

New smog rules may mean longer wait for clean air Cleaner air may have to wait under new smog rule

The Bakersfield Californian

By MATT WEISER, Californian staff writer

April 16, 2004

A new, tougher federal smog standard could actually cause a longer wait for clean air, health advocates warned, meaning today's toddlers could still be breathing harmful pollution by the time they graduate high school. The U.S. Environmental Protection Agency on Friday released more details on its new eight-hour ozone rule. This is considered a more stringent health-based standard because it tracks exposure over a longer period than the present one-hour standard. The San Joaquin Valley last year violated the new standard once every three days, on average, more often than any other region of the country.

But the way the new standard will be enforced could mean that the valley's smog will not get better in the near term, and residents may also have to wait longer to breathe clean air.

"In the short term, this has dire consequences in the valley," said Vanessa Stewart, a research associate with the environmental group Earthjustice. "Overall for the valley, this is a significant Clean Air Act rollback."

EPA's new rules eliminate the one-hour standard and require air districts to retain any smog controls adopted to meet that old standard. But the new rules contain no requirements to actually prove those controls are working, and no penalties if they aren't.

In the meantime, the region will be working to draft a compliance plan for the new standard, due in 2007.

Critics say this creates a kind of "sanction gap" for several years that would allow the valley to escape penalties if air quality does not improve.

"It means a stricter standard with weaker enforcement, which equals nothing," said Kevin Hall, an air quality expert with the Sierra Club's Fresno chapter. "This air district does nothing unless faced with sanctions. If there are no sanctions, we'll be stuck in the mud yet again."

Matt Haber, the EPA's deputy director for air quality in California, disagreed. He said there simply won't be time for backsliding under the old rule.

"We will be revoking the one-hour standard in June 2005, so the deadlines that occur after that will go away at the same time," Haber said. "The net effect is that there really won't be an opportunity to slow down."

The valley faces a Nov. 15 deadline to complete a smog control plan under the old one-hour standard, and a 2010 deadline to meet that standard. The EPA says the valley still must complete and submit the plan. Much of the work needed to finish it can be used to draft a new plan under the new eight-hour standard.

The new rules also contain a streamlined process for some regions to downgrade their status. The valley's ozone pollution is ranked as "serious" under the new standard, with a compliance deadline of 2013. Under the streamlined process, the valley could opt for a downgrade to "severe," which would delay compliance until 2019 -- long enough for today's toddlers to be leaving home for college.

This is alarming to public health advocates, who say forcing the public to wait even longer for clean air is unacceptable.

"It seems ironic that the worst area in the country would actually be given longer to attain it," said Josette Merced Bello, president of the American Lung Association of the Central Valley. "Realistically, what it means is it doesn't protect our citizens fast enough."

Kern County Supervisor Barbara Patrick, a board member of the San Joaquin Valley Air Pollution Control District, said the district will consider opting for the longer deadline.

"Right now, I think it's too early to speculate. But I do think it's something that's worth considering," she said. "I think it's going to be impossible for us to meet that 2013 deadline, so perhaps that's the best way to go."

The new ozone limit is designed to be more protective of public health. Under the old limit, air was considered healthy if it contained less than 120 parts per billion of ozone. One part per billion is roughly equal to a pinch of salt in 10 tons of potato chips. The new limit, based on evidence that smog is more toxic than thought, lowers the standard to 85 parts per billion.

Smog is made of two kinds of pollution: emissions from burning fuel in cars, power plants and factories, and gases released by the use of paint, gasoline and other consumer products. Smog forms when these pollutants react in the presence of heat and sunlight.

EPA's Haber noted that an extended deadline would bring tougher smog controls that apply until the new deadline is met. He said a delay was offered up for the valley because its smog falls near the cutoff for the next worst category.

"We thought, because they were right within that band, it might signify that it's a little bit of a more difficult problem to solve," Haber said, "so it might make sense that they should immediately be able to get more time."

All parties admit the new standard will be harder to meet, because it is harder to reduce an average figure than a peak reading. This is especially true in the valley, where smog is trapped by surrounding mountains, and hot summers are especially effective at cooking emissions.

Critics say this is no excuse for delays.

"I can understand how that's going to be a challenge for the air district to meet, but it's also going to be a challenge for people to continue breathing," said Merced Bello.

Air Quality: 14 Counties in Valley Fail EPA's Smog Rules

By Michael Doyle and Michael Mello

Published in the Modesto Bee and the Merced Sun-Star

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The dangerously persistent smog problem choking much of central California must be cleaned up by 2013, the Environmental Protection Agency declared Thursday.

In a much-anticipated and heavily lobbied decision on how the federal government measures ozone, the primary ingredient of smog, the EPA officially flunked all or part of 14 counties in the San Joaquin Valley and Sacramento area.

EPA Administrator Michael Leavitt, at a news conference in Washington, D.C., cautioned: "This isn't about dirtier air. This is about a new, more protective standard for clean air."

The policy specifies that air districts must calculate ozone levels based on data collected over eight hours, instead of using the one-hour standard that looks at hourly peaks. Sustained smog, even at lower concentrations, results in bad grades under the EPA's eight-hour ozone standard.

In the San Joaquin Valley, stretching between Stockton and Bakersfield, ozone levels exceeded the new standard on 134 days in 2003, the highest count in the nation.

Ozone is a warm-weather gas that corrodes lungs, eyes and skin. It can trigger asthma attacks, bronchitis and other respiratory illnesses.

After years of health studies, the EPA decided in 1997 to enforce the stricter, eight-hour standard, but several states and industries delayed it with legal challenges that ultimately failed.

The EPA decided not to link several Sierra Nevada foothill counties with air pollution control in the San Joaquin Valley. Instead, Tuolumne and Mariposa counties will stay in their own air region, and Calaveras and Amador counties will stay in their own region.

Like the Valley counties, the foothill counties are on the government's "nonattainment" list -- meaning they have not achieved passable air quality -- but the problem is considered "basic," the lowest level of nonattainment.

Altogether, 474 counties in the nation are classified as being in nonattainment status, up about 100 from the list under the old smog standard.

Businesses and residents alike will feel the consequences of the effort to clean the air, which EPA officials predicted could cost tens of billions of dollars over the next 15 years.

"At the end of the day, we will all have to shoulder costs, perhaps in the form of slightly higher gasoline prices," said Jeff Holmstead, assistant EPA administrator for air and radiation.

"Businesses will have to step up to the plate (too)."

In the short term, the new designation will not have a great effect on business, said Bill Bassitt, chief executive of the Stanislaus Economic Development and Workforce Alliance.

"This has all been anticipated," Bassitt said. "Long term, if we are not able to make progress toward the goals of this designation, the sanctions that can occur are very extreme and devastating," and would hurt business in the Valley.

The designation also could complicate the effort to bring jobs into the Valley, Bassitt said, because new and expanding businesses will be subject to stricter smog-control measures.

Cooperation is the key to solving the air quality problem, Bassitt said, especially because the Northern San Joaquin Valley, with much fewer dirty air violations, will suffer the consequences for violations in the south.

"We will be painted with the same brush," Bassitt said. "It's not on a lot of people's radar screens, but it will be -- it will have to be."

He also revived the argument that much of the Valley's air quality problem stems from bad air drifting in from the Bay Area.

"I've heard people say you could take every car out of the Central Valley, but we're still not going to get there, because of all the air that blows in from the Bay Area."

Similarly, foothill counties can argue that their bad air blows in from the Valley. Nevertheless, those counties still will have to take steps toward cleaner air, like coordinating transportation and air quality plans.

"Air quality has been bad for how many years?" asked Dave Spaur, president and chief executive officer for the Economic Development Corporation serving Fresno County. "We're cleaning it up, but the standards are ratcheting down."

Valley now has worst air in nation - L.A. loses distinction as EPA enforces tougher smog rules.

Fresno Bee - April 15, 2004

By Mark Grossi

The San Joaquin Valley today will become the worst air basin in the country as federal officials enforce a more stringent health standard for smog.

The Valley will replace Los Angeles, the nation's smog king for several decades under the old standard. Local air officials expect the U.S. Environmental Protection Agency to set a deadline of 2013 today for a Valley cleanup.

"We're concerned," said Don Hunsaker, cleanup plan development supervisor for the San Joaquin Valley Air Pollution Control District. "It will be difficult to meet that deadline."

The area's 25,000-square-mile bowl shape and warm weather tenaciously hold pollutants from vehicles, industries and businesses, making smog reduction much tougher than in most places in the country.

The Valley, stretching from Stockton to Bakersfield, already is on the hook for a cleanup plan by Nov. 15 under the old standard. The EPA is expected today to say the Valley must keep its pollution-reduction promises for the old standard, even though the standard could be revoked in 2005. The new standard, monitored over eight-hour periods throughout the day, will cast a wider net than the old one, which focuses on peaks each hour of the day. The eight-hour standard is more protective, meaning lower smog concentrations trigger violations.

Studies in the 1990s suggest exposure to smog in low background levels over longer stretches of time could be more dangerous than one-hour peaks. Ozone, the chief ingredient in smog, is a warm-weather gas that corrodes the lungs and damages plants.

The EPA announcement also will designate three well-known Central California national parks as smog violators. Yosemite and Sequoia-Kings Canyon national parks will be on the list, largely because of the pollution drifting into the Sierra from the Valley.

In the past five years, Sequoia has exceeded the new standard far more often than Azusa, once considered a smog trap years ago in Los Angeles County.

"It's unbelievable and unacceptable," said Courtney Cuff, regional director of the National Parks Conservation Association. "Now is the time to do something. This is an important wake-up call."

That wake-up call apparently will be heard today in many places throughout the country. Almost 500 counties with 174 million residents will be out of compliance with the new standard, according to the EPA. Currently, 370 counties are in violation of the old standard.

In addition to the Valley, Los Angeles, Houston and the other well-established smog offenders, the list will include places such as Mariposa County.

The mountain county has a population of 17,000 people who basically live downwind of the Valley and the San Francisco Bay Area.

State air authorities are hoping the EPA does not lump Mariposa, Tuolumne, Amador and Calaveras counties in with the Valley as a nonattainment area.

If the counties become part of the Valley, as the EPA was proposing last year, they would be subject to more stringent rules and higher expenses.

"They are clearly victims of downwind transport -- they don't have any industry," said spokesman Jerry Martin of the California Air Resources Board. "We are optimistic that they will be classified separately, but we don't know yet."

Air agencies have monitored the eight-hour readings for decades, but federal authorities didn't decide until 1997 to enforce them. Unsuccessful legal challenges from trucking and business groups as well as several states delayed the eight-hour standard until now.

Environmentalists fear even more delays. The EPA may allow some areas longer cleanup timelines, according to the Earthjustice Legal Defense Fund.

"Drafts we've seen also may disregard the cleanup timelines used under the older, one-hour standard, so that the dirtiest places, like L.A. and the Central Valley, will actually be taking a step back," Earthjustice said Wednesday in a statement.

In the Valley, the cleanup deadline for the old standard is 2010.

"We must have the deadline for the one-hour," said Sierra Club member Kevin Hall of Fresno. "We were supposed to have attainment by 1999. Think of the 2010 deadline as an interim between now and the deadline for the eight-hour standard."

Cleanup time may be a washout - Officials worry new air rules will be difficult to satisfy.

Fresno Bee - April 16, 2004

By Mark Grossi and Michael Doyle

The San Joaquin Valley has nine years to clean up dangerously persistent smog -- too much time to please health activists and too little time to make local air officials optimistic.

But that's not the only sore spot raised by the U.S. Environmental Protection Agency's decision Thursday to officially flunk the Valley under a new smog standard.

The decision spotlights an uncomfortable Valley distinction: No place in the nation broke the new standard more times over the past five years.

Does it matter that the Valley carries that stigma?

"This is an onerous attribute for your area," said John H. Boyd, whose Princeton, N.J., company helps businesses find acceptable places to locate. "It has an impact."

That's not really true, said other business officials and leaders. They said the air is already a problem, so the federal announcement changes nothing.

"Air quality has been bad for how many years?" asked Dave Spaur, president and chief executive officer for the Economic Development Corporation serving Fresno County. "We're cleaning it up, but the standards are ratcheting down."

The EPA tightened the standard Thursday for communities across the country, announcing 472 counties out of compliance with the new standard, which tests ozone levels over eight hours instead of the previous one-hour period. About 370 counties were listed under the old standard.

Eight national parks, including Yosemite, Sequoia, Kings Canyon and Joshua Tree, were included as ozone violators. The California parks' smog generally drifts in from more polluted areas, such as the Valley and Los Angeles. The EPA also agreed not to fold several Sierra Nevada foothills counties into the more seriously polluted Valley region. Amador and Calaveras counties have been left in their own air pollution region, as have Mariposa and Tuolumne counties.

These foothills counties still will have to take certain steps, such as coordinating transportation and air quality plans, but they won't face the more stringent steps required in the Valley.

At a Washington news conference, EPA Administrator Michael Leavitt said the announcement could be misleading because the nation's overall air pollution is declining.

"This isn't about dirtier air," Leavitt said. "This is about a new, more protective standard for clean air."

Ozone, the primary ingredient in smog, is a warm-weather gas that corrodes lungs, eyes and skin. It can trigger asthma attacks, bronchitis and other respiratory illness.

