

BUSINESS

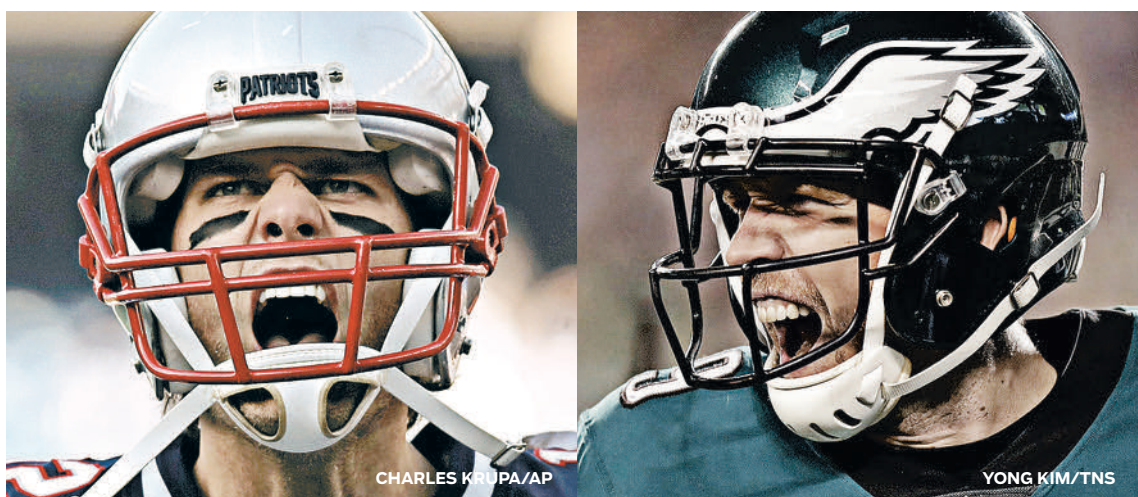
Do driverless cars mean end of auto show?

REAL ESTATE

As housing costs rise, so do talks of rent control

A+E

A look at what the final acts of artists tell us



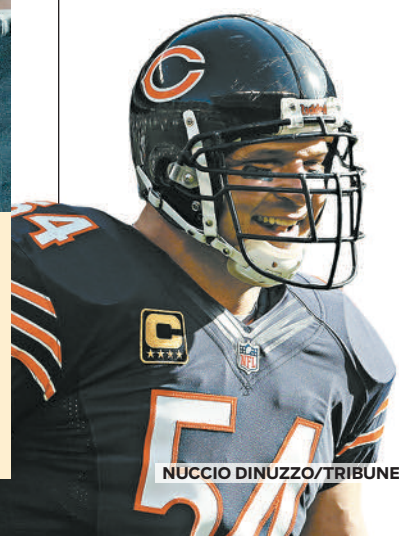
SUPER BOWL LII PATRIOTS VS. EAGLES, 5:30 P.M. SUNDAY, NBC-5

SUPER SUNDAY

Can the high-flying Eagles stop the Patriots dynasty? *Chicago Sports*

CHICAGO SPORTS

Bears great Urlacher elected to Hall of Fame



NUCCIO DINUZZO/TRIBUNE

Chicago Tribune



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SUNDAY, FEBRUARY 4, 2018

BREAKING NEWS AT CHICAGOTRIBUNE.COM

What GOP memo says — and what it doesn't

File's accuracy difficult to assess without sources

BY CHAD DAY
Associated Press

WASHINGTON — After more than a week of partisan bickering and social media-fueled buildup, the #releasethememo crowd got their wish.

President Donald Trump declassified it. The GOP majority of the House intelligence committee released it. And the public dissection of the four-page, GOP-authored document began Friday.

Here are a few key takeaways:

What's the gist? The memo makes a series of allegations of misconduct on the part of the FBI and the Justice Department in obtaining a warrant under the Foreign Intelligence Surveillance Act, or FISA, to monitor former Trump campaign foreign policy adviser Carter Page.

Specifically, it takes aim at the FBI's use of information from a former British spy, Christopher Steele, who compiled a collection of memos containing several allegations of ties between Trump, his associates and Russia.

