

**Bill seeks to shake up valley air board**  
**VIC POLLARD, Californian Sacramento Bureau**  
Bakersfield Californian, Sunday, Aug. 14, 2005

SACRAMENTO -- A key decision about the San Joaquin Valley's polluted air will be awaiting lawmakers when they return from their summer recess Monday. A controversial bill pending before them would shake up the valley's air board by adding members to represent the region's larger cities and bring expertise on air pollution and its health effects.

The measure puts Kern County's two Democratic lawmakers -- Sen. Dean Florez of Shafter and Assemblywoman Nicole Parra of Hanford -- on a political hot seat.

It is being pushed by clean-air advocates who say the current board is too close to farmers, developers and oil producers to impose the tough rules that are needed.

It is bitterly opposed by valley industry groups and by local government officials who control the current board. They say the county supervisors and City Council members on the board are doing a fine job of balancing the need for clean air and economic development.

The 11-member board is now made up of a county supervisor from each of the valley's eight counties plus three City Council members.

The bill would increase the city members from three to five, giving permanent seats to council members from Bakersfield, Fresno and Stockton.

Its most controversial feature would add two public members -- a physician with expertise in the health effects of smog and an air pollution expert. They would be appointed by the California Air Resources Board, which outranks regional boards.

The bill's author, Democratic Sen. Mike Machado from the Stockton area, says the San Joaquin Valley Air Pollution Control District board has failed in its responsibility to protect valley residents from the smog that has been blamed for an epidemic of asthma and other health problems.

"Every major decision the board has made has been the result of litigation and lawsuits that have forced the board's hand," Machado said. "This board has been falling far behind the progress in cleaning up the air of any other air board in the state."

"This is a captive board," said Kevin Hall, a Fresno area Sierra Club official. "All of the industries regulated by this board like this board."

The current board and its allies take sharp issue with that view.

"We are taking major steps to clean the air," said Kern County Supervisor Barbara Patrick, Kern's representative on the valley board. "We have some of the toughest rules in the nation. We're leading the way in the regulation of agriculture and in the regulation of dairies."

To critics who say the board has not made much of an impact on pollution, Patrick said, "The fact of the matter is that we have the perfect meteorology here to manufacture ozone, and so there's no doubt we have our work cut out for us."

The measure has one more committee hearing before reaching the Assembly floor, which is considered its biggest hurdle.

The bill is a slam-dunk no vote for the county's three Republican lawmakers, but it is not so easy for the two Democrats.

Parra won't take a position now because bills can be changed drastically at this point in the session, spokeswoman Mary Gutierrez said.

Florez abstained when the bill came through the Senate earlier this year, even though he proposed a similar measure three years ago as part of a package of bills that imposed clean-air requirements on agriculture for the first time.

But earlier this year, Florez said he abstained because he was inclined to give the existing air board a chance show it could enforce the requirements in his previous bills.

He has changed his mind, however, he said recently.

"I don't think they passed that test," he said.

He cited the board's apparent decision to second-guess its staff's estimate of the amount of pollution emitted by dairy cows and its failure to meet deadlines on another law requiring it to impose fees on developers to finance pollution reduction measures.

"If it comes back to Senate, I'll probably vote for it," Florez said.

## **Tallow lawsuit soon**

Modesto Bee, News and Notes, Saturday, Aug. 13, 2005

San Joaquin Valley air quality officials said Friday they are planning to file a lawsuit early next week against Modesto Tallow Co. The lawsuit signals that the San Joaquin Valley Air Pollution Control District is taking a tougher line against the plant, which for decades has emitted a stench across southwest Modesto and parts of Ceres. Modesto Tallow has argued that public nuisance rules don't apply to rendering plants. Air officials earlier said they would file the case in Stanislaus County Superior Court by the end of this week, but they needed more time to work out details.

## **Sometimes, air spared for other counties**

By VANESSA GREGORY, Californian staff writer  
Bakersfield Californian, Monday, Aug. 15, 2005

Spare the air, for Tulare County's sake.

On five days in July, the San Joaquin Valley Air Pollution Control District asked Kern County residents to cut back on polluting activities in the hopes of lowering ozone levels in neighboring counties.

The air district declares Spare the Air days for a county whenever ozone levels are expected to rise above 150, the point at which air is considered unhealthy for anyone to breathe.

But lower levels can also result in a Spare the Air declaration if adjoining regions have high ozone levels.

"If another county is in the unhealthy range -- 150 or higher -- and the county you're in is 101 or higher, that's how it rolls," said Brenda Turner, spokeswoman for the air district.

Most of the time, Kern causes Spare the Air days for other counties.

"Kern County usually sees the highest (ozone) readings," Turner said. "The Arvin area tends to have the highest."

The concept makes sense, based on the air patterns and shape of the San Joaquin Valley, said National Weather Service meteorologist Mark Burger.

"The normal pattern, particularly in the warmer months of the year, is that winds go from the Sacramento Delta all the way down to Bakersfield," Burger said. "Winds blow out of the northwest, especially during afternoons and evenings.

"That pollution will all drift down southward," he said.

A regional approach to fighting pollution might help a county like Kern, which gets the worst of the drift, he said.

"Unfortunately, with the shape of the valley being almost like a bathtub, pollution tends to collect down there in the south of the valley," Burger said.

## **Back-seat driver: Hybrid privileges vex some drivers**

By Tony Bizjak -- Bee Staff Writer

Sacramento Bee, Monday, Aug. 15, 2005

Carpool lanes seem to be aggravating a lot of people lately.

There is, of course, the old standby aggravation, where someone alone in a car zips through during commute time as law-abiding motorists sit steaming in slow-mo lanes, and there is no CHP in sight.

Now, however, the solo drivers you see in carpool lanes may not be scofflaws, and that prospect is even more aggravating to some drivers.

A new state law allows single occupants in gas-electric hybrid cars that get more than 45 miles to the gallon to use carpool lanes during commute time. Hybrids, by the way, can't do this legally until they get their stickers from the Department of Motor Vehicles.

