.epa.gov ( Blackburn.Elizabeth@epamail.epa.gov [ UNKNO ] )  
READ:UNKNOWN

CC:John L. Howard Jr. ( CN=John L. Howard Jr./OU=CEQ/O=EOP@EOP [ CEQ ] )  
READ:UNKNOWN

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seventh worst for dangerously high smog levels,  
 <br>&nbsp;&nbsp;&nbsp; behind counties in New York City and Suffolk, Putnam,  
 Chatauqua and Erie Counties, according to the  
 <br>&nbsp;&nbsp;&nbsp; Association's State of the Air 2002 report. In addition,  
 the most recent ground-level ozone advisory for the  
 <br>&nbsp;&nbsp;&nbsp; New York metropolitan area, where ozone levels were expected  
 to exceed health standards, occurred on April  
 <br>&nbsp;&nbsp;&nbsp; 16, the first ever before May, according to the New York  
 State Department of Environmental Conservation.

<p>&nbsp;&nbsp;&nbsp; "The regional airshed is so nasty," said Peter Iwanowicz,  
 director of environmental health for the American  
 <br>&nbsp;&nbsp;&nbsp; Lung Association of New York State. He explained that  
 the problem is insidious precisely because it is regional  
 <br>&nbsp;&nbsp;&nbsp; and not local.

<p>&nbsp;&nbsp;&nbsp; "The majority of pollutants drift eastward," Mr. Iwanowicz  
 said. "Like smoking and nonsmoking sections in  
 <br>&nbsp;&nbsp;&nbsp; restaurants, air pollution knows no bounds."

<p>&nbsp;&nbsp;&nbsp; David Martin, executive director of the American Lung Associati  
 on  
 of Hudson Valley, agreed. "We're downwind  
 <br>&nbsp;&nbsp;&nbsp; of everything," he said, adding that much of the county's  
 ozone pollution originates in the smokestacks of  
 <br>&nbsp;&nbsp;&nbsp; coal-fired power plants as far away as the Midwest and  
 as close as Orange and Rockland Counties. The other  
 <br>&nbsp;&nbsp;&nbsp; major source of the county's pollution comes from car  
 and truck emissions, Mr. Martin said. "Even though cars  
 <br>&nbsp;&nbsp;&nbsp; pollute less today, we're driving them farther and more  
 often," he said.

<p>&nbsp;&nbsp;&nbsp; Thus, the noxious combination of pollution from smokestacks  
 and tailpipes causes smog, also known as ozone,  
 <br>&nbsp;&nbsp;&nbsp; a kind of toxic soup, Mr. Martin said. (Ground-level ozone  
 is not to be confused with ozone in the upper  
 <br>&nbsp;&nbsp;&nbsp; atmosphere.)

<p>&nbsp;&nbsp;&nbsp; Smog is formed in the atmosphere from nitrogen oxides and  
 volatile organic compounds that get cooked in the  
 <br>&nbsp;&nbsp;&nbsp; sun and become ground level ozone, said Mary Mears, a  
 spokeswoman for the Environmental Protection  
 <br>&nbsp;&nbsp;&nbsp; Agency's regional New York office. "We have a big pollution  
 problem in the urban Northeast," Ms. Mears said,  
 <br>&nbsp;&nbsp;&nbsp; and Westchester County is part of that problem.

<p>&nbsp;&nbsp;&nbsp; Ozone is a "respiratory irritant, and in high concentrations  
 it will eat through rubber, so you can only imagine  
 <br>&nbsp;&nbsp;&nbsp; what it does to lungs," Mr. Iwanowicz said. Indeed, there  
 is a growing body of evidence that ozone increases  
 <br>&nbsp;&nbsp;&nbsp; the incidence of asthma among children and worsens breathing  
 among children and adults who suffer from  
 <br>&nbsp;&nbsp;&nbsp; respiratory problems, he said.

<p>&nbsp;&nbsp;&nbsp; On high ozone days, children with asthma at a camp in near  
 Middletown, Conn., suffered a significantly higher  
 <br>&nbsp;&nbsp;&nbsp; number of asthma attacks, had more respiratory symptoms  
 and a reduced ability to exhale, according to  
 <br>&nbsp;&nbsp;&nbsp; research conducted in the early 1990's by Dr. George Thurston,

who studies the health effects of air pollution  
 <br>&nbsp;&nbsp;&nbsp; at the New York University School of Medicine. In an earlier  
 study in 1984, he found that even children without  
 <br>&nbsp;&nbsp;&nbsp; asthma experienced diminished lung function on high pollution  
 days.

<p>&nbsp;&nbsp;&nbsp; The health situation is worst in high traffic areas of

















said, one of their questions is always, "What's the  
 <br>&nbsp;&nbsp;&nbsp; outdoor space like?"

<p>&nbsp;&nbsp;&nbsp; And very often, city buyers do not care how big that outdoor  
 space is. They may want just a little something  
 <br>&nbsp;&nbsp;&nbsp; for the dog.

<p>&nbsp;&nbsp;&nbsp; One thing is certain, though. If the house has no deck,  
 and there is a way of adding one, the city buyer will  
 <br>&nbsp;&nbsp;&nbsp; do it, Davidow said - especially rooftop decks with great  
 downtown views.

<p>&nbsp;&nbsp;&nbsp; If there is a little something already, it's bound to get  
 bigger.

<p>&nbsp;&nbsp;&nbsp; "I recently sold a house on Pine Street that had a bit  
 of outdoor space," she said. "The next time I saw the  
 <br>&nbsp;&nbsp;&nbsp; new owner, he told me that he had hired an architect to  
 build a deck in such a way that it wouldn't block the  
 <br>&nbsp;&nbsp;&nbsp; light."

<p>&nbsp;&nbsp;&nbsp; In the suburbs, a deck often can sell a house, especially  
 at this time of year, as people envision themselves  
 <br>&nbsp;&nbsp;&nbsp; outside and entertaining.

<p>&nbsp;&nbsp;&nbsp; Noelle Barbone, office manager of Weichert Realtors in  
 Paoli, said new construction was expected to have a  
 <br>&nbsp;&nbsp;&nbsp; deck, but since they are relatively inexpensive to build,  
 "it won't break the bank if the buyer has to put one  
 <br>&nbsp;&nbsp;&nbsp; on."

<p>&nbsp;&nbsp;&nbsp; A lot of builders make decks optional. Sally Bernadine,  
 an agent at Weichert's Paoli office, said about 40  
 <br>&nbsp;&nbsp;&nbsp; percent of the new construction she sold did not come  
 with decks.

<p>&nbsp;&nbsp;&nbsp; "The builders will tell the buyers that they could probably  
 find someone to build it cheaper, and put a couple of  
 <br>&nbsp;&nbsp;&nbsp; boards in front of the French doors to where the deck  
 will be."

<p>&nbsp;&nbsp;&nbsp; Deck maintenance is a big issue with homeowners, and Barbone  
 has seen a lot of buyers opting to install  
 <br>&nbsp;&nbsp;&nbsp; vinyl-coated decking. There also has been major growth  
 in maintenance-free, composite-wood decking such  
 <br>&nbsp;&nbsp;&nbsp; as Trex and other brands in recent years.

<p>&nbsp;&nbsp;&nbsp; How big should your deck be?

<p>&nbsp;&nbsp;&nbsp; Doug Walter, a Denver architect, said most people tend  
 to build their decks too small for furniture and for  
 <br>&nbsp;&nbsp;&nbsp; function.

<p>&nbsp;&nbsp;&nbsp; "Add a couple more feet than you think you'll need," Walter  
 said. "Every inch will be used."

<p>&nbsp;&nbsp;&nbsp; A lot of houses, especially true Victorians, don't look  
 quite right with a deck - try a patio garden, pergola or  
 <br>&nbsp;&nbsp;&nbsp; porch. But if you think a deck would go well with your  
 house, take a look at what others have built. Then think  
 <br>&nbsp;&nbsp;&nbsp; about appearance and size, determine what you can afford  
 to spend, and obtain estimates.

<p>&nbsp;&nbsp;&nbsp; Every municipality has its own requirements for decks and  
 their builders. In some, builders must be licensed;  
 <br>&nbsp;&nbsp;&nbsp; most are required to be insured. Other towns require that  
 a scale drawing of the deck plan be reviewed by the  
 <br>&nbsp;&nbsp;&nbsp; building inspector.

<p>&nbsp;&nbsp;&nbsp; Each contractor should provide a detailed estimate of the  
 project, including a description of the materials, how  
 <br>&nbsp;&nbsp;&nbsp; they will be used, how much the project will cost, and  
 about how long it will take. The contractor handles all  
 <br>&nbsp;&nbsp;&nbsp; permit and inspection requirements and builds the cost  
 of them into the price. Many provide the required scale







Robert Lutz said at the recent New York Auto Show, where he announced plans for the GTO. "People are spending a smaller percentage of their budget on gasoline than ever before." Small, economical cars are popular in Europe and Japan because gasoline costs more than \$4 per gallon, thanks to hefty taxes. With gas averaging less than \$1.50 in the United States, higher fuel-economy standards alone will not discourage consumers from buying big vehicles with V-8s, Lutz contends. That infuriates environmentalists such as Dan Becker, director

of the Sierra Club's global warming and energy program, who says 80 percent of Americans in a recent poll said they supported higher fuel-economy standards. "The auto industry spends \$13 billion a year to tell consumers

what they want them to buy," he said. "The problem is that the American people haven't been given a choice. Consumers don't have a choice between a gas-guzzling SUV and a fuel-efficient SUV. When there are choices, let's see what people want to buy." Two attempts to place stricter limits on fuel consumption were defeated in the Senate this year but may resurface when the Senate and House work out differences in separate energy bills. Both houses approved tax credits for hybrids and other fuel-efficient vehicles. Becker concedes that consumers crave horsepower, but argues: "Where can you drive 120 m.p.h.? The average speed in major cities is 13 m.p.h.," he said, citing an EPA study. "Why do you need jackrabbit starts to get up to 13 miles per hour?" "They want to sell the most profitable vehicles, and those are gas-guzzling SUVs. Why consumers continue to get hoodwinked by the car companies is beyond me." Art Spinella, general manager of research firm CNW Marketing/Research, in Bandon, Ore., says fuel economy is not high on the list for most buyers. Styling, safety, price, and whether a vehicle meets their needs take priority. In a February telephone survey of 2,814 consumers by CNW, 18 percent of those who intended to buy a new vehicle knew hybrid electric models were available from Honda and Toyota, and only half of those who knew said they would consider buying one. Seventeen percent said they "eventually" would buy a more fuel-efficient vehicle if gas stayed above \$2.75 per gallon. "The auto industry understands one thing, and that is for the vast majority of people, gasoline prices would have to be sustained at over \$2.50 a gallon for at least six months before they will seriously consider getting rid of their vehicle," Spinella said. Price spikes to \$2 per gallon the last two years had little effect. "Most consumers don't see it as an issue. They're accepting the notion that gas prices fluctuate."







<br>&nbsp;&nbsp;&nbsp; the industry shelled out about \$55 billion for natural disasters.

<p>&nbsp;&nbsp;&nbsp; The prospect of a climate gone haywire is thus a huge concern for these firms, especially the large European

<br>&nbsp;&nbsp;&nbsp; reinsurers that underwrite mainstream insurers. "Almost every type of insurance has some liability," Mills said.

<p>&nbsp;&nbsp;&nbsp; Brokerages and other financial institutions are similarly coming to realize that global warming -- and the

<br>&nbsp;&nbsp;&nbsp; potential for related lawsuits -- poses a hazard for investors

and they're taking steps toward reducing that

<br>&nbsp;&nbsp;&nbsp; risk.

<p>&nbsp;&nbsp;&nbsp; Merrill Lynch, Credit Suisse and UBS were among a number of Wall Street heavyweights that wrote to the

<br>&nbsp;&nbsp;&nbsp; world's 500 biggest companies the other day asking for details of their efforts (if any) to reduce emissions of

<br>&nbsp;&nbsp;&nbsp; greenhouse gases.

<p>&nbsp;&nbsp;&nbsp; The so-called Carbon Disclosure Project is being spearheaded by the institutions' European offices, but backers

<br>&nbsp;&nbsp;&nbsp; of the initiative hope it will catch on anywhere investors have money on the line, which is everywhere.

<p>&nbsp;&nbsp;&nbsp; "Climate change is going to have such a broad impact that the risk is embedded in virtually every institutional

<br>&nbsp;&nbsp;&nbsp; portfolio," said Bob Massie, executive director of the Coalition for Environmentally Responsible Economies, a

<br>&nbsp;&nbsp;&nbsp; green-minded business group.

<p>&nbsp;&nbsp;&nbsp; American companies lag behind their European counterparts in accepting the need to take action against

<br>&nbsp;&nbsp;&nbsp; global warming, he said, but they're gradually coming around.

<p>&nbsp;&nbsp;&nbsp; The problem for many U.S. companies, though, is the lack of leadership from the White House in devising a

<br>&nbsp;&nbsp;&nbsp; policy that spreads risk -- and costs -- evenly among companies.

<p>&nbsp;&nbsp;&nbsp; "The definition of leadership is facing a difficult situation and doing something positive," said Massie. "That's

<br>&nbsp;&nbsp;&nbsp; exactly what we're not seeing from the Bush White House."

<p>&nbsp;&nbsp;&nbsp; Bush does not support mandatory cuts in carbon dioxide, which is the main reason the United States -- the

<br>&nbsp;&nbsp;&nbsp; world's biggest producer of such emissions -- now refuses to sign the Kyoto treaty on slashing greenhouse

<br>&nbsp;&nbsp;&nbsp; gases worldwide.

<p>&nbsp;&nbsp;&nbsp; It couldn't be more out of step with other industrialized nations. The 15 member states of the European Union

<br>&nbsp;&nbsp;&nbsp; have already ratified the treaty, and even longtime holdout Japan climbed aboard last week. Russia says it will

<br>&nbsp;&nbsp;&nbsp; sign up soon.

<p>&nbsp;&nbsp;&nbsp; Bush, taking his cue from energy-industry friends like ExxonMobil, prefers voluntary cutbacks. But critics say

<br>&nbsp;&nbsp;&nbsp; this approach actually deters companies from complying because they worry that competitors will gain an edge

<br>&nbsp;&nbsp;&nbsp; by sticking with cheaper, dirtier production.

<p>&nbsp;&nbsp;&nbsp; "American companies wish there would be some policy from the administration," said Massie. "They want a

<br>&nbsp;&nbsp;&nbsp; level playing field where you know what your costs will be."

<p>&nbsp;&nbsp;&nbsp; In the end, there's only so much the private sector can do in the absence of official direction. Companies may

<br>&nbsp;&nbsp;&nbsp; now be trying to pick up the slack, but their efforts, by and large, are little more than a stopgap.







Stockton says, "the EPA has done a wonderful job. As long as the EPA doesn't put us on the National Priorities List, where we will lose all control over what happens here, we're OK with the EPA. It's the state officials and outside activists that we have problems with now."

The Missouri Department of Natural Resources is receiving its share of grief from people who want the smelter operation left alone.

The agency had received complaints from some residents that the smelter was increasing production, and pollution, when state observers were not around.

And officials believe some person or group is trying to block efforts to track pollution from the plant. From Feb. 20 to April 3 the agency hid a surveillance camera in the attic of the Herculaneum First United Methodist Church to monitor what was coming out of the smelter stack.

"We were trying to see if Doe Run was doubling its production in the middle of the night or on weekends," said Connie Patterson, a Department of Natural Resources spokeswoman.

"We got mostly blank film. Apparently, someone kept putting a cloth over the lenses of the video camera."

Tony Petruska, the EPA's project manager for Doe Run, says the reaction to his agency in Herculaneum has been mixed.

"When we first knocked on their doors a year and a half ago, we weren't coming with good news. Being told that the lead levels were dangerous didn't get us any applause." Petruska recalled.

"A lot of folks would like to see us do a lot more. Some would like us to finish what we're doing now and then leave. Others just want us to go away right now."

