

## Growers will need to find burning alternative

The Merced Sun-Star

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By Scott Pesznecker

A new agricultural burn ban set to begin this summer has some Merced County farmers wondering how it will affect them.

The ban, Senate Bill 705, is one in a series of clean-air legislation by state Sen. Dean Florez, D-Shafter, signed into law in the fall. The bill phases out burning over five years, beginning in June 2005 with field crops and prunings.

Instead of burning debris, San Joaquin Valley Air Pollution Control District officials expect farmers to start chipping their ag waste. Farmers could then lay their chipped debris out over their fields.

However, Merced County officials said some small-operation growers might not have the money to pay a chipping service.

Merced County Farm Bureau Executive Director Diana Westmoreland Pedrozo said the state should make laws to promote agriculture, not discourage it.

"We need to look at the economic analysis and make sure we're basing our decisions on good, sound, scientific fact," she said.

San Joaquin air district spokeswoman Brenda Turner said it's too early to tell whether some farmers will be granted exemptions if they can't afford chipping services.

Meanwhile, some lawmakers are working on a bill to help farmers find affordable alternatives to agricultural burning.

The bill suggests using state money to subsidize the use of biomass plants, which turn wood waste into electricity. But transporting waste to the plants can be costly -- the closest plant to Merced is in Fresno, according to the California Biomass Energy Alliance Web site -- and they often take in a limited amount of agricultural waste. A biomass plant on Sandy Mush Road south of Merced is not in use.

Officials and lobbyists are debating whether the state should help pay farmers' costs of shipping debris to biomass plants.

"But if you're driving it all the way to Fresno, you're still getting air pollution, because you've still got a truck on the road," Merced County Agricultural Commissioner David Robinson said. "I don't think it would be affordable or cost-effective to have to drive that to Fresno."

Merced County might also lack businesses that do widespread hauling.

Plainsburg farmer Don Reineke said he tried to find someone to haul his waste to a biomass facility last year, as he did in 2001. He was never able to find a willing hauler, though, so he burned his debris.

One of Reineke's biggest concerns is the upcoming burn ban will change, leaving farmers to scramble for yet more solutions.

"I don't have any answers," he said. "All I see are multiple problems down the road in front of us."

Westmoreland Pedrozo said the burn ban is just another example of Sacramento lawmakers penalizing farmers for the Central Valley's air problems.

"They want to blame agriculture for the bad air, but we know for a fact that urban sprawl is more damaging to our air than any operation we have," she said.

"When we get in our cars, we all drive every single day. There are people on the road in trucks, trains and cars that operate every single day. It's part of commerce, but so is agriculture."

## **Synagro official says compost plant won't smell as bad as dairies**

By Doug Keeler, Midway Driller City Editor  
Taft Midway Driller, Wednesday, March 2, 2005

The company planning on constructing a composting plant east of Taft says there will be no groundwater contamination and little odors from the facility.

The announcement last week that the facility is going to be financed by tax-exempt bonds if approved by the Kern County Board of Supervisors touched off an angry reaction from city officials.

The county approved the project in Oct. 2002 and has already issued permits.

Even if the supervisors vote against the use of the bonds to build the facility, construction will still go ahead on schedule, Synagro officials say.

Liz Ostoich is the project manager for Synagro, the parent firm of South Kern Industrial Center, the firm that will build the plant, which is scheduled to open in 2006.

Construction is scheduled to start in May.

Ostoich said the biosolids trucked to the facility, which will be built on Lake Road about 12 miles east of downtown Taft, will be unloaded indoors in buildings where the air is filtered

The waste will then be transported though covered conveyor belts to the composting area, where it will sit on concrete floors with pipes underneath. Air will be sucked down through the composing biosolids and green waste and no water will leach into the soil, Ostoich said.

"No water will escape the site," she said Monday in an interview."

Ostoich said the plant will not operate at its licensed capacity of nearly 1100 tons per days of waste and will open at about 500 tons per day.

That's 25 truckloads of biosolids trucked into the plan from Southern California, Ostoich said.

There are no plans to have manure hauled into the plant, she said.

Ostoich said the plant won't have the heavy manure odor.

"This is nothing like a dairy," she said.