The memo says the FBI and the Justice Department didn't tell the FISA

Turn to *Memo*, Page 31

After memo's publication, Trump claims vindication

The document contends the FBI abused its surveillance powers, but it also includes revelations that may complicate efforts to undermine Robert Mueller's inquiry. *Nation & World*, Page 27

Building boom brings funds to struggling areas

Program that takes fees from downtown developments and sets them aside for struggling neighborhoods could see \$50 million this year. *Chicagoland*, Page 4



JOHN J. KIM/CHICAGO TRIBUNE PHOTOS

Derric Eisenmann holds up a pitcher of water from a faucet in his home near Mahomet to show its carbonated, white characteristics.

Pollution-related penalties take a dive under Rauner

Environmental-law enforcement shows major drop since 2015

BY MICHAEL HAWTHORNE
Chicago Tribune

Well before the Trump administration began shifting responsibility for enforcing environmental laws to the states, Illinois already had slowed down the policing of air and water pollution under Gov. Bruce Rauner.

A Tribune analysis of enforcement data shows that since the Republican businessman took office in 2015, penalties sought from Illinois polluters have dropped to \$6.1 million — about two-thirds less than the inflation-adjusted amount demanded during the first three years under Rauner's two predecessors, Democrats Pat Quinn and Rod Blagojevich.



Anni Eisenmann uses bottled water to brush her teeth. The Eisenmanns drank contaminated water for months before they learned about what had happened.

Rauner's enforcement record during the past three years also pales in comparison to the final year in office of the state's last Republican governor, George Ryan. Adjusted for inflation, the penalties sought since Rauner took office are less than half the amount demanded as Ryan wrapped

up his four-year term in 2002.

One of the main reasons enforcement is on the decline statewide is the Illinois Environmental Protection Agency has cut back sharply on using its most powerful tool: referring cases to the state attorney general's office for civil or criminal prosecution.

During Rauner's first year as governor, the EPA referred 73 cases to the attorney general — by far the lowest number since 1991. The annual average during his tenure is 80.

By contrast, the EPA sent 198 referrals a year on average during Blagojevich's first three years in office and 144 during the same time period under Quinn, the Tribune analysis found.

"I have been dismayed by the sudden dropoff in the number of IEPA referrals to my office," Attorney General Lisa Madigan said in a statement. "The failure to

Turn to *Pollution*, Page 11



JOHN J. KIM/CHICAGO TRIBUNE

The number of vehicles registered with the city for ride sharing was 117,557 in December.

Surge in Chicago ride sharing stirs worries about its impact

Congestion and public transit effects can be tricky to gauge

BY MARY WISNIEWSKI
Chicago Tribune

The ride-sharing business is surging in Chicago, with the number of registered vehicles used for companies like Uber and Lyft quadrupling over a three-year stretch, according to figures provided by the city via a public records request from the Tribune.

The growth in ride sharing has raised concerns among both transportation experts and professional drivers that the services offered by companies like Uber and

Lyft, while convenient, may be increasing congestion on Chicago streets while cutting into public transit use.

"Uber and Lyft have not delivered what they said they would — fewer cars, less traffic and more mobility," said Ron Burke, executive director of the Active Transportation Alliance, which advocates for pedestrians, bicyclists and transit use. "They're convenient and people like them, but it appears that they're creating more cars and more traffic in the downtown area if not elsewhere. That's not a sustainable trajectory."

The number of vehicles that provide four

Turn to *Ride-sharing*, Page 12



Tom Skilling's forecast High 25 Low 2

Chicago Weather Center: Complete forecast in *Nation & World*, Page 41

\$3.99 city and suburbs, \$4.99 elsewhere 170th year No. 35 © Chicago Tribune





JOHN J. KIM/CHICAGO TRIBUNE PHOTOS

Adaline Eisenmann, 10, and mother Jodi stand in a bathroom in their home near Mahomet. The aquifer that provides water to the family's home has been contaminated by natural gas.

Pollution-related penalties decline

Pollution, from Page 1

thoroughly investigate and refer violations of the laws has dangerous consequences for people's health and the environment."

For decades, slapping polluters with financial penalties has been a way to deter others from dumping toxic waste in environmentally sensitive areas, spilling noxious chemicals into water supplies or churning too much lung-damaging pollution into the air.