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St. Louis Post-Dispatch June 9, 2002 Sunday Five Star Lift Edition

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<p>&nbsp;&nbsp;   HEADLINE: EPA STILL DRAWS IRE IN IDAHO PANHANDLE  
<p>&nbsp;&nbsp;   BYLINE: Andrew Schneider Of The Post-Dispatch  
<p>&nbsp;&nbsp;   DATELINE: SMELTERVILLE, IDAHO  
<p>&nbsp;&nbsp;   BODY:  
<br>&nbsp;&nbsp;   ENVIRONMENTAL CLEANUPS  
<p>&nbsp;&nbsp;   To many people, even when the Environmental Protection Agency does something right, it's wrong. Take,  
<br>&nbsp;&nbsp;   for example, the area around the Bunker Hill mine here in the Idaho panhandle. It is the longest running battle  
<br>&nbsp;&nbsp;   zone. What is now a 21-square-mile Superfund site could have been the poster child for environmental  
<br>&nbsp;&nbsp;   carnage when the EPA first arrived in 1983.  
<p>&nbsp;&nbsp;   Massive scars slashed into the earth. Toxic dust from smoke that had been spewed for nearly a century out of  
<br>&nbsp;&nbsp;   the 600-foot stacks of lead and zinc smelters -- smoke so heavy that drivers had to use their headlights  
<br>&nbsp;&nbsp;   during the day. Streams and hills stained metallic reddish-orange  
from mine drainage and devoid of all life.  
<p>&nbsp;&nbsp;   But it was more than just ruined landscape. Almost 1,000 children had dangerous levels of nerve-damaging  
<br>&nbsp;&nbsp;   lead pulsing through their blood. Everything -- including the yards around homes miles away -- was saturated  
<br>&nbsp;&nbsp;   with lead. Today, 19 years and more than \$200 million later, the brilliant blue Idaho skies can be seen through  
<br>&nbsp;&nbsp;   clean air. Most streams and rivers are again alive with sport fish. About 1,900 yards have had lead-tainted soil  
<br>&nbsp;&nbsp;   removed and restored. And the levels of the toxic metal in most children has plummeted to just 4 percent of  
<br>&nbsp;&nbsp;   what it was in 1983. It's now at a level comparable to the national average.  
<p>&nbsp;&nbsp;   But that apparent success story doesn't mollify the critics.  
<p>&nbsp;&nbsp;   David Bond, a free-lance columnist who strongly opposes the EPA, wrote last October about a mythical  
<br>&nbsp;&nbsp;   mayor's race where one of the platforms was that "Property owners will reaffirm their right to shoot  
<br>&nbsp;&nbsp;   trespassers on sight, if they are employees or agents of the EPA or (Idaho) Department of Environmental  
<br>&nbsp;&nbsp;   Quality." Other papers reprinted the column as an advertisement  
paid for by Bunker Hill Mining Co.  
<p>&nbsp;&nbsp;   What some saw as incitement to violence did not go over well with the EPA.  
<p>&nbsp;&nbsp;   "There is no place in our society for threats against fellow citizens who are merely doing their job," Chuck  
<br>&nbsp;&nbsp;   Findley, then the EPA's acting regional administrator, wrote to the Idaho newspapers that published Bond's  
<br>&nbsp;&nbsp;   writing.  
<p>&nbsp;&nbsp;   Idaho's congressional delegation blames the EPA for all the wrongs in Silver Valley, which runs across Idaho  
<br>&nbsp;&nbsp;   from the Montana border to the Washington state line. The state's U.S. senators and two representatives  
<br>&nbsp;&nbsp;   signed an opinion piece in the Coeur d'Alene newspaper denouncing the EPA's efforts to expand the lead  
<br>&nbsp;&nbsp;   cleanup to other heavily contaminated areas.  
<p>&nbsp;&nbsp;   "Imagine a stranger arriving at your home uninvited and proclaiming that he will be staying at your expense for  
<br>&nbsp;&nbsp;   the next 30 years. While there, he rips up your back yard, knocks down your walls, disrupts your daily routines  
<br>&nbsp;&nbsp;   and prevents you from earning a living," the lawmakers







<br>movement.

<p>Norton's letter startled environmentalists.

<p>"California's opposition to oil drilling dates back 43 years," said Carl Pope, executive director of the Sierra Club. "It's fair to <br>say that Secretary Norton is a half-century behind the times."

<p>"California sent a message first to Ronald Reagan, second to George Herbert Walker Bush and third to Bill Clinton and, if we <br>have to, to George Bush: 'Don't drill our coast,' " Pope said.

<p>Richard Charter, a longtime offshore oil activist, said Norton should visit the state soon for a lesson in California politics. "This <br>is the state where opposition to oil drilling began. She needs to do some homework."

<p>To buttress her argument, Norton outlined the history of oil drilling in Florida and California. "No oil or gas has ever been <br>commercially produced from state or federal leases offshore Florida," she wrote.

<p>In contrast, she cited drilling activity on leases in California waters that oil companies began developing before Congress and <br>state officials imposed a ban on new leasing. State officials, she pointed out, have allowed 150 wells to be drilled in state <br>waters since 1990 on 34 active leases. State waters extend three miles from shore.

<p>An additional 43 leased tracts exist off California in federal waters, those which are at least three miles offshore. These <br>tracts--each three miles square--are the site of 114 wells drilled since 1990.

<p>Mark Pfeifle, a spokesman for Norton, said Davis, either as governor or lieutenant governor helped oversee such drilling.

<p>"Since 1990, in various capacities, Mr. Davis has overseen more oil pumping than the Beverly Hillbillies," Pfeifle said.

<p>"That's kind of ridiculous," said Garry South, the governor's top political

strategist. "Gray [Davis] has fashioned his career <br>around the environment and offshore drilling."

<p>Mary Nichols, secretary of the California Resources Agency, said the letter shows how Norton is grasping for reasons why the <br>administration is treating California differently from Florida.

<p>Many Democrats claim that the buyback program in Florida was designed to boost the reelection chances of, first, the

<br>president's brother, Republican Gov. Jeb Bush who will likely face former U.S. Atty. Gen. Janet Reno in November, and,

<br>second, President Bush himself in 2004.

<p>Moreover, Nichols said, the Bush administration fails to understand the difference between drilling additional wells in

<br>developed areas and opening up unspoiled patches of the ocean to developmen  
t.

<p>"California has been an oil-drilling state and we are proud of our contribut  
ion

to the nation's energy needs," Nichols said. "But

<br>that doesn't mean we don't want to protect the pristine areas of our coastline."

<p>For nearly two decades, California and the federal government have been tussling over undeveloped oil leases off the coast of

<br>Ventura, Santa Barbara and San Luis Obispo counties.

<p>The number of these tracts of sea floor, which were leased to oil companies

between 1969 and 1984, has been whittled down

<br>over the years.

<p>Currently, 36 tracts remain in place. They could be developed if oil companies manage to clear all federal and state



clean-air goals.

<p>To deal with the problem, the Bush administration outlined a four-prong strategy to target diesel fuel and engines that power  
<br>the soot-spewing machines. In an unusual step, the proposal is being jointly crafted by the White House Office of Management  
<br>and Budget and the Environmental Protection Agency. The two agencies will draft a final regulation to be released next year.  
<br>"The most significant environmental issues in terms of human health are elevated levels of fine particles. Other than reducing  
<br>power plant emissions, we have to reduce emissions from these non-road engines. This is a big deal," said Jeffrey R.  
<br>Holmstead, the EPA's director of air programs.  
<p>Among the strategies the Bush administration is considering are giving manufacturers of diesel engines breaks for early  
<br>introduction of low-polluting machines and credits that they can swap among trucks and buses on the highways and tractors  
<br>and cranes, for instance, used off-road.  
<p>"The whole idea is to push the envelope as far as we can and also provide an incentive to provide cleaner technologies,"  
<br>Holmstead said.

<p>But the credit-trading component of the program has environmentalists and Democratic Rep. Henry A. Waxman of Los  
<br>Angeles, an architect of the Clean Air Act, crying foul. Critics say the plan will allow engine manufacturers the choice of  
<br>cleaning up either trucks and buses, or farm and construction equipment, rather than demanding maximum reductions from  
<br>both sectors.

<p>"These reductions in diesel emissions are absolutely essential and should not be traded away," Waxman wrote in a letter sent  
<br>Friday to EPA Administrator Christie Whitman.  
<p>Furthermore, environmentalists fear that the credit-trading program could allow the industry to escape a tough new rule  
<br>governing diesel exhaust from highway vehicles, which the EPA adopted during the Clinton administration and successfully  
<br>defended in court last month. That measure requires makers of heavy trucks and buses to cut tailpipe emissions by 95% by  
<br>2007.

<p>"The proposed emission-trading scheme between non-road diesel engines and diesel trucks threatens to undermine the  
<br>landmark diesel truck rule," said Frank O'Donnell of the Clean Air Trust. "Both on-road and non-road diesel engines pose a  
<br>major public health threat, and both need to be cleaned up. One should not be traded off for the other."

<p>Diesel engines used off the highways are tremendous polluters, releasing 20 times as much soot as the latest generation of  
<br>diesel buses or trucks. They are so dirty that tractors, cranes and steamrollers, among other equipment, produce more soot  
<br>and smoke than all the vehicles on the nation's highways, according to the EPA.

<p>"You can still find construction equipment dating back to the Korean War," said Jerry Martin, spokesman for the California Air  
<br>Resources Board.

<p>"The emissions from these vehicles is greater than from all the cars on the road."

<p>In a report to be released Monday, the nation's state and local air quality officials conclude that cleaning up much of the 4  
<br>million tons of pollutants released by non-road diesel engines would save 8,522 lives and result in \$67 billion in health benefits  
<br>annually. The state officials have asked the EPA to pass stringent regulations.









<br>&nbsp;&nbsp;&nbsp; builders. "They'd rather put their money in side-by-side refrigerators or flat  
<br>&nbsp;&nbsp;&nbsp; cooktops."  
<p>&nbsp;&nbsp;&nbsp; Smith says his company is constantly reviewing whether to offer Energy Star  
<br>&nbsp;&nbsp;&nbsp; products as standard. But so far, it is finding the additional

cost exceeds what the  
<br>&nbsp;&nbsp;&nbsp; lower-end first- and second-time buyers Piscerne caters to are willing to pay.  
<p>&nbsp;&nbsp;&nbsp; "The extra price is not worth it because we don't get the same bang for our buck,"  
<br>&nbsp;&nbsp;&nbsp; Smith says. "The payback takes too long, especially if you flip the house within one  
<br>&nbsp;&nbsp;&nbsp; or two years."  
<p>&nbsp;&nbsp;&nbsp; Another factor that influences buying patterns is the way production builders  
<br>&nbsp;&nbsp;&nbsp; operate. Many offer only a single brand of appliances. So even if buyers wanted to  
<br>&nbsp;&nbsp;&nbsp; upgrade, they'd be out of luck if the particular manufacturer

their builder deals with  
<br>&nbsp;&nbsp;&nbsp; doesn't offer Energy Star models.  
<p>&nbsp;&nbsp;&nbsp; And not all do.  
<p>&nbsp;&nbsp;&nbsp; It's not that builders don't want to offer the best. Rather, it's much easier for them  
<br>&nbsp;&nbsp;&nbsp; to deal with one manufacturer or another for each particular subdivision. For one  
<br>&nbsp;&nbsp;&nbsp; thing, salespeople don't have to spend time discussing the merits of numerous  
<br>&nbsp;&nbsp;&nbsp; competitors. For another, there are fewer chances for ordering errors or other  
<br>&nbsp;&nbsp;&nbsp; mistakes.  
<p>&nbsp;&nbsp;&nbsp; But equally as important, dealing with just one maker is how builders keep their  
<br>&nbsp;&nbsp;&nbsp; costs as low as possible. Piscerne, for example, has ties to two major  
<br>&nbsp;&nbsp;&nbsp; manufacturers. So it's one or the other, depending on which of the company's five  
<br>&nbsp;&nbsp;&nbsp; current Rhode Island communities you are considering.  
<p>&nbsp;&nbsp;&nbsp; "That's how we get our best prices," Smith explains.  
<p>&nbsp;&nbsp;&nbsp; "If it were half one and half the other, we wouldn't get the pricing," agrees Brian  
<br>&nbsp;&nbsp;&nbsp; Binash of Emerald Homes, which works with just one maker for all its 16  
<br>&nbsp;&nbsp;&nbsp; Houston-area communities.  
<p>&nbsp;&nbsp;&nbsp; But it doesn't have to be this way and shouldn't, according to Sears' Collins, who  
<br>&nbsp;&nbsp;&nbsp; says his survey found that consumers actually prefer to pick their own brands and  
<br>&nbsp;&nbsp;&nbsp; models.  
<p>&nbsp;&nbsp;&nbsp; That's a leap for most builders. But Collins believes home buyers want just as many  
<br>&nbsp;&nbsp;&nbsp; choices when it comes to their refrigerators and ranges as they do with flooring,  
<br>&nbsp;&nbsp;&nbsp; cabinets and other products. "Builders have to change their ways," the Sears  
<br>&nbsp;&nbsp;&nbsp; executive says.  
<p>&nbsp;&nbsp;&nbsp; Sears' interest in all this, of course, is that it wants to sell more appliances, which is

<br>&nbsp;&nbsp;&nbsp; why the company has showrooms in 82 major markets where  
 builders can send their  
 <br>&nbsp;&nbsp;&nbsp; clients to work with salespeople to make their selections  
 within size requirements  
 <br>&nbsp;&nbsp;&nbsp; and price allowances.  
 <p>&nbsp;&nbsp;&nbsp; At the same time, though, the company has been honored  
 by the EPA and Energy  
 <br>&nbsp;&nbsp;&nbsp; Department three years in a row for its leadership in  
 selling and promoting products  
 <br>&nbsp;&nbsp;&nbsp; that carry the Energy Star label. Sears sells more than  
 250 Energy Star models from  
 <br>&nbsp;&nbsp;&nbsp; all the leading brands, including 84 different energy-saving  
 refrigerators that operate  
 <br>&nbsp;&nbsp;&nbsp; on the same amount of electricity it takes to run a 75-watt  
 light bulb.  
 <p>&nbsp;&nbsp;&nbsp; The average household spends about \$1,400 a year on utilities,  
 according to the  
 <br>&nbsp;&nbsp;&nbsp; EPA.  
 <p>&nbsp;&nbsp;&nbsp; And over the life of an appliance, the cost to operate  
 it can run more than the initial  
 <br>&nbsp;&nbsp;&nbsp; purchase price.  
 <p>&nbsp;&nbsp;&nbsp; But you can cut as much as 30 percent from your energy  
 bills by choosing the most  
 <br>&nbsp;&nbsp;&nbsp; efficient models. And because the typical house causes  
 almost twice as much  
 <br>&nbsp;&nbsp;&nbsp; pollution as the average car, you'll help clear the air  
 as well.  
 <p>&nbsp;&nbsp;&nbsp; Here are some buying tips to keep in mind:  
 <p>&nbsp;&nbsp;&nbsp; - Refrigerators: Refrigerators are the single, largest  
 power-guzzler in most  
 <br>&nbsp;&nbsp;&nbsp; households. But today's models are far better than those  
 produced just 10 years  
 <br>&nbsp;&nbsp;&nbsp; ago. A new Energy Star-rated unit uses just half the energy  
 of one manufactured in  
 <br>&nbsp;&nbsp;&nbsp; 1990. And some use 15 percent less energy than required  
 by federal guidelines.  
 <p>&nbsp;&nbsp;&nbsp; The most efficient models are in the 16- to 20-cubic-foot  
 range. Generally, the  
 <br>&nbsp;&nbsp;&nbsp; larger the unit, the greater the energy consumption. But  
 it's usually less costly to  
 <br>&nbsp;&nbsp;&nbsp; run one larger unit than two smaller ones.  
 <p>&nbsp;&nbsp;&nbsp; Top-freezer models are the most efficient, using 7 percent  
 to 13 percent less  
 <br>&nbsp;&nbsp;&nbsp; energy than side-by-side models. Also, while manual defrost  
 models must be  
 <br>&nbsp;&nbsp;&nbsp; defrosted by hand to remain efficient, they use half the  
 energy of units that handle  
 <br>&nbsp;&nbsp;&nbsp; this chore automatically.  
 <p>&nbsp;&nbsp;&nbsp; - Clothes washers: A typical household does about eight  
 loads of laundry a week;  
 <br>&nbsp;&nbsp;&nbsp; that's more than 400 a year using some 40 gallons of water  
 per full load. In  
 <br>&nbsp;&nbsp;&nbsp; contrast, a full-sized, Energy Star-rated unit uses just  
 18 to 25 gallons per load,  
 <br>&nbsp;&nbsp;&nbsp; resulting in a savings of as much as 6,800 gallons annually.  
 And then there's all that  
 <br>&nbsp;&nbsp;&nbsp; energy you're not using to heat that water.  
 <p>&nbsp;&nbsp;&nbsp; According to the government, the average family can save  
 \$100 a year in energy



















