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## THE TUOLUMNE RIVER A Time For A Decision

During the early years of the twentieth century, the city fathers of San Francisco determined that an additional water supply was needed to meet the city's growing needs. The city leaders considered various sites throughout the Sierra Nevada mountain range, and finally proposed to construct a dam across the Tuolumne River at a site within Yosemite National Park. The site was selected primarily because water could be cheaply moved from the site to the San Francisco Bay Area through the simple workings of gravity. John Muir and the Sierra Club vigorously opposed the project because it would flood the beautiful Hetch Hetchy Valley within Yosemite National Park. Muir and the Sierra Club favored preserving the valley in its natural state. Despite their efforts, the preservationists' nine-year campaign against the dam ended in failure when Congress authorized the project in 1913.

Seventy years later, the Tuolumne River is again the center of dispute between preservationists and development interests seeking to construct additional water projects along the river and its tributaries, primarily for the purpose of producing electricity. The City of San Francisco and the Modesto and Turlock Irrigation Districts have proposed a complex system of dams, tunnels, and small hydroelectric plants along an undeveloped, 29-mile stretch of the Tuolumne River and its tributaries below Yosemite National Park. The proposal, known as the Clavey - Wards Ferry Project, includes a system of three dams and powerplants interconnected by tunnels along the main fork of the Tuolumne and its tributary, the Clavey River. The city is also considering several other projects on other forks of the Tuolumne, and it is investigating the possibility of raising the O'Shaughnessy Dam to enlarge the

existing Hetch Hetchy Reservoir. In addition, Tuolumne County and a private company are competing to construct a project on the Clavey River. The county is also considering a dam and powerplant on the South Fork of the Tuolumne.

The City of San Francisco and the Modesto and Turlock Irrigation Districts have different motives in promoting further development of the Tuolumne River system. The irrigation districts seek hydroelectric power to support future growth in their service areas. The City, however, is interested in obtaining hydroelectric power that can then be sold at a profit to customers outside San Francisco in order to raise revenues for the City's general fund.

On March 30, 1983, the city and irrigation districts received a preliminary permit for the Clavey - Wards Ferry Project from the Federal Energy Regulatory Com-

mission (FERC). FERC is the federal agency responsible for approving most hydroelectric projects, except those built by the U.S. Army Corps of Engineers. The preliminary permit gives the applicants the right to conduct detailed engineering, financial, and environmental studies during the three year term of the permit in order to further assess the feasibility of the project. During this time the applicants will decide if they want to apply for a license to construct the project. In the meantime, no other developer may apply for a permit or license to construct dams at that site. (Although developers may apply directly to FERC for a license to build a dam, most developers apply for a preliminary permit because it insures that FERC will consider their application for a license before any others.)

### Opposition to the Projects

Environmental groups such as the Sierra Club, the Friends of the River Foundation, and the Tuolumne River Preservation Trust oppose projects that may degrade the remaining free-flowing portions of the Tuolumne River. Environmentalists, however, do not oppose development that is compatible with the existing character of the Tuolumne. The Tuolumne River Preservation Trust, for example, is not opposed to Tuolumne County's plan to construct the Pilot Ridge Project, a small dam to be located high in the watershed of the South Fork, far removed from the main stream of the Tuolumne.

The Tuolumne River Preservation Trust is a coalition of fishermen, scientists, businessmen, and environmentalists who favor placing portions of the Tuolumne in the National and Scenic Rivers System so that its free-flowing condition may be preserved for the benefit and enjoyment of present and future generations. Supporters of this idea also include water-rafters, campers, and fishing organizations such as the Federation of Fly Fishermen and California Trout. In addition, the California Departments of Water Resources and Fish and Game have recommended that the river section be included in the National Wild and Scenic Rivers

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## A Time for Decision

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System. Critics of the water projects, such as John Bryson, former president of the State Public Utilities Commission, maintain that "[W]hile hydroelectric power has many virtues, my own conclusion is that the small increments of new supply that could be provided by additional damming of the Tuolumne is outweighed by the natural values associated with protection of the remaining stretches of that beautiful canyon."