Two reader gripes: Aren't carpool lanes supposed to be used to reduce air pollution by encouraging more commuters per car, not more cars in the lane? And wouldn't a hybrid be saving more gas if it was stuck in the jammed-up freeway lanes where it presumably would be running on its electric motor, rather than zipping through the carpool lane on its gas engine?

One answer to the first question is that politicians have been changing their philosophy of carpool lanes over time. Hybrids are not, in fact, the first group of cars to be allowed in carpool lanes during commute hours with just one occupant inside. People in all-electric and compressed natural gas vehicles already have the green light for the carpool lane. Motorcyclists, too. And buses.

The experience of one of those drivers suggests this may take some getting used to for California Highway Patrol officers. One reader reports his son has been pulled over by the CHP several times for driving alone in a carpool lane. The officers failed to notice he was driving an electric vehicle with carpool lane stickers.

Meanwhile, back to the question of why allow hybrids in the higher-speed carpool lane if the most popular hybrid, the Toyota Prius, runs on electricity at low speeds, and mostly gas at higher speeds?

From her comments, it is clear Assemblywoman Fran Pavley, who authored the bill, is interested in getting more hybrids on any road, and the carpool lane privilege is just a politically supportable way of doing that - at least, until the carpool lanes start to get clogged. At that point, presumably the end of 2007, the state will kick the hybrids out of the carpool lanes.

Hybrids aside, carpool lanes are increasingly controversial on another front.

Some environmental activists argue they are sprawl-encouraging, thus not environmentally friendly. The Environmental Council of Sacramento is opposing plans by the state Department of Transportation to extend carpool lanes on Highway 50 from the El Dorado County line into downtown Sacramento, saying it just encourages more subdivisions in the hinterlands and more people using cars.

That brings us to a little-known reason carpool lanes are popular. In Sacramento and many areas, pollution levels are above federal clean air standards, and as long as that is the case, federal transportation officials will not allow construction of any regular lanes on existing freeways.

But the feds allow - and help fund - carpool lanes and what are called "auxiliary" lanes, those short extra lanes running from an onramp to the next offramp.

That is why Placer County planners are adding a carpool lane on Interstate 80 through Roseville, even though most commuters will tell you they want a regular freeway lane.

## **Hybrids to HOV**

Orange County Register, Monday, Aug. 15, 2005

By SORAYA SARHADDI NELSON

SACRAMENTO - Hybrid car drivers who have been aching to move into the HOV lane have finally gotten a green light. A new state program announced Wednesday allows owners of approved hybrid vehicles to apply for a special decal that will let them use car-pool lanes even if they are alone in their cars.

The measure was approved by state lawmakers last year to reward drivers of energy-efficient and low-emissions vehicles. But it wasn't formally adopted until Wednesday when President George W. Bush signed a federal transportation bill clearing the way for California to become the second state in the union to enact it.

The state needed federal buy-in to avoid putting federal highway funds at risk.

Only certain models that officially get at least 45 miles per gallon will be eligible for the decal, which will cost \$8. Certain other vehicles, including motorcycles and electric cars, are already eligible.

The hybrid policy change surprised some backers of the state bill. One of them, bill author Assemblywoman Fran Pavley, D-Agoura Hills, said she had expected clean-air regulators to take time ensuring that their version met federal regulations, but that she was pleased nonetheless. Gennet Paauwe, spokeswoman for the state Air Resources Board, said the board had time to review both measures before Bush signed the federal bill and decided to proceed immediately. "It's a common-sense policy that represents yet another step toward cleaning up our environment and reducing air pollution," Gov. Arnold Schwarzenegger said in a statement. "The more we can encourage Californians to buy and drive cleaner-air hybrid cars and trucks and give them some incentive to do so, the better off we will be."

According to the DMV, there are 57,164 hybrid vehicles registered in California. An Orange County Toyota salesman said he expected HOV-lane incentive to boost sales of his company's Prius hybrid sedan, which is so popular that there's usually at least a 30-day wait to get one.

"I'd already seen a dramatic increase in sales over the past 21 to 30 days," because of soaring gas prices, said Tustin Toyota salesman Greg Vernon. "But the phone is already ringing off the hook today (Wednesday) with people excited about the news. Three called me in the last hour."

Prius owner Pat Livingston of Newport Beach said she was thrilled the decals would finally be available. She anticipates being able to shave 15 minutes off her 50-minute drive to Torrance on weekdays to visit friends.

"It's definitely going to be an advantage to use them," she said. "On Tuesday afternoon I had my college roommate and her husband with me from Boulder (Colo.), and we used the carpool lanes to go watch a TV taping in Los Angeles. We saved a lot of time."

Irvine Mayor Larry Agran, who recently bought a Prius, said he, too, planned to apply for a sticker although he didn't know how often he'd exercise his new privilege, given how crowded car-pool lanes can be.

HOV lanes are traditionally reserved for cars carrying at least two people.

"I probably will use it from time to time although I try to be kind to myself and considerate of others," he said. "I don't want to feel like I'm taking advantage of anyone."

## **GAO faults study on Mexico border power plants' pollution**

San Francisco Chronicle and the San Diego Union-Tribune, Monday, Aug. 15, 2005

By ERICA WERNER, Associated Press Writer

Two power plants just south of the U.S.-Mexico border create no more pollution than similar plants in California, but health impacts on residents of Imperial County in the southeast corner of the state are uncertain, congressional investigators reported Friday.

The report by the Government Accountability Office blamed the uncertainty about the health threat on an Energy Department study that, according to GAO, failed to consider a series of factors including temperature data.

Environmentalists and some U.S. lawmakers have objected to the plants run by Sempra and Intergen near Mexicali, Mexico, three miles south of the border. Critics say emissions from the

plants, which began operating in 2003, can easily cross the border, yet the plants are not bound by U.S. pollution-control rules.

The GAO report was requested by Reps. Bob Filner, D-San Diego, and Hilda Solis, D-El Monte. It said that the plants use advanced technology and equipment, and partly as a result their releases of nitrogen oxide pollution are under the limits set by the Mexican government.