<br>&nbsp;&nbsp;&nbsp; "verify the airtightness of the ship" should it ever come  
 under  
 <br>&nbsp;&nbsp;&nbsp; biological or chemical attack.  
 <p>&nbsp;&nbsp;&nbsp; The mist was supposed to be harmless. But each time the  
 Power  
 <br>&nbsp;&nbsp;&nbsp; returned to port during the monthlong mission, technicians  
 clad in  
 <br>&nbsp;&nbsp;&nbsp; white protective suits, rubber gloves and paper booties  
 would come  
 <br>&nbsp;&nbsp;&nbsp; aboard to take particle samples.  
 <p>&nbsp;&nbsp;&nbsp; "It raised questions," recalled Druckemiller, who lives  
 in  
 <br>&nbsp;&nbsp;&nbsp; Topeka. "But remember, you're on the bottom of the feeding  
 chain. If  
 <br>&nbsp;&nbsp;&nbsp; you asked questions, you were told, 'Don't worry about  
 it. Go ahead  
 <br>&nbsp;&nbsp;&nbsp; and do your job.' " Last month, the Department of Defense  
 finally answered some of  
 <br>&nbsp;&nbsp;&nbsp; those questions. It acknowledged that between 1963 and  
 1969 several  
 <br>&nbsp;&nbsp;&nbsp; U.S. ships were hit with chemical agents and biological  
 toxins - some  
 <br>&nbsp;&nbsp;&nbsp; even subjected to nerve gas.  
 <p>&nbsp;&nbsp;&nbsp; Known as Project SHAD, which stands for Shipboard Hazard  
 and  
 <br>&nbsp;&nbsp;&nbsp; Defense, the Cold War operation was a series of tests  
 of the Navy's  
 <br>&nbsp;&nbsp;&nbsp; vulnerability, its on-board protective equipment and decontami  
 nation  
 <br>&nbsp;&nbsp;&nbsp; procedures.  
 <p>&nbsp;&nbsp;&nbsp; Druckemiller and others among the 4,000 SHAD veterans now  
 believe  
 <br>&nbsp;&nbsp;&nbsp; they were not adequately informed or safeguarded.  
 <p>&nbsp;&nbsp;&nbsp; "No one at the time thought anyone was in any real danger,"  
 <br>&nbsp;&nbsp;&nbsp; said Austin Camacho, a spokesman for the Pentagon's Deployment

#### Health

<br>&nbsp;&nbsp;&nbsp; Support Directorate, which is researching SHAD.  
 <p>&nbsp;&nbsp;&nbsp; "We do everything in the military very different now than  
 we did  
 <br>&nbsp;&nbsp;&nbsp; in the 1960s. We learned a lot in the Cold War era. I'm  
 sure a great  
 <br>&nbsp;&nbsp;&nbsp; deal took place not in the best way that it could have  
 been done."  
 <p>&nbsp;&nbsp;&nbsp; Many veterans think their various medical problems could  
 be a  
 <br>&nbsp;&nbsp;&nbsp; direct result of their unwitting exposure to the germ  
 and chemical  
 <br>&nbsp;&nbsp;&nbsp; tests.  
 <p>&nbsp;&nbsp;&nbsp; Druckemiller, a 57-year-old former environmental health  
 official  
 <br>&nbsp;&nbsp;&nbsp; in Sacramento, Calif., retired early in 1996 because of  
 poor health.  
 <br>&nbsp;&nbsp;&nbsp; He has had chronic respiratory problems, including recurring  
 bouts of  
 <br>&nbsp;&nbsp;&nbsp; pneumonia, several heart attacks and other ailments.  
 <p>&nbsp;&nbsp;&nbsp; He has spoken to about 10 percent of the Power's crew and  
 says  
 <br>&nbsp;&nbsp;&nbsp; all have also had a variety of illnesses, including lung  
 and cardiac

<br>&nbsp;&nbsp;&nbsp; problems, cancer and sterility. He also said that the  
 wives of two  
 <br>&nbsp;&nbsp;&nbsp; Power veterans he contacted have had five miscarriages  
 between them,  
 <br>&nbsp;&nbsp;&nbsp; and that the first-born child of each has spina bifida.  
 <p>&nbsp;&nbsp;&nbsp; The Vietnam Veterans of America, which has tried to help  
 SHAD  
 <br>&nbsp;&nbsp;&nbsp; sailors, estimates about 100 have contacted their group  
 with  
 <br>&nbsp;&nbsp;&nbsp; concerns.  
 <p>&nbsp;&nbsp;&nbsp; "We are talking about a U.S. government chemical and biological  
  
 <br>&nbsp;&nbsp;&nbsp; experimentation program of unprecedented scope and size  
 that has  
 <br>&nbsp;&nbsp;&nbsp; until now largely been hidden from public view," said  
 Patrick  
 <br>&nbsp;&nbsp;&nbsp; Eddington, the group's associate director of government  
 relations.  
 <p>&nbsp;&nbsp;&nbsp; If the former servicemen can establish a link between SHAD  
 and  
 <br>&nbsp;&nbsp;&nbsp; their medical problems, they could be eligible for medical  
 benefits  
 <br>&nbsp;&nbsp;&nbsp; through the Department of Veterans Affairs.  
 <p>&nbsp;&nbsp;&nbsp; VA spokesman Jim Benson says the link is not there yet.  
 "It's  
 <br>&nbsp;&nbsp;&nbsp; identifying a needle in a haystack. We've got the tests,  
 we know they  
 <br>&nbsp;&nbsp;&nbsp; used agents, we know there was exposure at some time."  
 <p>&nbsp;&nbsp;&nbsp; Yet, he says, "We don't have anybody coming to the door  
 in any  
 <br>&nbsp;&nbsp;&nbsp; kind of numbers, that says, 'Gee, you've got a major problem.'"  
  
 <p>&nbsp;&nbsp;&nbsp; What they do have is "a handful of people who recall a  
 <br>&nbsp;&nbsp;&nbsp; particular test and think maybe there was something there."  
 <p>&nbsp;&nbsp;&nbsp; The VA had a SHAD mortality study of 93 deceased sailors  
 <br>&nbsp;&nbsp;&nbsp; completed last year, which the Vietnam veterans group  
 obtained in  
 <br>&nbsp;&nbsp;&nbsp; March. Although never officially released, the study found  
 that SHAD  
 <br>&nbsp;&nbsp;&nbsp; veterans were three times more likely to die of respiratory  
 and  
 <br>&nbsp;&nbsp;&nbsp; vascular brain disease than the rest of the population.  
 <br>&nbsp;&nbsp;&nbsp; 'Possible risks'  
 <p>&nbsp;&nbsp;&nbsp; Though documents and other reports mention 113 SHAD tests,  
 <br>&nbsp;&nbsp;&nbsp; Camacho said his office can substantiate only "34 or so."  
 Of those,  
 <br>&nbsp;&nbsp;&nbsp; a dozen have been declassified, carrying names like "Autumn  
 Gold"  
 <br>&nbsp;&nbsp;&nbsp; and "Fearless Johnny."  
 <p>&nbsp;&nbsp;&nbsp; Following that declassification, the VA has sent letters  
 to 622  
 <br>&nbsp;&nbsp;&nbsp; veterans informing them of "possible risks."  
 <p>&nbsp;&nbsp;&nbsp; "We don't know fully what the health effects of these tests  
 may  
 <br>&nbsp;&nbsp;&nbsp; have been," the letter stated.  
 <p>&nbsp;&nbsp;&nbsp; Druckemiller hasn't received a letter yet, but Larry Ginter,  
 who  
 <br>&nbsp;&nbsp;&nbsp; was another of the Power's 160-man crew, has. He considers  
 it "a  
 <br>&nbsp;&nbsp;&nbsp; total lie." Now 58 and a construction company office manager

in  
 <br>&nbsp;&nbsp;  Walnut, Kan., he has had respiratory problems and five  
 heart  
 <br>&nbsp;&nbsp;  bypasses.  
 <p>&nbsp;&nbsp;  A Pentagon "fact sheet" included with Ginter's VA letter  
 states  
 <br>&nbsp;&nbsp;  that "participants should have been informed of the details  
 of each  
 <br>&nbsp;&nbsp;  test" including what chemical and biological agents were  
 involved.  
 <br>&nbsp;&nbsp;  That included training about proper clothing, use of protectiv  
 e  
 gear  
 <br>&nbsp;&nbsp;  and masks, immunizations and "extensive safety precautions  
 to  
 <br>&nbsp;&nbsp;  prevent any adverse health effects."  
 <p>&nbsp;&nbsp;  But Ginter and Druckemiller said they received no instructions.

<br>&nbsp;&nbsp;  "The only thing that I remember we were issued," Ginter  
 said,  
 <br>&nbsp;&nbsp;  "were additional long johns and additional gloves."  
 <p>&nbsp;&nbsp;  Veterans and experts on biological weapons agree that some  
 of the  
 <br>&nbsp;&nbsp;  more damaging effects of agents employed in the tests  
 weren't known  
 <br>&nbsp;&nbsp;  40 years ago.  
 <p>&nbsp;&nbsp;  Even some of substances used for decontamination posed  
 a health  
 <br>&nbsp;&nbsp;  risk. The Environmental Protection Agency today considers  
 <br>&nbsp;&nbsp;  betapropiolactone, for instance, which was used for cleanup  
 on the  
 <br>&nbsp;&nbsp;  Power, to be a probable human carcinogen.  
 <p>&nbsp;&nbsp;  The social and political mood of the time was also different.  
 <br>&nbsp;&nbsp;  SHAD occurred in an era when Moscow was developing chemical  
 and  
 <br>&nbsp;&nbsp;  biological weapons.  
 <p>&nbsp;&nbsp;  "In the context of the Cold War and the belief system,  
 you  
 <br>&nbsp;&nbsp;  didn't question authority in those days as much as you  
 almost  
 <br>&nbsp;&nbsp;  reflexively do today," said Leonard A. Cole, a biological  
 weapons  
 <br>&nbsp;&nbsp;  experts at Rutgers University and author of Clouds of  
 Secrecy, a book  
 <br>&nbsp;&nbsp;  about secret government germ tests.  
 <p>&nbsp;&nbsp;  "People were more willing to accept what the president  
 said,  
 <br>&nbsp;&nbsp;  what the doctors said, what the military had to say. It's  
 easier now,  
 <br>&nbsp;&nbsp;  in hindsight, to say what they should have done."  
 <br>&nbsp;&nbsp;  Health hazards  
 <p>&nbsp;&nbsp;  Pentagon documents show "Fearless Johnny" occurred southwest  
 of  
 <br>&nbsp;&nbsp;  Honolulu in August and September of 1965. The test involved  
 VX, a  
 <br>&nbsp;&nbsp;  lethal nerve gas that attacks the central nervous system  
 and leaves a  
 <br>&nbsp;&nbsp;  person unable to breathe.  
 <p>&nbsp;&nbsp;  "Death usually occurs within 10-15 minutes after absorption  
 of a



fatal dosage," according to the documents. "VX nerve agent is one of the most toxic substances ever synthesized."

"Flower Drum," conducted near Hawaii earlier that year, used Sarin, another nerve agent.

Camacho said Defense Department records show that servicemen exposed to potentially dangerous biological agents used in the tests were inoculated beforehand. But he said the military could not be certain whether the sailors exposed to nerve gas were adequately protected.

"The test plans clearly indicate that those people should be protected at all times, either wearing chemical suits and masks, or in what they call the 'citadel' - an area of the ship sealed against air coming in and out," Camacho said. "We can't say for sure that every time those precautions were taken."

Records do not show that anyone exposed to nerve gas got sick, he said, "and one would expect if you were exposed to Sarin or VX, you would have had an immediate physical reaction."

Another Pacific test that year, known as "Shady Grove," involved two live biological toxins. In that case, monkeys kept in cages on the deck of the ships were also used as test subjects.

One toxin was the organism that causes tularemia, known also as Rabbit Fever and one of the most infectious known pathogens. The other causes Q Fever, which is associated with farm animals and can lead to pneumonia in humans and also heart problems.

A test in 1969 used the germ Escherichia coli and another called Serratia marcescens, at the time thought to be harmless, but now known to be "an opportunistic pathogen."

The USS Power was hit with neither nerve gas nor biological agents in an attempt to test under cold weather conditions. But the military used several chemicals on the destroyer that could have posed risks.

Some of the chemical agents in SHAD were used as simulants and tracers - stand-ins for actual toxins, like anthrax - because they mimic their characteristics of dispersal.

The Pentagon still considers one such tracer used on the Power, Bacillus globigii, as harmless to humans. But a top VA health

official noted in a letter to agency physicians that BG,  
 as it is  
 known, is "associated with a number of opportunistic infection  
 s."  
 Zinc cadmium sulfide also was sprayed on the Power. A Pentagon  
 fact sheet states that no current medical test exists  
 to measure the  
 effect of exposure to the compound. Exposure to pure cadmium  
 in a  
 worst-case scenario, according to the sheet, "could be  
 toxic to  
 kidneys and bones and cause lung cancer."  
 "They told me they were using dyed air," Ginter said. "I  
 distinctly heard that."  
 'Not test subjects'  
 Since 1994, Jack Alderson, who commanded five tugboats  
 in 1965  
 during SHAD tests in the Pacific, has been trying to get  
 the  
 government to acknowledge its role and help the men involved.  
 A former career naval officer from Eureka, Calif., Alderson,  
 68,  
 began his effort after a reunion of his tugboat crews  
 eight years  
 ago. He discovered that a lot of the men had cancer and  
 respiratory  
 problems. Alderson himself was recently diagnosed with  
 prostate  
 cancer.  
 He said the Pentagon denied the existence of SHAD even  
 when he  
 produced his old orders assigning him to the project's  
 technical  
 staff.  
 But in recent years, some sporadic disclosures in the media,  
 along with pressure from veterans and Rep. Mike Thompson,  
 a  
 California Democrat, have forced the military to release  
 details.  
 They have come slowly, however.  
 Frustrated with the pace, the Vietnam Veterans of America  
 has  
 been urging the VA to mount a national advertising campaign  
 to reach  
 SHAD veterans.  
 Alderson, who participated in "Shady Grove," was among  
 those  
 informed about the true nature of SHAD and inoculated  
 beforehand. But  
 he is critical of the secrecy and lack of follow-up on  
 the sailors'  
 long-term health.  
 "When you departed SHAD, you were given a very strong classifie  
 d  
 briefing, and if you opened your mouth about this, you  
 could end up  
 in Leavenworth," said Alderson.  
 Experimentation on humans who are not volunteers and who





pipeline projects, also reimbursed the water agency  
<br>&nbsp;&nbsp;&nbsp; for some of those invoices, O'Brien said.

<p>&nbsp;&nbsp;&nbsp; Mullins could not be reached for comment. He had been a  
manager at the water agency since February 1993  
<br>&nbsp;&nbsp;&nbsp; before he was fired, O'Brien said. Benenati did not return  
telephone messages left at his office Friday seeking  
<br>&nbsp;&nbsp;&nbsp; comment.