### Congressional Action

In 1979, the Carter Administration approved recommendations by the Departments of the Interior and Agriculture and by the Office of Management and Budget that 83 miles of the Tuolumne be included in the National Wild and Scenic Rivers System. These 83 miles include the 29-mile section of the river below Yosemite National Park which is the current focus of controversy. The remaining 54 miles are located within the park above the Hetch Hetchy Reservoir. Those recommendations automatically granted interim protection status to the 83 miles of river for three years, in accordance with the Wild and Scenic Rivers Act, 16 U.S.C. §§ 1271 - 1287 (1976 & Supp. I 1981). During this period, Congress was to consider whether the river sections should be permanently included in the Wild and Scenic Rivers System. In the meantime, no preliminary permits or licenses were to be issued by FERC.

Congress, however, has failed to take action since the recommendations in 1979 and the river's interim protection status was allowed to expire in October of 1982. Since then, environmentalists have lobbied to extend the interim protection period so that Congress might have additional time to consider federal protection for the river. In late 1982, Senators Cranston and Hayakawa of California introduced legislation which would have extended the interim protection period for one year. Although passed by the Senate Subcommittee on Public Lands, the bill did not reach the floor due to the press of budgetary legislation at that time. In January, 1983, Senator Cranston introduced Senate Bill 142. This bill would implement the recommendation that 83 miles of the Tuolumne River be placed in the Wild and Scenic Rivers System.

If protection is denied, further development of the river seems inevitable because FERC has seldom denied a project application solely on environmental grounds. According to Richard Roos-Collins

of the Friends of the River Foundation, FERC and its predecessor, the Federal Power Commission, have denied only one application on environmental grounds during their 50-year history. That lone exception was in the *Matter of Namekagon Hydro Company*, 12 F.P.C. 203 (1953). In that decision, the Federal Power Commission denied a license for a proposed hydroelectric project on the Namekagon River in Wisconsin on the basis that the river's unique recreational values outweighed its value as a source of hydroelectric power.

### Conclusion

If its past record is any indication, the odds are that FERC will not deny applications for additional projects on the Tuolumne solely for environmental reasons. Therefore, the decision of whether to allow further development on the Tuolumne may ultimately be decided by what Congress does in the near future. Time is critical because FERC, by its recent approval of a preliminary permit for the Clavey - Wards Ferry Project, has indicated that it will not delay in considering applications for hydroelectric dams along the Tuolumne River system. Hence, political lobbying and maneuvering may again decide the river's future, as happened before when Congress approved the Hetch Hetchy project in 1913.

Jerry Hobrecht



# ACID RAIN POLITICS

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The acid rain controversy is a typical example of today's environmental politics. Because it is not fashionable to argue that we really don't need clean air or clean water in which fish can live, savvy industry representatives argue, "Wait! We don't understand the problem. We must do more research before we act."

This response is clever, because as with clean air and water, it doesn't seem reasonable to be against research. There is, however, a difference between academically evaluating the strengths of scientific findings and evaluating the implications of those findings for public policy. In other words, the question is when to focus on the holes in the science and when to focus on the cheese.

The politics of the acid rain controversy is a case in point. There is a concerted effort by affected industries and the Reagan Administration in Washington to focus all of our attention on the holes in our understanding of the problem. Last fall, Anne Gorsuch-Burford, the former Administrator of the U.S. Environmental Protection Agency, gave a speech on acid rain to the Pittsburgh Chamber of Commerce. In her talk she gave a new label to our understanding of acid rain: "The Dominant Theory." Her message was we don't know enough to take preventative actions now. Regulation, she said, must wait for a sound diagnosis of the problem.

### Waiting For Knowledge

As a general principle it is hard to argue with wanting a "sound diagnosis", but like all good ideas it

can be carried too far. The Administration's posture on acid rain is like the doctor who was visited by a clearly sick patient with an obscure disease. The doctor, not having a sound diagnosis said, "Take two aspirin and call me in ten years." In fact, however, and contrary to the position of the Reagan Administration, we do have a sound diagnosis of the acid rain problem, and waiting to act would be a grave mistake.