Pollution from the plants is comparable to pollution from similar plants recently permitted in California, and is relatively low compared to the primary sources of pollution in Imperial County - dust and vehicles, said the report.

But the report said that the full extent of the potential health threat to Imperial County residents is unknown. The report said that DOE's environmental impact statement on the plants, which estimated an increase in asthma hospitalizations in Imperial County of less than one per year, failed to assess a series of factors.

DOE did not address health conditions other than asthma; did not consider impacts less severe than hospital stays; and did not assess the health impacts on susceptible populations like children and low-income adults, GAO said.

The Energy Department report also did not take into account comprehensive data on some key factors including temperature and humidity, because such data was not available, according to the report. As a result, health impacts could be greater than DOE's estimate, according to the report.

In a letter to GAO the Energy Department disputed each of those the findings, contending that its environmental impact statement "notes the full range of respiratory effects associated with exposure to airborne particulate matter." DOE also contended that it included susceptible populations, and took into account concerns about uncertainty in its modeling and found that the results didn't change.

"These results reduce the uncertainties associated with the ozone modeling and support the conclusion reached that impacts to air quality would be minimal," said the Energy Department letter, signed by Kevin M. Kolevar, director of the department's Office of Electricity Delivery and Energy Reliability.

## **Engineers modify hybrid cars to get 250 mpg**

USA Today, Visalia Times Delta and Tracy Press, Monday, Aug. 15, 2005 and Taft Midway Driller, Friday, Aug. 12, 2005

By Tim Molloy, The Associated Press

CORTE MADERA, Calif. - Politicians and automakers say a car that can both reduce greenhouse gases and free America from its reliance on foreign oil is years or even decades away. Ron Gremban says such a car is parked in his garage.

Ron Gremban shows the 18 electric bicycle batteries he added to his converted Toyota Prius. The extra batteries let him store extra power by plugging the car into a wall outlet.

It looks like a typical Toyota Prius hybrid, but in the trunk sits an 80-miles-per-gallon secret - a stack of 18 brick-sized batteries that boosts the car's high mileage with an extra electrical charge so it can burn even less fuel.

Gremban, an electrical engineer and committed environmentalist, spent several months and \$3,000 tinkering with his car.

Like all hybrids, his Prius increases fuel efficiency by harnessing small amounts of electricity generated during braking and coasting. The extra batteries let him store extra power by plugging the car into a wall outlet at his home in this San Francisco suburb - all for about a quarter.

He's part of a small but growing movement. "Plug-in" hybrids aren't yet cost-efficient, but some of the dozen known experimental models have gotten up to 250 mpg.

They have support not only from environmentalists but also from conservative foreign policy hawks who insist Americans fuel terrorism through their gas guzzling.

And while the technology has existed for three decades, automakers are beginning to take notice, too.

So far, DaimlerChrysler AG is the only company that has committed to building its own plug-in hybrids, quietly pledging to make up to 40 vans for U.S. companies. But Toyota Motor Corp. officials who initially frowned on people altering their cars now say they may be able to learn from them.

"They're like the hot rodders of yesterday who did everything to soup up their cars. It was all about horsepower and bling-bling, lots of chrome and accessories," said Cindy Knight, a Toyota spokeswoman. "Maybe the hot rodders of tomorrow are the people who want to get in there and see what they can do about increasing fuel economy."

The extra batteries let Gremban drive for 20 miles with a 50-50 mix of gas and electricity. Even after the car runs out of power from the batteries and switches to the standard hybrid mode, it gets the typical Prius fuel efficiency of around 45 mpg. As long as Gremban doesn't drive too far in a day, he says, he gets 80 mpg.

"The value of plug-in hybrids is they can dramatically reduce gasoline usage for the first few miles every day," Gremban said. "The average for people's usage of a car is somewhere around 30 to 40 miles per day. During that kind of driving, the plug-in hybrid can make a dramatic difference."

Backers of plug-in hybrids acknowledge that the electricity to boost their cars generally comes from fossil fuels that create greenhouse gases, but they say that process still produces far less pollution than oil. They also note that electricity could be generated cleanly from solar power.

Gremban rigged his car to promote the nonprofit CalCars Initiative, a San Francisco Bay area-based volunteer effort that argues automakers could mass produce plug-in hybrids at a reasonable price.

But Toyota and other car companies say they are worried about the cost, convenience and safety of plug-in hybrids - and note that consumers haven't embraced all-electric cars because of the inconvenience of recharging them like giant cell phones.

Automakers have spent millions of dollars telling motorists that hybrids don't need to be plugged in, and don't want to confuse the message.

Nonetheless, plug-in hybrids are starting to get the backing of prominent hawks like former CIA director James Woolsey and Frank Gaffney, President Reagan's undersecretary of defense. They have joined Set America Free, a group that wants the government to spend \$12 billion over four years on plug-in hybrids, alternative fuels and other measures to reduce foreign oil dependence. Gaffney, who heads the Washington, D.C.-based Center for Security Policy, said Americans would embrace plug-ins if they understood arguments from him and others who say gasoline contributes to oil-rich Middle Eastern governments that support terrorism.

"The more we are consuming oil that either comes from places that are bent on our destruction or helping those who are ... the more we are enabling those who are trying to kill us," Gaffney said.

DaimlerChrysler spokesman Nick Cappa said plug-in hybrids are ideal for companies with fleets of vehicles that can be recharged at a central location at night. He declined to name the companies buying the vehicles and said he did not know the vehicles' mileage or cost, or when they would be available.

Others are modifying hybrids, too.

Monrovia-based Energy CS has converted two Priuses to get up to 230 mpg by using powerful lithium ion batteries. It is forming a new company, EDrive Systems, that will convert hybrids to plug-ins for about \$12,000 starting next year, company vice president Greg Hanssen said.

