

Citrus growers learn new pesticide rules

Convention Center host to Citrus Showcase

By Percy Ednalino, Staff writer

[Visalia Times-Delta, Friday, March 11, 2005](#)

The effects of a hazardous cloud that wafted over Earlimart in 2000 returned Thursday when citrus growers were taught about a new law that concerns pesticide drifts.

Citrus growers throughout the state learned about the new law — and new agricultural burning regulations — during a workshop at the Visalia Convention Center. The presentation was part of California Citrus Mutual's 2005 Citrus Showcase, which is considered the citrus industry's largest educational forum and trade show.

Paul Gosselin, chief deputy director for the state's pesticide regulation department, said the new law, Senate Bill 391, holds businesses responsible for paying victims' medical costs if they become ill because of pesticides drifting from agricultural fields.

The law, however, mainly applies if the business violates rules for using pesticides.

In addition, it does not apply to the company's workers, who would already have their medical costs covered by the workers' compensation system.

Gosselin hosted the workshop alongside Gary Kunkel, Tulare County agricultural commissioner, and George Heinen, rule development supervisor for the San Joaquin Valley Air Pollution Control District.

The new pesticide law was created after several incidents where people near agricultural fields became sick from pesticide drifts.

Kunkel said the new law means incidents would immediately be investigated. He also said better communication between businesses and county agricultural officials is important.

"Everybody loses when there's a drift incident," Kunkel said.

Earlimart accident

The accident in Earlimart occurred on Nov. 13, 2000, when a company treated a field with metam-sodium. Fumes from the spraying forced about 150 residents from their homes and sent 21 to hospitals.

Heinen provided growers with an overview of a new rule being amended that concerns agricultural burning.

The first phase of the new regulation starts in June and prohibits growers from burning items such as tree prunings. The second phase starts June 2007 and affects larger items such as tree stumps.

House approves Hwy. 99 funding

By Doug Abrahms, Washington Bureau

[Visalia Times-Delta, Friday, March 11, 2005](#)

WASHINGTON — California would get almost \$20 billion for highway projects under a transportation bill the House passed Thursday, including \$8.2 million to widen Highway 99 from Goshen to Kingsburg.

Rep. Devin Nunes, R-Visalia, inserted the money into the six-year transportation funding bill, which also designated Highway 99 as a high-priority corridor that is eligible for more federal funds.

"We have outgrown the highways and byways that keep us connected to important commercial centers like Los Angeles and the Bay Area," Nunes said.

"This bill puts us on a path to catch up to the rest of the state."

The House passed the \$284 billion measure that funds highway and transit projects through the decade by a 417-9 vote.

California's share of road and highway funds grows to \$19.6 billion from \$15.3 billion contained in the previous six-year highway spending bill.

Senate

However, before the area actually will see any of that money, a bill still must pass the Senate. Last year, the highway bill stalled when the House, Senate and Bush administration could not agree on funding levels. What House lawmakers could not agree on this year was how to change the funding formula that leaves many states, including California, sending more to Washington in gasoline taxes than they get back in highway funds. California pays more than 10 percent of the nation's federal gas taxes but gets back a little more than 9 percent. A difference that adds up to billions of dollars over six years.

Panel OKs waste site in Fresno Southwest residents speak out against it

By Russell Clemings

[The Fresno Bee, Friday, March 11, 2005](#)

Two years ago this winter, southwest Fresno residents suffered under a cloud of dank smoke for more than a month when a 5-acre pile of construction debris and other waste caught fire at Archie Crippen Excavation.

So it was no surprise when some of the same residents turned out Thursday to protest plans for a green-waste transfer station on the east side of Brawley Avenue north of Nielsen Avenue, less than a mile west of the Crippen site.

Their protests were heard. But they had no effect on the final outcome, as the Fresno County Planning Commission voted 5-2 in favor of the new project. It wasn't fair, commissioners said, to paint all waste handlers with the same brush as Crippen.

Consultant Dirk Poeschel spent more than a half-hour before the vote arguing that the facility planned by his client, Mike Kochergen, would not pose the same hazard as the Crippen site.