Those who argue that we can afford to wait fail to acknowledge the cumulative nature of the acid rain - or more accurately, the acid deposition - phenomenon. Like many natural processes there is an accumulation phase and an effects phase. The type of rock and soil in the area of a lake or stream directly affects the amount of acid that will actually reach the water after initially falling as rain. Lime, for instance, is a chemical "base", and when mixed with acid compounds will neutralize them. The proportion of such "basic" compounds in the soil and rock formations around a lake determine how much acid can be neutralized before it starts to accumulate in the water. This is referred to as the area's buffering capacity. The effects of damage to many lakes and streams show up only after a number of years of accumulation of acidifying compounds, after the area's natural abilities to neutralize that acid are exhausted.

Much of the discussion on acid deposition does not seem to recognize these threshold aspects of the problem. People claim that over the last twenty years there has been no trend toward increasingly acidic rain, thus implying that we can safely continue depositing acidic compounds at current rates for another 20 - 30 years. Unfortunately, it doesn't work that way. If there is an imbalance between the amount of acid reaching a lake and that lake's long-term buffering capacity, the longer that rate of acid deposition continues, the worse off the lake will be.

This is why you can't place much comfort in the fact that there are still a lot of lakes in the Adirondacks, elsewhere in the Northeast, and in the West, that are not yet experiencing increases in acidity. This would be like the guy who jumps off a twenty story building and as he passes the fifth floor, yells out "so far so good!" The lakes and streams that have already gone acid are just the tip of the problem. They went first because they had the least buffering capacity and were the most sensitive.

Canaries were once placed in coal mines as early warning systems. When the canaries died the miners knew they too were threatened. Lakes that have already gone acid are today's canaries in the coal mines. There are many other lakes and streams which started out with a greater natural buffering capacity and which have not yet gone acid. These lakes, however, are gradually losing that buffering capacity with every year that goes by.

### Susceptible Areas

The sensitive waters are not just in the Adirondacks. According to a survey done for Congress' Office of Technology Assessment 23 out of the 27 states east of the Mississippi contain areas sensitive to acid deposition. Over 9,000 lakes and 60,000 miles of streams in these areas are classified as sensitive to acid deposition because of the low buffering capacity of the waters themselves and of the surrounding soils and geology. These figures represent half of the lakes and streams in these areas.

In addition, a recent EPA study identifies 13 counties in California's Sierra Nevada and along its North Coast as being "moderately sensitive" to acid rain.

Acid rain and fog have been identified as growing problems in the Western United States much more recently than has been the case in the East, in Canada, and in other countries such as Sweden and West Germany.

Most of the threatened lakes and streams in the U.S. are not acid now, but many of them are losing their buffering capacity. They are passing the fifth floor on the way down. The Office of Technology Assessment survey estimates that 3,000 Eastern lakes and 23,000 miles of Eastern streams have already had their buffering capacity lowered so much that they are now ranked as "extremely sensitive" to further acid deposition or as already having gone acid.

The Pennsylvania Fish Commission has recently released a survey of trout streams in Pennsylvania. Of 40 streams in the survey, 36 streams have on average lost over half of their buffering capacity in the last 20 years. There are of course other sources of acid deposition besides acid rain, but no streams that could have been affected by mining, agriculture or other land management practices were even included in the survey.

The Commission survey concluded:

"Does this mean that by the end of this century—assuming that sulfur and nitrogen oxide emissions are not soon dramatically reduced—that we will have lost our most important trout species from most of our typical smaller mountain streams? There is considerable evidence supporting this frightening forecast."

### Trees and Acid Rain

Besides the direct acidification of lakes and streams, the damage to soils and forests that may occur if we delay acid rain control measures is also of great concern. Even to a greater extent than in lakes, the complexity and slow development of the forest system acts to disguise what is probably happening now in parts of the Eastern and Western United States, and what is already happening in Sweden and Germany.

To borrow a phrase from Mrs. Gorsuch-Burford, the "dominant theory" up until recently has been that since no reduction in the rate of growth of forest timber has been documented in the U.S., we don't have to worry right away about the health of the forest ecosystems. Recent work in Germany, however, is challenging this view. According to this work, the impacts of acid deposition on forests go through several stages. In the first phase forest growth may actually be stimulated due to the nitrogen added by the acid deposition. This first phase may have lasted for 10-20 years in Germany, and the U.S. may still be in this phase. During this period, however, acids are accumulating in the soil, and available nutrients such as calcium, magnesium and potassium begin to leach out, while metals such as aluminum start to build up.