University of California, Davis engineering professor Andy Frank built a plug-in hybrid from the ground up in 1972 and has since built seven others, one of which gets up to 250 mpg. They were converted from non-hybrids, including a Ford Taurus and Chevrolet Suburban. Frank has spent \$150,000 to \$250,000 in research costs on each car, but believes automakers could mass-produce them by adding just \$6,000 to each vehicle's price tag. Instead, Frank said, automakers promise hydrogen-powered vehicles hailed by President Bush and Gov. Arnold Schwarzenegger, even though hydrogen's backers acknowledge the cars won't be widely available for years and would require a vast infrastructure of new fueling stations. "They'd rather work on something that won't be in their lifetime, and that's this hydrogen economy stuff," Frank said. "They pick this kind of target to get the public off their back, essentially."

### **Week in review: Region needs to coordinate to get more air quality money**

Bakersfield Californian, Sunday, Aug. 14, 2005

What: Bakersfield-area leaders don't seek San Joaquin Valley Air Pollution Control District funding as regularly as our Fresno-area counterparts, who secured more than twice as much money for heavy-duty equipment replacements as Kern agencies and businesses did in 2004.

"They've got their act together. They're the first ones in line," said Supervisor Michael Rubio, who met with local leaders Monday to discuss ways to coordinate grant-seeking efforts among the county, cities, school districts and other public agencies.

What's next: There's plenty of room in Kern for a coordinated air quality effort, said Supervisor Barbara Patrick, who is the air district's representative to the state air board.

"It sounds like there's an opportunity for us," she said. "You have to be persistent, you have to be ready, you have to get your act together and you have to get in line."

The San Joaquin Valley has until 2013 to reach new federal smog standards, and by 2010 it must comply with various controls on microscopic dust particles, which aggravate asthma and reduce lung function.

### **Smog Cops to Look for Emissions of Guilt**

**Sensors scattered along Southland roadways will monitor exhaust. The state will help pay to replace or repair fume-belching clunkers.**

By Miguel Bustillo, Los Angeles Times, August 14, 2005

For anyone who has ever been stuck behind a car belching thick black plumes of pollution, Southern California's smog cops have a message that some will find reassuring: They will soon be scanning the streets for smoky clunkers.

In the largest experiment of its kind in California, the South Coast Air Quality Management District plans to use remote sensors and video cameras to measure air pollution from 1 million vehicles as they enter freeways and navigate roads in the counties of Los Angeles, Orange, San Bernardino and Riverside.

If caught, the owners of the most environmentally offensive cars and trucks would receive letters informing them that the government would pay to fix or scrap their vehicles. The South Coast district estimates that 10,000 to 20,000 of the dirtiest vehicles would be detected. Smog regulators lack the authority to order drivers to dump dirty cars, but they can offer incentives.

California officials estimate that the dirtiest 10% of all cars and trucks - mostly older vehicles - spew out roughly 50% of the state's smog-forming emissions from vehicles. By the end of this decade, three-fourths of emissions from vehicles will be from older cars and trucks, state officials

estimate.

Studies have shown that scrapping high-polluting vehicles is among the most cost-effective ways of cleaning the air - far cheaper than additional controls on power plants and refineries. Yet politicians and state officials have failed for years to get the dirtiest cars off the streets.

"You can't meet our air quality goals without addressing this problem," said Victor Weisser, chairman of California's Inspection and Maintenance Review Committee, which oversees the state's smog-check program.

"We have made great strides with cleaner gasoline and new engines, but you can't make bigger reductions until you get some of these cars off the road," he said. "And unless we do something, these cars from the 1980s are going to be on the road a long time."

Smog regulators are expected to give formal approval to the program next month, and enough sensors to scan a million cars - one in 10 cars in Southern California - would begin work early next year.

Air officials, fearing that motorists with dirty cars would try to avoid the sensors, won't disclose where they will be, other than saying most will be along freeway ramps. Perhaps as few as a dozen would be required, because each one can scan thousands of vehicles a day, and they will be moved from place to place, officials said.

Past efforts to focus on the dirtiest cars and trucks have been stalled by political opposition. Some opponents have complained that poor families who can least afford new cars would be hurt most by any move to target high-polluting vehicles. Other opponents have raised concerns that sensors would invade people's privacy.

In an attempt to allay privacy concerns, air pollution officials plan to hire a nonprofit group to send the mailings and deal with vehicle owners. The information on whose cars turned up as high polluters will be maintained in a database separate from motorists' regular state records, officials said.

Even as local smog regulators are moving ahead with the remote-sensor idea, state air quality officials have doubts about it. Some have questioned the accuracy of remote-sensing equipment, fearing that it will finger the wrong drivers by mistake. Southern California air regulators, by contrast, say the technology, which is now being used in Texas and Maryland, has a good track record.

Some critics of California's smog-control tactics say the real reason the state has failed to address the problem of dirty, older cars is that doing so would require officials to acknowledge that the smog-check program is not working.

Ten million cars and trucks are tested every year in California to ensure that they do not emit excessive pollution. Cars built in 1976 or before are exempt, as are cars newer than six years old. All other cars must be tested every other year to have vehicle registrations renewed. In most cases, cars that fail must be repaired so they will pass inspection.

A 2001 report by the National Academy of Sciences found smog-check programs generally failed to deliver the predicted pollution reductions, though it noted that they had made a positive impact.

In California, an evaluation of the state program found that in 1999 it was achieving only 36% of the reductions state regulators had predicted. Changes have produced marked improvements, but the program is still falling short of expectations.

"Smog check is like trying to stop drunk driving by giving everyone a sobriety test once a year at

the DMV," said Joel Schwartz, a former executive officer of the committee that oversees the smog-check program and now a visiting scholar with the American Enterprise Institute, a free-market think tank.

"We have known for at least 20 years that these inspection programs do not work particularly well," Schwartz said. "The evidence has been overwhelming that they are failing to repair the high-polluting cars. There is fraud. And yet they have been popular with regulators and activists."

The smog-check program has been plagued by fraud since its inception in 1984. In the last decade, state investigations have uncovered dozens of private smog-check stations engaged in "clean piping," a practice in which emissions from a cleaner vehicle are illegally used to substitute for one that could not pass the inspections. In many cases, investigators have found that smog station technicians charged extra money on the side without the knowledge of a shop's owners.

