

## **Air District tightens dust rules**

### **New regulation includes tractors, farm equipment in daily trip count on unpaved roads**

By Melanie Turner, Modesto Bee staff writer

Thursday, April 1, 2004

Tighter rules highlight the San Joaquin Valley Air Pollution Control District's new version of a proposed dust-control regulation.

The proposal is part of a bigger plan that aims to reduce the levels of tiny particles that float in the valley air.

This is the district's second attempt to meet federal health-based standards for the particles. The U.S. Environmental Protection Agency determined that a 1994 plan did not do enough to reduce dust.

In December, the district's governing board adopted a plan with stricter dust controls. The EPA is on track to approve it this month. The EPA also must approve rules, such as the so-called fugitive dust regulation, within the plan.

That regulation must be approved by September or the valley could get hit with federal sanctions. Those could include the withholding of \$2.2 billion in federal transportation funds.

At a Modesto workshop Wednesday, project coordinator Hector Guerra said it is not just highway improvements that would lose money. The sanction would affect airport improvements, rail and public transit projects, and bike lanes, he said.

The new rules include these elements:

A lower threshold for having to control dust on unpaved roads. It would affect roads that carry an average of 26 vehicle trips per day annually, down from 75.

A paving requirement for public access roads with an average of 26 or more daily trips annually. Cities and counties would have five years to get the paving done.

Street sweepers, when phased out, would have to be replaced with models with skirts that keep dust from escaping as well as stronger vacuums, Guerra said. Every sweeper bought after July 1, 2005, must be equipped like this, and each company or government agency must have a new sweeper in its fleet by July 1, 2008, he said.

Developers of 10 acres or more for residential projects, and five acres or more for other projects, must submit plans showing how dust would be kept down during construction. Previously, plans were required for projects of more than 40 acres.

Farmers must control dust on unpaved agricultural roads that carry 75 vehicle trips a day. Tractors and other farm equipment, not counted in the earlier draft, are included in the count.

Violators would be subject to fines ranging from less than \$1,000 to \$10,000, said Gary Martin, the district's mutual settlements coordinator.

Written comments on the proposal are being accepted through April 14. Contact Guerra at the San Joaquin Valley Air Pollution Control District, 1990 E. Gettysburg Ave, Fresno 93726; or at hector.guerra@valleyair.org. For more information, call 559-230-5800.

[Merced Sun-Star editorial, April 1, 2004:](#)

### **Approval of new dairy is beneficial**

#### **Environmental concerns have been addressed and new South Merced dairy should enhance ag picture**

*Last Updated: April 1, 2004, 08:02:55 AM PST*

Make no mistake about it: Agriculture remains a mainstay for Merced County's economy and the dairy industry is an integral part of the ag picture.

Accordingly, it's good that approval has finally been granted for a new dairy operation involving more than 7,000 cows south of Merced on Highway 59 near Rahilly Road.

The Simon Vander Woude dairy project has been in the works for five years now, delayed while the county drafted a tougher animal confinement ordinance, conducted environmental impact studies, government permit hearings and finally another environmental challenge.

This week Merced County supervisors approved the new dairy between El Nido and Merced, deeming the challenge by four environmental groups insufficient and any concerns they raised were adequately addressed. The outcome of these numerous hearings and studies is that proper environmental procedures have been followed and the Vander Woude dairy won't hamper the area. It's time to move on.

Farmers are among the first environmentalists and this latest dairy will use a biogas recovery process involving associated methane products to meet air quality performance standards. It's good assurances were given that no water will flow off the Vander Woude property and attempts have been made to mitigate noise and ensure maintenance of adjoining roads.

County supervisors praised the applicants for their willingness to work with authorities to address areas of concern and we think this cooperative spirit is something to emulate for other prospective ag developments.

This county now has 330 dairies which milk more than 200,000 cows a day. Milk was the top commodity in the county for 2002 and milk products were worth more than \$516 million. Cattle and calves, another part of the dairy equation, added another \$140 million in value to the county's ag statistics.

The new Vander Woude dairy will contribute significantly to this area's ag economy and employment opportunities. We're glad there are more stringent regulations governing dairy operations and that people are willing to work within these rules to achieve mutually acceptable objectives.

Letter to the Fresno Bee, April 1, 2004:

### **'Cleaner air'**

Bob Albertson  
Clovis

(Updated Thursday, April 1, 2004, 5:40 AM)

Every day I hear my friends and co-workers complain about the price of gasoline in California. As someone whose family has been Oklahoma wildcatters since 1920, I have a pretty good education about the oil business.

Let's put the blame where it belongs, and not on the most convenient target, the oil companies.

The United States consumes 19 million barrels of oil a day. Thanks to restrictions on drilling supported by environmental groups, we now import 60% of that. The cost of drilling a well in the United States is up more than 400% in the last 15 years because of all the new regulations.

Add to that the MTBE we have to add in California. California not only will not let us drill new wells, but consumes 6 million barrels a day, one third of the U.S. oil consumption.

I have a better solution. Let's place a 10-cent a gallon tax for the next three years on gasoline. Use these funds to time all the traffic lights in all cities in California and eliminate drive-up windows for all but the handicapped. Every day we spend hours racing our SUVs from stoplight to stoplight or sitting in a drive-up window belching pollution. After three years the tax would stop, we would have cleaner air and no MTBE.