Despite those assurances, mayor Cliff Thompson is still adamantly opposed to the project.

Ostoich did nothing to allay his concerns about the environmental effects the plant could have on the area and in particular on the city's growth potential.

New housing developments are tentatively being planned east of Taft off Petroleum Club Road and any odors could discourage people from buying.

"I don't think there is anything the company can do to allay my fears about the odors and methane escaping into the atmosphere," Thompson said Monday. "I think it's a bad deal for Taft. I have no use for the people that want to bring in toxic waste. "

He planned on attending the supervisors meeting this afternoon to speak out against the proposal.

But the project has county approval and is going ahead no matter what action the supervisors take on the bonds, Ostoich said.

Thompson said he wants to make sure the composting operation is closely monitored and said the city "will watch them like a hawk."

"We can be there for 365 days a year and every time they violate air pollution rules, we will be their worst nightmare," he said.

Ostoich said the bonds the firm is seeking are federal bonds authorized by the Internal Revenue Service Code for projects that benefit the public.

She said her firm wants to be a good corporate neighbor and partner with local agencies on projects.

## **Mired in protest**

### **Passionate residents speak at meeting against sewage site**

By GRETCHEN WENNER and VIC POLLARD, Californian staff writers  
Bakersfield Californian, Wednesday, March 2, 2005

First, the outcome.

Kern County supervisors Tuesday unanimously rejected a proposed \$35 million tax-exempt, low-interest bond to finance a sludge plant outside Taft.

The 5-0 denial means Synagro Technologies Inc. will have to find new financing for its sewage composting project.

The so-called South Kern Industrial Center plant was scheduled to open early next year. The unbuilt facility is permitted to accept 397,000 wet tons of treated human sewage, or biosolids, a year.

The sludge would be trucked into Kern from Southern California communities.

Now, the drama.

Before the 2 p.m. session, Bernice Bonillas stood with a toilet seat around her neck outside the big glass doors of the downtown county administrative building. She offered anyone walking up the steps a new toilet brush, cardboard store tags still attached.

Bonillas, a local Democratic party leader, was one of a group protesting sludge imports from the Southland.

Some 450,000 wet tons of sludge were trucked into Kern from Southern California last year alone.

While the pastel-handled brushes were left outside during the meeting, many attendees wore fluorescent pink stickers the size of a business card turned vertical, stamped with a toilet, lid open. A black circle slashed by a bold diagonal line, the universal symbol for "not this," wrapped around the image.

About 20 people spoke against the project. More watched.

No residents spoke in favor of the sludge plant or the proposed tax-exempt bond.

Some quotes:

- "The only winners will be the ones (who) laugh at Kern County," said Paul Linder, a Taft councilman, who also suggested a "steaming pile of manure" be put on Kern County's official seal.
- "Any time I hear the words 'probably' and 'hazards,' I get worried," said Tom Mayo, a Vietnam veteran who said he was speaking for the silent majority.
- "This could be the Wal-Mart of recycling," said Bakersfield resident Lloyd Kingham.
- "If this is such a great project, asked Dave Noerr of the Taft City Council, "Why is this chamber not full of people from down south begging them to come back?"
- "I am horrified at the direction we are going with the importation of sludge," said Cyrille Duzen, who was born in 1917 and said she'd seen a lot of history, including the Great Depression and World War II.
- "I can't believe it. I just can't believe it," said Joe Esnoz, sheep rancher and a 72-year resident of Lost Hills, referring to decisions made by supervisors in recent years. Esnoz complained about odors and dust from the San Joaquin Composting Inc. biosolids facility

on Holloway Road, which is permitted for 780,000 wet tons of sludge annually. "Why don't you go out there (to Holloway) and have a picnic, a luncheon, out there?"

### **The board speaks**

Before the vote, even veteran board-watchers wondered which way ayes and nays would swing.

In the end, supervisors generally agreed the project didn't provide enough of a "substantial benefit" to residents to earn the board's support for the tax-exempt bond.

Chairman Ray Watson said his rejection came for different reasons.

"I can understand why people really are concerned about the fact we are accepting someone else's problem," Watson said.