<p>&nbsp;&nbsp;&nbsp; George B. Newhouse Jr., a Los Angeles attorney who represents  
Cole, said his client "obtained contracts and  
<br>&nbsp;&nbsp;&nbsp; did the work at a fair and reasonable price and he got  
paid for it."

<p>&nbsp;&nbsp;&nbsp; "Mr. Cole is confident that he will be exonerated at trial,"  
Newhouse said. "It's unfortunate he was dragged  
<br>&nbsp;&nbsp;&nbsp; into this."

<p>&nbsp;&nbsp;&nbsp; Mullins did supply Cole with surveying equipment, trucks  
and office space through the contracts, the attorney  
<br>&nbsp;&nbsp;&nbsp; said--but Cole merely reimbursed Mullins, he said.

<p>&nbsp;&nbsp;&nbsp; "It's difficult to conceive how that could be a corrupt  
relationship," Newhouse said.

<p>&nbsp;&nbsp;&nbsp; Mullins and Cole are charged with conspiracy, theft from  
a program that receives federal funds, 11 counts of  
<br>&nbsp;&nbsp;&nbsp; mail fraud, two counts of wire fraud and six counts of  
"honest services" fraud--essentially for abusing the trust  
<br>&nbsp;&nbsp;&nbsp; of taxpayers.

<p>&nbsp;&nbsp;&nbsp; If convicted on all counts, they could be sentenced to  
105 years in federal prison and fined \$11.5 million,  
<br>&nbsp;&nbsp;&nbsp; officials said.

<p>&nbsp;&nbsp;&nbsp; Mullins has been released from custody after posting \$50,000  
bond. Cole is expected to surrender when he is  
<br>&nbsp;&nbsp;&nbsp; arraigned later this month in Riverside.

<p>&nbsp;&nbsp;&nbsp; Benenati, charged with one count of aiding and abetting  
theft from a federally funded program, has entered  
<br>&nbsp;&nbsp;&nbsp; into a plea arrangement with federal prosecutors, O'Brien  
said. As part of the arrangement, he will provide  
<br>&nbsp;&nbsp;&nbsp; information against the other two men, the prosecutor  
said.

<p>&nbsp;&nbsp;&nbsp; The indictments come on the heels of a complex web of corruptio  
n  
scandals that have plagued San Bernardino  
<br>&nbsp;&nbsp;&nbsp; County government for years. A key trial in those unrelated  
cases is scheduled to begin next week.

<p>&nbsp;&nbsp;&nbsp; "The No. 1 priority for this office is attacking corruption,"  
said O'Brien, the head of an office that coordinates  
<br>&nbsp;&nbsp;&nbsp; federal prosecutions in Riverside and San Bernardino counties.

"So this is a very significant case for us."

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<p>The New York Times, June 8, 2002

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<br>&nbsp;&nbsp;&nbsp; benefits of gardening to the younger generation," said Ann Barklow, a community gardener who helped  
<br>&nbsp;&nbsp;&nbsp; negotiate the new plots after efforts to save the old gardens failed.  
<p>&nbsp;&nbsp;&nbsp; Until recently, things looked grim for the gardeners, many of whom are elderly or have no room to grow corn,  
<br>&nbsp;&nbsp;&nbsp; tomatoes, fava beans or kale at home in the South Bay beach cities, where land is scarce and pricey.  
<p>&nbsp;&nbsp;&nbsp; The Manhattan Beach Unified School District, which had allowed gardeners to use the small strip of surplus  
<br>&nbsp;&nbsp;&nbsp; land, found itself facing large cuts in state funding this year. Believing they could get up to \$1.6 million for the  
<br>&nbsp;&nbsp;&nbsp; land, which is large enough for three houses, district officials told the gardeners they had to be out by May  
<br>&nbsp;&nbsp;&nbsp; 31.  
<p>&nbsp;&nbsp;&nbsp; The eviction notice set gardeners scrambling for help from the school board, the city, the local health  
<br>&nbsp;&nbsp;&nbsp; district--and anyone else who might help them raise money to buy the land or provide another site that could  
<br>&nbsp;&nbsp;&nbsp; accommodate the approximately 80 plots.  
<p>&nbsp;&nbsp;&nbsp; They ran out of time, but as the gardeners gathered on May 30 at the Mira Costa site to collect their tools  
<br>&nbsp;&nbsp;&nbsp; and seedlings and to hold a farewell party, negotiations were underway for the next generation of gardens.  
<p>&nbsp;&nbsp;&nbsp; "The district felt very bad about needing to sell the property

and [officials] wanted to see if there was a way  
<br>&nbsp;&nbsp;&nbsp; to help out. I had several principals approach me about having the gardeners move onto their sites," said  
<br>&nbsp;&nbsp;&nbsp; Marika Bergsund, the district's garden coordinator.  
<p>&nbsp;&nbsp;&nbsp; Though there was no place big enough to accommodate all the gardeners, the school district agreed to  
<br>&nbsp;&nbsp;&nbsp; squeeze some new plots next to student gardens at three of its five elementary campuses. The city agreed to  
<br>&nbsp;&nbsp;&nbsp; clear the sites, build new beds, and install irrigation systems and fencing. The plots could be ready by July,  
<br>&nbsp;&nbsp;&nbsp; just in time for the community gardeners to move in and help maintain the school gardens, which sometimes  
<br>&nbsp;&nbsp;&nbsp; slide into neglect during summer break.  
<p>&nbsp;&nbsp;&nbsp; District officials believe the students will learn from the older, more experienced gardeners and expect both  
<br>&nbsp;&nbsp;&nbsp; generations will benefit from spending time with each other. There are plans to teach youngsters how to  
<br>&nbsp;&nbsp;&nbsp; compost and how to attract beneficial insects in lieu of using pesticides--which will be forbidden in the new  
<br>&nbsp;&nbsp;&nbsp; campus gardens.  
<p>&nbsp;&nbsp;&nbsp; "From the schools' perspective, this is just wonderful," Bergsund said. "The older gardeners will bring a world of  
<br>&nbsp;&nbsp;&nbsp; experience and interests. And, as a secondary benefit, our children will get to spend time with older adults,  
<br>&nbsp;&nbsp;&nbsp; something we believe will benefit the entire community."  
<p>&nbsp;&nbsp;&nbsp; The community gardeners' arrival comes just as Manhattan Beach's school gardens program is, well, growing  
<br>&nbsp;&nbsp;&nbsp; and blossoming.  
<p>&nbsp;&nbsp;&nbsp; Begun 2 1/2 years ago with a small grant from the state Department of Education and money from the Beach  
<br>&nbsp;&nbsp;&nbsp; Cities Health District, the project has spread to all of the district's elementary schools and will soon be added  
<br>&nbsp;&nbsp;&nbsp; at the middle school. The gardens provide lessons in nutrition



June 9, 2002 Sunday   Home Edition

<p>&nbsp;&nbsp;&nbsp;  SECTION: Sunday Calendar; Part 6; Page 55; Calendar Desk

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<p>&nbsp;&nbsp;&nbsp;  HEADLINE: Art & Architecture;

<br>&nbsp;&nbsp;&nbsp;  It Can Be Easy Building Green;

<br>&nbsp;&nbsp;&nbsp;  An architect finds 13 buildings that are kind to the environment

<p>&nbsp;&nbsp;&nbsp;  BYLINE: VIVIAN LeTRAN

<p>&nbsp;&nbsp;&nbsp;  BODY:

<br>&nbsp;&nbsp;&nbsp;  In "Ten Shades of Green" at the Orange County Museum of Art, architecture follows a new dictum: Form

<br>&nbsp;&nbsp;&nbsp;  follows function--and global survival.

<p>&nbsp;&nbsp;&nbsp;  "Buildings are one of the biggest polluters of the environment,

" said guest curator Peter Buchanan, an

<br>&nbsp;&nbsp;&nbsp;  independent London architect and writer who proposed the show in response to the potential threat of global

<br>&nbsp;&nbsp;&nbsp;  warming. "Green design is building with a conscience," he said.

<p>&nbsp;&nbsp;&nbsp;  Fifty percent of energy consumed and greenhouse gases emitted in the world are from buildings, Buchanan

<br>&nbsp;&nbsp;&nbsp;  said, adding that the United States alone contributes up to one-fourth of the planet's emissions. Promoting

<br>&nbsp;&nbsp;&nbsp;  green building design has become an important cause for the Architectural League of New York, an

<br>&nbsp;&nbsp;&nbsp;  organization that presents exhibits and public education programs on architecture and design. The league

<br>&nbsp;&nbsp;&nbsp;  accepted Buchanan's proposal and produced the 12-stop traveling exhibition, which will continue on to Boston

<br>&nbsp;&nbsp;&nbsp;  and Las Vegas.

<p>&nbsp;&nbsp;&nbsp;  Rosalie Geneviro, league executive director, said Buchanan was commissioned to guest-curate the show

<br>&nbsp;&nbsp;&nbsp;  because he is a green issues advocate and has broad appeal to technical and lay audiences. Buchanan

<br>&nbsp;&nbsp;&nbsp;  selected 13 buildings, based on aesthetics and environmental friendliness. Most are European projects, and

<br>&nbsp;&nbsp;&nbsp;  most were built within the last five years.

<p>&nbsp;&nbsp;&nbsp;  The exhibition's title comes from the 10 criteria it establishes

for assessing greenness. Primary among them is

<br>&nbsp;&nbsp;&nbsp;  energy efficiency: the use of "natural" air-conditioning or solar heat, for example. Buildings are also judged on

<br>&nbsp;&nbsp;&nbsp;  their use of recycled materials and renewable resources, and on the way they react to and operate in their

<br>&nbsp;&nbsp;&nbsp;  environments. Buchanan says one way to summarize green principles is to think in terms of thermodynamics,

<br>&nbsp;&nbsp;&nbsp;  the way heat can be transferred into other kinds of energy and vice versa.

<p>&nbsp;&nbsp;&nbsp;  Each project is represented by photographs, drawings and a scale model in cross-section, which allows a

<br>&nbsp;&nbsp;&nbsp;  visitor to see, for example, how the University of Nottingham

in England uses wind power and its lakeside site

<br>&nbsp;&nbsp;&nbsp;  to create a cooling system. The architects discuss their projects on interactive computer displays.

<p>&nbsp;&nbsp;&nbsp;  What's crucial to Buchanan is that these buildings accomplish green goals without compromising style.

<p>&nbsp;&nbsp;&nbsp;  "Green design is not a straitjacket," Buchanan said. "American

architects have complained that green buildings



<br>&nbsp;&nbsp;&nbsp; are ugly. We want to show people that green architecture can be beautifully designed and conceptually

<br>&nbsp;&nbsp;&nbsp; sophisticated."

<p>&nbsp;&nbsp;&nbsp; In his view, the Commerzbank headquarters in Frankfurt, Germany, has it all. Designed by British architect

<br>&nbsp;&nbsp;&nbsp; Norman Foster, the silvery triangular structure is covered in reflective glass. It's 53 stories--the tallest

<br>&nbsp;&nbsp;&nbsp; skyscraper in Europe--and among its most important green elements is an atrium, a hollow core that fills the

<br>&nbsp;&nbsp;&nbsp; bank's offices with natural light from all sides while creating better air circulation. Foster also added atrium

<br>&nbsp;&nbsp;&nbsp; "sky gardens" on some floors to freshen the air and provide public gathering places.

<p>&nbsp;&nbsp;&nbsp; Another building in the exhibition, the Beyeler Foundation Museum in Basel, Switzerland, is embedded in a

<br>&nbsp;&nbsp;&nbsp; park-like landscape. The classical design by Renzo Piano features an all-glass roof and perforated steel panels

<br>&nbsp;&nbsp;&nbsp; that control the natural lighting in the galleries.

<p>&nbsp;&nbsp;&nbsp; The Minnaert Building in Utrecht, Netherlands, by the Dutch firm Neutelings Riedijk Architecten, is a wave-like

<br>&nbsp;&nbsp;&nbsp; horizontal structure made of insulated concrete. The building collects rainwater on the roof, and the water

<br>&nbsp;&nbsp;&nbsp; drips into a pool in the building's central hall. In the summer, the rainwater is used to cool the building. It is

<br>&nbsp;&nbsp;&nbsp; pumped through a circulatory system, absorbing heat, which it then releases on the roof.

<p>&nbsp;&nbsp;&nbsp; Four homes are showcased in the exhibit: three in the United States and the fourth in Nova Scotia. The

<br>&nbsp;&nbsp;&nbsp; Wescott/Lahar House in west Marin County uses thick, well-insulated walls made of bales of straw to conserve

<br>&nbsp;&nbsp;&nbsp; energy. The Cotulla Ranch House in La Salle County, Texas, is built to recycle rainwater by collecting it in

<br>&nbsp;&nbsp;&nbsp; cisterns. The Palmer House in Tucson manages temperature with thick walls, uses native landscape and has an

<br>&nbsp;&nbsp;&nbsp; economical evaporative cooling system. The Howard House in West Pennant, Nova Scotia, recycles local

<br>&nbsp;&nbsp;&nbsp; materials, such as corrugated steel from boat sheds and barns.

<p>&nbsp;&nbsp;&nbsp; Why are most of the exhibition's projects from Europe? Genevra says that in general, Europe is ahead of the

<br>&nbsp;&nbsp;&nbsp; curve on green design because its natural resources are more limited and architects are more aware of the

<br>&nbsp;&nbsp;&nbsp; problem and more motivated to find solutions. But, she adds, an increasing number of U.S. buildings are

<br>&nbsp;&nbsp;&nbsp; beginning to meet green standards.

<p>&nbsp;&nbsp;&nbsp; "The exhibition is consistent with our own mission," said Peter Templeton, a program manager with the U.S.

<br>&nbsp;&nbsp;&nbsp; Green Building Council, a nonprofit advocacy group.

<p>&nbsp;&nbsp;&nbsp; Buchanan's criteria are similar to those the council uses to certify buildings. In the last two years, 20 buildings

<br>&nbsp;&nbsp;&nbsp; nationwide have been granted green status and 350 others are being considered for approval.

<p>&nbsp;&nbsp;&nbsp; At UC Santa Barbara, the Donald Bren School of Environmental Science and Management, designed by Zimmer

<br>&nbsp;&nbsp;&nbsp; Gunsul Frasca Partnership, received one of the council's highest ratings.