After years of health studies, the EPA decided in 1997 to enforce the stricter, eight-hour standard, but several states and industries delayed it with legal challenges that ultimately failed. The agency was under court order to make the new designations Thursday.

Seven counties and part of an eighth were classified as "serious" violators of the standard in the Valley and given a 2013 deadline to clean up. The counties are Fresno, San Joaquin, Stanislaus, Merced, Madera, Kings, Tulare and the Valley portion of Kern.

Last year, the Valley had 134 violations of the new standard, which has been measured but not enforced for decades. Los Angeles had 109 as the second-worst place.

The new, more protective standard is welcome, said respiratory therapist Kevin Hamilton in Fresno. But he is not thrilled about the nine-year cleanup time frame, which is three years longer than the deadline for the old standard.

Fresno County has the third-highest asthma mortality rate in the country and nearly twice the state level of childhood asthma. Hamilton believes the 2013 deadline makes life easier for businesses that pay for pollution controls, but people with weakened lungs will suffer longer.

"You're postponing health for the economy," Hamilton said. "Excuse me, but that's what I see. This is a shell game."

Officials at the San Joaquin Valley Air Pollution Control District said it would be difficult to make the 2013 deadline. The Valley's bowl shape and its weather patterns hold pollution longer than most places, making the job much more difficult.

"The new standard is tougher because it is always harder to move an average down than a single peak reading," said Don Hunsaker, plan development supervisor for the San Joaquin Valley Air Pollution Control District.

How do Valley leaders react to being the nation's most frequent violator of the new standard?

In the northern counties, they're sensitive about dirty-air designations. Stockton, Modesto and surrounding cities generally have the Valley's cleanest air, and their leaders believe their ability to attract new business suffers unfairly.

Bill Bassitt, chief executive of the Stanislaus Economic Development and Workforce Alliance, said: "We will be painted with the same brush" as the South Valley counties that have dirtier air.

A few years from now, the designations may complicate bringing jobs into the Valley because business costs will be driven up, Bassitt said.

Fresno Mayor Alan Autry said the hit on the Valley's image isn't as important as cleaning the air: "We've got a job to do."

Autry said the region needs state and federal assistance. He would like an empowerment zone to bring tax dollars for clean-air initiatives.

Visalia Mayor Bob Link said the dirty air is not inhibiting building in his city.

"People know the air's been bad in the Valley for the last 10 or 15 years, but in Visalia we still issued more building permits last year than ever before," said Link, a lifelong Visalia resident. "People who have lived here for years know that you get allergies or asthma attacks, but we learn to live with that."

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Valley fails smog standard

Friday, April 16, Modesto Bee

By MICHAEL DOYLE - BEE WASHINGTON BUREAU

The dangerously persistent smog problem choking much of central California must be cleaned up by 2013, the Environmental Protection Agency declared Thursday.

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EPA Administrator Michael Leavitt, at a news conference in Washington, D.C., cautioned: "This isn't about dirtier air. This is about a new, more protective standard for clean air."

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In the San Joaquin Valley, stretching between Stockton and Bakersfield, ozone levels exceeded the new standard on 134 days in 2003, the highest count in the nation.

The Los Angeles air basin, under the new standard, retained the dubious distinction of having the nation's worst air, rated "severe." The San Joaquin Valley and Sacramento area are at the "serious" level.

Ozone is a warm-weather gas that corrodes lungs, eyes and skin. It can trigger asthma attacks, bronchitis and other respiratory illnesses.

After years of health studies, the EPA decided in 1997 to enforce the stricter, eight-hour standard, but several states and industries delayed it with legal challenges that ultimately failed.

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Like the valley counties, the foothills counties are on the government's "nonattainment" list -- meaning they have not attained passable air quality -- but the problem is considered "basic," the lowest level of nonattainment.

Altogether, 474 counties in the nation are now classified as nonattainment, up about 100 from the old list under the old smog standard. Eight national parks, including Yosemite, Sequoia, Kings Canyon and Joshua Tree, all in California, were included as ozone violators.

Leavitt, a former Utah governor who took over the EPA's top job late last year, stressed the marked increase in nonattainment counties can be misleading, as the nation's overall air pollution is declining.

Cleanup to cost billions

Businesses and residents alike will feel the consequences of the effort to clean the air, which EPA officials predicted could cost tens of billions of dollars over the next 15 years.

"At the end of the day, we will all have to shoulder costs, perhaps in the form of slightly higher gasoline prices," said Jeff Holmstead, assistant EPA administrator for air and radiation.

"Businesses will have to step up to the plate (too)."

In the short term, the new designation will not have a great effect on business, said Bill Bassitt, chief executive of the Stanislaus Economic Development and Workforce Alliance.

"This has all been anticipated," Bassitt said. "Long term, if we are not able to make progress toward the goals of this designation, the sanctions that can occur are very extreme and devastating," and would hurt business in the valley.

The designation may complicate bringing jobs into the valley, Bassitt said, because new and expanding businesses will be subject to stricter smog-control measures.

Cooperation is the key to solving the air quality problem, Bassitt said, especially because the Northern San Joaquin Valley, with many fewer dirty air violations, will suffer the consequences for violations in the south.

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He also made the old argument that much of the valley's air quality problem stems from bad air drifting in from the Bay Area.

"I've heard people say you could take every car out of the Central Valley, but we're still not going to get there, because of all the air that blows in from the Bay Area."

Similarly, foothills counties can argue that their bad air blows in from the valley. Nevertheless, those counties will have to take certain steps toward cleaner air, like coordinating transportation and air quality plans.

Smog rules stiffen

Valley has more time to meet new standard

Friday, April 16, Stockton Record

By Audrey Cooper, Record Staff Writer

Tougher smog standards announced Thursday by federal regulators will be difficult to meet in the San Joaquin Valley, even though the region has been given extra time to clear the air, local officials said.

The new standards are so stringent that pollution cops with the San Joaquin Valley Air Pollution Control District already are pondering whether they should ask the U.S. Environmental Protection Agency for a deadline extension.

The new pollution standards lower the acceptable smog level by 25 percent and measure the smog levels over eight-hour blocks of time. EPA officials said the new standard would mean overall lower levels of air pollution over longer periods.

"That goes a long way to helping the asthmatics and others in the Valley with getting cleaner air to breathe," said Wayne Nastri, head of the EPA region that includes California.

The San Joaquin Valley has never met the current standards, let alone the new ones. Air district officials estimate the region violated the new standards 134 times last year alone. The EPA allows an average of only one violation a year.

Under the old rules, the Valley had until 2010 to meet the health-based standards. With the new, tougher rules, the EPA is giving a little longer to comply -- until 2013. A deadline extension, if requested, could give the Valley until 2019 or beyond to cut smog.

Smog is a major summertime problem in the Valley, where mountain ranges to the east and west easily trap pollution. It is formed when emissions from cars, factories, aerosols, animal-waste ponds and other sources mix in the air. Sunlight cooks the emissions into smog, also called ground-level ozone.

The pollution has been linked to asthma attacks, lung disease, increased hospitalizations and cancer. At least a few days each summer, smog levels are so high that some San Joaquin Valley residents are encouraged to stay inside.

Reaching the goal of clean air by 2013 will be difficult, the air district's Don Hunsaker said.

He said it was confusing that the Los Angeles region actually had fewer days of violating the new standard but was given more time to clean its air. The Los Angeles region is considered a "severe" violator of the new standard, while the Valley was designated as just a "serious" smog zone.

That decision was made because of complicated statistics the EPA uses to judge how bad a smog problem really is.

"It would be a long and protracted effort to get a (deadline extension), and so far it's only talk here. This will be a very tough new standard, and we'll have to look at new emissions cuts that we haven't considered before," Hunsaker said.

It's unclear yet what those new cuts will be. The air district has three years to come up with a plan to meet the new standard.

In the meantime, air district planners still have to continue work on a plan to meet the old smog standards, even though the Valley would not face sanctions if the old standard were violated by the old, 2010 deadline, said Matt Haber, an EPA deputy director.

The confusing details that surround the implementation of the new standards had environmentalists shaking their heads Thursday.

While the tougher standards are generally a good thing, it's unclear what real effect they'll have, said Anne Harper, an attorney for the law firm Earthjustice.

The EPA failed to release as promised the implementation rules that will spell out whether the new standard is a partial rollback of the Clean Air Act or a triumph for clean-air advocates, she said.

"The devil is in the details, you know. When does the EPA actually plan on making the difficult decisions that will lead to cutting pollution? We don't know, because they have refused to tell us so far," Harper said.

The new smog standards have been in the works since 1997 but were stalled by legal challenges from several states and industry groups. The Supreme Court upheld the proposed standards in 2001.

Air quality regulations frustrate groups

The Associated Press

Published in the Merced Sun-Star

Last Updated: April 19, 2004

FRESNO -- New air quality standards and the deadlines they carry for cleaning up the San Joaquin Valley's persistent smog are frustrating to environmental organizations, local air officials and area businesses, but for very different reasons.

Health activists think nine years is too long to wait to clean up the valley's lung-damaging pollution, while officials at the San Joaquin Air Pollution Control District are afraid that might not be enough time.

The new, more stringent air quality standards also highlight the valley's ongoing problems with both particulate pollution and ozone, the primary ingredient in smog, which corrodes lungs, eyes and skin.

Some business leaders are afraid that reputation might damage the local business climate. Others said the new air standard doesn't mean the air is any dirtier. The standards are just tighter.

"Air quality has been bad for how many years?" asked Dave Spaur, president and chief executive officer for the Economic Development Corporation serving Fresno County. "We're cleaning it up, but the standards are ratcheting down."

Down-to-Earth people rule for day

Sunday, April 18, Modesto Bee

By TODD MILBOURN - BEE STAFF WRITER

To demonstrate the challenge of raising environmental awareness, Beverly McCollough peered into the trash can.

Inside were two Pepsi cans, a root beer bottle and a cardboard box -- all recyclable. Just then, a young girl chucked a Mountain Dew can into the mix.

"Want to see the problem? Well, that's it," said McCollough, Modesto's recycling coordinator, before steering the girl to the proper bin. "We can talk until we're blue in the face, but people need to start taking responsibility."

That was the message Saturday at the 15th annual Earth Day celebration at Graceada Park in Modesto. Thousands came out on a mostly sunny and, thanks to a slight breeze, relatively smog-free day.

Earth Day has been celebrated nationwide since 1970. While its aim is to heighten concern for the environment, organizers in Modesto take a broader view.

Saturday's event featured booths on mental health, karate, animal cruelty and the importance of a properly aligned spinal cord. Many families came for the music, others for the hot dogs.

"It's celebrating the spirit of love for all nature and life, and the chance to share that with our kids," said Mimsie Farrar, 51, Modesto, who brought her 8-year-old daughter, Jaime.

At the San Joaquin Valley Air Pollution Control District booth, Anthony Presto discussed ways people can reduce their contributions to valley smog. He suggested driving less, linking trips, carpooling and buying more efficient automobiles.

"It's sad, but too many people still put convenience and luxury over their own health, the health of the community and the health of their children," said Presto, the district's public education representative.

Presto said part of the problem is that leaders in government and business aren't paying enough attention to issues such as air quality.

"If our leadership isn't saying that they care, individuals won't think there's a problem," he said.

Using a new standard for smog, the Environmental Protection Agency last week officially flunked all or part of 14 counties in the San Joaquin Valley and Sacramento area. The regions are rated "severe," behind Los Angeles' listing as "serious." The valley, however, exceeded ozone standards on 134 days last year -- the most in the country.

The area is struggling to improve its air, and McCollough said there are reasons for optimism.

She cited the growing popularity of Modesto's television set recycling program. The program was started in 2002 to keep lead-containing cathode ray tubes out of landfills. Last year, more than 1,800 sets were recycled, she said, up from 800 in 2002.

EPA law tougher, looser

Critics say the new ozone standard loses steam by pushing back the deadline to comply.

The Orange County Register

Friday, April 16, 2004

By PAT BRENNAN

The nation's new smog standard looks tough at first glance: a much lower threshold of ozone pollution now will register as a violation of health standards.

And nearly all experts agree the new standard will better protect public health.

But the action taken by the U.S. Environmental Protection Agency on Thursday is viewed by many as a step in the wrong direction. Besides air-quality activists, even the agency that regulates smog in the region expressed deep reservations.

They are worried about a rollback of the deadline for meeting ozone standards. Instead of 2010 - the deadline under the old, less-stringent standard - the Los Angeles basin, which includes Orange County, now has until 2021 to meet the new, tougher standard. Areas that fail to meet their deadlines can lose federal highway funds.

The old deadline will be set aside in about a year, EPA officials said.

"We have some very serious concerns," said Sam Atwood, spokesman for the South Coast Air Quality Management District in Diamond Bar. "Take away the 2010 deadline, and that's like taking your foot off the gas and coasting toward clean air."

And the district says it's a bad time to be coasting; after years of steady improvement, air quality in the Los Angeles basin has begun to slip in recent years.

Weather accounts for some of the slippage. Much of it, however, might well be increased population, increased use of gas-chugging vehicles such as SUVs and, according to the South Coast district, a failure by the EPA and state regulators to take on their fair share of responsibility.

The way the South Coast district tells it, the EPA is not doing enough to regulate interstate trucking, planes, ships and trains. Those all fall within federal jurisdiction. The South Coast district mainly is confined to regulating "stationary" sources, such as industries and power plants.