But, he added, we consume things here manufactured in other parts of the world that stick those folks with dangerous waste.

Kern residents don't need to take the part of the victim, he said.

"I do think that Synagro is adding some public benefit to the existing condition," he said.

Supervisor Barbara Patrick, who along with Jon McQuiston was a board member in fall 2002 when the plant's county permits were approved, said she'd rather see waste processed at a state-of-the-art facility than be spread over farmland.

But she objected to the tax-exempt bond, in part because it would serve Southern California wastewater districts currently suing Kern for its ban on low-quality sludge.

Supervisor Don Maben, in typically quick fashion, said the project "is not a good use of our public bonding ability," especially when the same money could help build affordable homes for some 5,000 residents on a waiting list.

As expected, Supervisor Michael Rubio voted against the loan. He said after the meeting the outcome was a victory for the people, many of whom took off work to voice their opinions.

After the board's vote, applause filled the chambers.

### **Meanwhile, up north**

Hours earlier Tuesday, the agency that would have issued the \$35 million bond had already dealt the Synagro project a setback after objections raised by state Sen. Dean Florez, the Shafter Democrat.

The obscure California Statewide Communities Development Authority rejected a staff recommendation to give the project a preliminary, informal stamp of approval.

[Florez told the panel he was concerned the plant could add significantly to the valley's already severe air pollution problems.](#)

Members of the authority, made up of city and county officials from around the state, agreed.

"I'm not ready to make a decision," said Chairman Chris McKenzie.

The panel agreed to consider the issue again at a future meeting after hearing the outcome of Tuesday's vote by Kern supervisors.

"This is a great day for valley residents, especially those who fought to be heard on this issue," Florez said.

## **New subdivisions put on hold**

**Fresno County supervisors to examine policy on developments and impact on water and air.**

By Marc Benjamin / The Fresno Bee  
Wednesday, March 2, 2005

Planned subdivisions in Fresno County will be delayed while the Board of Supervisors examines how to change its approval policy to reflect current water, air and sprawl concerns.

The board's decision Tuesday to study policies for approving new rural housing tracts will stall any new subdivisions planned countywide.

While supervisors stopped short of calling the decision a moratorium, the impact is similar.

The move toward a new policy likely will stall dozens of subdivisions being considered, possibly for months, but a policy change is not expected to have an impact on people who own individual lots and want to build, county officials said.

"We have really outgrown our policy," Supervisor Susan Anderson said. The policy changes arose as a 23-home, 59-acre subdivision near Bullard and Dockery avenues was denied by supervisors in a 4-0 vote Tuesday.

Supervisor Bob Waterston was absent; he is in Washington, D.C., on county business.

Fresno County planning commissioners previously turned down the development. The supervisors' hearing Tuesday was an appeal of the commissioners' decision.

But supervisors were not convinced less water would be used by the subdivision than is now being used by 42 acres of oranges on the land.

But supervisors also voiced concerns about air quality, one more leapfrog development and a zone change to residential as the county continues to try to steer development closer to urban areas.

"This project accelerated the county's consideration for a moratorium on rural-residential development throughout Fresno County," said Scott Mommer, who represented developer John Sobaje on the Bullard and Dockery avenues project. "We met all the county's guidelines."

Both Mommer and Sobaje said they did not realize the rural development would turn into a test case on the county's rural residential standards.

"It's hard to picture that they would put you through all that and then turn you down for no reason at all," Sobaje said, referring to delays that led to neighborhood meetings and making additional concessions to nearby residents.

Sobaje said his existing orange grove uses about 275 acre-feet of water annually compared with 23 homes that would use less than 50 acre-feet each year combined.

Supervisors said existing rules do not address the county's needs today.

"We should not have staff bring any more [subdivision] plans to us until the new policy is addressed," Supervisor Henry R. Perea said.

One issue is how consultants are hired. Perea was surprised the county allowed Sobaje to hire his own geologist to examine water issues without approval from county staff.

He said county policy should change to give the county the final say when developers hire geologists to achieve a more objective analysis of water needs and other geologic features for future subdivisions.

Supervisor Judy Case said residents in the new subdivision would commute to work, exacerbating air quality problems that could not be solved by public transportation because the area does not have enough residents.