Outside reviews of the program, conducted by pulling over motorists after they have received smog checks, have also found evidence of what critics call the "clean for a day" problem: cars that have been rigged by technicians to get through the test, only to fall back into disrepair within days.

## **Heat wave cools smog alerts Unhealthy air recorded on only a few days.**

By Barbara Anderson / The Fresno Bee  
Saturday, August 13, 2005

It's hard to find a silver lining in a summer heat wave, but the past month of triple-digit days has had one: few high-level smog alerts.

While the mercury soared, the air quality index, or AQI, that measures smog levels reached unhealthy levels on only a handful of days.

"It does look like we're experiencing some better air quality than we would expect from the weather we're experiencing," said Evan Shipp, supervising meteorologist at the San Joaquin Valley Air Pollution Control District.

Between July 23 and Aug. 11, Fresno County and the central region of the San Joaquin Valley saw only six days that were unhealthy for sensitive people, according to smog readings taken by the air district.

A level of 101 to 150 on the AQI smog meter signals unhealthy air for people with health conditions such as asthma, heart disease and emphysema.

Today's forecast continues the trend: moderate air quality everywhere in the Valley except for Kern County, where it will be unhealthy for sensitive groups.

And the air should get cleaner as the heat lifts next week, says Gary Arcemont, district meteorologist.

An AQI between 151 and 200 signals unhealthy air for everyone. Between July 23 and Aug. 11, Fresno County had no unhealthy-for-all air days. And the smoggier southern region of Arvin and Bakersfield had only two such bad-air days. The southern region, however, logged 18 days of air smoggy enough to affect the lungs of sensitive people.

Just because ozone levels have stayed mainly within the 100 to 150 AQI range this past month, people shouldn't ignore air district warnings to avoid prolonged, strenuous exercise outdoors when smog levels creep beyond the good range.

At pretty low ozone levels, people with sensitive lungs can have problems breathing, Shipp says.

The list of people who are sensitive to smog includes young children and older people, as well as those with asthma and other medical conditions, he says. That leaves only young to middle-age adults off the sensitive list.

And hot temperatures make smog harder to tolerate at any AQI level, says Kevin Hamilton, asthma program coordinator at Community Medical Centers.

This past month, Hamilton's respiratory therapists have been busier than usual. "If the heat is high ... you can have lower ozone and still have problems," he says. "We know you do. I can't prove it to you scientifically, but we see it."

Sheila Bridges was being treated at Community's asthma program. Her lungs don't like the combination of heat and smog. "It makes me cough and it tends to wake me up in the middle of the night," says the 48-year-old Clovis restaurant server.

[Modesto Bee, Editorial, Sunday, Aug. 14, 2005,](#)

### **Modesto Tallow needs to face responsibilities**

The valley air agency is threatening to sue Modesto Tallow Co. over its flagrant and persistent odor problems. It's well past time for such action.

The plant has not consistently complied with air quality regulations for decades. As long ago as 1973 and as recently as 1997, the Board of Supervisors threatened to shut down the southwest Modesto facility because of odor problems and other contamination.

It's time for leaders at the city, county, regional, state and federal levels to hold Modesto Tallow to the regulations that other businesses have to follow.

After so many years and so many promises, it's impossible to be anything but skeptical when the plant's new manager says it wants to be a good neighbor. Not only has Modesto Tallow refused to pay \$765,000 in fines for past pollution violations, it is, as of Wednesday, more than \$300,000 behind in paying its property taxes. This is not the behavior of a good corporate citizen.

Modesto Tallow has been rendering dead animals on the south bank of the Tuolumne River since 1917. Through all that time, there have been smells associated with the plant, as there always are with the dirty job of recycling carcasses into usable products.

The San Joaquin Valley Air Pollution Control District has kept track of the complaints since 1994. This year, there are more than ever. The company offers three standard replies: They were there first, they've done the best they can, and they provide an essential service to the county's No. 1 industry.

Those rationales no longer suffice. Modesto Tallow does have a long history, but the neighbors who are most affected by its bad odors are not newcomers either. Houses in the Shackelford and Bret Harte neighborhoods have been there for 50 or 60 years. That's the same era in which many homes were built in the college and La Loma neighborhoods, affluent areas of town where this pervasive stench would never have been tolerated.

Furthermore, every business and municipal entity has had to meet higher standards for air and water pollution than it did in the past.

The company claims it has spent millions on equipment to reduce the odors. That may well be, but any polluter has to be judged on results - not intentions. No regulatory agency should allow violations to continue because the offending company tried hard.

Beyond that, the air district's accusations against Modesto Tallow suggest that its equipment isn't always operating and that it doesn't process smelly carcasses quickly enough.

Advances in technology have not eliminated the odors associated with processing dead animals, but they have improved them considerably for plants that follow procedures.

Salinas Tallow Works, in an industrial part of that city, generates few complaints, because it uses a state-of-the-art odor-scrubber system, according to the enforcement manager for the Monterey Bay Unified Air Pollution Control District.

If Modesto Tallow cannot handle the volume of animals it is accepting and meet the legal requirements, then it should reduce its volume - not break the law. This is a basic business principle. There are other rendering plants in the valley.

No one denies the need for rendering plants, especially in a county like Stanislaus, where dairy, beef and poultry are three of the top four ag commodities. At the same time, many aspects of agriculture have made dramatic and expensive adjustments to meet contemporary air- and water-quality standards. Modesto Tallow is putting a black mark on the industry with its defiance to the laws and its apparent disdain for the neighborhood.

The air pollution control district has threatened to shut down the plant if it doesn't cease violations. That would be a radical step, but it has to be on the table as a possibility. The irony is Modesto Tallow would have a harder time in finding a new location than most rendering companies because of its track record of poor compliance.

Still, this is no longer a family-owned operation that can claim limited resources. Pascal Enterprises, based in Dallas, has eight facilities in four states. It is a big company, and it has to be held accountable for creating a big stink in south Modesto.

Enough is enough.