The state Air Resources Board, which regulates "mobile" sources such as cars and trucks, the main sources of smog, has made strides recently in its commitment to increase regulation, Atwood said.

But he fears the rollback of the ozone deadline will take pressure off the EPA, the state and industry.

For their part, EPA officials point to new diesel-truck regulations that will take effect in coming years and say they will pursue a number of options for reaching the new standards.

"We are going to do everything we can to try to be innovative," said Wayne Nastri, administrator for the EPA's Pacific-Southwest region. "There's not anything off the table." The new ozone standard is aimed at longer exposure to lower levels of pollution, so it will do a better job of protecting the public, the EPA says.

Despite those assurances, Gail Ruderman Feuer, an senior attorney with the Natural Resources Defense Council who tracks air quality in Southern California, sees the EPA's action as part of an ominous trend: the erosion of environmental protections by the Bush administration.

"Clearly, this proposal is part of an overall effort by this administration to weaken our clean-air laws," Feuer said. "While one hand of the administration is implementing new, tougher standards, at the same time they're weakening key provisions of the Clean Air Act."

Industry and business leaders see the rollback of the ozone deadline not only as welcome but also necessary. Julie Puentes, executive vice president of the Orange County Business Council representing about 300 businesses, called the rollback "helpful." Bob Wyman of the Regulatory Flexibility Group, which represents about 10 large companies in the Los Angeles basin including Boeing and Southern California Edison, said meeting increasingly demanding air-quality rules means developing technologies that don't exist today.

"This will give badly needed time for other technologies to develop," Wyman said. It also will "give us time for the natural turnover of vehicle and truck populations."

A look at what the EPA's new smog standard means for us

Friday, April 16, 2004

The Orange County Register

By PAT BRENNAN

A new standard for ozone pollution imposed on the nation by the U.S. Environmental Protection Agency on Thursday should improve public health in the long run. A number of smog-watchers in Southern California, however, are unhappy that the EPA simultaneously rolled back by 11 years the regional deadline for achieving pollution reductions.

Q: What is the new standard?

A: Since 1979, the EPA's health standard for exposure to ground-level ozone, a lung irritant, has been based on measuring peak smog during a one-hour interval each day. Health standards were violated if ozone reached a concentration in the air of 0.12 parts per million. The new standard, imposed Thursday, averages smog readings over eight hours, because health experts now believe exposure to lower smog levels over a long period of time presents a significant health threat. In the new standard, the health threshold for ozone also has been lowered - to 0.08 parts per million.

Q: How will this new standard protect public health?

A: Ozone is considered a leading cause of respiratory illness. The EPA expects the number of asthma attacks and hospital admissions for lung ailments to drop as a result of the new standards.

Q: When does it take effect?

A: The South Coast Air Quality Management District has three years to come up with a plan. It will then have until 2021 to bring smog levels low enough to meet the standard.

Q: Does this interfere with current air-quality plans?

A: Probably not. An "Air Quality Management Plan" developed for the Los Angeles basin, which includes Orange County, is now pending before the EPA. Even though some provisions of that plan are based on the old ozone standard, EPA officials said Thursday that is unlikely to derail the plan's approval. Other measures, however, may be adjusted before the plan is approved. The new EPA action also includes an "anti-backsliding" provision, meant to ensure that existing air-quality regulations will not be canceled.

Q: How does this affect the rest of the country?

A: While the Los Angeles basin, which includes Orange County, received a "severe" rating from EPA - the worst in the nation - parts of 31 other states also were found to be failing the new standard. That means 474 counties nationwide either don't meet the standard or their pollution causes a county downwind to fail.

Hazy outlook for smog

The EPA tightens ozone standard but also extends clean-air deadline.

The Orange County Register

Friday, April 16, 2004

By PAT BRENNAN

A new federal clean-air standard released Thursday reaffirmed that smog in the Los Angeles basin is still the nation's worst. But critics fear the new standard for a troublesome pollutant - ozone - will take far too long to improve public health.

The U.S. Environmental Protection Agency tightened ozone standards but relaxed the deadline for meeting them. For the Los Angeles basin, which includes Orange County, the new deadline is 2021 - 11 years later than the previous deadline for the lesser standard.

That amounts to an unacceptable delay in cleaning up the air, according to the agency in charge of smog control in the region. The South Coast Air Quality Management District has been critical of the EPA in recent years, contending that the agency has failed to impose enough new regulations to cut air pollution from sources under its jurisdiction - ships, planes, trains and interstate trucking.

Air-quality activists also are unhappy with the EPA's decision. They say it could worsen an alarming trend: After years of steady improvement, the air in the Los Angeles basin appears to be getting worse.

Over Half of Americans Living in Smog

Thirty-nine California counties are among 474 nationwide that violate the new federal standard.

Los Angeles Times - April 15, 2004

By Elizabeth Shogren, Times Staff Writer

WASHINGTON — More than 159 million Americans - over half the U.S. population - live in areas with unhealthy levels of smog, and their communities will be required to cut pollution to meet a more stringent standard set by the Environmental Protection Agency, officials announced today.

Thirty-nine California counties are among the 474 counties nationwide that violate the new health-based standard for ground-level ozone, better known as smog.

"Exposure to ozone is a serious public health issue," EPA administrator Mike Leavitt said, announcing the communities that violate the standard.

Areas were classified based on how far they have to go to achieve the standard. The greater the need for improvement, the stiffer the requirements for cutting pollution. Those communities will have more time, however, to clean the air.

Los Angeles and the other counties in the South Coast Air Basin, which were judged to have the worst smog in the nation, were given until 2021 to meet the standard. Three other California areas - San Joaquin Valley, Riverside County and Sacramento - made up the second dirtiest group and were given until 2013 to clean up.

The new standards mean that about 100 counties across the country will, for the first time, be required to take at least some of the steps to ease pollution that have been implemented for decades in Southern California. That could mean that residents will be required to get emissions tests for their cars; proposed roads and highways will be scrutinized for their impact on air pollution, and manufacturing facilities will have to install modern pollution controls when they build new plants or expand or modify old ones.

"Today's decision brings millions more Americans under the nation's smog-protection program, including millions of American who have never before had the benefits of these public health protections," said Vicki Patton, a lawyer for Environmental Defense, a national environmental group.

Many communities, members of Congress and governors fought to keep counties off the list, and some public health and environmental groups said that EPA had made political decisions not to name a number of counties.

New rules label Bay Area smoggy

CONTRA COSTA TIMES - April 15, 2004

By Mike Taugher

Less than a year after the Bay Area's air was clean enough to be considered smog-free, the region once again will be designated as smoggy under stricter regulations scheduled to go into effect today.

The U.S. Environmental Protection Agency, responding to a court settlement and its own 7-year-old plan to make the nation's air healthier, will redesignate hundreds of counties around the country as out of compliance with the tougher smog standards.

In California, the Bay Area and San Diego met the less stringent air quality standards but now will be out of compliance.

"We see a great amount of progress that can be made with the (new) standard," said EPA regional administrator Wayne Nasti. "We believe these standards will be more protective of public health."

The Bay Area's failure is by the barest of margins: A single station at the Santa Clara County hamlet of San Martin missed the standard by just one part per billion. If ozone molecules were the size of ping pong balls, it would be as if the San Martin monitor detected one too many ping pong balls in a basketball gym that measured 100 feet by 100 feet by 50 feet tall.

Had that measurement been slightly lower, the region might have been OK. But EPA officials still might have declared the area out of compliance because of the air pollution produced here that blows into the Central Valley.

Livermore and Concord both meet the new standard, but just barely.

Bay Area regulators now will be required to devise a plan by 2007 to return to compliance. If the EPA considers the plan inadequate, it could freeze federal highway funding here.

Bay Area air quality officials say they agree with the EPA decision.

"We think it's more health protective. It's a better measurement, a more real-world measurement of how (smog) affects people," said Teresa Lee, spokeswoman for the Bay Area Air Quality Management District.

The plan that the air district eventually comes up with likely will include new anti-pollution controls on refineries and other industrial sources, and it is likely to take advantage of air quality improvements that already are in effect. New cars, for example, are less polluting and, over time, California vehicles gradually are becoming cleaner.

Although the EPA still officially considers the Bay Area out of compliance even under the old standard, data collected at air quality monitors across the region over the past several years showed that by the end of last summer Bay Area air was clean enough to be reclassified as smog-free.

The new smog standard measures exposure to smog over eight-hour periods and replaces a one-hour standard set in 1979. The EPA reasoned that measuring lower smog levels over longer periods more accurately reflects ozone exposure.

Ozone can reduce lung function, irritate the respiratory system and aggravate asthma.

The EPA announced the eight-hour standard in 1997, but was sued by the American Trucking Association and other industry groups in a case that reached the U.S. Supreme Court. The court upheld the EPA's authority in 2000.

Region's air status going up in smog New, tougher federal ozone standards likely to knock

Oakland Tribune - Wednesday, April 14, 2004

By Douglas Fischer, STAFF WRITER

A tough new air-quality standard coming Thursday from the federal government is expected to once again bump the Bay Area out of compliance -- two weeks after U.S. Environmental Protection Agency declared the region had finally met the old one.

The new standard clamps down on the amount of ozone-forming smog -- a major contributor to asthma and illnesses such as bronchitis and emphysema -- permitted in the nation's counties and air districts. While the old rule focused on peak emissions at hourly intervals, the new standard limits emissions over a rolling eight-hour average.

It also places more emphasis on the fuzzy notion of "transport" -- how one region's pollution contaminates another's air.

The new rules date from the Clinton administration but have remained tied up in courts amid industry concerns that the stricter limits would be too expensive and virtually impossible to meet, particularly in struggling areas like the Los Angeles basin and parts of the East Coast.

In the Bay Area, one monitoring station in the Santa Clara Valley does not meet that standard. But there's also evidence the Bay Area's smog contributes to the Central Valley's smog woes, considered among the worst in the nation. In a December letter to Gov. Arnold Schwarzenegger, the EPA alluded to both as reason why the region would not meet the new standard.

"In order to reach a solution, everybody has to be at the table," said Wayne Nastri, the top EPA official for nine western states and territories, including California. "If you have a downwind county (suffering from pollution) ... you have to have them at the table with the upwind county that was the source of the pollution."

The Bay Area isn't alone in losing its clean-air status. San Diego had been out of compliance until this year, and come Thursday it should be so again, said Matt Haber, the EPA's regional deputy air director. Likewise, six Central Valley and foothills counties that today are classified as clean will likely find their fates tied to the considerably smoggier Sacramento and San Joaquin valleys, he said.

At stake, ultimately, are highway funds the agency can hold hostage for failing to comply. But Nastri and Haber said such worries are far into the future. All local counties and air districts will have until at least 2007 to draw up a plan to meet the new standard.

Region gets clean-air delay 8-year reprieve will mean tougher, costlier smog standard.

Sacramento Bee - April 16, 2004

By Chris Bowman -- Bee Staff Writer

The chronically smoggy Sacramento area got an eight-year reprieve to clean up its skies, though at healthier levels that cost more to achieve, thanks to a dramatic federal shift in smog control announced Thursday.

Local smog officials recently learned that the six-county metropolitan area is projected to fall way short of meeting a November 2005 deadline for coming into compliance with the older ozone standard.

"We would have to accomplish in the next 14 months what we accomplished in the past 14 years in terms of emission reductions," said Norm Covell, executive officer of the Sacramento Metropolitan Air Quality Management District.

Missing the deadline could have resulted in more onerous smog controls on businesses and possible loss of federal highway construction dollars for Sacramento County and portions of El Dorado, Placer, Sutter, Yolo and Solano counties.

The move by the Bush administration also means businesses in the Gold Rush towns of Grass Valley and Nevada City and the Mother Lode counties of Amador, Calaveras and Tuolumne will be spared the costlier emission controls required in metropolitan Sacramento and Fresno.

The redefined federal air-quality designations recognize that most of the mountain smog originates from the sea of traffic and industry downhill and drifts east to the Sierra on the wings of the Delta winds. To improve the foothill air, the major fixes will have to come in downhill communities.

Local officials who complained loudly about the environmental inequity took credit for persuading the U.S. Environmental Protection Agency to back off.

"This was a farsighted effort on our part to maintain a business-friendly climate," said Joe Fish, deputy director of the Northern Sierra Air Quality Management District.

But that doesn't mean foothill residents won't be breathing unhealthy air.

The mountain communities and Central Valley cities are within areas the EPA identified nationwide Thursday as having air that is too dirty under a new, tougher national air quality standard for ground-level ozone, the most harmful component of smog.

The list of 474 counties is the long-delayed result of federal standards tightened in 1997 to better protect residents subjected to lingering smog.

It extends beyond such haze-shrouded metropolises as Los Angeles, Houston and Washington, D.C., to encompass hundreds of smaller cities unaccustomed to fighting smog, such as Chico and Little Rock, Ark. Sparsely inhabited counties such as Mariposa, population 19,000, also are classified as being in violation of the new standard, as are several national parks, including Yosemite and Sequoia-Kings Canyon.

The tighter smog limit targets these areas not necessarily because the air is getting worse but because dozens of studies have shown that the old ozone standard is not protective enough, said EPA Administrator Michael Leavitt.