<p>&nbsp;&nbsp;&nbsp; "The current interest of green design isn't a passing fad," Genevra said. "Our resources are limited, and we



in Massachusetts, Rhode Island and Utah and is  
 scheduled to take over Washington State's program in July.  
 In Connecticut, contract negotiations with Agbar are expected  
 to be completed in late June, according to  
 state and company officials. If all goes according to  
 plan, the state will suspend emissions testing for the next  
 six to eight months while Agbar prepares to take over  
 the system. The plan also includes exempting newer  
 vehicles from testing and subjecting some models to simpler  
 tests. Fees will remain at \$20 for a two-year  
 sticker and \$10 for a one-year sticker.  
 Judging by the reviews in other states, Agbar has encountered  
 some minor problems in setting up systems, but  
 has earned a reputation for being customer friendly and  
 inexpensive. Connecticut officials said the new system  
 will allow customers to schedule their inspections and  
 virtually eliminate waiting times.  
 In Rhode Island, where Agbar took over the management of  
 the emissions testing program in 2000, the  
 company had some initial software problems, but those  
 eventually were fixed.  
 "Obviously, we had a number of glitches when we first started  
 the program because everybody was learning,"  
 said Louis Longo, chief of the safety and emissions division  
 for the Rhode Island Department of Motor Vehicles.  
 "After the first six to eight months, everything fell  
 into place."  
 In Washington State, the company has missed some installation  
 deadlines by a few days, but looks to be on  
 track to take over the system in July, said Phyllis Baas,  
 section manager responsible for the motor vehicle  
 emissions testing program for the Washington Department  
 of Ecology.  
 "They have to develop Washington-specific software and  
 it's a pretty tight time frame and we have been  
 pushing them pretty hard for deadlines," she said. But,  
 she added, "They appear they are going to be ready by  
 July 1."  
 Part of the problem in Washington is that the state's testing  
 system will remain centralized, a configuration  
 that requires a different setup than Agbar normally uses,  
 Ms. Baas said.  
 Under the Connecticut proposal to decentralize the system,  
 Agbar would be responsible for training service  
 station and car dealership mechanics so they can conduct  
 the tests, said Christopher Stock, director of  
 marketing for the company. It would also supply the equipment  
 to the service stations and dealerships, he  
 said.  
 "They don't have to pay anything up front," he said. "What  
 they do is collect the motorists' fees and they pay  
 a portion of the test fee for the equipment, training  
 and management."  
 The decision to overhaul the system was the result of a  
 study that state officials began in 2000, said William  
 Seymour, director of corporate and public relations for  
 the Department of Motor Vehicles. Part of the analysis  
 looked at how the state could make the system easier for  
 motorists, an issue that residents have raised for



is the fact that they have gone over to a video  
 <br>&nbsp;&nbsp;&nbsp;surveillance system," said David Skinner, training manager  
 for the National Center for Vehicle Emissions Control  
 <br>&nbsp;&nbsp;&nbsp;and Safety in Fort Collins, Colo. "In the past, the concerns  
 with the decentralized system was fraud and that  
 <br>&nbsp;&nbsp;&nbsp;gives you greater fraud control."  
 <p>&nbsp;&nbsp;&nbsp;Under the old system in 2000, several Envirotest employees  
 at a testing center in Bridgeport were charged  
 <br>&nbsp;&nbsp;&nbsp;with accepting bribes to pass cars that had failed tests,  
 a problem the state is hoping to counter with the  
 <br>&nbsp;&nbsp;&nbsp;new system.  
 <p>&nbsp;&nbsp;&nbsp;With Agbar, there will also be covert operations to detect  
 fraud as well as unannounced inspections. Software  
 <br>&nbsp;&nbsp;&nbsp;will be used to track the inventories of the emission  
 stickers and other anomalies that could indicate fraud.  
 <br>&nbsp;&nbsp;&nbsp;The state is considering awarding a contract to a data  
 management company, which would also oversee the  
 <br>&nbsp;&nbsp;&nbsp;tests and crosscheck emissions information with other  
 state motor vehicle records, Mr. Seymour said.  
 <p>&nbsp;&nbsp;&nbsp;Together, Mr. Seymour said, the fraud detection and prevention

measures will be "second to none" in the  
 <br>&nbsp;&nbsp;&nbsp;nation.  
 <p>&nbsp;&nbsp;&nbsp;The decentralized configuration is just one of the many  
 changes to the state's emissions testing system. In  
 <br>&nbsp;&nbsp;&nbsp;addition, car models that are 1996 and newer will undergo  
 the On Board Diagnostics testing process, which is  
 <br>&nbsp;&nbsp;&nbsp;simpler and faster, experts said.  
 <p>&nbsp;&nbsp;&nbsp;"It's like making a phone call instead of sending a letter,"  
 Mr. Skinner said.  
 <p>&nbsp;&nbsp;&nbsp;And starting July 1, models that are four-years-old and  
 newer will be exempt from tests under the plan. People  
 <br>&nbsp;&nbsp;&nbsp;who register new cars will have to pay a \$40 fee. The  
 decision to exempt newer models was based on the fact  
 <br>&nbsp;&nbsp;&nbsp;that the newer cars are less likely to have emissions  
 violations, Mr. Seymour said. In the process, it means  
 <br>&nbsp;&nbsp;&nbsp;that the number of tests could drop from about 1.3 million  
 in 2001 to roughly 937,000, he said.  
 <p>&nbsp;&nbsp;&nbsp;That's good news for people like Sheldon Wishnick, Connecticut

chapter coordinator for the National Motorists  
 <br>&nbsp;&nbsp;&nbsp;Association, an organization that he said fights for motorists  
 ,  
 rights. Mr. Wishnick does not support emissions  
 <br>&nbsp;&nbsp;&nbsp;testing and was happy to hear that newer models won't  
 be tested. But he does not understand why people  
 <br>&nbsp;&nbsp;&nbsp;who register new cars will have to pay \$40.  
 <p>&nbsp;&nbsp;&nbsp;"I think that's ridiculous," he said. "If the program is  
 supposed to reduce emissions, then how is forcing you to  
 <br>&nbsp;&nbsp;&nbsp;pay \$40 when you buy a new car helping to reduce emissions?  
 It has nothing to do with it."  
 <p>&nbsp;&nbsp;&nbsp;Mr. Seymour said the state will continue to charge the  
 fee to keep the emissions program self-funded and  
 <br>&nbsp;&nbsp;&nbsp;maintain the current sticker fees.  
 <p>&nbsp;&nbsp;&nbsp;"Clean air is everybody's responsibility, and everyone  
 must share in the cost of clean air," he added.  
 <br>&nbsp;&nbsp;&nbsp;The biggest change to the system will be the decentralized  
 locations. Because it will take time to implement,  
 <br>&nbsp;&nbsp;&nbsp;the state will suspend all emission testing for six to  
 eight months starting July 1.



it believes can rally public support.

<p>&nbsp;&nbsp;  Those are not typically the kinds of groups with which the Bush administration finds itself closely aligned. But

<br>&nbsp;&nbsp;  an internal White House draft, disclosed on Friday, identifies several such organizations that administration officials think can help them win enactment of the initiative.

At issue is an administration effort to overhaul a provision of the Clean Air Act called new-source review that requires utilities and factories to upgrade their pollution controls when they make major plant improvements. The utility industry fiercely opposes the provision, saying it costs too much and reduces efficiency. The administration wants to supplant the program with its own initiative, Clear Skies.

<p>&nbsp;&nbsp;  Clear Skies would require a two-thirds reduction in most power plant emissions by 2018, and seek to achieve that goal largely by creating a system in which companies can trade emissions credits. The administration says Clear Skies would be more effective than new-source review, but environmentalists say it would undercut the Clean Air Act.

<p>&nbsp;&nbsp;  President Bush spoke broadly about the proposal in mid-February

, but specific language has yet to be sent to

<br>&nbsp;&nbsp;  Capitol Hill. The plan calls for meetings with a number of groups before Mr. Bush announces the details. The date for his announcement has not been set.

<p>&nbsp;&nbsp;  The strategy draft was first disclosed by Greenwire, an online environmental news service, and then made available by the utility industry to other news outlets on Friday.

<p>&nbsp;&nbsp;  Industry and administration officials said that the draft plan demonstrated that the White House was consulting all sides of the debate and had broad support. The administration has been criticized for consulting mainly industry groups last year when developing an energy policy.

<p>&nbsp;&nbsp;  Some environmental groups, however, said the draft plan showed an effort by the White House to manipulate public opinion and make its support for the Clear Skies program appear to be greater than it is.

<p>&nbsp;&nbsp;  The draft says environmental groups "should have the lead on all meetings" about the plan. It did not identify any groups, but one is likely to be the Adirondack Council, among the few environmental groups that have endorsed Clear Skies.

<p>&nbsp;&nbsp;  The draft also calls for meetings with minority groups, including the Black Chamber of Commerce, the National Conference of Black Mayors, Maryland Black Mayors and the National Indian Business Association.

<p>&nbsp;&nbsp;  But it is not clear that all those groups will be on board.

Mayor Marilyn Murrell of Arcadia, Okla., the president of the National Conference of Black Mayors, said the administration had not contacted her group. Mayor Murrell was doubtful that she would support the initiative. She criticized the administration's clean-air















<br>&nbsp;&nbsp;&nbsp; summer. The paper says it seeks to protect European consumers and the environment from "dangerous" <br>&nbsp;&nbsp;&nbsp; chemicals with a system called REACH (Registration, Evaluation and Authorization of Chemicals).

<p>&nbsp;&nbsp;&nbsp; We at the Competitive Enterprise Institute think that REACH is just junk-science-driven protectionism at its <br>&nbsp;&nbsp;&nbsp; worst and does nothing to protect consumers. And it may cost the U.S. chemicals industry more than \$17 <br>&nbsp;&nbsp;&nbsp; billion in lost exports. <p>&nbsp;&nbsp;&nbsp; REACH proposes to gather data and classify more than 30,000 chemicals. Many of them are common chemicals <br>&nbsp;&nbsp;&nbsp; that have been in use for 100 years. Some of the chemicals that would be affected include the <br>&nbsp;&nbsp;&nbsp; cancer-treatment drug tamoxifen, as well as all estrogen-replacement drugs such as Premarin. REACH is so <br>&nbsp;&nbsp;&nbsp; broad, that even alcoholic beverages and some baked goods could be classified as "dangerous." Instead of <br>&nbsp;&nbsp;&nbsp; placing the burden on government to show a chemical poses a risk, REACH asks manufacturers to provide data <br>&nbsp;&nbsp;&nbsp; on their product. And in the absence of proof, the product may be assumed dangerous using a controversial <br>&nbsp;&nbsp;&nbsp; approach called "the precautionary principle". That is, products can be banned without any proof of hazard. <br>&nbsp;&nbsp;&nbsp; Right there, REACH is a technical barrier to trade under the WTO's rules.

<p>&nbsp;&nbsp;&nbsp; REACH doesn't stop at chemicals. Products that use chemicals, such as toys, cosmetics or pesticides also will <br>&nbsp;&nbsp;&nbsp; be subject to the same bans. The cost in lost exports could skyrocket well beyond the damage to the <br>&nbsp;&nbsp;&nbsp; chemicals industry. The ultimate cost of the EU's chemicals strategy will be a loss in innovation and jobs on <br>&nbsp;&nbsp;&nbsp; both sides of the Atlantic.

<p>&nbsp;&nbsp;&nbsp; What makes the strategy so expensive are the overly stringent tests. When EU scientists ran them, 70 <br>&nbsp;&nbsp;&nbsp; percent of the substances tested as dangerous. Industry analysts estimate that it will take 40 years just to <br>&nbsp;&nbsp;&nbsp; gather the minimum amount of data on the chemicals in question.

<p>&nbsp;&nbsp;&nbsp; Most of the registration and testing parts of REACH were developed within the OECD. And that accounts for <br>&nbsp;&nbsp;&nbsp; 98 percent of the cost of the program according to a study conducted by European consultants, Risk and <br>&nbsp;&nbsp;&nbsp; Policy Analysts.

<p>&nbsp;&nbsp;&nbsp; The EU's chemicals strategy has met with strong criticism from the U.S. and European chemicals industries. <br>&nbsp;&nbsp;&nbsp; The U.S. State Department has noted that the EU's chemicals strategy will do incalculable damage to the <br>&nbsp;&nbsp;&nbsp; chemicals market and ultimately to the global economy. <p>&nbsp;&nbsp;&nbsp; Yet by participating in the OECD, the U.S. may be aiding the EU's chemicals strategy. And according to the <br>&nbsp;&nbsp;&nbsp; OECD's founding convention, the United States is bound to the council's decisions. The OECD says it is working <br>&nbsp;&nbsp;&nbsp; for greater regulatory efficiency across governments and industry. To that end, they have been at the <br>&nbsp;&nbsp;&nbsp; forefront of developing tests and harmonizing safety standards for chemicals.



<br>&nbsp;&nbsp;&nbsp; Fast-growing Osceola County should hurry up and follow  
 Orange County's smart-growth initiative linking  
 <br>&nbsp;&nbsp;&nbsp; schools to development.  
 <p>&nbsp;&nbsp;&nbsp; Orange County government and 11 cities are preparing to  
 join forces in tying zoning approvals to whether  
 <br>&nbsp;&nbsp;&nbsp; schools are crowded. To truly succeed, this effort must  
 take place on a regional basis. Otherwise, developers  
 <br>&nbsp;&nbsp;&nbsp; will cherry-pick their way around Osceola and surrounding  
 counties to put up subdivisions wherever they can  
 <br>&nbsp;&nbsp;&nbsp; best avoid paying for schools.  
 <p>&nbsp;&nbsp;&nbsp; Unless growth starts paying its fair share for schools,  
 the quality of education will decline across the entire  
 <br>&nbsp;&nbsp;&nbsp; county.  
 <p>&nbsp;&nbsp;&nbsp; At least some local leaders -- such as commissioners Mary  
 Jane Arrington and Ken Smith, who spoke about the  
 <br>&nbsp;&nbsp;&nbsp; issue at a County Commission meeting last week -- are  
 willing to consider ways to help schools.  
 <p>&nbsp;&nbsp;&nbsp; Now residents ought to hold elected officials' feet to  
 the fire on the issue. Leaders need to act quickly.  
 <p>&nbsp;&nbsp;&nbsp; Leaders are looking at a "Martinez Plan," -- the policy  
 named after former Orange County Chairman Mel  
 <br>&nbsp;&nbsp;&nbsp; Martinez -- that calls for rejecting changes to zoning  
 and development plans in areas served by already  
 <br>&nbsp;&nbsp;&nbsp; packed schools. Osceola officials need to step up and  
 adopt it here -- soon.  
 <p>&nbsp;&nbsp;&nbsp; Calling education a state issue that cannot be dealt with  
 effectively at local levels is an excuse. Local  
 <br>&nbsp;&nbsp;&nbsp; government can't use that excuse to duck its responsibility  
 to manage growth.  
 <p>&nbsp;&nbsp;&nbsp; It's good that the county and the School Board have hired  
 a joint planner. And it's nice that Osceola will get  
 <br>&nbsp;&nbsp;&nbsp; most of a \$10 million state appropriation for school construct  
 ion.  
 But it's not enough.  
 <p>&nbsp;&nbsp;&nbsp; That's why it is important that staffers from Osceola,  
 where developer-friendly policies have created Central  
 <br>&nbsp;&nbsp;&nbsp; Florida's fastest-growing county and the state's fastest-growi  
 ng  
 school district, plan to meet with  
 <br>&nbsp;&nbsp;&nbsp; representatives from Kissimmee and St. Cloud this week  
 to hash out a deal.  
 <p>&nbsp;&nbsp;&nbsp; Unlike Orange County, where an agreement with all its cities  
 has taken two years, Osceola needs to adopt a  
 <br>&nbsp;&nbsp;&nbsp; plan this summer.  
 <p>&nbsp;&nbsp;&nbsp; The sooner, the better. Students continue to pour into  
 Osceola at an alarming rate, and there is insufficient  
 <br>&nbsp;&nbsp;&nbsp; money to educate them.  
 <p>&nbsp;&nbsp;&nbsp; Between the 1996-97 school year and this year, the student  
 population increased by 10,755 students, or 40  
 <br>&nbsp;&nbsp;&nbsp; percent. To keep up, the district would have had to hire  
 a new teacher and add a new elementary classroom  
 <br>&nbsp;&nbsp;&nbsp; every other day.  
 <p>&nbsp;&nbsp;&nbsp; What this means to Osceola County: If this district is  
 going to become a leader in quality education, then the  
 <br>&nbsp;&nbsp;&nbsp; real cost of growth for schools will have to be met.  
 <p>&nbsp;&nbsp;&nbsp; Business will not remain or move here without a skilled,  
 educated work force. The kind of school system it  
 <br>&nbsp;&nbsp;&nbsp; takes to produce such a work force is not possible without  
 the best and the brightest teachers, high-quality  
 <br>&nbsp;&nbsp;&nbsp; resources and technology.













Social Security and opposing Republican efforts to  
 <br>&nbsp;&nbsp;&nbsp; partially privatize it; creating a new prescription drug  
 benefit for seniors under Medicare; increasing spending  
 <br>&nbsp;&nbsp;&nbsp; on education; toughening enforcement of clean-air and  
 clean-water laws. The something (relatively) new is  
 <br>&nbsp;&nbsp;&nbsp; a pledge to "provide real pension protection" in the wake  
 of the Enron Corp.'s collapse.