Crippen had collected waste and stored it indefinitely. Kochergen won't store it for more than 48 hours before shipping it to an Avenal plant for processing into compost, Poeschel said. Crippen's operation was outdoors, Poeschel said. Kochergen's will be largely confined to a 25,200-square-foot warehouse to reduce noise and dust.

But many southwest Fresno residents were not mollified. They were concerned about traffic and the potential for foul odors from Kochergen's business. And they said that, in light of Crippen and other recent waste fires in their area, they deserved the benefit of the doubt.

"Once you let these people open their doors, you cannot close them down," said Harlan Kelly, who tried with little success to focus official attention on the area's waste sites for several years before the Crippen fire.

Kelly and others said their neighborhood is poised for a renaissance, with the Running Horse golf and country club now under construction. They argued that waste transfer stations and similar businesses may jeopardize their future.

"That smell is just going to blow through our community - the new homes, the golf course, everything," said another nearby resident, Ray Williams. "This is right in the center of an area that's starting to thrive."

But the Kochergen site's closest neighbor, Margaret Baldon, said she did not object, in part because Kochergen had agreed to build a wall shielding her house from truck noise and dust.

And Poeschel said that Kochergen's operation will provide a much-needed service by helping local communities comply with a state law that requires them to divert recyclable materials from landfills.

"The city and county of Fresno are far behind in meeting their mandated goals for recycling materials," Poeschel said.

Kochergen's operation is expected to accept municipal green waste - grass clippings, tree trimmings and similar wastes - along with construction and demolition debris and waste produce from sources such as packinghouses and supermarkets.

Some of the waste will be chipped at the site, and all of it will be loaded into larger trucks for the trip to Kochergen's plant in Avenal, Poeschel said.

Commissioner Ken Abrahamian voiced what seemed to be the prevailing sentiment among the five commissioners who voted to approve the project.

"I hope and I think," he said, "that this project may not be like some of the others where they have had problems in the past."

The commission's action can be appealed to the county Board of Supervisors.

The commission also voted unanimously and without discussion to grant a one-year extension to a 165-lot Millerton New Town housing tract.

Construction on the tract has been delayed by the last-minute discovery that it lies outside an area eligible to take water from Millerton Lake for residential use.

In other action, the commission:

Approved the proposed site of a Sanger Unified School District elementary school on the southeast corner of Church and Indianola avenues, just west of the Sanger city limits.

Recommended that the Board of Supervisors approve rezoning and other changes for 40 acres on the southeast corner of Manning and DeWolf avenues, just north of Selma, to accommodate expansion of an agricultural trucking operation.

Going up: Citizens discuss rising gas prices

By Angela Sykes-Staff Writer

[Madera Tribune, Wednesday, March 9, 2005](#)

Rising gas prices have some local people worried and others talking.

Ken Calvart travels all over the Central Valley on business, doing home inspections.

"Last year I put 37,000 miles on my car," Calvart said, as he pumped gas Tuesday. "It's taking a big bite out of my income."

Some attribute the rising gas prices to oil price increases.

"I listen to a lot of radio talk shows. I have heard that gas is going up just because of fear. Fear that (oil prices are) going to go up," Calvart said.

Gabe Gonzales works at the Chevron at Yosemite Avenue and Gateway Drive.

"I have heard gas is going to go up 25-cents," Gonzales said.

The higher gas prices have not slowed down business, he said.

Gonzales's co-worker, Greg Gonzales, shared his opinion about the increase, as well.

"I think it's going up to bring in more revenues to the State," Greg Gonzales said.

Gas prices have increased in the past two weeks, while crude oil prices soared, according to reports from the Associated Press.

[Crude oil prices are driving up gas prices, as well as the time of year and tightened gasoline requirements to reduce smog during the warmer months, the reports said.](#)

Selling rights to farmland not for everyone, experts say

By SARAH RUBY, Californian staff writer

[Bakersfield Californian, Friday, March 11, 2005](#)

Are you feeling lucky?

That's what agricultural land trust experts advised farmers to ask themselves when they consider selling the right to develop their land.