"Clean air is a national success story," Leavitt told a convention of state governors Wednesday. "In the last 30 years we cut the pollution in half and now we're going to raise the bar for everybody, no exceptions."

The ozone standard has remained unchanged since Jimmy Carter was president.

The EPA under President Clinton adopted the new standard in 1997, but lawsuits by trucking, manufacturing and business groups delayed its implementation.

The old rule measured peak ozone exposures over one-hour periods.

But scientific findings in the past 20 years repeatedly showed that prolonged exposure to moderately high ozone can do more lasting damage to the respiratory and immune systems than repeated exposure to the brief spikes.

The revised regulations, which take effect June 15, require state and local air officials to sample over eight-hour periods instead of only one hour, making compliance more difficult.

Further, the ozone limit has been ratcheted down to 85 parts per billion, from 120 parts per billion.

The sampling change, which Sacramento-area smog districts adopted a few years ago, better captures the severity of the smog problem in the foothills.

Folsom, for example, often has the highest ozone reading of the day, usually in the late afternoon, but levels quickly drop off after sunset.

Not so uphill in Grass Valley. On hot summer days, those foothill residents typically breathe the lung-searing ozone at harmful levels all night long, local air monitoring data show.

Environmental groups, which brought lawsuits that forced the government to implement the tougher smog standard, welcomed the long-awaited EPA designations.

"The message today is clear that hundreds of regions have unhealthy air quality, and the smog problem is worse than we thought," said Gail Ruderman Feuer, an attorney with the Natural Resources Defense Council in Los Angeles.

But activists fear smog-fighting will lose momentum with the lifting of the deadline for the less stringent smog standard, in June 2005.

Deadlines for compliance with the tougher standard vary by severity of smog, from 2013 for the Sacramento region and the San Joaquin Valley to 2021 for Los Angeles, Orange, Riverside and San Bernardino counties.

"That could slow the progress for meeting the standards," said Frank O'Donnell, director of the Clean Air Trust in Washington, D.C.

The Sacramento air district's Covell said the reprieve to 2013 would not lessen officials' resolve to clean up the air, though the places for reducing smog-forming volatile organic compounds and nitrogen oxides are ever harder to find.

Officials with the state Air Resources Board, which regulates smog controls on passenger vehicles and fuels, said they do not expect the extended deadlines to result in backsliding.

"Governor Schwarzenegger has made it clear that he wants a 50 percent reduction (in ozone) by 2010," said Jerry Martin, board spokesman.

"Californians are not going to stand for us to take our foot off the accelerator," he said.

Nearly 1 in 5 U.S. Counties Have Unhealthy Air - EPA

Published in NEW YORK TIMES - April 16, 2004

By REUTERS

WASHINGTON (Reuters) - Americans living in nearly one in five counties nationwide are breathing unhealthy air, according to new ozone rules the Bush administration unveiled on Thursday.

The new standards are generally supported by environmental groups, which have bitterly criticized President Bush's White House for relaxing other pollution rules to benefit various industries.

The Environmental Protection Agency said that 474 of the nation's 2,700 counties in 31 states have unacceptable levels of ground-level ozone, a major ingredient in smog, up from 221 under the previous guidelines. About 159 million Americans live in counties that violate the new standards, the agency said.

Ozone is formed when fumes from automobiles, factories and other fossil fuels react with sunlight. It is linked to human respiratory problems including emphysema and bronchitis.

EPA Administrator Mike Leavitt said the agency notified governors of the 31 states about the violations, which require them to submit smog reduction plans in three years.

"This isn't about the air getting dirtier," Leavitt said. "These new rules are about our new understanding of health threats -- about our standards getting tougher and our national resolve to meet them."

The agency set compliance deadlines based on the severity of the smog. Areas with marginal to moderate pollution have until 2007 to 2009, while highly polluted counties in California get more time. EPA gave smog-ridden Los Angeles and surrounding counties until June 2021 to comply.

The new ozone test stems from 1997 EPA rules delayed by numerous court challenges. The U.S. Supreme Court upheld the rules in early 2001.

The new rules allow less ozone -- 85 parts per billion down from 120 parts per billion -- and require more frequent tests.

HIGHER COSTS

Violating counties would have to spend more on pollution controls such as requiring cleaner-burning gasoline and power plants and more frequent automobile inspections.

The changes mean that about 100 metropolitan areas are in violation of the standards for the first time. They include San Francisco, Denver and many previously compliant suburban and rural areas, the EPA said.

Large swaths of Southern California around Los Angeles and the Northeast corridor between Washington and New York have long been out of compliance.

Some 19 states pass the test, including large swaths of the West around the Rocky Mountains along with Florida, Iowa, Minnesota, Mississippi and Vermont.

Business leaders said the rules could cost states billions of dollars and scare away new industry.

“A non-attainment designation could put a black mark on all of these communities, reducing their business opportunities, investment and competitiveness,” said Jeffrey Marks at the National Association of Manufacturers.

Environmental groups applauded the rules, but criticized the flexibility given to some counties.

“It’s a positive step that the EPA is going to require stronger anti-smog measures in areas that need them,” said Howard Fox, an attorney at Earthjustice. “But they didn’t take the next step, which is to set clear firm deadlines for cleaning up those new areas.”

EPA Gets Tough on Areas With Poor Air Quality

The agency identifies 474 counties, including 39 in state, that don’t meet its new standard for ground-level ozone.

Los Angeles Times - April 16, 2004

By Elizabeth Shogren, Times Staff Writer

WASHINGTON — More than half the U.S. population, including 90% of Californians, live in areas with unhealthy levels of smog, and their communities will be required to cut pollution to meet a new, more stringent standard, Environmental Protection Agency officials announced Thursday.

“Exposure to ozone is a serious public health issue,” EPA Administrator Mike Leavitt said, identifying the communities that violate the new standard. “These ozone standards are strong medicine.”

Thirty-nine California counties are among 474 counties nationwide that violate the new health-based standard for ground-level ozone, the primary component of smog.

The 159 million Americans — including 30 million Californians — who live in these areas could experience aggravated asthma, reduced lung function and intensified chronic lung diseases, all of which are associated with elevated ozone levels.

By identifying the counties that violate the standard, the EPA is forcing state and local governments to make tangible efforts to clean up pollution and is spurring the federal government to approve regulations that help them accomplish the task.

The EPA designated “nonattainment” areas based on how far they have to go to achieve the new standard; the further they have to go, the stiffer their requirements for cutting pollution, but the more time they have to clean the air.

As expected, most of the counties were in California, the Northeastern United States and the Great Lakes region, with smaller pockets of pollution in the Southeast, Texas, Louisiana, Missouri, Colorado and Arizona. Large sectors of the country — including the entire Northwest, Alaska, Hawaii, Florida, Mississippi and most of the Rocky Mountain and Great Plains states — had no counties violating the ozone standard.

Eight national parks, including Yosemite, Sequoia, Kings Canyon and Joshua Tree, are in areas with harmful levels of ozone, according to the new designations.

Ozone, an odorless and colorless gas, is worst during the summer because it forms when emissions of nitrogen oxides and volatile organic compounds are heated by the sun. Cars, trucks and buses, factories, power plants, refineries, construction equipment and farm machinery are some of the biggest sources of this pollution.

States will have three years to develop their plans for meeting the new standard, and their deadlines for coming into compliance range from 2007 to 2021, depending on the severity of their problem.

The new standard is a result of a Clean Air Act requirement that the EPA set health-based standards for ozone and other common air pollutants, review them every five years and revise them if needed to protect

human health. The Clinton administration announced the new standard in 1997, but implementation was delayed because of lawsuits.

Medical science has shown that even low levels of ozone aggravate asthma and other lung diseases, impair immune systems and can cause permanent lung damage.

Under the old standard, air was considered unhealthy when it measured above 120 parts per billion of ozone over a one-hour period. Now air is considered unhealthy if it measures an average of above 85 parts per billion over an eight-hour period.

The announcement means that about 100 counties will, for the first time, be required to take at least some of the steps to ease pollution that have been underway for decades in Southern California.

This could mean that residents of those counties would be required to get emissions tests for their cars, that proposed roads and highways would be scrutinized for their effect on air pollution, and that manufacturing facilities would have to install modern pollution controls when they build plants or expand or modify existing ones.

"Today's decision brings millions more Americans under the nation's smog-protection program, including millions of Americans who have never before had the benefits of these public health protections," said Vicki Patton, a lawyer for Environmental Defense, an environmental group.

Most communities sought to avoid being on the EPA's list. In the months leading up to Thursday's announcement, dozens of local and state politicians appealed to Leavitt to omit certain counties. Initially, the states nominated only 412, although the EPA proposed 506.

Public health and environmental groups complained that the EPA had inappropriately removed some counties from the list in response to political pressure. "We had some political decisions that were made that took some counties out of nonattainment areas," said Janice Nolen, director of national policy for the American Lung Assn.

For instance, DeSoto County in Mississippi, part of the Memphis, Tenn., area, was left off the list. So was Houston County, part of the Macon, Ga., area, Nolen said. Both should have been included, she added. Keeping them off the list means their vehicles, factories and road construction projects will not be subject to the same restrictions as in neighboring communities.

"It just makes it harder for communities to address their pollution problems," Nolen said.

Leavitt and other EPA officials said they were confident their decisions were consistent and defensible. No area removed from the list had air measuring above the standard, said Jeffrey Holmstead, assistant EPA administrator for air programs.

The EPA will help communities meet the new standard with a variety of air pollution rules that have recently been completed or are in the proposal phase. One will clean emissions for diesel buses and trucks. Another, expected to take effect next month, will clean pollution from construction equipment and farm vehicles, which are the largest source of smog-forming nitrogen oxide emissions in California, said Jerry Martin, a spokesman for the state Air Resources Board.

One reason communities have been reluctant to be designated as violating the standard is that, depending on the severity of an area's ozone problem, manufacturing facilities may need to install costly pollution controls or switch from coal to more expensive and less readily available natural gas. Communities also may have to find ways to cut pollution elsewhere when companies want to build plants.

"Worst-case scenario is that high control costs force businesses to close or cut back investments," said Jeffrey Marks, director of air quality for the National Assn. of Manufacturers, the country's largest industrial trade organization.

But EPA officials said that giving Americans cleaner air to breathe is worth that cost.

"Even though clean air isn't free, the price we pay is very small in comparison to the health benefit we get," Holmstead said.

Tough New Smog Rules Get Long Deadlines

Los Angeles Times - April 16, 2004

By Steve Hymon and Mark Arax, Times Staff Writers

The Bush administration's new air quality standard will impose tougher requirements on the nation's smoggiest regions — Southern and Central California — but postpone the compliance deadline for so many years that local air officials worry that the regulations could be rendered ineffective.

Local regulators also complain that while the administration is imposing stricter standards, it is undermining the ability of localities to meet the deadlines by advocating policies favored by certain industries.

In Southern California, the new rules extend by 11 years, to 2021, the date when the number of unhealthy air days must be reduced to near zero. The San Joaquin Valley, which has missed several previous deadlines, has three additional years, until 2013, to eliminate its smog.

The deadline for the San Joaquin Valley is sooner because although the problem there is severe, federal officials feel it is less intractable than the pollution in Southern California. The previous deadline was 2010, a date that many valley air officials concede would have been difficult to meet.

Under the EPA's new way to measure smog — a standard that measures air quality over an eight-hour period — the Los Angeles region, which includes Los Angeles and Orange and much of San Bernardino and Riverside counties, was out of compliance 120 days last year. The San Joaquin Valley was out of compliance 134 days, making it the nation's new smog capital. But while the valley has more bad air days, the peak levels of smog there are much lower than the peaks in Southern California.

Under the new rules announced Thursday by the U.S. Environmental Protection Agency, the average amount of ozone — a key ingredient of smog — must be less than 85 parts per billion throughout an eight-hour span. The old rules allowed an average of 120 parts per billion for one hour.

From 70% to 80% of pollution in the two regions comes from what regulators term "mobile sources" — a category that includes cars as well as trucks, trains, airplanes and ships. But gardening equipment and even household cleaning agents also contribute to the problem. The mandatory ozone reductions will have to be made during a span of time in which the state is expected to add millions of people.

"The reality is that we don't have the luxury of time and we certainly don't have the luxury of procrastination," said Sam Atwood, a spokesman for the South Coast Air Quality Management District, which regulates smog in the Los Angeles region. "There are a lot of serious health effects happening right now from smog in Southern California."

Smog is blamed for aggravating a variety of respiratory problems, most notably asthma. Children and elderly people are the most vulnerable.

Local regulators generally do not have jurisdiction over mobile pollution sources, which are primarily the responsibility of state and federal authorities. The Bush administration's policies on mobile sources have dismayed local officials.

"The frustration is that so much more needs to be done on sources such as ships, aircraft and locomotives," Atwood said.

Overall, regulators and environmentalists praised the new ozone limits, but expressed alarm that the new deadlines will allow harmful pollutants to linger in the air for many more years.

"It's an issue of momentum and direction. We can't afford to stand still," said Mary Nichols, who pushed for the new ozone standards as the former secretary of the California Resources Agency.

"We just keeping moving the deadline further and further out, and I suppose the hope is that one day we'll just meet it, but unfortunately hoping won't make it so," added Nichols, now the director of the UCLA Institute of the Environment.