<p>&nbsp;&nbsp;&nbsp; Not all Democrats will place each of these issues on the  
 marquee. But the plan's influence is already apparent.  
 <br>&nbsp;&nbsp;&nbsp; Every Wednesday, a group of 22 Democratic senators meet  
 to discuss ways to promote the five issues. The

<br>&nbsp;&nbsp;&nbsp; priorities are visible in individual campaigns, too, through  
 gambits such as the "seniors' bill of rights" --

<br>&nbsp;&nbsp;&nbsp; centered on opposition to Social Security privatization  
 and the promise of a new prescription drug benefit --

<br>&nbsp;&nbsp;&nbsp; that embattled Sen. Tim Johnson, D-S.D., released recently.  
 <p>&nbsp;&nbsp;&nbsp; In producing this list, Podesta's group labored under several  
 constraints. One was the difficulty of finding

<br>&nbsp;&nbsp;&nbsp; issues that would unite congressional Democrats, especially  
 fractious Senate Democrats. A bolder agenda --

<br>&nbsp;&nbsp;&nbsp; say, one that talked about restoring fiscal balance by  
 trimming President Bush's tax cut -- would have

<br>&nbsp;&nbsp;&nbsp; inevitably proved more divisive. The plan was also shaped  
 by the conventional wisdom that elderly voters

<br>&nbsp;&nbsp;&nbsp; matter more in low-turnout midterm elections; as a result,  
 it's disproportionately weighted toward senior

<br>&nbsp;&nbsp;&nbsp; concerns.

<p>&nbsp;&nbsp;&nbsp; Yet even with those explanations, the agenda still seems  
 a stunning leap backward into pre-Clinton liberalism.

<br>&nbsp;&nbsp;&nbsp; The list does indeed embody broadly shared Democratic  
 priorities. But it is more revealing for what isn't

<br>&nbsp;&nbsp;&nbsp; included than what is. It abandons, without a fight, Clinton's

attempt to identify the party with national

<br>&nbsp;&nbsp;&nbsp; strength, government reform and economic growth -- foundations

of his effort to expand the Democratic

<br>&nbsp;&nbsp;&nbsp; coalition.

<p>&nbsp;&nbsp;&nbsp; For starters, the plan offers no ideas on the issue at  
 the top of the public's agenda: fighting terrorism. As such

<br>&nbsp;&nbsp;&nbsp; it reflects the conventional wisdom among top party strategist  
 s

such as James Carville, Stanley B. Greenberg

<br>&nbsp;&nbsp;&nbsp; and Robert Shrum, who have argued for months that Democrats  
 should talk about terrorism only long enough

<br>&nbsp;&nbsp;&nbsp; to say "I agree with the president," and then change the  
 subject to domestic issues.

<p>&nbsp;&nbsp;&nbsp; That calculation seems odd, and risky, for Democrats. It  
 accepts a reversion to the "division of labor" that

<br>&nbsp;&nbsp;&nbsp; characterized American politics when Republicans dominated  
 the White House from 1968 to 1988; Democrats

<br>&nbsp;&nbsp;&nbsp; seem to be conceding national security issues to Republicans  
 while placing all their chips on compassion

<br>&nbsp;&nbsp;&nbsp; issues, such as health care or protecting the elderly,  
 where polls give them a lead.

<p>&nbsp;&nbsp;&nbsp; That leaves Democrats in the incongruous position of focusing  
 least on the subject that most concerns

<br>&nbsp;&nbsp;&nbsp; Americans: safeguarding the nation. "Voters will not take  
 Democrats seriously as a party to be entrusted with

<br>&nbsp;&nbsp;&nbsp; national leadership if they fail to address the most urgent

set of national issues," the centrist Democratic  
 Leadership Council wrote recently.  
 Another problem is that the plan says nothing about modernizing

government. Clinton usually linked new  
 spending to government reform (think welfare or the balanced  
 budget). But like Gore in 2000, the new  
 Democratic agenda trumpets spending while muting reform.  
 The plan says nothing about how Democrats would  
 restructure Medicare to control costs, or how the party  
 hopes to solve Social Security's long-range financing  
 problems; it merely, like Gore, promises more money. Which  
 could allow Republicans to accuse their Democratic  
 opponents of reverting to big-spending liberalism -- as  
 Bush did, with devastating effect, to Gore.  
 Finally, the plan offers no vision of how to promote economic  
 growth. Last year, House and Senate leaders  
 touted a comprehensive plan to revive growth in the technology

economy; Sen. Joe Lieberman, D-Conn., last  
 week released a detailed paper on options for spurring  
 the economy by encouraging the spread of Internet  
 broadband technology. Not a word of that appears in the  
 new five-point plan.  
 Podesta, who understands the document's limits, has told  
 friends that he sees this as a blueprint only for the  
 off-year election, not for winning back the White House.  
 To a point, he's right: both parties usually bend  
 toward their base in mid-term elections. (Bush and congression  
 al  
 Republicans aren't lighting the sky with bold  
 new ideas, either.) But the plan underscores the Democratic  
 regression toward old habits that kept the party  
 out of the White House for 20 of the 24 years before Clinton.

Odds are the next Democratic presidential nominee won't  
 be building on this retro agenda; he'll be laboring to  
 dig out from under it.

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<br>&nbsp;&nbsp;&nbsp; were recovered in 1995 in the Andes in Peru.  
<p>&nbsp;&nbsp;&nbsp; But the discovery of Kwaday has given scientists a chance to live in the last hours of a man, who lived in a  
<br>&nbsp;&nbsp;&nbsp; particular time and a particular place, about whose human history little is known -- to learn what he ate, how  
<br>&nbsp;&nbsp;&nbsp; he dressed, what he hunted.  
<p>&nbsp;&nbsp;&nbsp; These discoveries, they say, are one benefit of climate change. As glaciers continue to melt rapidly, they're  
<br>&nbsp;&nbsp;&nbsp; exposing evidence of former life in the high altitudes that otherwise would have remained frozen.  
<p>&nbsp;&nbsp;&nbsp; "We are in a Catch-22 situation," said Diane Strand, heritage resource officer for the Champagne and Aishihik  
<br>&nbsp;&nbsp;&nbsp; First Nations. The group wants to find the artifacts, but fears the overall effects of climate change.  
<p>&nbsp;&nbsp;&nbsp; On returning from the glacier, the hunters who found the man quickly went to Beringia Museum. An  
<br>&nbsp;&nbsp;&nbsp; archaeologist with the Yukon government notified the Champagne and Aishihik, who helped organize a team  
<br>&nbsp;&nbsp;&nbsp; that went back to the site by helicopter.  
<p>&nbsp;&nbsp;&nbsp; There they found a torso with the left arm attached. The hand was mummified. The fingernails were missing.  
<br>&nbsp;&nbsp;&nbsp; The head was missing, too. A few yards away lay the lower body, with thighs and muscle attached. They also  
<br>&nbsp;&nbsp;&nbsp; found a wooden dart and walking stick, and pieces of fish and scales within the folds of the man's robe.  
<p>&nbsp;&nbsp;&nbsp; Over the next two days, as snow fell and temperatures hovered near freezing, the team carefully lifted the  
<br>&nbsp;&nbsp;&nbsp; remains. They collected a knife still in its sheath and a leather pouch. They found a woven hat, fragments of  
<br>&nbsp;&nbsp;&nbsp; clothing and what was later described as the man's "personal medicine bag," which was considered sacred,  
<br>&nbsp;&nbsp;&nbsp; even after more than five centuries. They didn't open it.  
<p>&nbsp;&nbsp;&nbsp; The remains were flown from Whitehorse to the Royal British Columbia Museum in Victoria, where they were  
<br>&nbsp;&nbsp;&nbsp; locked in a walk-in freezer. There, scientists raced against the clock to document and examine Kwaday,  
<br>&nbsp;&nbsp;&nbsp; knowing they would have to return his body to the Champagne and Aishihik First Nations for burial, because it  
<br>&nbsp;&nbsp;&nbsp; was discovered on their traditional land.  
<p>&nbsp;&nbsp;&nbsp; The body was kept in a freezer chest in a locked room with an alarm. Researchers wanted to protect the man  
<br>&nbsp;&nbsp;&nbsp; from contamination, and to protect researchers from any health risk. It was not known what diseases this man  
<br>&nbsp;&nbsp;&nbsp; of 550 years ago still carried that could now be released in a modern world.  
<p>&nbsp;&nbsp;&nbsp; Out of respect for the man, the Champagne and Aishihik First Nations asked that no photographs of the body  
<br>&nbsp;&nbsp;&nbsp; be released.  
<p>&nbsp;&nbsp;&nbsp; Researchers determined how long he'd been dead based on a radiocarbon test of his hat and the fur clothing.  
<br>&nbsp;&nbsp;&nbsp; They found no sign of trauma, no tattoos, no markings that would reveal clues to his ancestry.  
<p>&nbsp;&nbsp;&nbsp; The circumstances of his death remained a mystery. "All evidence points to this young man meeting an  
<br>&nbsp;&nbsp;&nbsp; accidental death on the glacier," according to the Canadian Journal of Archaeology. "At this point we do not  
<br>&nbsp;&nbsp;&nbsp; know what culture or people he belonged to, or what community













plan has meant more than \$425 million in rate  
 <br>&nbsp;&nbsp;&nbsp; reductions and credits for its 1.1 million residential,  
 commercial and industrial customers in Missouri.

<p>&nbsp;&nbsp;&nbsp; Without referring to the plan, the company's Web site --  
 www.ameren.com -- says "Missourians' cost of  
 <br>&nbsp;&nbsp;&nbsp; electricity has dropped four times since the early 1990s."  
 The rates "are 14 percent below the national  
 <br>&nbsp;&nbsp;&nbsp; average," the Web site says.

<p>&nbsp;&nbsp;&nbsp; Coffman said the nature of the plan means it's ripe for  
 scrutiny.

<p>&nbsp;&nbsp;&nbsp; "The reason we are talking about so many millions of dollars  
 is this is not a normal review," he said. "The  
 <br>&nbsp;&nbsp;&nbsp; one-time credits did not bring down rates. Ameren spins  
 this whole process. We don't agree. The plan just  
 <br>&nbsp;&nbsp;&nbsp; expired. There wasn't a dramatic decision. That's where  
 we're at, so let's take a look."

<p>&nbsp;&nbsp;&nbsp; Brubaker, arguing on behalf of the big industrial customers,  
 said AmerenUE still charges too much. "Ameren  
 <br>&nbsp;&nbsp;&nbsp; likes to say that rates are low. That is not the case.  
 If you compare them to California or New York, that is  
 <br>&nbsp;&nbsp;&nbsp; still not true. The rates there are higher. So is parking  
 and housing and everything else.

<p>&nbsp;&nbsp;&nbsp; "In this region, which is a better comparison, Ameren's  
 rates are not so cheap. ... And the industrials are  
 <br>&nbsp;&nbsp;&nbsp; paying disproportionately more."

<p>&nbsp;&nbsp;&nbsp; Susan Gallagher, an Ameren spokeswoman, said Brubaker's  
 calculations don't include refunds to customers. For  
 <br>&nbsp;&nbsp;&nbsp; example, she said, AmerenUE's rate for residential customers  
 in 2001 was 6.96 cents a kilowatt hour.

<p>&nbsp;&nbsp;&nbsp; Using numbers supplied by the Edison Electric Institute,  
 an investor-owned electric-utility trade association,  
 <br>&nbsp;&nbsp;&nbsp; Brubaker said AmerenUE's rate was 7.58 cents.

<p>&nbsp;&nbsp;&nbsp; The rates for industrial and commercial customers were  
 similarly lower by AmerenUE's calculations.

<p>&nbsp;&nbsp;&nbsp; Gallagher provided a list, which said residential rates  
 last year were 20.7 percent lower than the national  
 <br>&nbsp;&nbsp;&nbsp; average. Industrial rates were 7.8 percent lower, she  
 said, and commercial rates were 26 percent below the  
 <br>&nbsp;&nbsp;&nbsp; national average.

<p>&nbsp;&nbsp;&nbsp; Getting agreement on the various numbers will be difficult,  
 Coffman said. "I don't think we'll ever reconcile their  
 <br>&nbsp;&nbsp;&nbsp; numbers with ours."

<p>&nbsp;&nbsp;&nbsp; Nonetheless, he's not opposed to incentive plans. "The  
 devil's in the details."

<p>&nbsp;&nbsp;&nbsp; Waiting for a decision

<p>&nbsp;&nbsp;&nbsp; One detail that could elude most customers is what happens  
 when a utility decides to sell its federally  
 <br>&nbsp;&nbsp;&nbsp; allocated credits for harmful emissions because it has  
 cleaner-burning power plants.

<p>&nbsp;&nbsp;&nbsp; When Congress amended the Clean Air Act in 1990, it set  
 up an incentive program to encourage utilities to  
 <br>&nbsp;&nbsp;&nbsp; lower emissions of harmful gases, such as sulfur dioxide.  
 If a utility has stacks that emit less than their allowed  
 <br>&nbsp;&nbsp;&nbsp; amount of gases, it can sell the unused amounts to other  
 utilities that are above their limits.

<p>&nbsp;&nbsp;&nbsp; The incentive-based plan is designed to create a market-driven  
 program to get utilities to lower harmful  
 <br>&nbsp;&nbsp;&nbsp; emissions.

<p>&nbsp;&nbsp;&nbsp; But after analyzing AmerenUE and Ameren Corp. internal



documents, Ryan Kind of the Office of Public Counsel  
 <br>&nbsp;&nbsp;&nbsp; contends that the utility used the Clean Air Act to avoid  
 paying its customers a credit.  
 <p>&nbsp;&nbsp;&nbsp; "The (experimental plan) creates perverse incentives for  
 AmerenUE to manipulate earnings," Kind said.  
 <p>&nbsp;&nbsp;&nbsp; In testimony filed with the PSC, he argues that AmerenUE  
 delayed selling more than \$27.6 million in  
 <br>&nbsp;&nbsp;&nbsp; sulfur-dioxide emission credits until the plan ended June  
 30, 2001.  
 <p>&nbsp;&nbsp;&nbsp; Kind said Ameren Corp. took advantage of its ability to  
 transfer the credits between its regulated subsidiary,  
 <br>&nbsp;&nbsp;&nbsp; AmerenUE, and AmerenEnergy Generating, an unregulated  
 generating company that operates primarily in  
 <br>&nbsp;&nbsp;&nbsp; Illinois. The experimental plan might have given AmerenUE  
 "the incentive to avoid making sales where a  
 <br>&nbsp;&nbsp;&nbsp; substantial amount of the earnings from those sales would  
 have to be returned to ratepayers in credits," Kind's  
 <br>&nbsp;&nbsp;&nbsp; testimony said.  
 <p>&nbsp;&nbsp;&nbsp; Coffman, from the Office of Public Counsel, which represents  
 the interests of residential and small-business  
 <br>&nbsp;&nbsp;&nbsp; customers, called the experimental plan flawed.  
 <p>&nbsp;&nbsp;&nbsp; "We find that (AmerenUE) was taking the incentives and  
 changing the way they did business to avoid having  
 <br>&nbsp;&nbsp;&nbsp; to share earnings with customers," he said. "There also  
 were incentives to overstate expenses and understate  
 <br>&nbsp;&nbsp;&nbsp; revenues."  
 <p>&nbsp;&nbsp;&nbsp; Gallagher said that's not true. "We have sold allowances,  
 both outside and during incentive-plan years. We  
 <br>&nbsp;&nbsp;&nbsp; have not sat on the sale of credits until the end of a  
 given incentive program."  
 <p>&nbsp;&nbsp;&nbsp; A few dozen lawyers, accountants and consultants stand  
 to earn good money this year as they argue the  
 <br>&nbsp;&nbsp;&nbsp; minutiae of this complex case in front of the five commissione  
 rs:  
 three Democrats, two Republicans.  
 <p>&nbsp;&nbsp;&nbsp; Today's rates will continue until a new plan takes effect.  
 AmerenUE has said it would make any possible rate  
 <br>&nbsp;&nbsp;&nbsp; cut retroactive to April 1.  
 <p>&nbsp;&nbsp;&nbsp; Ameren Corp.'s chief executive, Charles W. Mueller, told  
 shareholders at the annual meeting in April that the  
 <br>&nbsp;&nbsp;&nbsp; utility was doing all it could to protect its interests  
 in the case.  
 <p>&nbsp;&nbsp;&nbsp; Many of the shareholders, especially conservative investors  
 who rely upon quarterly dividends to supplement  
 <br>&nbsp;&nbsp;&nbsp; their income, are watching the case with great interest.  
 So is the investor community.  
 <p>&nbsp;&nbsp;&nbsp; "This is a company that hasn't filed a rate case (in nearly)  
 a decade, and now (the PSC staff) wants to  
 <br>&nbsp;&nbsp;&nbsp; penalize them for doing a good job," Coyle said.  
 <p>&nbsp;&nbsp;&nbsp; =====  
 <p>&nbsp;&nbsp;&nbsp; Offering their opinions  
 <p>&nbsp;&nbsp;&nbsp; All parties that have intervened in the AmerenUE case have  
 a legally mandated or vested economic interest in  
 <br>&nbsp;&nbsp;&nbsp; the outcome, and all except the Missouri Public Service  
 Commission's staff can appeal the decision in state  
 <br>&nbsp;&nbsp;&nbsp; circuit court.  
 <p>&nbsp;&nbsp;&nbsp; Missouri Attorney General's office, Missouri Office of  
 Public Counsel, Kansas City Power & Light Co., Laclede  
 <br>&nbsp;&nbsp;&nbsp; Gas Co., Missouri Gas Energy, Missouri Retailers Association  
 <p>&nbsp;&nbsp;&nbsp; MISSOURI INDUSTRIAL ENERGY CONSUMERS:









widespread notice (see sidebar).