Selling development rights is a complex balance of a property's worth to developers, its agricultural value, a farmer's wishes, his or her neighbors' plans and the likelihood of nearby urbanites imposing development restrictions at the ballot box.

It's like playing the stock market.

"That's why we call this a lottery -- easements aren't for everybody," said Holly King, agricultural program manager for the Great Valley Center, a Modesto-based nonprofit that, among other things, buys development rights from willing farmers in Merced, Stanislaus and Yolo counties.

But they can be useful to farmers who want to make money from their property without selling it outright. It lets farmers decide their own fate without waiting for the development winds to blow their direction, and doesn't leave them at the mercy of open space laws drawn up by their urban neighbors.

And, if they coordinate with their neighbors, it will save them from being surrounded by homes, which can seriously cramp a farming operation.

Nearly 60 farmers, environmentalists, city and county staff and interested citizens attended a meeting Thursday to hear more about these sales, known as easements.

"The feeling I have about it -- for guys holding land for the next few years to sell for development -- this isn't for them," said Bryan Bone, who farms cotton, almonds and grapes in Shafter and Buttonwillow. "For guys out in the weeds, away from development, it's not for them either. There's going to be select people here and there it will work for. It's not going to be as broad as I thought it would be."

Bone and other farmers said they're interested in learning more about easements, and about the land trusts that manage them.

The state and federal governments run land trusts, which monitor farmland to make sure its stewards are living up to the terms of the easement, which vary because farmers negotiate the terms according to their own needs.

For instance, a family can carve out future homes for their children in case they come back to the farm. As long as it's written into the easement, it's allowed.

Land trusts also drive a hard bargain. They use donations and money from the state, but the real cash comes when cities and counties force land developers to replace land they consume.

They typically cut a check and let a land trust decide where to spend it, and in San Joaquin County, a land trust run by farmers has \$26 million to buy development rights.

Neither Bakersfield nor Kern County have such a program, though [environmentalists](#) are pressuring them to develop one.

Presuming they do, local farmers Terrie and Glen Stoller propose setting up a local land trust run by people that know agriculture and how best to sustain it, rather than deal directly with the government.

They're the ones that hosted the meeting, and though they were heartened by the turnout -- they know this is a decision the farming community must decide for itself.

"Farmers have to be the ones that take this on," Glen Stoller said. "Are we going to sell out and let it become houses, or keep it in farmland?"

EPA cuts power plant smog

Long-awaited rule applies to 28 states in East, Midwest

Rick Weiss, Washington Post

[in the S.F. Chronicle, Friday, March 11, 2005](#)

Washington -- The Environmental Protection Agency enacted a new rule Thursday intended to significantly reduce levels of health-damaging ozone and soot caused by emissions from power plants in the East and Midwest.

The long-awaited Clean Air Interstate Rule -- viewed as the most substantial tightening of air quality standards since the Clean Air Act was last amended in 1990 -- is expected to save thousands of lives

each year and prevent the loss of millions of workdays annually because of pollution-related heart attacks, asthma and other health problems.

The rule, to be phased in over the next decade, sets caps for the release of sulfur dioxide and nitrogen oxides from power plant smokestacks in 28 states and Washington, D.C. To meet the goals, many plants will have to install new scrubbers and other emissions-capturing technologies.

Plants that cannot meet their deadlines are allowed to buy credits from those that are ahead of schedule, an approach that industry and environmentalists alike had sought as a way to achieve cost-effective regional reductions.

Nitrogen oxides react with sunlight in warm air to make ground-level ozone, also known as smog, which causes respiratory problems and damages crops. Sulfur dioxide makes acid rain, which has been wreaking environmental havoc in the East for many years. Both pollutants are key contributors to fine particulate soot, which causes a variety of respiratory ailments and contributes to the haze that has increasingly marred views in some of the nation's most pristine areas.

Under the rule, sulfur dioxide pollution is expected to decline by 73 percent over the next decade from 2003 levels, EPA officials said. Oxides of nitrogen are expected to drop by 61 percent.

The EPA said the rule will prevent 17,000 premature deaths; 1.7 million lost workdays; 500,000 lost school days; 22,000 nonfatal heart attacks; and 12, 300 hospital admissions a year by 2015.