When the pH of the soil drops below five (on a scale of one to fourteen, seven being considered neutral), aluminum is mobilized in a form that is toxic to roots. Root damage in turn leads to the build-up of heavy metals in leaf and bark tissues, to the loss of the tree's own buffering capacity, and to an increased susceptibility to pest attack and disease. In Germany these effects are now manifesting

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## Acid Rain Politics

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themselves in the widespread die-back of tree crowns in many of Germany's larger forests. In December of 1982 the West German government issued a report concluding that the link between sulfur emissions, acid deposition and forest damage is "unequivocal."

What about the argument often made by industry that we are reducing sulfur-dioxide emissions now even without a new acid rain control program? Well, the argument is factually wrong. After a brief downturn due to the 1970 Clean Air Act, sulfur-dioxide (SO<sub>2</sub>) emissions are once again growing. The EPA has calculated future emissions east of the Mississippi with and without a new acid rain control program. With no new control program, eastern and midwestern utility emissions alone are projected to increase by nearly 2 million tons a year between now and 1995. Not until the year 2010 are these emissions projected to get back down even to today's levels.

When other sulfur-dioxide sources in the east and the midwest are added, the increase is even larger. According to a study done for the utility industry, total eastern and midwestern sulfur-dioxide emissions will be 3-5 million tons more per year in the year 2010 than they are today.

Now what about all the apparent inconsistencies between these various observations and the

dominant theory as Mrs. Gorsuch-Burford calls it? They affect a pattern of debate that has been going on for several years. A number of perspectives have been used to show that acid rain is not a serious problem.

### Hiding the Problem

One of these perspectives I would call the global or satellite perspective. If you get far enough away from a difficult subject, and squint, you can make it disappear. For example, concerned about urban crowding? Well, show a picture of the earth from 24,000 miles up and you can't tell there are any people living in Manhattan or Japan. Examples of this technique in the acid rain controversy are comparisons of man's SO<sub>2</sub> emissions to global natural SO<sub>2</sub> emissions, or references to the acidity of polar ice caps or of isolated rainstorms in Pago Pago. So it will always be possible to use carefully selected or manipulated statistics to make a very real problem seemingly disappear.

The other perspective I would call the ant's perspective. The technique here is to get your listener so extremely close to the subject that you hide a recognizable object in a blizzard of detail. If you talk to an ant walking on the side of an elephant you could easily convince it that it was not on an elephant at all - that it was in fact climbing the North face of the Eiger Mountain in an earthquake.

There are many examples of this technique in the acid rain debate.

A third technique I call "fun with logarithms." To play this one you just take advantage of the general public's confusion about logarithms, especially fractional ones. For example, the utility industry is fond of citing a calculation by the Rensselaer Polytechnic Institute that even if emissions and deposition were cut in half, this would only raise the pH of the rain from 4.2 to 4.5. This leaves the average listener feeling, "Is that all? I guess it isn't worth the effort." On a logarithmic scale, however, an increase of 3/10 of a point reflects an actual decrease in acidity of 50%. Water with a pH of 4.0, for example, is ten times as acidic as water with a pH of 5.0.

While all of these debating techniques for obfuscating an issue provide useful material for opponents of acid rain control measures, they have not persuaded the vast majority of experts in the field that there is any flaw in their own scientific conclusions. These conclusions are:


- Acid rain depositions damage lakes and streams;
- Acid rain poses a risk to forests;
- Reducing sulfur-dioxide emissions will be effective in preventing further damage.

Thus an international acid deposition conference in Stockholm last June, attended by 22 nations, including the United States, issued an official report concluding that:

"The acidification problem is serious and even if deposition remains stable, deterioration of soil and water will continue and may increase unless additional control measures are implemented and existing control policies are strengthened....The Conference considers the establishment and implementation of concerted programs for the reduction of sulfur emissions to be a matter of urgency."

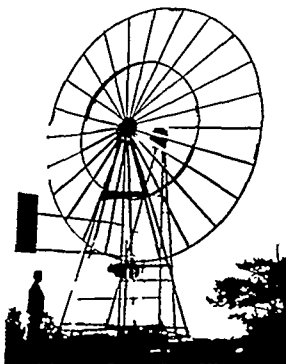
### Conclusion

I believe we are seeing science misused in the politics of the acid rain debate because of an underlying concern about the social and economic consequences of doing something to control acid rain. While no one wants to pay more for any goods or services, the increased costs of a control program are reasonable and it is important to act now to start solving the problem. Ignoring the problem will lead to disproportionately large costs later on.