[Modesto Bee, Opinion piece, Monday, Aug. 15, 2005](#)

### **Lobbyists have little incentive to speak for the rest of us**

By BRAD BARKER <[mailto:metro@modbee.com?subject=Lobbyists have little incentive to speak for the rest of us](mailto:metro@modbee.com?subject=Lobbyists%20have%20little%20incentive%20to%20speak%20for%20the%20rest%20of%20us)>

California industry lobbyists came to Modesto last week. They packed the Arbor Theater at Modesto Centre Plaza on Tuesday for a town hall meeting sponsored by the California Environmental Protection Agency.

The lobbyists were out in broad daylight away from their regular hangouts - the secret passageways behind government offices in the state Capitol. Maybe I'm joking. Maybe. There were lobbyists in the audience. They were on the panel. And at least a few were there as state officials appointed by the governor to regulate the industries they once promoted. Perhaps they should be called "former lobbyists."

The audience contained representatives of the cattle industry, south valley growers, petroleum companies and others. The panel offered lobbyists from the manufacturers council, dairy operators, the building industry, the Nisei Farmers League and citrus growers. A token environmentalist, a farmworkers' attorney and a local mayor were included for balance. The meeting seemed to be set so lobbyists in the audience could ask the lobbyists on the panel to explain things to the former lobbyists from our state government. Some of these folks seemed to know each other. You might call me cynical; I'd say observant.

Since lobbyists have vested economic interests with the companies they represent, their remarks rarely are surprising. Each lobbyist pretty much said: "The public doesn't understand the troubles of our industry, and things would be better for everyone if we could get rid of government regulations." All the other lobbyists or former lobbyists in the room would then nod their heads in an "Amen, brother" kind of way.

This town hall meeting, however, did contrast with meetings some national leaders attend. This town hall wasn't entirely scripted, and people with differing points of view were allowed to attend. State officials might want to revise their system.

I raised my hand. Someone handed me a microphone. "Let me get this straight," I said. "All we have to do to protect air and water quality, to provide affordable housing, and to preserve prime farmland is to let your industries do whatever they want without regulation. Is that right?" (Pause, for dramatic effect) "How naive do you think we are?"

I'm paraphrasing myself. "And since this panel is so packed with industry representatives, who is going to speak for the 6-year-olds who need inhalers to breathe because of the air in this valley?" There was a smattering of applause from a few nonlobbyists.

Man, who let the skunk in here?

The panelists backtracked. "Oh, we didn't mean get rid of all regulations, you know, just the bad ones." Right.

The lawyer on the panel tried to speak for air quality. "Twenty-two thousand people in the San Joaquin Valley have asthma. Twelve thousand children have asthma." Just one problem: Her numbers weren't right. Those are just for asthma patients in Stanislaus County. There are hundreds of thousands of asthma sufferers in this valley.

Earlier in the day, the state officials mentioned the importance of gathering all the stakeholders together before decisions are made. They seemed to be speaking about industry representatives. But shouldn't every person who lives in this valley be considered a stakeholder? The 6-year-old with an inhaler has a lot at stake.

[Riverside Press, Monday, Aug. 15, 2005](#)

## **Global warming**

By SHERYL CARTER

At a moment when we ought to be investing heavily in cost-effective technology to reduce global warming, the Bush administration last month lobbied hard at the G8 summit to weaken an emerging international plan to solve this most pressing environmental problem. Luckily, even as the White House dodges and dissembles to please its oil-industry friends, California is leading the country with innovative solutions.

In September, California adopted the nation's first standard to cut global warming pollution from cars. It requires tailpipe emissions of carbon dioxide and other pollutants to be reduced 22 percent by the 2012 model year and 30 percent by the 2016.

This is probably the most important vehicle pollution rule since the catalytic converter in the 1970s, which helped Southern California's air quality improve steadily for more than 25 years. The tailpipe standard, which other states and even nations are quickly embracing, will accelerate the adoption of existing clean car technologies, such as gas-electric hybrid engines, variable valve timing, continuously variable transmissions and cylinder deactivation. It also will spur new innovations, such as super strong, lightweight materials.

Immediately after the tailpipe standard was adopted, auto companies sued to block it. They'll ultimately lose in court because California clearly has the right to set vehicle emission standards. The ones that drag their feet instead of innovating will lose in the marketplace as well.

Power plants are the other leading source of global warming pollution. In December, the California Public Utilities Commission ruled that since heat-trapping power plant emissions likely will be regulated in the future, the cost of regulation should be factored into utilities' investment choices today.

This means utilities no longer can assume global warming pollution will be cost-free. The new rule directs their investments away from traditional coal-fired power plants -- huge sources of global warming emissions -- and toward energy efficiency improvements and cleaner energy generated from natural gas, wind, sunlight and other renewable sources.

The rule also will spur development of a process known as integrated gasification combined cycle (IGCC), which generates electricity efficiently from coal, while making it possible to capture carbon dioxide emissions and store them indefinitely underground.

Two IGCC power plants are commercially operated in the United States, and carbon capture and storage is being tested at a few locations internationally. These are promising technologies that need additional research and development so they can help change the global warming picture.

The cheapest way to reduce global warming emissions is through energy efficiency. By setting tough standards for the energy efficiency of our buildings and appliances, and establishing aggressive utility-financed incentives to make efficient choices, California has held per capita electricity use essentially constant for 30 years. Comparatively, the rest of the nation's per capita electricity use increased by nearly 50 percent.

That has saved the state more than 10,000 megawatts of peak electricity demand, the equivalent of 20 giant power plants. It also has avoided about 12 million metric tons of carbon dioxide pollution per year, which is comparable to emissions from about 2.2 million passenger vehicles.

Meanwhile, California's economic output per unit of electricity consumed increased by more than 40 percent while the rest of the nation's increased by only 8 percent. In other words, we can grow our economy rapidly without accelerating energy use, but that means continually raising efficiency standards and investing in green technology.

California already generates more renewable energy from wind, solar, geothermal, biomass and small hydroelectric plants than any other state. Renewables now provide 12 percent of the state's power. That share will double by 2015 and reach 33 percent by 2020.

The world economy and the earth's atmosphere both operate with a lot of lag time. It will take decades to wean our economy from the oil, gas and coal that cause global warming, just as it will take decades for the greenhouse gases we put into the atmosphere today to stop raising the planet's temperature.