<p>&nbsp;&nbsp;  I needed an interpreter, so I visited park headquarters--a small cluster of yellow-frame houses originally  
<br>&nbsp;&nbsp;  marketed through the Sears, Roebuck catalog for employees of a long-gone paper mill. Ranger Jennie  
<br>&nbsp;&nbsp;  Vasarhelyi, the park's chief of interpretation and visitor services, agreed to guide me.  
<p>&nbsp;&nbsp;  We drove around the park. For a few miles, the landscape would resemble North Woods wilderness. Turning a  
<br>&nbsp;&nbsp;  corner, the car would suddenly pass through suburban neighborhoods with basketball hoops in the driveways.  
<br>&nbsp;&nbsp;  At one point, we proceeded under a lofty bridge that carries the Ohio Turnpike over the Cuyahoga River.  
<p>&nbsp;&nbsp;  Back in nature again, Vasarhelyi parked near an open field, and we tramped across it into some woods. There,  
<br>&nbsp;&nbsp;  from a rocky ledge, we beheld an impressive segment of the Cuyahoga River Valley--nothing but treetops  
<br>&nbsp;&nbsp;  going on forever, looking like a scene from Great Smoky Mountains National Park. Smoky Mountains National  
<br>&nbsp;&nbsp;  Park, however, covers 521,621 acres--mostly forest. Cuyahoga Valley NP is a compact 33,000 acres, only  
<br>&nbsp;&nbsp;  19,460 of those acres federally owned. I knew that beneath the vast canopy of deciduous leaves lurked office  
<br>&nbsp;&nbsp;  plazas, shopping malls, industrial parks, etc. Still, from our position on the ledge, it was easy to pretend  
<br>&nbsp;&nbsp;  otherwise.  
<p>&nbsp;&nbsp;  Vasarhelyi pointed out that Cuyahoga Valley boasts a unique character. "We're in a major metropolitan area,  
<br>&nbsp;&nbsp;  between Cleveland and Akron, basically in a suburban area along the Cuyahoga River, " she said. "And one of  
<br>&nbsp;&nbsp;  the things that really makes this park significant is how much open space there is in relation to an urban  
<br>&nbsp;&nbsp;  environment. We're small for a national park, but not when you consider the urban setting."  
<p>&nbsp;&nbsp;  Short and slim, wearing Park Service-issue fatigues, Vasarhelyi

steered the big blue government station wagon  
<br>&nbsp;&nbsp;  past in-park neighborhoods where she might have been mistaken

for a soccer mom. Eventually, under terms of  
<br>&nbsp;&nbsp;  various long-term contracts, those private holdings will become National Park Service property, where,  
<br>&nbsp;&nbsp;  perhaps, wild turkeys and rabbits will venture once again. A few scattered farms have been leased by the Park  
<br>&nbsp;&nbsp;  Service to tenants who promise to grow their crops in an environmentally sound way and sell the output to  
<br>&nbsp;&nbsp;  visitors. Just like the old days.  
<p>&nbsp;&nbsp;  "There was clearly development pressure attacking this park in the years when it was being established," she  
<br>&nbsp;&nbsp;  said. "In the 1960s, a major land development initiative started to happen. Interstate 271 came through right  
<br>&nbsp;&nbsp;  next to the Inn at Brandywine Falls. Housing developments. Power lines. A sports coliseum for a professional  
<br>&nbsp;&nbsp;  basketball team. One major development after another. People tried to individually fight that development, and  
<br>&nbsp;&nbsp;  it just didn't work.  
<p>&nbsp;&nbsp;  "Despite the fact that people appreciated the natural and cultural resources of this valley, there was really no

<br>&nbsp;&nbsp;&nbsp; alternative that said, yes, we should be preserving the valley."

<p>&nbsp;&nbsp;&nbsp; But those who would put the brakes on urban sprawl did eventually persist. Politicians exercised clout, and

<br>&nbsp;&nbsp;&nbsp; finally developers put those blueprints for more tract homes and convenience stores back in the drawer.

<p>&nbsp;&nbsp;&nbsp; It's a park that gets a lot of use, as opposed to the kind of Park Service destination where people go simply to

<br>&nbsp;&nbsp;&nbsp; immerse themselves in natural wonder and solitude. Downhill skiers can choose between two resorts.

<br>&nbsp;&nbsp;&nbsp; Cross-country skiers find several meadows to cross. Bikers and hikers have that canal towpath and a lot of

<br>&nbsp;&nbsp;&nbsp; other trails--125 miles in all. A few trails are horse-friendl

Y.

And because some municipalities and sections of

<br>&nbsp;&nbsp;&nbsp; the Cleveland Metroparks system overlap or abut Cuyahoga Valley boundaries, visitors also have access to

<br>&nbsp;&nbsp;&nbsp; four golf courses, swimming pools and a long list of other recreational opportunities. For an enjoyable

<br>&nbsp;&nbsp;&nbsp; overview, they can take a ride on the non-profit Cuyahoga Valley Scenic Railroad, which offers a variety of

<br>&nbsp;&nbsp;&nbsp; sightseeing and special holiday packages.

<p>&nbsp;&nbsp;&nbsp; "This park is trying to show the nation what you can do with a concerted open-space initiative," Vasarhelyi

<br>&nbsp;&nbsp;&nbsp; explained.

<p>&nbsp;&nbsp;&nbsp; We drove over to Hale Farm & Village, an attraction owned and operated by the Western Reserve Historical

<br>&nbsp;&nbsp;&nbsp; Society. A collection of farm buildings and a tiny community of transplanted but authentic historic structures

<br>&nbsp;&nbsp;&nbsp; surround the red-brick home of Jonathan Hale, a farmer from Glastonbury, Conn. Hale arrived in Ohio in 1810.

<p>&nbsp;&nbsp;&nbsp; It was rough at first, because those pioneers had to carve a living out of thickly wooded terrain. But after the

<br>&nbsp;&nbsp;&nbsp; Ohio & Erie Canal was dug alongside the Cuyahoga--beginnin

g

in 1827--towns serving the waterway began to

<br>&nbsp;&nbsp;&nbsp; flourish and farmers prospered. Hale Farm & Village captures a moment in the canal's heyday, preserving a

<br>&nbsp;&nbsp;&nbsp; period just before the railroads came along and rendered the canal obsolete.

<p>&nbsp;&nbsp;&nbsp; On another day, I strolled through the village--called Wheatfield--with director Stacey Rusher and marketing

<br>&nbsp;&nbsp;&nbsp; director Lynn Ann Huber. They explained that the residents we were about to see would be wearing period

<br>&nbsp;&nbsp;&nbsp; costumes--bonnets and long skirts for the ladies, vests, trousers and swallow-tail coats for the men. Two

<br>&nbsp;&nbsp;&nbsp; school groups trooped into the Federal/Greek Revival "Hadley Home," after a young man in costume urged the

<br>&nbsp;&nbsp;&nbsp; boys to let the ladies enter first.

<p>&nbsp;&nbsp;&nbsp; "This is where we have role-playing as part of our interpretive

program," Rusher explained. "Today is a day in

<br>&nbsp;&nbsp;&nbsp; May 1848, and our folks in the village don't know anything beyond that. They don't know that the Civil War

<br>&nbsp;&nbsp;&nbsp; happened. They don't understand the telephone, and they don't know where the restrooms are, although they

<br>&nbsp;&nbsp;&nbsp; can indicate to you where you might be able to find "comfort."

They engage you in conversation."

<p>&nbsp;&nbsp;&nbsp; She glanced at my camera. "They may make a comment about

that contraption slung over your shoulder."

&nbsp;    Old Dr. Tibbals and the schoolmaster did look a bit startled when my flash went off. And inside the Hadley

&nbsp;    Home, I eavesdropped on a woman in a long black dress and bonnet who was talking with children seated on

&nbsp;    the floor in a room near the kitchen. "Our characters are given a composite," Huber had informed me.

&nbsp;    "Basically, they're told this is what your role is and these are the points you need to make while playing that

&nbsp;    role. Our staff members do their own research and develop the character." Few of the participants have acting

&nbsp;    backgrounds. They tend to be teachers, retirees, fugitives from all manner of 21st Century occupations.

&nbsp;    The woman in the long black dress, the widow Hadley, said to the kids, "Do you study geography in school?

&nbsp;    Where mountains are, where seas are?" The pupils chorused, "Yes!" Widow Hadley: "How many states would

&nbsp;    there be?" Pupils: "50!" The woman frowned and shook a finger at them. "You aren't very good at geography.

&nbsp;    Everyone knows there are but 30 states. Wisconsin just came in. That makes 15 states free and 15 shameful

&nbsp;    with their slaves. You are wrong with that answer."

&nbsp;    I could have spent hours at the farm/village, chatting with the citizens and taking pictures with my

&nbsp;    newfangled contraption, but then I would have missed lunch at the Cuyahoga Valley Environmental Education

&nbsp;    Center. There more school kids were enjoying a noisy, boisterous break from their studies of the surrounding

&nbsp;    natural wonders. Students from 1st grade through high school arrive in groups and stay for a day, a weekend

&nbsp;    or a week. They enjoy a sort of summer camp experience in an enclave set aside especially for that purpose.

&nbsp;    They sleep in dormitories and explore the park. Some of them may do water-quality studies, or observe the

&nbsp;    habits of frogs in the ponds, or assess the impact of acid rain. Biology labs and a computer-equipped

&nbsp;    classroom enhance the experience, as well as an artificial wetlands area. In the morning, they might hike to

&nbsp;    the Cuyahoga River. After lunch, they might enter water-quality

Y samples into a database.

&nbsp;    "This is really a little more than a destination park," said Deb Yandala, director of the Education Center. "It's

&nbsp;    really here so kids and adults know that this is the park that's in their backyard. It's important, because a lot

&nbsp;    of the kids that we work with will never see Yellowstone, never see Glacier and never get out of Cleveland.

&nbsp;    And here they can feel a connection with the rest of the country and with a national treasure."

&nbsp;    Children's drawings and observations decorate the pages of the Environmental Education Center brochure. One

&nbsp;    says, "I got to see the stars other than in a planetarium." Another laments, "The Cuyahoga River is very

&nbsp;    polluted. People need to know the river is in need. We did many water quality tests."

&nbsp;    Of course, the water quality is a lot better than, say, June 22, 1969, when the Cuyahoga River caught on fire.

&nbsp;   

&nbsp;    Tim Donovan was there. He now serves as director of the Ohio Canal Corridor, part of an effort to re-establish



<br>&nbsp;&nbsp;&nbsp; green space and preserve historically significant structures that extend beyond the park boundaries and into  
<br>&nbsp;&nbsp;&nbsp; Akron and Cleveland. Donovan's group is concerned with the northern end of that swath.

<p>&nbsp;&nbsp;&nbsp; On the day of the 1969 fire (one of several over the years, but the most notorious), Donovan said he was  
<br>&nbsp;&nbsp;&nbsp; working at the riverside steel mill--then Republic Steel--near

downtown Cleveland. "It was like a cauldron," he  
<br>&nbsp;&nbsp;&nbsp; said. "There was oil all over the surface of it. In fact, if you worked on the docks, the deal was that if you fell  
<br>&nbsp;&nbsp;&nbsp; into the river, you went right to the hospital. You would look down and see these things floating by.  
<br>&nbsp;&nbsp;&nbsp; Sometimes they were rats. It was an ugly, awful scene. And it had a little smell to the thing. Nobody would  
<br>&nbsp;&nbsp;&nbsp; come down to the river. Nobody said, 'Hey, let's go down to the river and watch the floating, bloated rats, the  
<br>&nbsp;&nbsp;&nbsp; deadwood and oil go by.' Not the kind of Sunday afternoon outing you'd want."  
<p>&nbsp;&nbsp;&nbsp; As he talked, Donovan stood near a section of downtown called The Flats, which is bisected by the river and  
<br>&nbsp;&nbsp;&nbsp; full of bars, sidewalk cafes and an outdoor music venue. The fire set off a movement that led to the 1972  
<br>&nbsp;&nbsp;&nbsp; Clean Water Act, mandating river cleanups across the country.

The Cuyahoga is far from pristine, but people  
<br>&nbsp;&nbsp;&nbsp; are happy to visit the riverbanks on a Sunday afternoon. And the brown surface won't burn.  
<p>&nbsp;&nbsp;&nbsp; That's progress. And Cuyahoga Valley National Park--despite lacking the celebrity of a Grand Canyon or  
<br>&nbsp;&nbsp;&nbsp; Yellowstone--is an important and lively part of the reason.  
<p>&nbsp;&nbsp;&nbsp; Cuyahoga Valley facts  
<p>&nbsp;&nbsp;&nbsp; Established as a national park: Oct. 11, 2000  
<p>&nbsp;&nbsp;&nbsp; Area: 33,000 acres  
<p>&nbsp;&nbsp;&nbsp; Visitors: 3,124,512 in 2001  
<p>&nbsp;&nbsp;&nbsp; Location: between Cleveland and Akron  
<p>&nbsp;&nbsp;&nbsp; Flora and fauna: Hemlock, yellow birch, grasses, wildflowers, 987 of Ohio's 2,300 plant species. Wildlife  
<br>&nbsp;&nbsp;&nbsp; includes 310 species of mammals, amphibians and reptiles, including white-tailed deer, beavers, coyotes, blue  
<br>&nbsp;&nbsp;&nbsp; herons, red-breasted nuthatches.  
<p>&nbsp;&nbsp;&nbsp; Entrance fee: none  
<p>&nbsp;&nbsp;&nbsp; Cuyahoga Valley visitors  
<p>&nbsp;&nbsp;&nbsp; 1992 (earliest figure available) 1,393,125  
<p>&nbsp;&nbsp;&nbsp; 1993 2,274,835  
<p>&nbsp;&nbsp;&nbsp; 1994 3,275,097  
<p>&nbsp;&nbsp;&nbsp; 1995 3,204,095  
<p>&nbsp;&nbsp;&nbsp; 1996 3,465,514  
<p>&nbsp;&nbsp;&nbsp; 1997 3,484,217  
<p>&nbsp;&nbsp;&nbsp; 1998 3,410,257  
<p>&nbsp;&nbsp;&nbsp; 1999 3,265,814  
<p>&nbsp;&nbsp;&nbsp; 2000 3,329,714  
<p>&nbsp;&nbsp;&nbsp; 2001 3,124,512  
<p>&nbsp;&nbsp;&nbsp; Main sights  
<p>&nbsp;&nbsp;&nbsp; 1. Ohio &amp; Erie Canal Towpath Trail  
<p>&nbsp;&nbsp;&nbsp; Along with the adjoining Cuyahoga River, the towpath is the heart of Cuyahoga Valley National Park. Once a  
<br>&nbsp;&nbsp;&nbsp; hard-working body of water, dug by hand and traversed by mule-drawn flatboats, the canal (dry and  
<br>&nbsp;&nbsp;&nbsp; overgrown in places) now makes a pleasant backdrop for





dozen-mile excursion into Cleveland, where several chefs are trying to outdo one another in a revitalizing, if not yet fully revitalized, downtown. Overnight camping within the park is a no-no, but commercial campgrounds exist around the edges, as well as all the hotels and motels one might expect in a corridor between two large cities. Inside the park boundaries, the Inn at Brandywine Falls (888-306-3381; 330-467-1812) is a white-frame farmhouse turned B&B that exudes antique charm without stinting on modern convenience. Two of the six units are over-the-top, glassed-in duplexes filled with amusing gew-gaws, including an electric train that runs along the ceiling. Rates begin at \$88; \$250 for the suites. Prices depend on season, type of unit and number of occupants. Stanford Hostel (330-467-8711), also in a historic white-frame farmhouse, has dorms for the budget-minded (\$15 a night) and a front-row seat on the Towpath Trail.