David Hawkins 



## LETTER FROM THE EDITOR



**T**HIS ISSUE IS THE LAST OF THREE FOR THE 1982-83 ACADEMIC YEAR, AND may in fact be the last issue of *ENVIRONS* to appear in this format. You may recall that in my previous Letter From the Editor early this year, I discussed our aspirations of changing *ENVIRONS* from a two or three person operation into a more cooperative effort. After dedicating over a year to this effort, the main question has become whether *ENVIRONS* will even survive at all.

A PRIMARY PROBLEM HAS BEEN LOW STUDENT INVOLVEMENT. IT IS APPARENTLY a growing trend that law students are less and less interested in "public interest" courses and activities, and that trend has shown up here as well.

Secondly, getting people to commit substantial amounts of time to non-credit projects has always been difficult, and it is getting more difficult. For example, the law school recently implemented a major new

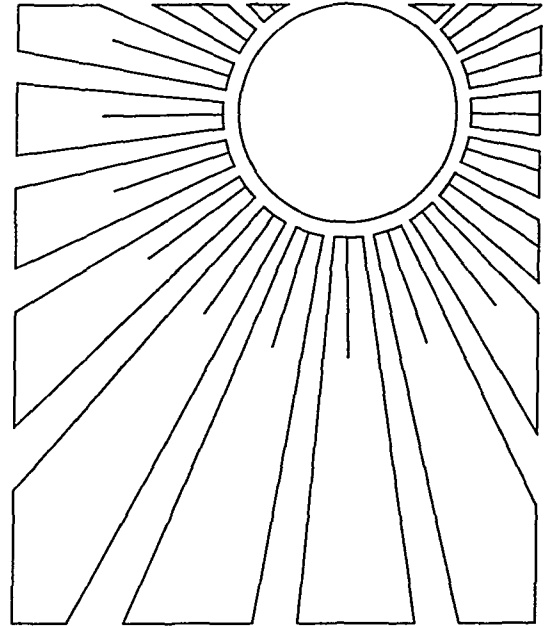
writing requirement, but the faculty decided that writing for any student publication other than Law Review would not fulfill the requirement. There is no doubt that volunteer student activities, particularly those requiring as much research and work as *ENVIRONS*, will suffer from this decision. Special thanks should go to Rob Maddock of the Publication's Office, however, who has given untold hours of his time toward making *ENVIRONS* the attractive publication that it is.

IN SUM, IT IS UNCLEAR WHAT WILL HAPPEN TO *ENVIRONS*. AS THIS IS WRITTEN IN MID-AUGUST, there is no Editor-in-chief for the coming year, and the expertise of the Publication's Office may no longer be available to us. It should be added, however, that those of us who have worked with *ENVIRONS* during the last several years have both enjoyed and profited from the experience. We sincerely hope that it can continue.

Laura Kosloff, Editor-in-Chief

Mark Trexler, Managing Editor

# What's Happening With The CLEAN AIR ACT



November 5, 1980 -- Ronald Reagan has just been elected President and conservatives are hailing the country's new shift to the right. Politicians, government officials, policy analysts and corporate executives across the country are making plans for the major policy changes promised by the new President. For many of America's largest industries there is one item that shows up again and again at the top of their agenda: changes in the Clean Air Act.

### Introduction

The federal Clean Air Act, first passed by Congress in 1970, was slated for reauthorization in September 1981. The 1980 elections convinced many industrial leaders that the time was right to undo the landmark environmental law that had turned American government and industry to the task of cleaning up our polluted atmosphere. When Vice President Bush announced the formation of a Task Force on Regulatory Relief in early 1981, the Clean Air Act was high on the list of laws he felt contributed to the overregulation of American business. With a more conservative Congress it looked as though the Clean Air Act was in for a rough time.

It is now 1983 and much of President Reagan's campaign rhetoric has been signed into law. But due to wide and deep public support for strong environmental protection, the Clean Air Act escaped the 97th Congress relatively unscathed. Almost two years after the original re-authorization deadline, however, Congress has yet to

pass a re-authorization bill, so the door for change remains open. But the country's strong show of support for strengthening environmental laws has dampened the enthusiasm of the Administration and its friends in regulated business for serious tinkering with the Act.