Even though some types of pollution have declined as regulations and lawsuits forced power plants and factories to clean up, new threats have sprung up in recent years, and scientists have discovered that dirty air and water are far more dangerous than previously thought.

New industries, including confined livestock operations and businesses related to natural gas fracking, have added to an already-busy workload for inspectors.

Illinois continues to rank among the top 10 states for the amount of industrial air and water pollution released into the environment every year, according to federal records. Federal data also show that Illinoisans still face some of the highest risks in the nation for cancer, lung disease and other health problems linked to toxic chemicals from industry smokestacks.

"To quote Abe Lincoln, law without enforcement is just good advice," said Eric Schaeffer, a former chief of enforcement at the U.S. EPA who now runs the nonprofit Environmental Integrity Project.

"Penalties matter because they cost violators money, and that's an incentive for other companies to stay in compliance," Schaeffer said. "States and the EPA should work to make rules as clear as possible, reduce excess paperwork and encourage voluntary compliance. But those efforts don't yield as much if nobody believes violators will be sanctioned."

Unlike the U.S. EPA, the state environmental agency is prohibited from penalizing polluters on its own. The system created by state lawmakers requires the Illinois EPA to investigate threats to air and water quality and attempt to negotiate informally with companies unless there is an imminent threat to public health.

If a deal can't be brokered, the agency is directed by law to refer the matter to the attorney general, who then can file a complaint in civil or criminal court seeking penalties and corrective actions.

Rauner's office did not respond to multiple requests for comment. An Illinois EPA spokeswoman blamed the decline in pen-



Calves graze on the Eisenmanns' land in Champaign County. Natural gas from a storage facility in the area seeped into an aquifer that supplies drinking water to 850,000 people.



A leak in this Peoples Gas-run well tainted the water supply. State officials didn't refer the case to the attorney general's office until about 10 months after being notified of the leak.

alties on Quinn, Rauner's immediate predecessor, noting in an email that it takes two years on average to resolve cases sent to the attorney general.

The Tribune analysis found no significant drop-off in referrals during Quinn's final years as governor. In addition, Rauner's EPA director, Alec Messina, didn't mention Quinn when he acknowledged the steep decline in enforcement referrals during an October forum at the Thompson Center.

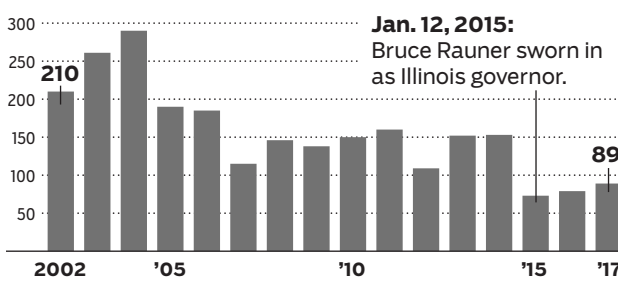
"Anybody who hears that automatically presumes the worst, right?" said Messina, who took over as the agency's director in July 2016, replacing a career EPA staffer kept on from the Quinn administration. "Maybe it's a new administration. Maybe it's a lack of focus on some controversial issue."

Other possible factors, he said, include a shrinking workforce at the agency and a renewed focus on working with small- and medium-sized companies to ensure compliance without taking legal action.

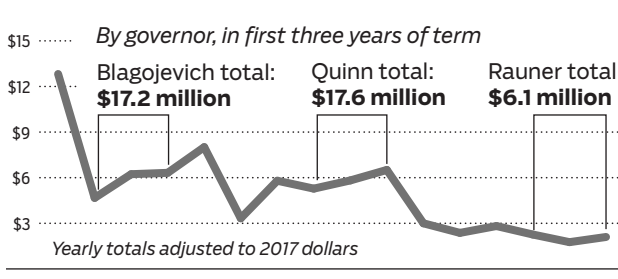
Asked during a recent interview to clarify his remarks, Messina said he has repeatedly urged the agency's staff to crack down on polluters. "Enforcement is still critical to what we do,"

Illinois Environmental Protection Agency enforcement

REFERRALS TO STATE'S ATTORNEY GENERAL



PENALTIES SOUGHT BY IEPA In millions of dollars



SOURCE: Illinois Environmental Protection Agency CHICAGO TRIBUNE

he said. "It doesn't change just because the person at the top changed."