If California were a nation, it would rank among the top 10 emitters of global warming pollution worldwide, so we have a special responsibility to lead the fight against climate change.

California's leadership can help stop severe climate change and position our economy to benefit from the world's increasing demand for clean, efficient technology. Let's export solutions instead of global warming emissions.

[Editorial, Merced Sun-Star, Aug. 13, 2005](#)

### **Our View: Valley pollution is everyone's problem**

A number of Valley dairies found themselves on the wrong end of new air quality regulations this summer. The offenses appear, at least in most cases, to have been inadvertent and easily corrected, but the episode does point out how the regulatory landscape is quickly changing for Valley ag interests.

Six dairies were cited for failing to obtain air quality permits for new construction or expansion. The permits have been required since Jan. 1, 2004, when the historic exemption of California agriculture from air quality regulations was ended.

The permits, which apply to larger dairy operations, require that emissions from dairies be monitored and quantified and that up-to-date technological methods be employed to reduce the pollution. The problem for dairies and regulators alike is that such methods aren't yet in place in many instances, nor are the standards against which dairies will be measured fully developed.

An example is the recent controversy over setting an average figure for the pollution-causing emissions from milking cows. The dairy industry wanted a lower figure than the San Joaquin Valley Air Pollution Control District arrived at; environmentalists wanted it set higher. In fact, that number -- like many others -- is sure to vary as more research is done in coming years.

That's frustrating, but that's how science works. New evidence leads to new questions, and theories -- whether in astrophysics or cow emissions -- are constantly being refined.

This much is indisputable: Cows produce a lot of pollution, particularly the so-called volatile organic compounds that are one of the key elements in the formation of ozone, which in turn is the chief culprit in the creation of the smog that afflicts the Valley, particularly in the summer time.

And with dairy cows already totaling some 2.5 million -- 1.3 million of them "milkers" -- in the Valley, this is a problem that needs serious and constant attention.

As is so often the case, some of the issues raised by these new citations will be settled in court. So be it. In the meantime, the larger picture is this: The Valley's air is polluted by many sources, and all of them are our collective responsibility.

[S.F. Chronicle commentary, Sunday, August 14, 2005:](#)

## **Facing Our Energy Dependency**

### **Feds can follow local lead to reduce global warming**

by James Barrett

As the country suffers through a sweltering summer and another spate of heat waves and heat-related deaths, it is becoming increasingly clear that this is not an aberration but rather a glimpse of things to come. According to the National Academy of Sciences, if global warming continues unchecked, nearly 1,200 people could die in Los Angeles from heat-related causes by the end of the century. To put that number in perspective, such deaths averaged 165 annually during the 1990s.

So when President Bush signed into law a sweeping energy bill from which any focus on greenhouse-gas emissions and global warming was conspicuously absent, the need for cities and states to take matters into their own hands became even more pressing. Congress may have nixed mention of global warming from the energy bill, but not all parties are standing still. One-hundred and seventy five U.S. cities have pledged to meet or beat the targets in the Kyoto Protocol -- including San Francisco, Oakland and Irvine. In a novel approach to recycling, Santa Rosa has set up an elaborate system of pipelines that pumps wastewater into the ground for clean and reliable geothermal electricity.

By adopting a far less ambitious approach than any of these pioneering localities in addressing climate change -- both in his reluctance to acknowledge the reality of global warming and by his recent toothless pact with China, India, South Korea and Australia -- President Bush is not only in the minority among the leaders of the developed world, but he is also alone among leaders at home.

In the absence of decisive leadership at the federal level, forward- looking governors and mayors are doing what they can to reduce dependence on fossil fuels and diversify energy supply on their own. Gov. Arnold Schwarzenegger has shown leadership by naming a task force to evaluate the feasibility of a cap-and-trade system in California to meet targets he laid out this past June. The onus is now on the governor to commit to a decisive plan to reduce emissions and stimulate innovative business. The best way to do this is to auction emission permits and recycle the revenue back into the economy, investing in new technologies and ensuring consumers are protected from unfair price disadvantages.

As one of top 10 economies in the world, the spin-offs for new energy and other industries in California will create the momentum necessary to build an economy that is both lean and green, more efficient and more competitive in growing international markets. By building international cooperation on climate change, California -- along with Canada, New York, New Jersey and the New England states -- may follow the European Union's carbon-dioxide emissions trading market that is already up and running.

In addition to fostering international collaboration, California can adopt the Redefining Progress plan that would cap the emissions that industry is allowed to produce, but give individual companies the flexibility to buy and sell permits for emissions as they see fit. This system would invest in new technologies to produce renewable energy (such as Santa Rosa's geothermal fields) provide funding for critical infrastructure development, and reduce our dependence on foreign energy supplies. Research indicates that this is the best -- and perhaps only -- way to ensure that U.S. companies are major players in the economy of the 21st century.

Strong national leadership supported by federal investment in clean energy technology and a cut in corporate welfare would be far more effective than a patchwork of state projects, and the new international pact will achieve little beyond what would have occurred anyway. So the energy bill's failure to address global warming furthers the need for local action. The president has refused to address the issue of climate change and has left it to state and local leaders to pick up the slack - - and while the nation experiences record-breaking temperatures this summer, the real heat needs to come from state and local leaders willing to take smarter, stronger action on climate change.

*James Barrett is director of the Sustainable Economics Program at Oakland's Redefining Progress.*

Lodi News Sentinel, Letter to the Editor, Monday, Aug. 15, 2005

## **Study is just bull**

In regards to Lindsay Pollard-Posts's letter regarding cows being more toxic to the air than cars: This study was funded by none other than the Republicans trying to find a way to make dairy farmers pay more in fees to run a farm and home building companies that want more land (i.e. Spanos, and KB Homes).

I would rather live by cows than live by Interstate 5 in Sacramento. All of this cows being more toxic talk is -- dare I say it? -- bull.