"The development community is doing what's appropriate, but our rules are not giving them a clear message," Case said.

Supervisor Phil Larson said approval of Sobaje's subdivision would have gone against county general plan guidelines by approving a zone change beyond a sphere of influence for future city growth.

Sobaje's development is about two miles east of the expected growth area for Clovis over the next 20 years.

But Larson also voiced sympathy for the developer.

"We don't want to lead them down a primrose path, have them spend money, come here and get denied," Larson said. "That's not fair."

One issue supervisors said they did not think was known before Tuesday's meeting was the drilling of new wells in neighboring developments.

James Knabke, who lives in a home near the Sobaje tract, said a neighbor recently spent \$14,000 drilling a new well and installing a storage tank for his property.

"What I hear today gives me cause for concern," county geologist Phil Desatoff said after being asked by supervisors his opinion of the neighborhood's water problem.

## **Board upholds dairy loan program Florez rebuffed in effort to freeze low-interest funds from state pollution agency**

By VIC POLLARD, Californian Sacramento Bureau  
Bakersfield Californian, Wednesday, March 2, 2005

SACRAMENTO -- In a victory for the dairy industry, a state funding board refused Tuesday to freeze controversial low-interest loans for dairies.

The move was a blow to Sen. Dean Florez, D-Shafter, and other critics who say the loans amount to a taxpayer subsidy for the rapid expansion of dairies that are adding to the San Joaquin Valley's already severe air pollution problems.

"The board seems to feel at this point that they want to continue to open the gates to mega-dairies in Kern County," said Florez, who urged the panel to halt the funding.

The board's stance was a big relief to dairy owners.

"Common sense is winning out here over emotional reactions," said industry lobbyist Michael Boccadoro.

It was the latest in a series of meetings of the California Pollution Control Financing Authority to consider requests for a moratorium on the program that has helped fund the rapid growth of mega-dairies in the valley.

The loans sparked an outcry late last year after it became known they were granted to dairies under the premise they would reduce pollution by diverting dairy manure away from public landfills. However, dairies have never used landfills.

The waste is usually stored in lagoons on the dairy property and some of it is eventually spread on farmland for fertilizer.

That often draws protests from neighbors about odor and flies and fears from environmentalists about air and water pollution.

At Tuesday's meeting, a motion by a representative of Democratic state Treasurer Phil Angelides to stop making loans until new air and water pollution rules are in place got no support from the other two members of the panel. They were stand-ins for Republican Gov. Arnold Schwarzenegger and Democratic state Controller Steve Westly.

State regulators have not yet implemented new laws authored by Florez that require dairies and other agricultural operations to help clean up the valley's air, among the worst in the nation.

Angelides was sharply critical of the board for its refusal to adopt the moratorium and vowed not to stop pushing the issue.

"Sen. Dean Florez and I," Angelides said, "will put forth legislation that prohibits dairies from obtaining ... tax-exempt financing until stringent regulations to protect air and water are in place,

and that requires dairies to demonstrate a public benefit beyond compliance with minimum environmental standards."

Although the authority rejected a moratorium, it agreed to audit previously granted loans to make sure the money was spent properly. It also promised to consider proposed new rules to tighten environmental requirements of the program.

## **Dairy loans won't be postponed Pollution-control loans available to county farmers**

By Jake Henshaw, Sacramento Bureau

Visalia Times-Delta, Wednesday, March 2, 2005

SACRAMENTO - Dairies, including two in Tulare County, will continue to be eligible for state pollution control loans because of a controversial decision by a state board Tuesday.

The California Pollution Control Financing Authority rejected a proposal by its staff to delay consideration of dairy loans until new state air and water pollution control rules are in place, which could take two to three years.

"Common sense is winning out here over emotional reaction," said Michael Boccadoro, a lobbyist for the Community Alliance of Responsible Environmental Stewardship, also known as Dairy CARES.

But Sierra Club representative Vicki Lee, who wants a permanent ban on dairy loans, was dismayed by the board's unwillingness to impose even a temporary moratorium.

"Should we ignore the fact that the world is in such an upheaval on these questions" of environmental standards for dairies? Lee asked.