Rauner initially hired Messina to oversee environment and energy policy as top lieutenant in the governor's office. Before joining the administration, Messina led a trade group that lobbied on behalf of industries regulated by the agency he now leads.

Under Messina's watch, the number of EPA enforcement referrals ticked up to 79 in 2016 and 89 last year. More than a dozen of the referrals last year were for missed paperwork deadlines, records show.

One case that highlights the state's sluggish enforcement system is unfolding in downstate Champaign County, where natural gas

from a Peoples Gas storage facility has seeped into an aquifer that provides drinking water to 850,000 people across a wide swath of central Illinois.

In December 2016, shortly after the company alerted the EPA and other regulatory agencies about a leak from one of its gas wells, people living nearby began reporting milky bubbles in well water sputtering from their faucets — a sign of natural gas contamination.

Several homeowners in a rural area north of Mahomet said they were able to light their tap water on fire.

Despite the obvious threat to the facility's neighbors and evidence suggesting natural gas might have spread farther into the Mahomet Aquifer, state officials did not refer the case to the attorney general's office until October 2017.

The referral came from the Illinois Department of Natural Resources, the agency that regulates oil and gas operations, rather than the Illinois EPA, whose mission includes protecting the state's groundwater.

Madigan filed suit nine days later, securing a court order that required Peoples Gas to provide bottled water to residents and take more aggressive action to determine the extent of the contamination.

Derric and Jodi Eisenmann said their family drank contaminated water for more than three months before they learned what had happened.

When they described the situation to their pediatrician, he urged them to stop bathing their 2-year-old daughter at their newly built farmhouse outside Mahomet, prompting them to shuttle her and their two older children to friends' houses to shower with clean water.

"At that point I was in sheer panic," Jodi Eisenmann said. "People say to us, 'Why don't guys just go someplace else?'"

"We can't leave, because nobody's going to buy our house."

Peoples Gas installed a device that reduced the amount of hazardous chemicals in the Eisenmanns' tap water. But Matt Duco, one of the family's lawyers, said EPA testing found the water was still unsafe to drink.

It took pressure from a local politician to prompt the EPA to investigate the gas leak. A few days before Madigan filed her lawsuit, a top agency official asked for a briefing from the DNR, saying Messina was getting "significant inquiry" about the water contamination from state Sen. Chapin Rose, a Mahomet Republican who represents the area.

Rose also wrote a

"I have been dismayed by the sudden dropoff in the number of IEPA referrals to my office."

— State Attorney General Lisa Madigan, in a statement

scathing letter to the EPA and DNR directors complaining there had been "no independent or thorough scientific study ... to determine the extent of the leak, where it stops and who is impacted."

EPA inspectors later went door to door in the area and tested water from at least 40 homes. The agency declined to release results from what it has found so far, and has not disclosed any plans for a more extensive study of the aquifer.

The Illinois EPA finally referred its own case against Peoples Gas to the attorney general Jan. 5, more than a year after the company reported the leak.

The drop in state enforcement under Rauner comes amid a concerted attack on environmental programs by the Republican-controlled Congress and the Trump administration, which is shifting authority to the states while pushing to slash federal support for state environmental agencies.

Federal enforcement actions nationwide have declined significantly since Scott Pruitt took over as EPA administrator, the Environmental Integrity Project and others have found. Veteran staff at the U.S. EPA's Chicago office said it has become more difficult to file cases under Pruitt, who as Oklahoma attorney general repeatedly challenged federal clean air and water regulations.

Pruitt's new pick to lead the agency's Chicago outpost, Cathy Stepp, is a former Wisconsin state official who rolled back enforcement of anti-pollution laws while serving in the administration of Republican Gov. Scott Walker.

Howard Learner, president of the Chicago-based Environmental Law and Policy Center, said cutbacks at the federal and state level threaten to erase hard-fought victories that led to cleaner air and water.

"If you don't have enforcement, the good guys who follow the law are put at a competitive disadvantage," Learner said. "It sends a message to polluting industries that the cop on the beat is looking the other way."

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