

# GREEN SCENE

## BID ADIEU?



## Judge strikes down NYC's incentives for green cabs

By Larry Neumeister  
The Associated Press

**NEW YORK** - A judge has rejected the city's latest maneuver to force taxicab owners to buy fuel-efficient hybrids, the second time in eight months he deemed such rules to be pre-empted by federal laws.

Under the rules rejected by U.S. District Judge Paul A. Crotty, companies that own fuel-saving cabs would have been allowed to charge drivers slightly higher rental rates; companies with gas-hungry vehicles would see their rates decrease over a two-year period.

In October, Crotty rejected for the same reason other rules the city had devised to try to force the fleet of yellow cabs to go green by 2012. Those rules would have required new cabs to be fuel efficient. The judge praised the city's intent but said efforts to encourage the purchase of hybrid vehicles must be careful not to interfere with Congress' exclusive jurisdiction over laws related to mileage or emission standards.

"The court's purpose is not to interfere with government officials taking actions in the public interest," he wrote. "Increasing the number of hybrid taxicabs is an appropriate and important governmental priority."

The judge noted there were no legal challenges to decisions by the city to issue new taxi medallions only to hybrid vehicles or to allow hybrid cabs to stay in service longer.

Michael A. Cardozo, head of the city's law department, said the city was disappointed.

"We do not believe that Congress intended to prohibit local governments from implementing incentive programs ... that encourage the purchase of environmentally friendly taxis. We are exploring our legal options," he said.

The Metropolitan Taxicab Board of Trade, the lead plaintiff in the lawsuit, said it applauded the ruling for preventing the city "from imposing drastic financial penalties that would severely punish taxi fleets that operate nonhybrid vehicles."

"We have always preferred to work with the city of New York to adopt a viable plan for a safe, reliable, comfortable, economical and fuel-efficient taxi fleet. We renew that commitment today," it added.

## ECO SIMPLE with Robin Tierney

# The new environmental art

**LAND/ART project raises awareness by getting down to earth — literally**

**E**nvironmental art has hyper-evolved since the 1970s, when Nancy Holt created huge "Sun Tunnels" in Utah and James Turrell began transforming Arizona's Roden Crater, an extinct volcano, into artwork. The genre elevates natural elements from mere scenery to forces that engage senses and thought.

For six months this year, Albuquerque, N.M.,-area landscapes will become exhibition spaces as two dozen New Mexico organizations collaborate on "LAND/ART" site-specific artworks, performances, talks and tours.

The aim of this summer-fall intersection of nature, culture, science and art: to spur creative thinking about land preservation, water conservation, renewable energy, endangered species and sustainable living.

Fort Collins, Colo., eco-artist Lynne Hull's "trans-species" sculptures double as wildlife habitat. An example: a water-capture basin marked by artful "hydroglyphs" for thirsty desert animals.

DJ Spooky's "Terra Nova: Sinfonia Antarctica" is a multimedia portrait of a glacial ecosystem under duress. The 70-minute performance incorporates field recordings, historic and geographical material, video projections and hip hop-meets-classical tracks. He'll perform it live Oct. 24.

Basia Irland has floated her 250-pound "ice books" down rivers worldwide. Her newest volume will travel and reseed the Rio Grande. Each book carries a "text" of local native seeds, which are released as the ice melts in the current. The resulting plants help hold soil in place, restore eroded river banks, provide shelter for native animals and sequester carbon dioxide. Irland works with ecologists, biologists and botanists to match seeds to individual riparian zones. Her "receding/reseeding" ice sculptures and documentary film address solutions to the erosion and pollution of watersheds.

Jaune Quick-to-See Smith and Neal Ambrose-Smith are planting a four-acre corn maze based on an ancient design. Illustrating interdependence of corn, birds, humans and land, the maze by winter will feed migrating Sandhill cranes and local crows.

"Anitya" (Sanskrit for "impermanence") is installed on agricultural land in Albuquerque that artist Anne Cooper helped preserve in the



COURTESY MICHAEL P. BERMAN

"Sierra Plomosa" by Michael P. Berman from his series "Grasslands: The Chihuahuan Desert." The series depicts his wanderings in the desert in his goal to "live deliberately." Environmental art has evolved from the 1970s fare you remember.

1990s. Her 81 bowls formed from raw local clay contain seed balls; wheat, rye, oats, blue gramma, galenta and other dryland grasses will sprout as rain dissolves the bowls.

Guggenheim fellow Michael P. Berman snapped his "Grasslands" series while wandering the Chihuahuan Desert in the Southwest without a compass to "live deliberately."

"There is a strong interest in this

type of artwork right now, as concerns about the environment are so much at the forefront of people's minds," says LAND/ART project coordinator Suzanne Sbarge at the 516 ARTS center in Albuquerque. In response, today's environmental artists are turning landscapes into change agents.

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COURTESY BASIA IRLAND

For her installation "Anitya," Anne Cooper has formed bowls from local clay containing seed balls. Grasses will sprout as rain dissolves the bowls.

## LAND/ART

» LAND/ART is coordinated by the nonprofit 516 ARTS in Albuquerque, N.M. You can follow the projects and performances on the Web at [landartnm.org](http://landartnm.org).

» Watch a five-minute video clip from "Terra Nova: Sinfonia Antarctica" at [djspooky.com](http://djspooky.com).

» A book documenting LAND/ART projects will be published in late December. Visit [radiusbooks.org](http://radiusbooks.org) for more information.

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