The three-member board was split on the issue, with representatives of Controller Steve Westly and Finance Director Tom Campbell refusing to back a motion by Treasurer Phil Angelides' representative for the temporary postponement of dairy loans.

"I am concerned by today's refusal by Gov. Schwarz-enegger and Controller Westly to halt dairy solid waste facility financings until safeguards are put in place to ensure that new projects improve, not degrade, air and water quality," Angelides, who heads the board, said in a prepared statement.

He is supporting Senate Bill 931 by Sen. Dean Florez, D-Shafter that would block the dairy loans by the agency.

Florez attended the board meeting Tuesday to support the moratorium.

The board instead directed its staff to schedule a meeting on recommendations by the dairy industry on how to improve the loan process.

The recommendations came out of an advisory committee appointed by the board after questions were raised about whether past low-cost financing of solid waste projects by dairies actually contributed to air and water quality. The advisory committee was made up of dairy industry representatives and environmentalists, who couldn't agree. As a result, the board got two sets of recommendations.

There was some agreement that the staff should do a better job of working with environmental regulators and verifying the environmental claims of loan applicants, but not on the moratorium. This means the board staff will continue to review applications filed by the Van Beek Brothers Partnership of Dairyland Farms in Tipton, seeking \$4.645 million, and Joe G. and Diane Airoso of Airoso Dairy in Pixley, for \$2.5 million.

The Airoso Dairy has asked for final review of its application, according to the treasurer's office, but Dairyland Farms has not.

Work on the applications, along with those from three other San Joaquin Valley dairies, was frozen when the California Pollution Control Financing Authority decided in October to impose a 90-day moratorium on these loans.

The pollution authority's focus on dairy loans was prompted by environmentalists' complaints and subsequent news reports that at least some dairies may have used some of the pollution control financing to move from Southern California to the Valley or expand dairies there, not necessarily with improved air or water quality.

The authority had approved 18 loans valued at \$66 million before imposing the original moratorium. The board Tuesday also authorized an audit by the controller of at least six of the previously approved loans.

## **RFK's son touts environmental message at Capitol Kennedy to speak today before joint panel of Legislature**

Jane Kay, Chronicle Environment Writer  
S.F. Chronicle, Wednesday, March 2, 2005

Robert F. Kennedy Jr., a leading critic of the Bush administration's environmental policies, is expected to tell Sacramento legislators today how federal changes in policies and laws could harm California.

Kennedy is scheduled to speak this morning at a Legislature hearing by joint environmental committees dealing with the threat of pre-emption of state laws as well as with new air-quality and water-supply problems.

Kennedy, the son of Robert F. Kennedy and a cousin of Gov. Arnold Schwarzenegger's wife, Maria Shriver, served as an adviser to the governor during his election campaign. Kennedy continues to pass along environmental advice to the Republican governor, he said in a telephone interview Tuesday.

The outspoken attorney said that because of backsliding in environmental protection that "favors polluters over the public, the burden has fallen on the state to protect its citizens from pollution and injuries to public health, the land, the air and the water."

He said President Bush's air-quality legislation before Congress would delay reducing mercury and other air pollution from power plants and factories, and he said the administration was lax in bringing imperiled species under the wing of the Endangered Species Act.

Kennedy was picked to testify at a somewhat rare event -- five policy committees from both houses are to join for the hearing -- because he's "a national expert on environmental issues, especially how federal rollbacks and pending actions in Congress adversely affect the ability of states to protect their own environments," said William Craven, chief consultant to the Senate Natural Resources and Water Committee.

But William Holbrook, a spokesman for the White House's Council on Environmental Quality, said the president's proposed legislation, called "Clear Skies," would cut power plant pollution nationwide by 70 percent. "There was no regulation or legislation on the books regulating mercury emissions when President Bush first took office," Holbrook said. The measure "specifically allows states to apply further reductions in the event they identify a localized risk of concern," he said.

California is at odds with the Bush administration in regulating carbon dioxide and other greenhouse gases from vehicles, requiring strict new emission controls on all expanding factories, protecting national forests in the state from vigorous logging and by seeking a federal waiver to stop using such additives as ethanol or MTBE in making clean-burning gasoline.