EPA officials touted the new rules as being far better for public health than current regulations because eventually the air will be cleaner than it would have been under the old one-hour rules.

Jeffrey Holmstead, the assistant EPA administrator for air programs, said the new policy was designed to ensure that there would be "no loss of momentum" in the fight against ozone.

It is precisely that loss of momentum that environmental activists say they worry about.

"Our fear, No. 1, is we'll see backsliding in California and around the country," said Gail Ruderman Feuer, a senior attorney for the Natural Resources Defense Council.

The EPA has adopted rules designed to prevent that. The rules prohibit air districts from dropping any regulations that are on the books.

But environmental advocates fear that the extended deadline will greatly reduce the incentive for local officials to enforce those rules strictly.

EPA officials said there is no penalty should an air district see the number of unhealthy air days increase between now and the deadline.

Moreover, the new smog deadlines are not set in stone. Air quality officials in the San Joaquin Valley and Southern California can apply for extensions that would further push back the compliance deadlines, said Matt Haber, deputy director for air for the EPA region covering California.

Officials of the San Joaquin Valley's air district expressed pessimism that their region can meet the new deadline. The eight-hour standard "is actually more difficult for us to meet," said Anthony Presto, a district spokesman. "We're concerned about being able to achieve the deadline."

The San Joaquin Valley has amassed one of the worst cleanup records in the nation, local and state officials concede. Over the last 12 years, the EPA and local air district have missed at least 24 deadlines to clean the air. The air has grown so bad in the trough-like valley that pollution in the foothills of Sequoia National Park — home to the world's largest trees — is often much worse in summer than it is in downtown Los Angeles.

In recent months, the San Joaquin Valley Air Pollution Control District became the first in the nation to seek the designation of "extreme noncompliance" with federal law.

The EPA adopted the new rules after settling a lawsuit with the American Lung Assn., which argued that the agency was not doing enough to protect public health.

Local regulators contend that other actions by the Bush administration may undercut the new standard.

In a case now before the U.S. Supreme Court, diesel engine manufacturers are challenging a district rule that requires cities and owners of vehicle fleets to replace worn-out diesel-burning vehicles with clean-fuel cars and trucks. The administration has sided with the industry, arguing that there should not be different emissions rules in various locales across the nation.

"We need the federal government's help; we do not need them in this case to take a position that is contrary to improvements in clean air in this area," said Peter Greenwald, a senior policy advisor for the South Coast district.

In other cases, regulators complain that the federal government has delayed measures that would cut emissions from trains, ships and construction equipment. Local regulators, however, are hopeful that several pending federal rules will help matters. An EPA regulation will lessen pollution from trucks beginning in 2007.

And the EPA is expected to issue a new rule in the next few weeks that would clamp down on pollution from construction equipment.

Representatives of those industries disagree, saying that the region's air problem is largely a result of the time it takes to persuade the public to try cleaner technologies.

"We already have the cleanest businesses in the world. This is not a question of letting business off the hook, it's a question of how quickly consumers can start using cleaner products," said Bob Wyman, an attorney at Latham and Watkins who represents a coalition of manufacturers in air policy matters. "We have those products, but it takes time to turn over old cars and individual trucks and we couldn't do it by 2010."

EPA Tightens Gauge of Air Quality

Under new rule, 470 counties will be listed as having unhealthy smog or ozone levels.

Los Angeles Times - April 15, 2004

By Elizabeth Shogren, Times Staff Writer

WASHINGTON — The Environmental Protection Agency today will officially designate about 470 of the nation's 2,700 counties as having air with unhealthy levels of ozone or smog, agency officials said Wednesday.

The designation coincides with a new, more protective standard that today becomes the country's primary gauge for judging smog levels.

The ozone levels in many of the designated counties, which include 100 metropolitan areas and at least eight popular national parks, have actually dropped in recent years, EPA Administrator Mike Leavitt said in remarks to the National Press Club. However, there are still days when the levels are higher than is considered safe, he added.

"This isn't about the air getting dirtier — the air is getting cleaner," Leavitt said. "It's about our standards getting tougher and our national resolve to meet them."

The new standard is likely to throw the Bay Area, Ventura County and Sacramento back on the list of unhealthy areas, said Jerry Martin, spokesman for the California Air Resources Board. Los Angeles and the Central Valley, which still had a long way to go to meet the old standard, will have to make even deeper cuts in pollution to have their air designated clean.

In 1997, the EPA decided a more protective standard for ozone was necessary because research had shown that even at low levels, ozone pollution was causing acute respiratory problems, aggravating asthma and impairing immune systems. Children, older individuals and people with fragile immune systems are most vulnerable. The standards were designed to reduce asthma attacks, hospital stays and chronic illness.

Under the old standard, air was considered unhealthy when it measured above 120 parts per billion of ozone over a one-hour period. Now air is considered unhealthy if it measures an average of above 85 parts per billion over an eight-hour period. Ozone is the primary component of smog.

Today's announcement will more than double the number of counties considered to have harmful levels of ozone. Currently, 221 counties — home to more than 110 million people — violate the one-hour standard, according to EPA officials. The states in July suggested that 412 counties should be on the new list, but the EPA in December proposed naming 506 counties. Agency officials refused to specify which counties fell off the list or why.

Leavitt described the new ozone policy as a key part of the Bush administration's strategy to launch "one of the most productive periods of air quality improvement in our nation's history."

Other new initiatives include the designation later this year of counties that violate a new health-based standard for fine particulates, or air pollutants that cause heart and lung problems and are responsible for thousands of early deaths. Another would reduce air pollution from power plants in 28 Eastern states by capping the amount of allowable emissions. It would also allow plants that reduce their pollution faster to sell "emissions credits" to those that are slower to clean up. A third initiative would regulate emissions of mercury from coal-fired power plants.

These new policies show that the government is "picking up the pace" in improving air quality, Leavitt said, adding, "This is a great success story on behalf of this administration."

But state officials, congressional Democrats and environmental groups said the administration had repeatedly made decisions that slowed the progress toward cleaner air.

For instance, they said, the EPA gave power plants and other major polluters exemptions from a Clean Air Act provision requiring them to install modern pollution controls when they significantly expand or modify older facilities and increase pollution. And the agency's mercury proposal would cut emissions of the toxin much more slowly and less deeply than required under the act, according to the critics.

In all these cases, critics accused the administration of giving polluting industries, especially coal-fired power plants, too much say in the writing of the rules that regulate them.

Among those critics is Jeremy Symons, an air pollution specialist at the National Wildlife Federation and a former EPA official.

"Across the board, the administration is taking industry's side to delay or weaken enforcement of the Clean Air Act," Symons said Wednesday.

Traveling the Ethanol Highway

The Valley Voice online
Week of April 19, 2004

San Joaquin Valley - California governor Arnold Schwarzenegger was quoted the other day as looking forward to the day he could take his Hummer out on a California highway to fuel up on hydrogen. But that futuristic vision - The Hydrogen Highway - involves billions in investment and an introduction of unproven new technology for our fleet of vehicles. By the time it would hit the ground that Hummer is likely to be in some junk heap years from now.

On the other hand Arnold may very well be able to jump into his Hummer in Sacramento later this year and fuel up on clean burning ethanol produced right here in Tulare County - the beginning of a bio fuel transportation highway for California motorists that will include plant based, farmer produced ethanol and biodiesel.

Just this past year California went from using no renewable fuels to its becoming 6% of the fuel supply. The fuel works just fine in today's vehicles.

Tulare County may be known for milk, oranges and sequoias, but this Central Valley county that gets little notice in the state's big metro areas may be destined to become California's ethanol fuel depot in the next few years if the four biofuels production plants on the drawing boards here start cooking.

Currently the state needs around 800 million gallons of ethanol fuel - made from plants - to be blended with gasoline in California. It replaced the oil product MTBE as an oxygenate in the state's motor fuel last year to help clean the air.

MTBE has been found to contaminate ground water across the nation. Virtually all of the ethanol must be brought in from the Midwest. That's about to change if there isn't a big bump in the road to building an in-state ethanol industry.

Bump In The Road?

That bump could come if the US government decides to waive the oxygenate requirement to blend ethanol with gasoline in some states resulting in a possible decrease in the use of ethanol in California in coming years, potentially pulling the rug on millions of dollars of new investments planned here in Tulare County.

Last week Energy Secretary Abrams was quoted as telling a Congressional Committee that the EPA is "strongly considering a request" in an effort to bring down sky high gasoline prices. The request would affect California and New York who are required to use an oxygenate. The news caused oil futures to tumble.

California officials have been seeking a waiver because they say gasoline makers can make enough clean burning fuel without adding an oxygenate.

Ethanol advocates like Neil Koehler whose company is building two ethanol plants in the Central Valley dispute the logic noting that ethanol costs less than gasoline and that the problem in California is not enough fuel supply. "Taking away 6% of the fuel will reduce the supply," he argues. The state's gasoline refineries are running at capacity most of the time anyway.

But in his letter to the EPA in January Governor Schwarzenegger suggests “there will be a very large ethanol market in California even without the CAA oxygenate mandate.”

“California is also considering various mechanisms to spur in-state ethanol production so our citizens and our economy benefit directly from the state’s increased use of ethanol as a gasoline blending component,” says the governor.

Even without the oxygenate requirement Congress is expected to mandate a 5% use of renewable fuel across the nation, says Rick Eastman. He is a partner with Kevin Kruse on the ethanol plant that could be operational later this year in Goshen.

Cow Connection

The company, Phoenix Bio Fuels LLC, plans to make some 25 million gallons of ethanol fuel along with the feed byproduct - wet distillers grain - that makes the economics of the project so attractive. That’s because of the presence of millions of hungry cows nearby. “The limiting factor on our production is not the demand for ethanol - which will be there,” says Eastman “but the number of cows.”

Other advocates as well don’t seem too worried about demand although Neil Koehler with Pacific Ethanol says the state should give unambiguous support to boost ethanol production within the state.

Koehler’s partner is Bill Jones currently running for US Senate. Just recently the company’s Madera project that will produce 35 million gallons of ethanol a year was permitted by the Valley Air Board - the first new ethanol plant in the state to receive such a permit.

Pacific Ethanol already owns the plant site there - a feed mill they bought out of bankruptcy from Coast Grain. The company has a second ethanol plant on the drawing board across from the Visalia airport on land owned by partner Kent Kaulfuss - a long time advocate of biofuels.

Nearby Calgren has received approval from the county for a 42 million gallon a year ethanol plant on Highway 99 north of Pixley. The start-up company may apply for building permits as soon as July, says partner on the project Matt Schmitt.

The company received approval for a Williamson Act cancellation last week and now face only a site plan review process to get going because the project is part of the Pixley Specific Plan that calls for manufacture of ag related products north of Pixley. The company will use waste water from nearby California Milk and produce distillers grain for JD Heiskell feed next door.

The latest ethanol project to be announced is in Dinuba at the old sawmill sited north of town (see other article).

What these projects have in common is location along the railroad tracks that allows for delivery of feed stock like corn in trainloads to the project sites. Already each company say they want to foster local growth of the corn or other feedstock to be produced by local farmers rather than just depend on imports of product from the Midwest. That magnifies the effect these bio fuel facilities have on the local economy.

20% Of State’s Supply

Taken together if all 5 ethanol plants are built they would be the first major facilities in the state and help provide perhaps one fifth of the supply that Californians needs today to fuel up their cars with 6% ethanol.

Advocates for the renewable fuel argue the state should consider 10% ethanol to help relieve the fuel shortage here and provide even more clean air benefits and reduce greenhouse gasses, now a state mandate.

“We think there ought to be a bio fuel plant in every county in California,” says Neil Koehler.

Production of ethanol now uses some 10% of the corn grown in the US and has added 20 to 40 cents in value to a bushel of corn. That is putting money into the farm economy. Overall the ethanol industry adds \$4.5 billion to US farm economy according to the Renewable Fuels Association.

Arguments against ethanol are sometimes couched in complaints that all the money instead of going to big oil companies is going to a big bio fuel company - Archer Daniels Midland. But many new plants being built are farmer owned or owned by local entrepreneurs as are all of the plants being built in the Central Valley.

Biotech Center for Dinuba

The Valley Voice online
Week of April 19, 2004

Dinuba - A vacant 120 acre sawmill site could be transformed into the Dinuba Bio Technology Center if the vision of a Dinuba physician is realized. "We are talking about building a carbohydrate economy" that relies on plants instead of fossil fuels to build everyday products, says Tulare County Supervisor Steve Worthley who is impressed with Dr. Kuldip Thusu's vision.

"Six companies have filed letters of intent to buy the property," says Dr. Thusu. The companies who handle different aspects of a proposed biomass plant and ethanol fuel facility that would produce ethanol from wood and green waste used to feed the facility, produce distillers grain - a dairy feed byproduct, extract lignin and produce PLA - a plant based substance used to make plastic like material. Dr. Thusu says this last component involves the company he is part of - an investment he describes as some \$7 to 10 million that would use plants to make products that would be purchased by among others - the federal government. A new law mandates the federal government to buy from bio based industries rather than petroleum based plastic products, he says. Plastic cups made from the material are an example, says Thusu. He says his own company would employ about 40 people - just one of the six firms that would set up on the site.

He says the commitment of the six companies is valued in the range of \$100 million.