Thursday's action caps years of efforts to deal with the fact that many eastern states have been unable to meet Clean Air Act standards because of emissions from power plants in other states upwind. The EPA determined last year that 160 million people in 450 counties in 32 states were living in areas that violated levels for airborne particulates and smog.

Officials have said they will release next week a rule restricting the other major power plant pollutant, mercury. That rule is far more controversial and is likely to be challenged in court.

The Clean Air Interstate and mercury rules, which had been languishing at the EPA, rose to sudden prominence Wednesday when a congressional committee failed to advance the Bush administration's "Clear Skies" initiative. The legislation -- which President Bush had argued was superior to Thursday's administrative action, in part because it was less likely to get hung up in a tangle of lawsuits -- was widely disparaged by environmental groups as a fundamental weakening of the Clean Air Act.

EPA Puts a New Cap on Pollution

The agency says the rule will sharply cut power plant emissions, mostly in the Northeast. The action prompts rare environmentalist praise.

By Edwin Chen

[Los Angeles Times, Friday, March 11, 2005](#)

WASHINGTON - The Bush administration moved Thursday to sharply reduce air pollution from power plants that emit nitrogen oxides and sulfur dioxide, issuing a rule that the Environmental Protection Agency said would eventually prevent 17,000 premature deaths and tens of thousands of heart attacks and hospitalizations each year, mostly in the Northeast.

The action produced a rare moment of broad praise for an administration that has clashed repeatedly with environmental groups - although some advocates said the White House could have done more.

"It will deliver the biggest reductions in smog-forming ozone and fine-particle pollution from U.S. power plants in 15 years," said Fred Krupp, president of Environmental Defense. "What a great way for Steve Johnson to begin his tenure at the helm of EPA by signing this rule."

Johnson is the acting EPA administrator and President Bush's nominee to hold that job on a permanent basis.

The new Clean Air Interstate Rule caps emissions of sulfur dioxide and nitrogen oxides across 28 Eastern states and the District of Columbia. The EPA anticipates that reductions will come mostly from cuts in power plant emissions.

The rule also sets up a trading system, similar to an existing program for acid rain, under which the states will set emissions caps for individual polluters. Those that produce more than their share of emissions will be able to buy credits from those that are producing less than their allocated share. They may also choose to install new pollution-control equipment or switch to less-polluting fuels.

In addition to imposing the caps, the new rule sets stringent emissions monitoring requirements, accompanied by penalties for noncompliance.

When fully implemented by 2015, the EPA said, the new rule would reduce sulfur dioxide emissions in the covered states by more than 70% and nitrogen oxide emissions by more than 60% from 2003 levels. The agency said the lowered pollution levels would annually prevent 17,000 premature deaths, millions of lost work and school days, and tens of thousands of nonfatal heart attacks and hospital admissions.

The regulation "will result in the largest pollution reductions and health benefits of any air rule in more than a decade," Johnson said.

The EPA plans to issue another rule next week that would require coal-fired power plants to reduce their mercury emissions. That rule would provide "the first-ever national cap on mercury emissions from power plants and result in a 70% decrease in mercury levels," President Bush said Wednesday during an address on energy and the environment in Columbus, Ohio.

The EPA issued its new clean air rule only a day after a key Senate committee failed to approve Bush's controversial Clear Skies Initiative, which would have rewritten the Clean Air Act and done on a nationwide basis some of what the EPA rule will do in the Northeast.

The Senate Environment and Public Works Committee deadlocked 9-9 Wednesday on Bush's plan, meaning it could remain bottled up in committee indefinitely. One Republican and an independent senator joined with Democrats to stall the measure.

Like the new EPA rule, the legislation would limit emissions of certain pollutants and establish a trading system for pollution credits.

But environmentalists and some lawmakers said the legislation was flawed because it would allow industry to upgrade power plants without installing state-of-the-art pollution controls. Opponents also said the legislation did not do enough to halt global warming and would move too slowly to reduce dangerous pollutants, such as mercury.

Bush said in Columbus that the EPA rule would "provide some of the same benefits as Clear Skies, but they are not a substitute for effective legislation."