Schwarzenegger is getting mixed reviews on whether he's pushing a strong environmental agenda. He got high praise for a new plan announced Monday to bring solar energy to millions of

buildings, but he has received negative feedback for not involving the public in possible regulatory changes on siting of oil refineries and controlling logging of private forestland.

"Arnold said to me at the beginning of the campaign that he didn't know much about the environment," Kennedy said. "But he understood that it was connected to the long-term good of our community and our children, and that he intended to be the best environmental governor in California history.

"On pollution issues, California is among the best in 50 states. In the natural resources areas, there has been some disappointment."

It was partly through Kennedy that Schwarzenegger knew about the capabilities of Terry Tamminen, first selected in 2003 as head of the state Environmental Protection Agency, then promoted in December to the governor's Cabinet secretary, a top aide position.

A longtime colleague of Kennedy, Tamminen founded watchdog groups similar to the San Francisco Baykeeper in Santa Monica and four other cities. He moved to Environment Now. During the recall campaign, he sent critiques on the environment to the candidates, including Schwarzenegger, whom he had met. Schwarzenegger called him, and they started working together.

Kennedy is president of the umbrella organization the Waterkeeper Alliance and chief prosecuting attorney for the Hudson Riverkeeper. He is senior attorney for the Natural Resources Defense Council and is a professor and supervising attorney at the Pace Environmental Litigation Clinic at Pace University School of Law.

On Monday, the Second U.S. Circuit Court of Appeals in New York decided on a case brought by the Waterkeeper Alliance, Natural Resources Defense Council and Sierra Club, which affects the regulation of dairy and other animal operations nationwide. In California, there are about 1,200 big Central Valley operations.

The court ruled that some parts of the 2002 federal livestock regulations violated the law because they allowed the operators to determine whether the operations were in compliance and didn't provide public participation. The court satisfied the operators by saying they didn't need permits unless they discharged off-site.

Kennedy has many critics who won't welcome his testimony. Scott Segal, an attorney with the Electric Reliability Coordinating Council, a trade group that represents big power plants, said he had debated Kennedy on many of these issues.

"Bobby Kennedy has a unique brand of hyperbole. To Mr. Kennedy, everything is of unmitigated importance," said Segal. "The current administration has proposed historic new reductions in emissions, and every environmental indicator has been positive."

[Fresno Bee column, Tues., March 1, 2005:](#)

## **You've got to expect unexpected**

By Bill McEwen

Unlike Southern California, we don't have tigers roaming the foothills and getting killed by trackers.

But the last time I took my dogs for a run I saw a horse grazing in the drainage basin near Wawona Middle School.

"Shetland pony?" I asked.

"A miniature horse," said the woman handling the steed.

In the news business, you come to expect the unexpected. But here's one stranger than a tiger on the loose in Ventura County or a horse turned lawn mower in the middle of Fresno: A couple months ago, I made a suggestion . . . and someone actually listened.

The guilty parties are the American Lung Association of Central California and Valley Clean Air Now, which are asking people "to skip a trip or two a week" to cut vehicle emissions.

I had envisioned clean-air advocates adapting an old almond growers commercial that helped turn the seldom-eaten nut into a lucrative cash crop. The ad showed farmers standing in a pile of almonds and pleading, "A can a week, that's all we ask."

The two local groups are distributing skip-a-trip checklists and talking about ways to reduce driving in one of the nation's dirtiest air basins.

"We are really promoting the idea of parents car pooling their children to school or walking with them to school," says Josette Merced Bello, president of the American Lung Association of Central California.

"We also are asking people to eat lunch at work and do as much as they can on the phone or the computer instead of in-person."

The checklist is available at [www.amerilungcencal.org](http://www.amerilungcencal.org).

You never know, Part II: Infants at Sierra Kings Hospital in Reedley soon will benefit from a spat between Fresno Mayor Alan Autry and City Council Member Tom Boyajian.

Poking fun at the politicians, I said they could mend their rift by joining my wife and her friends for knitting.

E-mails about the column included one from Sierra Kings volunteer Marge Kuffel. She asked whether my wife's knitting club would make caps for newborns. The Knaughty Knitters signed on, as did another group that contacted me.