Kenneth Huntley  
Lodi

Modesto Bee, Opinions guest column, Monday, Aug. 15, 2005

## **Power for 'clean' cars comes from fossil fuels**

By CARL BOYETT

I read with interest the Aug. 6 editorial about electric cars ("Here's one way to spare the air by driving a car," Page B-6).

While I certainly am not an impartial observer, I can understand why people desire nonpolluting vehicles. Many people think electricity is a totally clean product with no adverse side effects. Electricity comes from burning coal, oil or natural gas, or from nuclear, hydroelectric, solar or wind power. Nuclear, hydroelectric, solar and wind do not appear to be viable sources of substantial amounts of energy in the near future. Of the remaining options, natural gas is the fuel of choice in today's environment. Most new generating plants built in California use natural gas. Natural gas does not produce a lot of harmful emissions, but it is expensive and relatively scarce in California. The state does not have enough competitively priced natural gas to supply all of California's needs, especially if we are going to use it to generate electricity to operate our automobiles.

Much of California's natural gas comes by pipeline from Canada and the Midwest. We used to use most of our natural gas in the winter, but now huge quantities are being used in the summer to produce electricity. Our inability to save it for use in winter contributes to our outrageous natural gas bills in the heating season.

Oil companies are working hard to produce gasoline and diesel that are almost as clean as natural gas and therefore minimally polluting. Refineries in the United States have spent about \$6 billion in the past few years to reduce the amount of sulfur in our gasoline. These efforts were completed for this summer's driving season.

By next summer, all refiners must make diesel that can be sold to the public for motor vehicle use with less than 15 parts per million of sulfur. Diesel used to contain as much as 3,000 parts per million of sulfur. This effort is costing the refiners about \$8 billion.

I'm told that the average new car produces one-tenth of 1 percent of the pollution of a 1960s car. This is a phenomenal achievement over the past four decades and is little recognized by the public.

This has been achieved by making cleaner fuels, more efficient engines, service station vapor recovery advances and tough regulations by the California Air Resources Board and the Environmental Protection Agency. These improvements took a lot of time, money and effort. Both electric and hydrogen fuel-cell vehicles are not nonpolluting. You are trading a mobile source of pollution for a stationary source. Hydrogen is produced by burning natural gas and

water to produce hydrogen fuel. This is similar to producing electricity by burning natural gas. You are burning a fossil fuel to make the hydrogen or electricity. It is inefficient to burn natural gas to produce another kind of energy. There is always a loss of power when you transfer from one source of energy to another. With diesel and gasoline becoming almost as nonpolluting as natural gas, it is more efficient to use them to power our autos, and pie in the sky to think electric or hydrogen fuel cells will be the answer any time soon. Boyett is chief executive officer of Boyett Petroleum in Modesto.

[Modesto Bee, Letter to the editor, Monday, Aug. 15, 2005](#)

### **Some sad possibilities for our future**

A future conversation in Modesto, 2022:

Friend: I heard the wonderful news!

Mom: Yes. We're so proud of Junior.

Friend: Three scholarship offers!

Mom: Yes. And what makes it extra special, they are all for advanced embryonic stem cell research. You can imagine how pleased Grandpa is.

Friend: How is Grandpa doing?

Mom: Since his new stem cell treatment, he can again dance the tango.

Friend: What a comfort! And, so, which of the scholarship offers do you think Junior will take?

Mom: He likes the 16 Nobel Prize professors at the University of South Korea, and he is particularly keen on the open inquiry at Fidel Castro University in Havana, but I think he will probably go to the University of Outer Mongolia, where they are doing wonderful work in restoring mobility to wounded yaks.

Friend: I'm so envious!

Mom: Oh, come on now. I heard your son got a scholarship to the George W. Bush School for the [Study of Bovine Gas Emission at Harvard](#) ...

Friend: Shhhhh. Not so loud!

EUGENE L. CONROTTO

Modesto

[Tulare Advance-Register, Letter to the Editor, Saturday, Aug. 13, 2005:](#)

### **Farmers deserve gratitude from us all**

I just want to take this time to say thank you to all the dairy farmers, beef farmers and crop farmers, for making sure that this Valley has plenty of great locally grown food for my family, that I can go to the store to buy at a fair price. If it weren't for you farmers, my kids would be going hungry.

Now this one is for all of the morons, including the San Joaquin Valley Air Resources Board: Let's see if you can remember your so-called "testing numbers" the next time that you go to the grocery store to buy fresh veggies, milk and meat for your family, and there is none, or it costs \$100 more for just those few items to feed your family for one week. Makes sense, doesn't it?

I'm not taking sides. I know cars are a big problem, too, because I used to be a smog referee lane technician.

People, think about it, which is worse, a dairy cow passing gas or a car going down the road smoking like a freight train after it passes a smog test? Now which one of these scenarios would be more natural? Hmmm. I am not a farmer, but I do live in the country where the dust settles and the cows keep milk and meat in my refrigerator and the farmers grow my veggies.

So remember people. Next time you complain about farmers, make sure your mouth isn't full of food.

MARIE FARABEE, Dinuba

[Letter to the Fresno Bee, Saturday, August 13, 2005:](#)

### **State needs network of independent bike lanes**

Here's a no-brainer for the Legislature: Build and maintain a system of dedicated bicycle lanes. Bicycles use no fuel, which is headed toward \$5 per gallon. They use less space than trucks and automobiles. They contribute to fitness in an obese society. They create no air pollution. They are quiet. They are easy and free to park.

Bicycles do not produce grossly excessive registration fees, gas taxes or huge sales tax revenues. But the Legislature is constitutionally charged with the health, safety and welfare of the public, not just raising more money. A healthier and more prosperous population trumps securing more revenue for more bureaucratic (and often fiscally questionable) programs.

It would seem to be a simple and effective legislative move to provide safe bicycle paths that parallel major thoroughfares and even highways. Bicycle lanes, while certainly well-intentioned, don't cut it. A wide white line in the road will not prevent a vehicle from running into a cyclist.

It would be refreshing to hear legislative candidates promise consideration of a statewide system of safe bicycle lanes. Such candidates would get my vote, no matter which party they represented.

Bob Whitlock, Clovis