On Thursday, Sen. James M. Jeffords (I-Vt.), a member of the environment committee, welcomed the EPA rule, but he called for additional steps to further reduce pollutants.

"This rule represents a small step forward in reducing pollution from old, dirty power plants, but the administration has chosen to exercise only part of its authority to control damaging emissions," Jeffords said in a statement. "Full and responsible enforcement of the Clean Air Act would have required significantly greater reductions from the oldest and dirtiest plants sooner."

But Sen. James M. Inhofe (R-Okla.), the committee's chairman, called the EPA rule "inferior" to the legislation that Bush wanted. He said the regulation would "result in more litigation, uncertainty and fewer lives saved than the Clear Skies bill."

Industry and environmental groups noted the rule's limited geographic scope, and called for more action from Washington.

Highway bill would let hybrids in carpool lanes

[Modesto Bee, Thursday, March 10, 2005](#)

WASHINGTON (AP) - Hybrid cars would be allowed to drive in car pool lanes without passengers in California and elsewhere under a measure that passed the House Thursday as part of an extensive highway bill.

The measure would give states the authority to allow low-emission vehicles into car pool lanes through 2009. That would allow a California law allowing hybrids into car pool lanes to take effect.

The measure must still pass the Senate and be signed by President Bush. Both the House and the Senate agreed to a provision allowing hybrids onto car pool lanes as part of last year's transportation bill, but that legislation never made it to Bush's desk.

The state's law, signed by Gov. Arnold Schwarzenegger in September, applies to hybrids that get at least 45 miles per gallon. It requires drivers of hybrids to obtain special decals from the Department of Motor Vehicles and sets a limit of 75,000 decal.

It sunsets after three years and provides for periodic review by California transportation officials.

Because federal transportation money helps pay for car pool lanes, the federal government sets the rules for them, and current regulations require cars in the lanes to carry one or more passengers.

Sen. Dianne Feinstein, D-Calif., and Reps. Brad Sherman, D-Sherman Oaks, and Darrell Issa, R-Vista, have introduced stand-alone bills to let California's hybrids law take effect.

Hybrid cars are powered by a gas engine in combination with an electric motor.

Lexus' new hybrid SUV lures affluent who want to save gas

RX 400h is priciest model of its type, but delivers style, power

by Ann M. Job - The Associated Press

[Modesto Bee, Friday, March 11, 2005](#)

The 2006 Lexus RX 400h rolling into showrooms next month isn't just America's first luxury gas-electric hybrid vehicle.

Filled with soft, leather-trimmed seats, standard navigation system and rearview camera, and an available high-class audio system, the RX 400h is an experiment of sorts to see how many affluent car buyers, who usually don't make fuel economy a high priority, will want a high-tech hybrid sport utility vehicle.

With a starting manufacturer's suggested retail price, including destination charge, of \$49,185, the RX 400h becomes the latest - and priciest - low-emission, fuel-saving hybrid on the market. The 2005 Honda Accord Hybrid, which starts at \$30,505, has been the most-expensive hybrid until now. Other hybrids, including the Toyota Prius, Honda Insight and Ford Explorer Hybrid, are priced in the \$20,000 to \$29,000 range.

The RX 400h looks much like the RX 330 - the midsized, five-passenger SUV on which it is based. With sales of more than 106,000 last year, the RX 330 outsells every other Lexus vehicle.

But where the RX 330 is powered solely by a 230-horsepower, 3.3-liter, double-overhead cam, gasoline V6, the RX 400h has a slightly less-powerful version of this V6 - with 208 horsepower - mated to two motive electric motors that, all together, provide 268 horses.

One motor up front drives the front wheels; the rear motor powers the rear wheels when needed. The whole process is controlled by a computer that is part of Toyota's patented Hybrid Synergy Drive system, which is now in its fourth generation.

Meantime, the RX 330 uses a six-speed automatic, while there's a continuously variable transmission in the RX 400h. The seamless mixing of the power sources as well as the torque is impressive.