You never know, Part III: Remember the uproar last Christmas when Target Corp. booted Salvation Army bell-ringers from its stores?

Red kettles at Target stores accounted for about 30% of donations in Fresno and 10% nationwide in 2003.

Salvation Army leaders predicted losing about \$150,000 in the Golden State region stretching from Bakersfield to San Francisco and \$9 million nationally.

But Target's pullout generated widespread media attention for a tradition that began in 1891 and triggered more gift-giving.

Fresno received \$95,000, or about \$19,000 more than the previous year, according to Capt. Richard Larson. The Golden State region increased its take 19% to \$2.1 million, spokeswoman Jennifer Byrd said, and national donations swelled \$2.3 million to \$95.3 million.

"So many people came forward," Byrd says. "It was really quite amazing."

You won't have trouble spotting me next Christmas when I ring the bell at Fashion Fair. I'll be the guy with knitting needles and big ideas standing next to a miniature horse.

[Letter to the Fresno Bee, Wed., March 2, 2005:](#)

## **Idling cars foul their engines and the air we all breathe**

All over Fresno, people idle their gas guzzling SUVs and trucks for as long as 20 minutes, smogging up the neighborhood and ruining their engines. There are many Web sites that explain the damage.

Excessive idling (more than 30 seconds) can contaminate engine oil and damage engine components.

Idling a vehicle for as little as 10 minutes a day uses an average of 100 liters of gas a year. By turning the vehicle off, drivers can save up to \$75 a year, assuming gas costs 75 cents a liter.

Idling discharges harmful pollutants that affect us all. By idling a car, drivers are particularly placing young children, the elderly and people with respiratory problems at a greater health risk.

Just start the engine, idle for 20 to 30 seconds and drive off. Certain components don't even warm up until the car is driven. We have enough smog already.

Kendall Bartela  
Fresno

[Commentary, Bakersfield Californian, Wednesday, March 2, 2005:](#)

## **'Smoke gets in your eyes' not a sweet song to blameless**

By DICK PORTER, Bakersfield

A few months ago, *The Californian* printed a letter from Mary K. Shell protesting the use of heat detecting equipment by the "smoke police" to ferret out illegal fireplace use by our citizenry.

Well, I have a story to illustrate what can happen when bureaucrats are given too much power to enforce these seemingly well-intentioned laws.

I am a farmer near Edison. Last spring one of my employees had checked in for work at 6:30 a.m. at one of our properties, which happens to lie at the intersection of two paved county roads.

He later told me he had not noticed anything unusual. Then about 7:30 a.m. he called me on my cell phone to tell me we were being cited for an "illegal burn." Apparently, someone had dumped trash on our property sometime between 6:15 and 7 a.m. and then did us a favor by lighting it on fire.

I immediately called the smoke control officer who had cited me and explained to him that I had nothing to do with the fire or its contents. I told him somebody had performed yet another dump on me then lit it on fire.

He said I would have to talk to his boss in Bakersfield. Well, I did. His boss asked, "Was the burn on your land?" I said yes. He asked if I had realized the fire took place on a no-burn day?

I told him that burn day or no-burn day I had no control over the miscreant who started the fire. He said I had a burn on my property on a no-burn day. He said, therefore, I was guilty and I should be punished.

I asked who *his* boss was and he said he was in Fresno, but that he was very busy prosecuting people who had performed illegal burns either on a burn day or on no-burn days

I finally got through to the Big Boss of Illegal Smoke Activities. He informed me that I actually needed to start controlling people from burning their trash on my property and that he would have to think long and hard "about your offense." He said he would have to talk to *his* boss. *Now* I'm into the very highest reaches of the smoke police.

Three weeks later little Big Boss calls me back and tells me he talked to the Really Big Smoke Boss and that guy said if I let one more person dump trash on my property and light it on fire I would be in a very large pile of doo-doo. I guess he figures Kern County residents can associate with large piles of doo-doo.

He said if this ever happened again I would be fined until I cry -- *I kid you not.*

So just know that the Big Smoke Boss is not happy that he has lost his chimney smoke detector, thanks to Shell. Only trouble is, he is taking his frustration out on people who really can't defend themselves.