Dinuba city manager Ed Todd who showed Dr. Thusu the vacant saw mill site says he is also impressed with the plan noting that "even if a fraction of what he is talking about comes to pass it will be very exciting."

Dr. Thusu says the technology that will be used at the complex "is all proven technology" not experimental. He says they hope to secure the land from the Yanqui family in the next few months and actually be operational by July 2006.

Thusu says he has lived in Dinuba for four years and came to the US to practice medicine gaining his green card. Despite the fact he is a doctor and owner of the Alta Family Health Care Clinic, he is also a PhD with a science background as are many of his partners in this venture.

"I came to the US and now I want to give back to this country," he says. Dr. Thusu's wife is a well known pediatrician who practices at Valley Children's. They were assigned during his early years to Dinuba because physicians getting their training are typically assigned to underserved areas like northern Tulare County where the poverty is high and the need great.

David Morris coined the term carbohydrate economy and explains the meaning this way. "New technologies, new laws and an increasingly aware public area ushering in a new materials base for the 21st century - plant matter. Carbohydrates, the building blocks of plant matter, can be converted into chemicals, energy, textiles, building materials, paper, and many other industrial products. We call this new materials base a "carbohydrate economy." A carbohydrate economy reduces pollution, builds stronger rural communities, and supports a rooted farmer-owned manufacturing sector."

Last year Cargill-Dow built the first modern bio refinery that converts the sugar in corn to polylactic acid or PLA that can then be used to make all sorts of biodegradable products from cups to textiles, carpeting to wrappers. One estimate has it that if all the products were made with PLA instead of oil based. We would save as much as 145 million barrels of oil a year. Now the goal is to crack cellulose to make ethanol fuel from not just corn but corn stalks and waste products like municipal wood waste.

EPA Targeting Big Polluters in Haze-Reduction Plan

The agency will help states determine which industrial plants foul air over national parks.

Los Angeles Times - April 17, 2004

By Elizabeth Shogren, Times Staff Writer

WASHINGTON — As part of a long-term strategy to clear the haze that hangs over national parks and wilderness areas, the Environmental Protection Agency on Friday proposed guidelines to help states target the power plants and other industrial facilities that are largely to blame.

The proposal is aimed at the hundreds of power plants, steel mills, cement plants, metal smelters, chemical processors, petroleum refineries and other pollution producers built between 1962 and 1977, before the Clean Air Act started requiring pollution controls.

The proposed rule is designed to help meet the Clean Air Act requirement to restore the air above national parks and wilderness areas to their naturally clear states by 2064.

The proposal would help the states determine what older power plants and other industrial facilities add to the haze problem and what pollution controls they must install. The plants must be identified by 2008, and they must install pollution controls by 2014 or 2018.

The EPA was reluctant to estimate how many facilities would be cleaned up under its proposal, which is expected to be enacted next April.

Environmental groups said the plan's success would depend on how aggressively states implement it.

"The big question is whether the states will have the resolve to carry out the substantial reductions in haze forming pollution that the federal guidelines call for, especially from power plants," said Vickie Patton, an attorney for Environmental Defense, a national advocacy group. "The guidelines give states wide latitude to decide in the end that some of these high-polluting sources that contribute to haze in national parks don't need to be cleaned up."

National parks and wilderness areas are often blanketed with white or brown haze caused when sunlight encounters tiny pollution particles in the air, the EPA said. The pollution can come from distant power plants.

The EPA estimates that the proposal will have the biggest impact on eastern parks such as Shenandoah in Virginia and the Great Smoky Mountains in North Carolina and Tennessee, where the scenery often is shrouded in haze.

In the Smokies, for example, visibility has been reduced from an average of 113 miles under natural conditions to an average of 25 miles, primarily because of emissions from coal-fired power plants and vehicle exhaust.

Much of the haze-forming pollution over California's national parks and wilderness areas comes from cars, trucks, buses, farm equipment and construction machinery, so this proposal is not expected to have as big an impact in that state as in other parts of the country.

"In California, most of those plants have been cleaned up pretty effectively," said Jerry Martin, spokesman for the state Air Resources Board.

The EPA stressed that the proposal would be in addition to other agency clean-air initiatives. Among them is a plan, favored by the Bush administration, to limit the total pollution allowed from power plants in 28 Eastern states and allow the plants that reduce emissions faster than required to sell pollution "credits" to plants that are slower to clean up.

In fact, the agency suggested that the power plant proposal could supplant Friday's haze plan, at least for plants in those 28 states. That worries environmental groups, which believe that the haze rule is a key to cleaning up the parks, as the Clean Air Act requires.

"Our concern is that parks may eventually get shortchanged," said Jill Stephens, a program analyst for the National Parks Conservation Assn., a national advocacy group. "We want to make sure provisions in our air laws that protect parks are fully enforced and are not preempted."

Annette Sharp, technical director of the Central Regional Air Planning Assn., said she believes that the haze proposal will have a significant impact over the next 10 years in cleaning up the dirtiest industrial facilities in her region, which includes Arkansas, Iowa, Kansas, Louisiana, Minnesota, Missouri, Nebraska, Oklahoma and Texas.

Some plants will find it too expensive to clean up and will shut down, she said, but many others will install pollution controls.

But, she stressed, the goal of clear air over the national parks will not be realized for decades. "We will all be working on this problem until 2064," Sharp said.

Cleaner Autos Urged in State

An environmental group says the technology exists to curb emissions of gases that cause global warming.

Los Angeles Times - April 19, 2004

By John O'Dell, Times Staff Writer

A leading environmental group will release a report today that says the technology already exists for automakers to significantly curb emissions of global warming gases.

The Union of Concerned Scientists will contend that the amount of carbon dioxide produced by cars and trucks in California will double by 2040 without state restrictions on greenhouse gas emissions.

The report comes as the California Air Resources Board is scheduled to hold a hearing Tuesday on the greenhouse gas issue in Sacramento in advance of proposing new emission rules in May.

A 2002 state law requires the air board to develop what would be the nation's first plan to slash automotive emissions of carbon dioxide and other gases that can trap heat in the atmosphere, contributing to the condition known as global warming.

"The auto industry is expected to fight stricter standards tooth and nail, just as they have every new environmental or safety standard for the past three decades," said report author Louise Bedsworth, a senior analyst with the group's clean-car program in Berkeley.

Her report suggests several existing technologies that can be used to lower greenhouse gas emissions without adding much to the cost of a car.

"Automakers have the technology now to meet strong global warming pollution standards, just as they have met past standards for other air pollutants or safety," Bedsworth said.

Automakers have argued that California's program is an attempt to circumvent the federal government and establish a new, de facto national fuel-efficiency standard.

After Tuesday's workshop, the air board will start drafting the proposed regulations to be issued next month. A final hearing on the proposed rules is scheduled for September.

Greenhouse gas standards adopted by the board would apply to all cars and light-duty passenger trucks sold in California beginning with the 2009 model year.

Although California is the only state to set air pollution standards higher than those imposed by the federal government, other states can follow California's rules. So far, New York, Vermont, New Jersey and Massachusetts have done so.

Because the five states comprise a major portion of the car market, environmentalists hope that automakers simply will build all vehicles to meet California's standards.

Alliance rolls out fuel-cell vehicles

Sacramento Bee - April 18, 2004

By Mark Glover -- Bee Auto Editor

As hydrogen fueling stations continue to spring up in the Golden State, the West Sacramento-based California Fuel Cell Partnership is taking the case for fuel-cell vehicles on the road.

"We're trying to emphasize the educational aspect," said Partnership spokesman Joe Irvin. "I think it goes a long way toward illustrating that these vehicles are not restricted to a lab in NASA's office."

The partnership - a consortium that includes representatives from the automotive and energy industries, technology developers and government agencies - is holding an Earth Week Open House from 11 a.m. to 3 p.m. Friday at its headquarters, 3300 Industrial Blvd. The public will have the opportunity to ride in fuel cell vehicles that run on hydrogen and to learn more about them at various presentations.

And at summer's end, the partnership will roll fuel-cell vehicles in what is perhaps the highest concentration of internal combustion engines in the United States.

From Sept. 17-19, it will participate in the Cruisin' Southern Cal: 2004 Fuel Cell Vehicle Road Rally. The 200-mile caravan of hydrogen fuel cell electric vehicles will begin in Los Angeles and wind south to San Diego.

Along the route, the partnership will showcase cars for an audience ranging from elected officials to everyday motorists.

"One of the advantages of events like this is that we can demonstrate the vehicles and explain them to media, to legislators, permit writers, city officials," Irvin said. "But you also kind of get to meet a cross section of Californians.

"We'll probably pick up a couple thousand people in (Southern California) along the way."

Irvin said surveys dating back to the launch of the partnership in 1999 showed about one in four people were aware of hydrogen-fueled vehicles. More recent surveys have pegged awareness levels at more than 40 percent.

"But," Irvin noted, "that still means you have more than half not knowing."

The vehicles use hydrogen fuel and oxygen from air, creating energy to drive an electric motor. Byproducts of the system are heat and water vapor, making the cars "zero-emission vehicles."

Irvin said the partnership's public-education efforts typically focus on common misperceptions and frequently asked questions about hydrogen-fueled vehicles. For example:

* How do you fill the car's hydrogen tank? Much like a standard gasoline tank, with a hose and a nozzle that creates an airtight seal at the filling point.

* Couldn't a hydrogen-filled tank potentially blow up in a major-impact crash? Yes, but engineers contend an on-board hydrogen tank is no more dangerous than a tank filled with volatile gasoline, and tanks could be made safer with double-lined walls and surrounding steel reinforcements.

* Can I buy a hydrogen-fueled fuel cell vehicle from the partnership? No, the partnership's job is to test and develop the technology while exploring the future commercial possibilities for the vehicles.

Until recently, the most-asked question about hydrogen-fueled vehicles - and what experts called the biggest roadblock to future development - was: Where do I fill it up?

The hydrogen fueling station at the partnership headquarters in West Sacramento used to be one of a mere handful in the Golden State.

That has changed. More than 20 fueling stations are scheduled to be in operation statewide by year's end. And under the "hydrogen highway" program being pushed by Gov. Arnold Schwarzenegger, that number could balloon to 200 over the next decade - with a goal of having hydrogen fueling stations at 20-mile intervals along California's interstate highways.

Hydrogen-powered autos also have been boosted by President Bush, who in January called for \$1.2 billion in research funding.

However, hydrogen also has a fair share of critics. They contend that federal and state governments need to concentrate resources on more affordable, proven green technologies, such as gas-electric hybrid power found on vehicles such as the Toyota Prius.

One of the highest-profile critics has been Joseph Romm, a former head of energy efficiency and renewable technologies in the Clinton administration.

Romm, whose recently published book is called "The Hype About Hydrogen," told the House Science Committee last month that while he favored continued research on hydrogen, "a major effort to introduce hydrogen cars before 2030 would undermine efforts to reduce emissions of heat-trapping greenhouse gases like carbon dioxide - the main culprit in last century's planetwide warming of 1 degree Fahrenheit."

Irvin said debates over hydrogen power and other alternative fuels is welcomed - and part of the partnership's challenge in educating the public.

"There are a lot of things about fuel-cell vehicles that are easily misunderstood, so the more people we can reach with information helps raise awareness and we begin to have a kind of familiarity with the technology," he said.

Clean-air bond plan is revived

Farm interests wonder: Is legislator just trying to regain their favor?

By Jennifer M. Fitzenberger -- Bee Capitol Bureau

Published in the Fresno Bee and Sacramento Bee, April 18 and 19, 2004

State Sen. Dean Florez has revived a \$4.6 billion bond measure to help farmers adapt to new clean-air laws, but agriculture advocates reeling from last year's legislative blow are questioning his motivation.

Florez fought fiercely with farmers last year over a handful of bills seeking to reduce agriculture emissions. Five were signed into law, including one that ended the industry's exemption from air operating permits and another that phases out field burning by 2010.

Now, Florez, a Shafter Democrat, is focusing on helping to fund the industry's adjustment, prompting farmers to wonder whether he is motivated by a wish to regain their political favor.

Florez's bond, intended for the November 2006 ballot, would provide money for dairies, biomass energy plants and alternative waste disposal methods like wood chipping.

"I think he's trying to repair the damage," said Manuel Cunha, president of the Nisei Farmers League. "Is this a real, true effort, or is this an effort because of politics?"

Florez said he has no ulterior motives and simply wants to help farmers do their part to clean the Valley's air, which last week was declared some the dirtiest in the nation. He said he has planned to help farmers all along, pointing to Senate Bill 701, a similar measure that stalled last year in a funding committee.

"Do I think that doing a clean-(air) bond thing is a sort of way to get into the good graces with ag? I don't think so," Florez said. "If (the appropriations committee) would have let our bill out last year, it would be right along with the package."

Florez resurrected SB 701 last week by placing similar language in a gutted bill already in the Assembly. The amended measure, SB 403, will need Assembly approval before moving back to the Senate for agreement.

Florez hopes the bond will clear the appropriations committee this time around. It is unclear, though, whether members would support it, given the state's tough fiscal situation.

"We'll just have to wait and see when it comes out there," said Bill Wong, chief of staff to Assembly appropriations Chairwoman Judy Chu, D-Monterey Park.

Last year, the committee approved no bond bills because the state couldn't afford them.