### Provisions of the Act

The Clean Air Act is a monumental law that attempts to cure a monumental problem. Air pollution's health, economic, and aesthetic effects has impacts on every segment of the population and every part of the country. The cornerstones of the law are its National Ambient Air Quality Standards (NAAQS). The NAAQS are actually two sets of standards, one called "primary" and one called "secondary." Primary standards are based on determinations of public health, whereas secondary standards are based on general welfare,



which takes economic considerations into account. Both primary and secondary standards have been determined by the federal government for six of the most ubiquitous and dangerous air pollutants: sulfur dioxide, nitrogen oxides, carbon monoxide, ozone, particulates and lead. The standards are designed to protect not only the population as a whole, but to include a "margin of

safety" to cover the most sensitive parts of the population: the young, the old, and those with respiratory ailments.

After the federal government sets the standards, it is the states' responsibility to devise plans to meet these air quality goals. These are called state implementation plans or SIPs. Most states write plans that call for reductions in air pollution from both stationary sources (i.e. industrial smokestacks) and mobile sources (cars). The Act helps the states by setting uniform emissions limits for all new cars regardless of where they are manufactured. In addition, the Act includes deadlines for meeting both the emissions standards for new cars as well as the national health standards. The deadlines have served as a forcing mechanism for the development of innovative pollution control technology such as catalytic converters for automobiles and flue-gas desulfurization equipment (scrubbers) for coal-fired power plants.

Until recently, the U.S. Environmental Protection Agency had refused to approve California's State Implementation Plan because the state legislature would not mandate automobile inspection and maintenance programs. That problem was cleared up by legislation approved last year, but 19 California counties still face possible loss of federal highway and sewage funds because the California SIP does not result in their meeting the federal air quality standards by the statutory deadlines. Revisions to the Clean Air Act might help these counties by allowing limited deadline extensions.

Besides setting into motion a process to improve the air in the country's major metropolitan centers, the Act as it is now written contains provisions for protecting

air quality in places where it is better than required under the National Ambient Air Quality Standards. The air quality throughout most of the West and Southwest, for example, is still quite good, although a growing population and extensive energy development are a threat to the nation's clean air resources in those regions.

The program in the Act to protect clean air areas is called Prevention of Significant Deterioration or PSD. The PSD program is based on a budgeting system, called increments, that is allowed in an area with good air quality. The clean air portions of the country are divided into three classes: in Class I areas, almost no new pollution is allowed; in Class II areas, a moderate amount is allowed; and in Class III a significant amount of new pollution is permitted. Designation as a Class I area is reserved for areas that require the most protection, such as national parks and wilderness areas.

In the 12 years the law has been in effect, there has been a marked decrease in air pollution nationwide. The 1980 Annual Report of the President's Council on Environmental Quality shows that the number of unhealthy days in the nation's 23 largest urban areas dropped 18% during the 1970's. New industrial facilities can now use technologies developed at least partially in response to the Clean Air Act and today's cars, trucks, and buses emit only a fraction of the noxious fumes that their predecessors did. But just as some of the old pollution problems seem to be coming under control, a whole host of new ones is cropping up. Acid rain is devastating lakes and forests in New England and Canada, and acid fog is stinging eyes and throats and

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## What's Happening With The Clean Air Act

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peeling the paint off cars in Southern California. *Science* magazine reports that researchers at Caltech have measured acid levels in fog in the Los Angeles Basin at pH 2.2, or almost 100 times more acidic than the acid rains that plague the Northeast. Record levels of acid in fog in Southern California prompted State Senator Robert Roberti (D-Los Angeles) to introduce Senate Bill 55 which would require state air quality authorities to adopt steps to reduce acid levels in fog and rain. Another growing problem nationwide is an expanding list of toxic pollutants that cause cancer and other serious diseases which are completely uncontrolled. Yet despite the progress and the need for further action, the call to arms on the environment has changed to a signal for retreat.