Accessibility

Many of the trails are remarkably smooth and level, especially

the Towpath. Restrooms and visitor centers are wheelchair accessible. A pamphlet available in the visitor centers goes into more detail.

Information

Cuyahoga Valley National Park, 15610 Vaughn Road, Brecksville,

OH 44141-3018; 216-524-1497;

www.nps.gov/cuva. Also, www.dayinthevalley.com is an informative site with schedules of events and lists of activities.

A 'stealth' park slips under the radar screen

During the last two of the six years that the Travel Section has been profiling national parks, we failed to count one of them.

Cuyahoga Valley National Recreation Area became Cuyahoga Valley National Park in October 2000, without the usual flurry of press releases, parades, ceremonies and speeches--at least not any that we heard about. Its inception as a national park went unreported in the Tribune. The New York Times, and no telling how many other newspapers, missed it too.

Early in the 1970s, local community activists feared that the valley's cultural and natural history would succumb to encroaching development. In 1974, Rep. John F. Seiberling, the area's representative in Congress, successfully introduced a bill that resulted in a section of the valley becoming a National Park Service unit called the Cuyahoga Valley National Recreation Area.

Rep. Ralph Regula, another area representative, co-sponsored the bill and eventually rose to head the House Appropriations subcommittee that funds the National Park Service. It was he who began working on the bill that would effect the name change from recreation area to national park.

"The problem with the National Park Service is we have an identity problem," says Mary Pat Doorley, cultural arts program manager and the park's liaison with the public. "There are 384 units in the National Park System,



<br>&nbsp;&nbsp;&nbsp; within his own administration, to do more to fight global warming.

<p>&nbsp;&nbsp;&nbsp; Bush's go-slow policy has been widely dismissed as inadequate over the past few weeks. Japan and the

<br>&nbsp;&nbsp;&nbsp; European Union endorsed instead the Kyoto Protocol, which would coordinate international efforts to restrain

<br>&nbsp;&nbsp;&nbsp; global warming. Bush rejects it. Several U.S. state governments

took steps to curb greenhouse gas

<br>&nbsp;&nbsp;&nbsp; emissions on their own. The Senate repeatedly pressed Bush to take more aggressive action. And an

<br>&nbsp;&nbsp;&nbsp; interagency report from the Bush administration itself acknowledged for the first time that global warming is

<br>&nbsp;&nbsp;&nbsp; a real, largely man-made and very serious problem.

<p>&nbsp;&nbsp;&nbsp; A showdown looms this month in the Senate, where the Environment

Committee will vote on a bill sponsored

<br>&nbsp;&nbsp;&nbsp; by its chairman, Sen. Jim Jeffords, I-Vt., to curb power plant emissions of four pollutants, including carbon

<br>&nbsp;&nbsp;&nbsp; dioxide. The bill would turn into law a Bush campaign pledge that he abandoned shortly after taking office in

<br>&nbsp;&nbsp;&nbsp; 2001.

<p>&nbsp;&nbsp;&nbsp; Then in late August, world leaders will meet in South Africa at an Earth summit. If Russia and a few east

<br>&nbsp;&nbsp;&nbsp; Europe nations endorse the Kyoto Protocol to constrain global warming before then, as expected, the

<br>&nbsp;&nbsp;&nbsp; summit will include a ceremony putting the treaty into effect.

<p>&nbsp;&nbsp;&nbsp; Mother Nature is turning up the heat on Bush, too. Two of the first four months of 2002 set global records for

<br>&nbsp;&nbsp;&nbsp; heat, while the other two months were the second-hottest on record for those months. Meanwhile, a new

<br>&nbsp;&nbsp;&nbsp; United Nations study found that the famous Himalayan glacier that explorers Sir Edmund Hillary and Tenzing

<br>&nbsp;&nbsp;&nbsp; Norgay climbed 49 years ago has melted so much that it has retreated three miles.

<p>&nbsp;&nbsp;&nbsp; "You may not like what the science is telling you, especially on the issue of climate change, but sooner or

<br>&nbsp;&nbsp;&nbsp; later it's going to rear its head and you can't repress it," said Kevin Trenberth, climate analysis chief at the

<br>&nbsp;&nbsp;&nbsp; National Center for Atmospheric Research in Boulder, Colo. "Nature will do what it has to, regardless of what

<br>&nbsp;&nbsp;&nbsp; politicians want."

<p>&nbsp;&nbsp;&nbsp; "The pressure is building," said Paul Joskow, director of the Center for Energy and Environmental Policy at the

<br>&nbsp;&nbsp;&nbsp; Massachusetts Institute for Technology. "I think the federal government will eventually adopt a comprehensive

<br>&nbsp;&nbsp;&nbsp; greenhouse gas emissions control policy, but I don't think it's going to happen tomorrow."

<p>&nbsp;&nbsp;&nbsp; So far Bush shows no inclination to rethink his policy. He opted out of the Kyoto Protocol in 2001, saying it

<br>&nbsp;&nbsp;&nbsp; would wreck the U.S. economy. It called on the United States to reduce carbon dioxide emissions to 7 percent

<br>&nbsp;&nbsp;&nbsp; below 1990 levels, but made no such demands on developing giants, including China and India. Cutting back

<br>&nbsp;&nbsp;&nbsp; emissions so severely would require expensive economic adjustments.

<p>&nbsp;&nbsp;&nbsp; In February, Bush proposed an alternative to Kyoto, setting voluntary emission targets pegged to economic

<br>&nbsp;&nbsp;&nbsp; growth. His plan would let emissions increase, but at















"I don't think we know the solution to global warming yet. And I  
 <br>&nbsp;&nbsp;  don't think we've got all the facts before we make decisions.

. . . I'm not going to let the United States carry  
 <br>&nbsp;&nbsp;  the burden for cleaning up the world's air." During his  
 presidency, the United Nations panel on climate change  
 <br>&nbsp;&nbsp;  and the National Research Council have said global warming  
 is real.  
 <p>&nbsp;&nbsp;  Reams of articles in scientific journals, "Nova" documentaries,

and the change of flora and fauna before our  
 <br>&nbsp;&nbsp;  very eyes confirm that scientists are not some aggregate  
 Chicken Little. The sky is falling apart.  
 <p>&nbsp;&nbsp;  Despite these data, Bush decided to let the world carry  
 our burden for fouling the air. He rejected the Kyoto  
 <br>&nbsp;&nbsp;  Treaty to reduce the carbon dioxide emissions that fuel  
 the greenhouse effect. The United States, with 4 to 5  
 <br>&nbsp;&nbsp;  percent of the world's population, bellows out a quarter  
 of the world's carbon dioxide through the fossil fuels  
 <br>&nbsp;&nbsp;  used to generate energy for our cars, massive homes, and  
 industries.  
 <p>&nbsp;&nbsp;  There is no question that Kyoto alone will not solve global  
 warming, a fact that Bush turned on its head to  
 <br>&nbsp;&nbsp;  launch a scorched-skies campaign.  
 <p>&nbsp;&nbsp;  While the European Union and Japan have accepted Kyoto,  
 Bush trashes it as "not based upon science." He  
 <br>&nbsp;&nbsp;  has said for months that he would come up with his own  
 plan, based upon "sound science."  
 <p>&nbsp;&nbsp;  While waiting for science, he took back his pledge to reduce  
 emissions in the United States and wants to let  
 <br>&nbsp;&nbsp;  the same industries that gave us acid rain police themselves  
 again. He wants to open up vast new tracts of  
 <br>&nbsp;&nbsp;  federal lands for oil and gas drilling. Fuel efficiency  
 standards have not moved. That is what energy and  
 <br>&nbsp;&nbsp;  natural resource-extracting companies get for giving Bush  
 \$2.9 million in the 2000 presidential election, nine  
 <br>&nbsp;&nbsp;  times more than they gave to Al Gore.  
 <p>&nbsp;&nbsp;  This week, it looks as if the sound science Bush was "waiting"

for is here. His own Environmental Protection  
 <br>&nbsp;&nbsp;  Agency slipped a copy of a report it filed with the United  
 Nations onto its Web page that says the greenhouse  
 <br>&nbsp;&nbsp;  effect is real. The culprit, as in all previous studies,  
 is the "human activity" of burning fossil fuels.  
 <p>&nbsp;&nbsp;  The EPA report confirms that global warming is likely to  
 result in increased flash floods in Appalachia,  
 <br>&nbsp;&nbsp;  degraded water supply in the Great Lakes, the drying up  
 of ponds for waterfowl in the Great Plains, the  
 <br>&nbsp;&nbsp;  displacement of forests by grasslands in the Southeast,  
 erosion and loss of coastal ecosystems along the  
 <br>&nbsp;&nbsp;  Southeast coast, Puerto Rico, and the Virgin Islands,  
 and the endangering of fish in the Pacific Northwest.  
 <p>&nbsp;&nbsp;  "Hence," the report says, "national policy decisions made  
 now and in the longer-term future will influence the  
 <br>&nbsp;&nbsp;  extent of any damage suffered by vulnerable human populations

and ecosystems later in this century."  
 <p>&nbsp;&nbsp;  Never underestimate the power of the seance to shroud enlighten  
 ment.  
 Even though the report was reviewed



turf war the capital has seen in generations. But  
 <br>&nbsp;&nbsp;&nbsp; he also seemed to ask the American people to look at the  
 issues of the past and the future in scale, hoping  
 <br>&nbsp;&nbsp;&nbsp; that they would see any focus merely on what went wrong  
 as just another example of Washington's habitual  
 <br>&nbsp;&nbsp;&nbsp; pettiness.  
 <p>&nbsp;&nbsp;&nbsp; "We are a different nation today, sadder and stronger,  
 less innocent and more courageous, more appreciative  
 <br>&nbsp;&nbsp;&nbsp; of life and for many who serve our country, more willing  
 to risk life in a great cause," Bush said.  
 <p>&nbsp;&nbsp;&nbsp; "Freedom and fear are at war, and freedom is winning."  
 <p>&nbsp;&nbsp;&nbsp; Bush asked Americans to train their eyes and ears on future  
 threats, not past transgressions revisited by an  
 <br>&nbsp;&nbsp;&nbsp; increasingly challenging Congress. In the process, he  
 was able to control the day.  
 <p>&nbsp;&nbsp;&nbsp; "Any White House is very smart to jump in front of what  
 they think the headline tomorrow will be," said Michael  
 <br>&nbsp;&nbsp;&nbsp; McCurry, White House press secretary under President Clinton.

<p>&nbsp;&nbsp;&nbsp; "The president's decision to address the country gives  
 the White House control of the news cycle. The single  
 <br>&nbsp;&nbsp;&nbsp; most important tool the president has is the bully pulpit,  
 and he used it."  
 <p>&nbsp;&nbsp;&nbsp; But, McCurry said, the fact that the administration felt  
 compelled to blunt the impact of the hearings "shows  
 <br>&nbsp;&nbsp;&nbsp; that they are concerned" about the mounting criticism  
 of the administration's handling of apparent intelligence  
 <br>&nbsp;&nbsp;&nbsp; breakdowns related to the terrorist attacks.  
 <p>&nbsp;&nbsp;&nbsp; Democrats had been steadily emboldened in their attacks  
 on the administration's conduct of the war against  
 <br>&nbsp;&nbsp;&nbsp; terrorism, including possible failings in unraveling the  
 Sept. 11 plot, though there is scant evidence to suggest  
 <br>&nbsp;&nbsp;&nbsp; that it has cut into the president's still-lofty popularity.  
 <p>&nbsp;&nbsp;&nbsp; The White House dropped the surprise announcement of Bush's  
 address early in the day, just soon enough to  
 <br>&nbsp;&nbsp;&nbsp; take some of the edge off the anticipation of the testimony  
 of Coleen Rowley, the general counsel of the  
 <br>&nbsp;&nbsp;&nbsp; Minneapolis field office of the FBI. Her scathing memo  
 directed at her bureau superiors had promised to  
 <br>&nbsp;&nbsp;&nbsp; dominate attention and perhaps even change the public's  
 perception of the administration's handling of the  
 <br>&nbsp;&nbsp;&nbsp; terror war.  
 <p>&nbsp;&nbsp;&nbsp; She was treated with exceptional deference by a rarely  
 deferential Senate Judiciary Committee, whose  
 <br>&nbsp;&nbsp;&nbsp; members had spent much of the morning grilling her boss,  
 FBI Director Robert Mueller.  
 <p>&nbsp;&nbsp;&nbsp; Whatever the strategic thinking behind the administration's  
 move, it largely worked as Rowley's testimony was  
 <br>&nbsp;&nbsp;&nbsp; knocked off many front pages and received secondary coverage  
 on television after Bush's speech.  
 <p>&nbsp;&nbsp;&nbsp; But it is one thing to win a news cycle, even a fundamentally  
 important one. For the president, it will be quite  
 <br>&nbsp;&nbsp;&nbsp; another to actually achieve what he proposed.  
 <p>&nbsp;&nbsp;&nbsp; It's far easier to create a bureaucracy than to kill one  
 off. Bush's proposal tries to do both.  
 <p>&nbsp;&nbsp;&nbsp; He is asking Congress to create a new Cabinet department  
 and at the same time to dismantle, reassign and  
 <br>&nbsp;&nbsp;&nbsp; reconfigure many existing agencies scattered throughout  
 the executive branch.  
 <p>&nbsp;&nbsp;&nbsp; Each of those agencies has its own constituency, and even

the moves that seem to make sense could prove  
 difficult to achieve.  
 The first-blush response from Congress was positive, even  
 laudatory, but the broad strokes are always easier  
 to love than the details. The public is likely to embrace  
 the broad contours of the plan as well, especially in a  
 climate in which the left hand of the CIA and the right  
 hand of the FBI so clearly didn't know what the other  
 was doing.

The government has changed and adapted to conditions of  
 the times since its founding, so in that sense,  
 there is nothing much new in what the president proposed.  
 The Energy Department, portions of which were spawned during  
 the Manhattan Project, was formed in 1977 as  
 a Cabinet-level agency in response to the energy crisis.  
 The Department of Education was peeled from the former  
 Department of Health, Education and Welfare in  
 1979 and has continued to exist despite repeated Republican  
 calls to eliminate it. And the Environmental  
 Protection Agency, cobbled together from agencies in HEW  
 and the Department of Interior, was formed in  
 1970 in response to grave concerns about pollution and  
 pesticides.

"It makes a lot of sense to me," said David Osborne, a  
 nationally known expert on the form and function of  
 bureaucracies.

Now the Office of Homeland Security would have the authority  
 to go along with its responsibility. "The real  
 power in a bureaucracy is control of the money. Persuasion  
 is important. Access to the president is important,  
 but the real power is having control of the money.

"As we as a society face different challenges over the  
 years, we create new departments and agencies,"  
 Osborne said.

"The problem is we don't do away with departments that  
 are obsolete. We don't kill them off, but in politics  
 nothing is perfect."

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