Florez is seeking the support of Gov. Arnold Schwarzenegger. The senator has met with Terry Tamminen, secretary of the state Environmental Protection Agency, about the bond. Florez said the secretary was open to considering it.

"He didn't shoot it down. He didn't say, 'I don't think we should do this,' " Florez said. "That gives us some hope that there's some interest in the administration."

EPA spokeswoman Michele St. Martin said the conversation was private and she would not detail Tamminen's thoughts.

Florez said his bond is contingent upon the fate of a \$10 billion high-speed rail bond, which is scheduled for November's ballot but likely will be delayed to 2006 or 2008. The state can't afford to do both bonds the same year, Florez said.

Schwarzenegger supports moving the rail bond to the 2008 ballot, giving Florez hope that his bond would work in 2006.

Many farmers are reserving judgment on Florez's plan until they have a chance to learn the particulars. They'll discuss it this week with Florez.

Louie Brown, an agriculture lobbyist, said he is looking forward to talking more with Florez.

"It's a good gesture that (Florez) is reaching out to the industry," Brown said. But "the industry is real cautious because of the treatment they received in the Legislature last year over air issues."

Cynthia Cory of the California Farm Bureau Federation said Florez "promised us last year there would be carrots, and there were none. Any efforts that Mr. Florez can make to turn that around would be appreciated."

Cunha of the farmers league said he won't support a multibillion-dollar bond - despite the fact his industry needs financial help.

"It's just very difficult for me to support a \$5 billion bond regardless of what the monies are going to," Cunha said. "I'm worried about our state surviving."

Hefty regulations sucking money from farmers could kill California's agriculture industry in the next 25 to 30 years, Cunha said. In a recent five-year span, 9,000 farmers went out of business, including about 3,500 in the Valley, he said. In 2002, about 68,000 people farmed in California.

"My industry right now is in a very difficult financial situation," Cunha said. "Can we afford another \$5 billion debt on this state's back? I think the answer is going to be probably not."

In an interview last week, Florez outlined his plan to distribute bond money. The amounts likely will change as the bill is debated.

Florez wants to dedicate \$1 billion to revive the waning biomass industry.

The biomass process, which turns wood waste into electricity, is a cleaner but more expensive way than open-field burning for farmers to dispose of waste.

Biomass operators typically limit the amount of agriculture waste they accept because they get better deals on construction and demolition debris.

Florez wants to create a system in which operators would sign long-term contracts with farmers and compete with other plant owners to get a cut of the bond money. The top bidder in an area - such as an air district - would get the money.

But Florez worries that could put other plants out of business. So he hopes to devise a method by which a second-place bidder also could get some cash. The plan would create industry competition and give farmers an affordable, guaranteed place to dispose of their prunings and uprooted orchards.

Florez's SB 705, which was signed into law, phases out field burning over five years, ending in June 2010 with old vineyards and almond, walnut and pecan-tree prunings. In 2002, Valley farmers burned about 1.1 million tons of agricultural waste, most of which was wood in the form of prunings or old trees.

Julee Malinowski-Ball, who represents the California Bio-mass Energy Alliance, said Florez has the right idea.

"He understands you have to get it out of the fields and into the facilities," she said. "You have to give farmers tools not to light that match."

Florez also wants to use:

- * About \$600 million from the bond to create an expanded Carl Moyer program, which has paid to retrofit diesel engines.

- * About \$200 million to bolster technology like solar irrigation and wood chipping.

- * About \$600 million to help the dairy industry by providing low-interest, long-term loans owners could use to buy equipment needed to curb emissions. Observers, though, say dairy owners cringe at the public scrutiny that goes along with borrowing government money and might not like Florez's plan.

Florez also would use part of the bond money to replace aging school buses and fund asthma-management programs.

Agriculture advocates want several lawmakers with emission-reduction legislation to work together and possibly merge some of their bills. Florez said he welcomes that discussion.

"At the end of the day, the people who will elect me are the people who get to breathe cleaner air," Florez said. "If I can help the ag industry implement these (new laws) with a funding source, they ought to be behind it."

[Editorial, Fresno Bee, Friday, April 16, 2004](#)

Fighting for air

New bills will help children with asthma breathe better in school.

Asthma afflicts 10% of California's children. In Fresno County -- the worst place in the state for childhood asthma -- the rate is about 16.4% by the latest measures. Any effort to ease the suffering from this debilitating and sometimes deadly disease deserves support.

That's why we welcome the introduction of three new pieces of legislation in the California Assembly, including one by Fresno Democrat Sarah Reyes, designed to improve conditions in the state's schools.

AB 2132 (Reyes) would permit students to medicate themselves on campus when the need arises. In many school districts, zero-tolerance drug policies prevent asthma patients from using their own inhalers, requiring students instead to report to a nurse who administers the medication. But very few schools have nurses on duty full time, and a delay in medication during an attack can have drastic results.

There were 2,725 school nurses in California public schools during the 2002-2003 school year, with a total student population of 6.2 million. That means nearly 2,300 students for each school nurse -- an impossible load. In many cases, other school staffers are assigned the task of medicating the students.

Some school districts permit self-medication (including Fresno Unified) when appropriate permission papers have been signed and returned to the school. Reyes' bill would establish that practice statewide. AB 2863 (Assemblywoman Fran Pavley, D-Agoura Hills) would require school districts to take environmental factors, including indoor air quality, into account in any new construction or remodeling. Schools would also be required to conduct self-assessments of any indoor air quality issues, following guidelines from the federal Environmental Protection Agency.

AB 2367 (Assemblywoman Wilma Chan, D-Oakland) would implement policies contained in "Guidelines for the Management of Asthma in California Schools," the work of a task force of medical experts in both the public and private sectors, health care providers and advocates for asthma patients. The draft guidelines are currently being vetted by the Schwarzenegger administration.

All three of these bills will help us make at least incremental gains in the fight for cleaner air and better treatment of those who suffer from asthma.

All three deserve support, especially from Valley legislators, whose constituents include some of the most vulnerable children in the state.

LASTGASP

"We can't go on living this way.

And we won't."

Fresno County's children have a higher rate of asthma than anywhere else in the state. Three new measures seek to address that problem.

[Letter to the Editor, Fresno Bee, April 16, 2004](#)

Air quality flags' will help raise awareness of pollution

By Josette Merced Bello, President/CEO, American Lung Association of Central California

The American Lung Association of Central California thanks The Bee for its ongoing efforts to increase public awareness of air quality issues. I want to provide more information and a status update on the air quality flag program referenced in the April 11 editorial.

This program provides schools with colored flags that indicate the area's expected air quality that day. The colors correspond to air pollution levels of the Air Quality Index and are helpful to schools and area residents in planning safe outdoor activities, particularly during bad air days.

In the San Joaquin Valley, air quality flags first flew in Merced this February, thanks to the Merced-Mariposa County Asthma Coalition. The Kern County Asthma Coalition will soon implement the program in the South Valley.

The American Lung Association of Central California began work in January to offer flags and an air quality educational program in other areas of the San Joaquin Valley. In fact, we are in the final stages of securing program partners in order to begin offering this program at no cost to 80 schools this fall. We are committed to expanding the program in the future.

The association commends air-quality improvement efforts by elected officials, regulatory agencies, community organizations and the media throughout our region. We feel the air quality flag project will complement this work by safeguarding the health and well-being of San Joaquin Valley children.

[Editorial, Fresno Bee, April 18, 2004](#)

No escape

Add Yosemite, Sequoia/Kings Canyon to the list of bad air places.

Think of all the things that make Yosemite special -- the roar of majestic Yosemite Falls, the grandeur of El Capitan, the rare and beautiful sight of alpenglow on the granite face of Half Dome, deer ambling through the meadows on the Yosemite Valley floor ...

Now add unhealthy air.

The picture gets sadder. Yosemite is only one of eight national parks that are in violation of the Environmental Protection Agency's new standard for ozone pollution. At the top of the list is Yosemite's neighbor, Sequoia/Kings Canyon. The list also includes Great Smoky Mountain National Park in North Carolina and Tennessee, Rocky Mountain in Colorado and Shenandoah in Virginia.

Sequoia/Kings Canyon, in fact, is where the greatest damage and the greatest urgency exist -- it's worse than any other park in the nation. Ponderosa and Jeffrey pine species in the parks are particularly vulnerable to ground-level ozone. Amphibian and other animal species are under great threat, in many cases with consequences we can only attempt to guess.

Ozone standards were violated in Sequoia/Kings Canyon (at the Ash Mountain entrance) on 72 days in 2003. By way of comparison, a monitoring station in downtown Los Angeles recorded only 10 such violations last year. It raises the specter of the elderly, the very young and sensitive people being warned to stay indoors on bad days in the mountains as well as the Valley.

Health concerns ought to be enough to move us to better action. But there's an economic danger: If tourists stay away from the parks because they're worried about unhealthy air, the economic hit to the region will amount to hundreds of millions of dollars.

This is a frightening problem, and the new rules announced last week by the federal Environmental Protection Agency may not help much. Most parts of the country that are out of compliance for ozone have simply been given more time to fix the pollution.

That's an all-carrot, no-stick approach that leaves many of us skeptical about the federal government's seriousness in addressing these problems. And there is no question they must be solved.

[Editorial, Fresno Bee, April 17, 2004](#)

Halting progress

Bush administration cleans air with one hand, dirties it with the other.

The federal Environmental Protection Agency announced tough new standards for ozone pollution and set in motion an aggressive campaign to clean up the nation's dirtiest air on Thursday.

That's one perspective.

Another perspective: The EPA has been dragged, kicking and screaming, into promulgating a set of new rules that actually rewards parts of the country for failing miserably in the past 30 years in their efforts to clean the air.

All or part of 474 counties nationwide -- including the entire San Joaquin Valley -- are in violation of the new eight-hour ozone standard, according to the EPA. That's up from around 370 under the old one-hour rule. The new standard measures an average of pollution over eight hours, which has the effect of making it more stringent.

Meanwhile, the Bush administration has been relentlessly disarming the federal agency and state air regulators, suspending, diluting or eliminating some of the most effective tools they have for addressing bad air. It's part of the general thrust of the administration to dismantle environmental protections that have been slowly put in place over the past decades. An example: During the Clinton administration, the EPA proposed a new rule called Best Available Retrofit Technology that would -- finally -- implement the demands of the 1977 Clean Air Act by requiring older pollution producers, mostly power plants, to install new and more efficient equipment.

Various industries and states fought the rule in court, and managed to weaken it considerably.

Now, in that weakened state, the Bush administration has signed it into being -- and immediately dropped it into a limbo euphemistically called "administrative repose." It may not take effect until 2018 -- if ever.

Critics of stringent standards and aggressive enforcement argue that the air nationwide is much cleaner than it was two decades ago. They're absolutely right. That's because the 1977 Clean Air Act was stringently and aggressively supported by most administrations before this one.

And we understand the dangers and damage of air pollution better now. That's why the standards keep getting tighter.

Even with the proper management tools, cleaning up the air is a daunting task. Since it is among the worst areas on the new EPA list, the San Joaquin Valley will have until 2013 to clean up under the new rules. Already officials are noting the difficulties in meeting that goal.

We hope that's not the sound of people positioning us to fail. Failure is unthinkable.

LASTGASP

"We can't go on living this way.

And we won't."

New EPA rules give the Valley longer to clean up polluted air, but some of the best tools have been snatched from the toolbox.

[Commentary, Sacramento Bee, April 18, 2004](#)

Environment: California still adrift on energy reforms

By Bill Bradley -- Special To The Bee

Will Arnold Schwarzenegger end up as the greatest environmental governor California has ever had? At least one person thinks he might.

That's the man he replaced as governor, Gray Davis. "I know that he wants to be," declares Davis. "Push him like you did me to make sure that he is."

The night is young, of course, but there are already many promising signs from the erstwhile Hummer-phile terminator-turned-governator: a big commitment to renewable energy and energy efficiency, a commitment to the coast, staunch support of the state's landmark anti-global warming bill and opposition to Bush administration attempts to weaken clean air legislation.

But, as the governor might say, just as there is smoke where there is fire, there is also many a slip between 'twixt the cup and the lip. One such may be taking place now on the state's biggest-in-the-nation commitment to renewable energy, which Schwarzenegger wants to be made even bigger.

Davis had an appropriate story to tell. The former governor was in Sacramento last month to be feted by the state's environmental groups for having signed into law an impressive array of environmental bills. Which made him recall, among other things, an incident during his days with former Gov. Jerry Brown as his chief of staff.

"Jerry and I had gotten a law passed we thought was very important. We got a lot of press for it. A year later I called the head of the agency to see how its implementation was going. 'What bill?' he said. Nothing was happening.

"We thought we'd made change," said Davis, to the nervous laughter of the assembled greens. "Remember, there are no final victories."

This is an example and an admonition which, as it happens, applies to one of Davis' accomplishments that had some of the more exuberant environmental leaders lauding him as the best environmental governor in California history. In 2002, Davis helped lobby through and signed into law the most expansive renewable energy requirement in America. But today, the implementation of that law lags alarmingly, even as Schwarzenegger calls for a greater commitment to renewable power and even as discord on energy and environmental policy within his own administration becomes apparent.

California's landmark renewable portfolio standard requires a near doubling of the state's use of renewable energy resources such as wind, solar, geothermal and biomass to 20 percent of the electric power mix by 2017.