*Dick Porter of Bakersfield grows citrus in Edison.*

[S.F. Chronicle editorial, Wed., March 2, 2005:](#)

## **In the glow of refinery flares**

OIL REFINERIES, with the flicker of their flares, are part of the Bay Area landscape -- both political and geographic. Dependent on its products and jobs but fearful of its byproducts, Bay Area residents have had a long and contentious history with the petroleum-refining industry. The

latest battle is over a rule to limit refinery flaring which proponents hope will become a national model.

Industry concerns over the scope and environmental worries about the enforceability of the proposed rule remain to be worked out, but the bottom line must be this: Our skies are not a garbage dump.

After years of discussion, the Bay Area Air Quality Management District has proposed prohibiting routine flaring to reduce the amount of pollutants released to the air.

Flares are the safety valve on the high-pressure refining process that turns crude oil into gasoline, diesel and jet fuel. The five refineries operating in the Bay Area have 23 flares burning continuously, like a pilot light. If pressure builds up, refinery operators flare to dispose of the excess gases, which can turn a demure flame into a roaring, huffing, stinking 200-foot tower of fire that shakes neighbors' homes and covers everything with a thick, black layer of noxious particles.

Environmental groups and the industry association agree flaring should be kept at a minimum -- but on little else. Estimates of the pollution emitted by the Bay Area flares range from an average of fewer than two tons a day (Western States Petroleum Association) to 40 tons a day (Communities for a Better Environment).

The industry likes to point out that of the 500 tons a day of smog-forming pollutants dumped into the Bay Area's air, more than half comes from automobiles, with less than 0.5 percent from flaring.

But those who share a fence line with a refinery note a higher incidence of asthma and skin rashes than do people who live farther than a mile from the flares -- a link confirmed by scientific study.

After years of neighbors' complaints that refineries flare routinely and usually at night, not just in emergencies, a lawsuit compelled the air district to require video monitoring beginning in December 2003.

That scrutiny, as well as advances in technology and installation of new equipment at the refinery in Avon (near Martinez), have reduced sharply the flaring and polluting emissions.

Under the new rule, the refineries would have to submit plans of how it would manage each flare and change operations to avoid imbalances. The air district would review the plans each year and, if missteps resulted in a burp, the refiner would have to explain why, in detail. Stricter standards and policing could require investments in equipment and technology.

The video monitoring has proved to be a useful tool to improve refinery operations and so could this rule, if the intent remains fixed on clearing the air. Refiners and residents alike have a stake in making the Bay Area a healthful place to live for everyone, not just those who live beyond the glow of the refineries.

[Porterville Recorder editorial, Wed., March 2, 2005:](#)

## **Incentives to pack us in The Democrats unveil their housing plan**

When we heard that leading Democrats in the California Legislature had agreed with Gov. Arnold Schwarzenegger on some aspects of his plan to create more housing, we were hopeful but skeptical. After all, the state's Democrats have for years been driving efforts to make new housing difficult to build thanks to a slew of slow-growth and environmental regulations.

Our skepticism, it turns out, was warranted, now that specific legislation has been released.

Instead of following the governor's call to reduce obstacles to new construction, the Democratic package embraces what is known as Smart Growth. The goal is to strictly limit new housing on open space, thereby forcing builders to create more "infill" development - mostly townhouses and

high-rises in urban areas. The tangential goal also is to reduce highway building and promote transit alternatives.

The Democratic package includes a bill that would exempt builders from environmental impact reports in infill areas. Another would limit local control over public housing projects, according to published reports. One bill would give redevelopment agencies government financing to build low-income high rises near rail and bus stations. The final bill would force local governments statewide to consider the air pollution impact of new developments.

The idea of reducing regulations in urban areas, or anywhere else, is a good one. But the plan wants to encourage development only in urban areas in the hope that many Californians will trade in their subdivisions for East Coast-style urban densities. The bills that promote high-density housing are government-funded social engineering, pure and simple. The air impact legislation will only serve to make new housing construction more difficult outside the small, urban cores where Democrats want the housing built.

Why are we not surprised? The Democratic plan to encourage housing will only add to the regulatory morass. Yet another triumph of ideology over common sense.