In the test drive of the RX 400h, for example, my driving companion got up over the speed limit smoothly, quickly and without realizing it while passing a vehicle on a country road. Indeed, the 0-to-60-mph time of 7.3 seconds reported by Lexus for this hybrid is equal to that of a Mercedes-Benz ML500 SUV with V8.

But the fuel economy is much better than a V8-powered SUV or even the regular gas-only RX 330. The federal government rating for the 400h hybrid is 31 miles a gallon in city driving and 27 mpg on the highway for a combined rating of 29 mpg. This is higher than the 27.8-mpg average rating for today's compact sedans and is 38 percent higher than the 21 mpg combined rating for an RX 330 with all-wheel drive.

In addition, the RX 400h puts out fewer pollutants, including 90 percent fewer smog-forming emissions, than typical new vehicles.

Some of the emissions improvement stems from the fact the RX 400h can drive short distances at slow speed on electric power only, leaving the V6 off.

The engine also can go off on its own at stoplights, where the driver may find himself suddenly enveloped in quiet. When a driver touches the accelerator again, the V6 may start up again to help supplement the electric power. Nothing's wrong. It's just the vehicle's way of being most efficient with its fuel, and it helps explain why the city fuel rating is higher than that for highway travel in this hybrid. On the highway, the gasoline engine has little opportunity to turn off, so there's more gas burned.

A driver doesn't do anything but drive the RX 400h. There's no need to plug in the electric motors. Power for them is generated on-board as the vehicle travels and is stored in a nickel metal hydride battery that fits under the rear seat cushions.

Handling is a bit trickier at the extremes on mountain roads, because the battery weight makes the vehicle feel as if three fat guys are sitting in the back seat, as one auto writer colorfully put it. But in day-to-day travel, drivers are more likely to notice an occasional lightness to the steering - it's an electric power steering system for energy efficiency.

Note that the all-wheel-drive is for improved on-road traction and for mild stuff like dirt paths. The hybrid RX is not an SUV for strenuous off-road duty. The reason? The rear electric motor will shut down before it burns itself out in rough situations such as a driver trying to climb over huge rocks or slog through mud.

There are other differences between the RX 330 and the hybrid.

Mild styling changes include a revised grille to better channel air for cooling purposes. Taillamps have energy-efficient light-emitting diodes, or LEDs.

Since a tachometer doesn't really provide useful information in a hybrid, where power is mixed and matched among engine and electric motor sources, this gauge is replaced by a power meter in the instrument cluster. And rear-seat cushions are positioned a tad higher than in the RX 330, so the hybrid's batteries are accommodated.

[Modesto Bee, Letter to the Editor, Friday, March 11, 2005:](#)

Protecting rite from air district

I am an American fighting man dedicated to the principles that keep our country free, a member of the Disabled American Veterans, the sheriff's STARS program, a retired social worker and a recipient of many local, state and national awards. I aided in the passage of the Native American Freedom of Religion Congressional Act, am a member of the Lakota Tribe, Eagle Clan, and carry a sacred pipe.

I have been warned by the San Joaquin Valley Unified Air Pollution Control District that if I don't refrain from making fires to heat my stones for the sweat lodge purification ceremonies, I will be fined.

I welcome the American Civil Liberties Union to our county; maybe they can help us to learn to tolerate and teach us how to maintain open communication with each other. We should all support them. We can, we must and we will succeed!

BILL RAMOS, Ripon

[Bakersfield Californian, Letter to the Editor, Friday, March 11, 2005:](#)

Ban fireplaces?

Regarding fireplace burning, we learn in real estate, in theory anyway, that we own not only the property but also all of the land to the middle of the earth and to the sky above. So, anyone entering that space without our permission is trespassing. That applies to noise, overhanging trees, barking dogs, etc.

So, wouldn't that also apply to my neighbors' smoke from their fireplaces?

I have asthma and cannot use my fireplace because of what little smoke enters the living room aggravates it. So, we now have a gas-burning fireplace.

Should I suffer because these inconsiderate, spoiled, people want to have "a cozy" unnecessary fireplace going?

In other regions they have banned the use of fireplaces altogether. So it should be in the San Joaquin Valley.

-- **KENNETH M. CANNON, Bakersfield**