Echoing Schwarzenegger's call, which he discussed with me last summer before he announced his candidacy, the state's Public Utilities Commission, the lead agency on the renewable portfolio standard, has agreed to accelerate that doubling to 2010.

But nearly two years after its passage, little progress has been made on implementing SB 1078, authored by Sen. Byron Sher (D-Palo Alto). And time is getting shorter. The Public Utilities Commission, headed by former Southern California Edison president Michael Peevey, a Davis appointee who is also the lead commissioner on the renewable requirement, is not ready for a first round of utility solicitations for renewable power in June. After more than a week, Peevey finally returned my calls to say that he is on the case.

Energy is coming back big time as a major issue. We see it at the gasoline pump, we saw it with a Stage 1 power alert this month. "Energy will be the next big thing," says Schwarzenegger, after workers compensation reform and, of course, the budget crisis.

The energy problem was never solved in California; the media and politicians lost interest after the electric power crisis of 2001 passed. But supply problems were not addressed, with many of the new power plants touted by Davis falling by the wayside. We had piecemeal Band-Aid solutions that left the overall shape of the electric power market unsettled, that enshrined good intentions as state policy without actually implementing them.

Meanwhile, there is a looming crisis of price and supply with natural gas, the principal fuel of California's electric power market, and a looming controversy over the potential importation of liquefied natural gas, the highly volatile stuff the city of Vallejo just rejected on safety grounds. If the California energy market is flooded with imported gas, which the PUC is considering, that could destroy incentives for renewable energy.

The Legislature is rudderless on energy, with new Assembly Speaker Fabian Nunez carrying a bill on the shape of electric power markets written for him by Edison. Schwarzenegger's team is still making its way and experiencing internal discord over a free market approach with state mandates (the action superstar's insistence on a big commitment to renewable energy) and a hybrid approach with regulation.

According to environmental sources, Edison has been the prime mover in putting up roadblocks to the renewable portfolio standard. Edison environmental policy director Michael Hertel did not respond to calls and e-mail for comment on the issue. Edison was the worst of the big utilities on the fight to pass the renewable requirement and was notorious with renewable power generators as a frequently slow and reluctant payer for their power.

The author of the renewable portfolio standard, Senator Sher, has been very concerned about the slow pace of implementation. Such issues as pricing, utility power projections, the language of renewable power contracts and transmission remain unresolved.

One telling internal struggle in the Schwarzenegger administration may end up doing good for the renewable requirement. A seat on the state Energy Commission is up, and the conventional Republicans around Schwarzenegger, notably Chief of Staff Pat Clarey, pushed hard for a moderate while others, notably senior advisor Bonnie Reiss, pushed hard for an environmentalist.

The conventional Republicans appear to have won this one. But as a compromise, the environmentalist is likely to be named the liaison from the governor's office to the PUC to oversee implementation of the renewable power mandate, which could be a much more important post.

Although Schwarzenegger has not focused on energy politics yet, this may turn out to be a harbinger for his approach on the overall shape of the market: Soothe and service the center and business community while inserting elements of regulation and environmentalism into the mix.

Which still leaves enormous questions about the marketplace uncertain. Schwarzenegger says he wants more of a free market on energy, continuing the move away from the old regulated monopoly utility model to encourage investment, which has lagged alarmingly, and to bring down energy costs for businesses, which cite California's higher rates as one of their most serious problems. But without some form of regulation, that could bring California right back to the crisis of 2001. The old regulated utility model brought consistency and some of the highest prices in the country. The first stab at deregulation brought chaos, market manipulation and even higher prices.

One thing that is certain is a Schwarzenegger attempt to do "the big reorg," as officials call it. State Finance Director Donna Arduin notes, "There is tremendous overlap with the energy agencies. We need to

reorganize all this and make it much more efficient." Indeed, California has something of an alphabet soup on energy, with a Public Utilities Commission, an Energy Commission, a Power Authority and a Department of Water Resources, all of which have had major sway over energy policy in recent years. Davis had wanted to conduct his own reorganization, but nothing was really decided after the electric power crisis of 2001 as the state lurched into the next crisis.

But as yet there is no point person in the governor's office on energy. In the early go-rounds on energy policy, Chief of Staff Clarey and senior advisor Reiss have sometimes been at odds. Clarey, a deputy campaign manager in Schwarzenegger's effort last year, was an important administrator but not part of the campaign's top strategy group. A former health maintenance organization executive who worked as deputy chief of staff to Gov. Pete Wilson under Wilson Chief of Staff (and later Schwarzenegger campaign manager) Bob White, Clarey is a fairly conventional Republican whose bid for the chief of staff spot was probably aided by Schwarzenegger's groping controversy. She was reportedly against Schwarzenegger's appointment of highly regarded environmentalist Terry Tamminen, the ex-Mr. Universe's personal choice as his chief environmental advisor in the campaign, as secretary of environmental protection.

Reiss, in contrast, pushed hard for Tamminen, who environmentalists laud for, among other things, keeping on highly regarded Air Resources Board chief Alan Lloyd, who others wanted to get rid of. Reiss is a Democrat, a longtime friend and key campaign confidant of Schwarzenegger and Maria Shriver, a former top executive with his after-schools program and a top environmentalist in the entertainment industry. She told me on Election Night that she would not be going into the government. That changed when Schwarzenegger made it clear he needed at least a few people around him in the governor's office who actually knew him.

While the identity of the governor's full-time staffer on energy policy will be important, in the end the chief action officer on the issues he deems most important is Schwarzenegger, as legislators dealing with workers compensation and other hot-button issues have learned. His enthusiasm for at least the renewable energy piece of the puzzle was palpable this month when he stepped away from negotiations on workers comp reform for a moment to join Tamminen in unveiling a new hybrid delivery truck which the new administration helped develop. We'll see how the rest of it goes as the action governor zeroes in after the legislative fate of workers comp is resolved.

About the Writer

Bill Bradley, a former senior advisor in Democratic presidential and gubernatorial campaigns, also writes about politics for the L.A. Weekly.

[Editorial, Modesto Bee, Saturday, April 17](#)

Our Views: Ignoring pollution is too costly for growing county

Two stories from the last 10 days are more than a little connected.

One was the valley's rise to the top of the country's most polluted places list. The other was the recap of growth rates, showing valley counties growing at some of the fastest rates in the state and nation.

Stanislaus County, in fact, had 492,000 people as of midyear 2003, meaning we'll hit the half million mark in 2004, if we haven't already reached it.

We're not opposed to these newcomers, but it's impossible to ignore the increasing traffic, the growing lines at supermarkets, the rising home prices -- and the smog, which is blamed for rising rates of asthma, bronchitis and other respiratory illnesses.

The worst pollution is to the south, in Kern and Fresno counties, because wind blows the pollutants to the end of our wash-basin valley. Nonetheless, improving the air must rise to the top of the public issue list here, too -- for the sake of our valley's economy and our collective health.

If our air isn't bad enough, a toy soon to hit the market will make it a tiny bit smellier. "Stink Blasters" are ugly plastic dolls that, when smacked atop the head, emit a foul odor. Different dolls will feature different odors. Sound disgusting? Who could possibly want such a toy? Kids will love them, undoubtedly. According to the toy's maker, they'll also trade them and let them dangle from backpacks. And you thought air pollution couldn't get any worse.

[Editorial, Modesto Bee, Friday, April 16](#)

Our View: Carpoolers in bad need of more spaces to park

Carpoolers are asking a legitimate question: Why aren't there more places for them to leave their cars?

Sharing rides over the Altamont Pass is a wonderful thing -- it conserves gas, diminishes air pollution and makes the roads less congested and, therefore, safer. But if there is no place for carpoolers to leave their cars, they'll take them with them.

The Census Bureau estimated that around 26,150 Stanislaus County residents commuted somewhere to work each day. It's time more was done to bring them together -- after all, the air in the valley is at the "serious" level, according to the Environmental Protection Agency.

In the long term, we should be building garages and centrally located lots. In the short term, we should do anything we can to help -- finding spaces at churches, underused retail outlets and shuttered industrial sites. The spaces need to be available during business hours, convenient to a major highway and secure.

Unfortunately, such spaces are hard to find. Sneaky carpoolers have been using parking lots of big retail stores, but merchants prefer paying customers. The county provides 365 spaces for carpoolers and those using the Modesto Area Express buses to BART and ACE train locations. That's up 125 spaces over just a year ago -- which sounds great, but isn't.

Vintage Faire Mall wants to build a restaurant on 225 of those spaces, meaning the county will be left with 140 spaces. By comparison, San Joaquin County has 1,024 spaces; Tracy alone has 265. Those lots are largely funded by the county's transportation tax -- a half-cent sales tax Stanislaus has not implemented.

But Stanislaus has other options for covering the cost of insurance, signage and leasing lots.

The county and cities could pay for lots out of public facilities fees collected when building permits are issued.

The county could demand that developers build enough lots to accommodate nearby neighborhoods, perhaps encouraging developers to work together.

The county could require that developers provide "parking mitigation" -- similar to what is sometimes provided for loss of wildlife habitat. For every new house sold, a developer would have to either find two existing spaces somewhere near the highway or give the county the money to cover the cost of finding those spaces.

Our air is barely breathable, contributing to asthma and illness in our young and old. It is up to all of us -- especially each of our public agencies -- to make improving the air a priority.

[Letter to the Editor, Modesto Bee, Sunday, April 18](#)

More hybrid cars, please

It is too bad more people do not have access to currently available technology in selecting a motor vehicle. Perhaps it's due to import restrictions; after all, there is more profit for the big three car manufacturers and more taxes for the treasury in promoting gas-guzzling SUVs and heavy-duty trucks.

We recently drove to Porterville and back in our 2002 Toyota Prius hybrid car and got 62-plus miles per gallon. Not only is it economical, but it is environmentally friendly. If we chose we could keep up with anything on the road, and it has all the bells and whistles anyone could want.

Why aren't they available and advertised more?

GORDON PURVIS

Turlock

[Commentary, San Francisco Chronicle, Sunday, April 18, 2004:](#)

We must (again) reclaim Earth from all exploiters

The environment once had political momentum to burn

By Pete McCloskey

More than three decades ago, in the spring of 1970, Sen. Gaylord Nelson gave me the honor of serving as co-chairman of the first Earth Day. This was during the Nixon administration in the depths of the Vietnam War.

President Richard Nixon, showing his innate paranoia, directed his aide John Ehrlichman to place FBI surveillance on Earth Day events to determine if the participants were antiwar activists in disguise. They

were not. They were something altogether more powerful, and they would change the course of American history.

Two weeks after Earth Day, the organizers identified 12 politically vulnerable anti-environment members of the U.S. Senate and House of Representatives (the "Dirty Dozen") whom they would turn out of office.

Few took the threat seriously. But a scant two months later, two powerful Democratic congressmen were defeated in their primaries. That November, five of the 10 remaining members, all Republicans, lost their seats.

The impact was immediate and profound. When Congress reconvened in January, everybody claimed to be an environmentalist and got busy writing and enacting an unprecedented string of laws to protect air, water and wildlife, and to take up historic pollution problems -- creating laws of immeasurable benefit.

That wonderful environmental bipartisanship lasted through the 1970s, but today it is long gone. My Republican Party has been hijacked by people whose allegiances lie with resource extraction interests. But there are still several environmentally responsible Republican congressmen (Sherwood Boehlert of New York and Christopher Shays of Connecticut, to name two).

The Bush administration is quietly turning over management of the public's natural resources to private industry and simultaneously rewriting pollution regulations to benefit industry at the expense of public health. Four more years of this and it will take decades to undo the damage -- if that's even possible.

The November presidential election provides something of a brake on the administration's most radical impulses, but if Bush is returned to office, there will be no constraints at all.

We need a new revolution. I'm hoping this Thursday's Earth Day can again be a catalyst, both to invigorate youngsters -- as happened 24 years ago -- and to stimulate environmentalists across the country who are weary and disillusioned after four years of relentless assaults and stealth attacks.

Poll after poll confirms that a wide majority of Americans consider themselves environmentalists, like the Congress that was sworn in in 1971. The obstacle to achieving good environmental results is that the money that pays for political campaigns comes so overwhelmingly from industries that profit from exploitation of public resources.

The only answer is people power and lots of it, led perhaps by the Sierra Club or the League of Conservation Voters.

I'd like to think that moderate Republicans can recapture control of the Grand Old Party and once again work in concert with Democrats, the Greens and everyone else to save this old Earth before it's too late.

Pete McCloskey was a Republican member of the House of Representatives from 1967 to 1982

[Letters to the Editor, The Bakersfield Californian, April 18, 2004](#)
Watson's 'dairy delight'

I read a recent article about Sen. Dean Florez dropping his legislation to require three-mile buffers for dairies. I thought the response from Supervisor Ray Watson was very interesting.

He said Florez's buffer idea didn't improve air quality but just moved the pollution around. I'm glad to see that Supervisor Watson finally understands that dairies cause pollution.

I know that was a hard decision for him to finally reach. But it's great to see that he's learning in his position.

Now that he realizes dairies cause pollution here in Kern County, I assume he will be working to improve the air quality here by voting against any more new dairies.

The Vanderham dairy near Shafter goes before the board on May 11. I know we can count on Supervisor Watson to vote against it.

I feel better already.

CANDI EASTER, Bakersfield