### A New Clean Air Act

A brief look at some of the proposals made by the Administration and industry during the past two years is warranted to make clear the magnitude of proposed changes:

- Elimination of national health-based standards for air quality;
- Elimination of uniform deadlines for meeting the national health standards;
- Elimination of the PSD program for Class II and Class III areas and an increase in the amount of new pollution allowed in national park and wilderness areas;
- A doubling in the amount of emissions allowed from new automobiles;
- A relaxation in the technological standards for newly built industrial facilities.

In effect, proposals to eliminate or severely weaken every major program in the law were introduced in the 97th Congress. An industry-backed coalition led by House Energy and Commerce Committee Chairman John Dingell (D-MI), generally an environmental moderate, came close to sending a bill to the House floor that would have drastically altered the law. A group of committee members led by Rep. Henry Waxman (D-CA), dued the Dingell coalition to a draw, and the House finished the 97th session without having taken any major votes on the Clean Air Act. In the Senate, a moderate coalition on the Environment and Public Works Committee led by Chairman Robert Stafford (R-VT) drafted a bill that combined minor

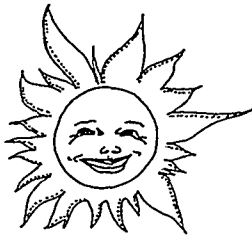
streamlining of some existing programs with some strong additions to combat the new generation of air pollution problems. The bill was reported out of committee last August but was left languishing on the Senate calendar in the closing hectic days of the 97th Congress.

### What Happens Now?

Although a new session means the legislators must start again from scratch, there are hopes that the Senate Committee bill of last year will serve as a model for the 98th Congress. Since the Administration is now preoccupied with budget, economic, and security issues, it may be possible for Congress to break the stalemate and pass an environmentally sound reauthorization. Were it to mimic last years Senate Committee bill, it would look something like this:

In the program to clean up our dirty cities:

- Maintain strong national health standards;
- Keep the deadlines for meeting the health standards but allow some flexibility for those cities with the worst clean-up problems;
- Keep tough emission limits for new cars and shore up EPA regulations for emissions from trucks and buses;
- Simplify the state implementation plan process while retaining strict technology requirements for new industrial sources.

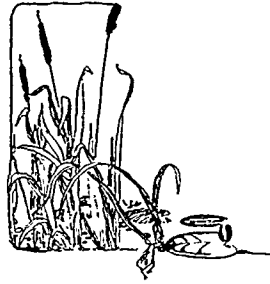


In the program to protect clean air areas (PSD):

- Continue to protect the national parks and wilderness areas from damaging air pollution;
- Allow states to "opt out" of the increment system for areas that are not federally protected if they devise their own air quality plan;
- Reaffirm the concept of protecting "integral vistas" (panoramic views that are seen from national parks but are susceptible to air quality degradation).

To combat new air pollution problems:

- Institute an acid rain control program for the Southeast and Midwest that calls for an eight million ton reduction in sulfur dioxide emissions in those regions by 1995;
- Have EPA review 40 chemicals to determine which are hazardous air pollutants and then implement a control program for them.



The recent resignation of EPA Administrator Anne Gorsuch Burford and the almost certain confirmation of William Ruckelshaus as her successor adds a new wrinkle to the debate. Congress will probably postpone any work on a reauthorization of the Clean Air Act until Ruckelshaus has had a chance to settle in at EPA and devise his own proposals for changes in the law. This could mean that final votes on the Clean Air Act may not come up until late in 1983 or even 1984.

### Impacts on California

What does this all mean for California? This state needs a strong Clean Air Act more than any other state. Los Angeles still holds the dubious distinction of having the worst air quality in the country. The overall pollution problem in the state is so bad that California is allowed to set separate auto emission standards that are stricter than those found nationwide. But if national standards are weakened the pressure will mount for California to weaken its own standards. Without a tough law, the control technology that is needed to build new factories in heavily polluted areas will not be developed. Cleaner air is good for industry because it allows development in areas where it would otherwise be restricted because of poor air quality. In addition, California needs the federal government to support research into the causes and control methods for acid rain and acid fog as those environmental threats grow.

### Conclusion

For anyone who ever spent a smoggy September in Los Angeles in the 1960s, it is clear we have

come a long way in controlling air pollution. But the direction our country will take in continuing the battle is not yet clear, and right now it is the 98th Congress that holds the compass.

Sandy Spelliscy



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