

## Laboratory to reduce stocks of nuclear bomb material

John Upton/Tracy Press Tuesday, 12 December 2006

Uranium and plutonium from nuclear weapons are being moved east from Livermore to Los Alamos National Laboratory in New Mexico, but Lawrence Livermore National Laboratories has declined to say whether it's being trucked through Tracy on interstates 580 or 205.

"Because these are special nuclear materials, for safety and security reasons it would be improper to disclose the amount of material, the dates this material will be shipped or the travel routes," said lab spokeswoman Lynda Seaver by e-mail.

The National Nuclear Security Administration expects to rid the Livermore site of most of its 880 pounds of nuclear weapons material by 2014, leaving a "small inventory" of plutonium and highly enriched uranium there for research, according to Seaver and a nuclear administration statement.

Nuclear administration ambassador Linton Brookes said in the statement that consolidating nuclear material into fewer sites would make Cold War-era nuclear weapons more secure and efficient.

"We are taking concrete steps to reduce the number of locations where we process and store significant quantities of nuclear weapons materials," Brookes said.

The statement said security at the lab could be reduced, but Seaver said it's too early to tell whether that would affect the number of jobs there. Mayor Brent Ives is one of about 800 Tracy residents who work at Lawrence Livermore, but did not reply to voice messages from the Tracy Press seeking comment.

"It's premature to speculate how security will go down, but as long as material exists in the facility, security for that area will continue at its current levels," Seaver said. "While moving work away (from Lawrence Livermore) is one of the proposed alternatives, consolidating work at other facilities is another proposal, which could end up bringing more jobs to the lab."

The consolidation is part of the nuclear administration's Complex 2030 program that will redesign, rebuild and relocate the nation's nuclear weapons.

Local activist Bob Sarvey refused to believe statements by the lab that plans to triple the size of some outdoor explosions up to the equivalent of 350 pounds of TNT, and to increase by eight times the amount of explosives tested annually outdoors to up to 8,000 pounds, are related in any way to Complex 2030.

The increases are allowed under a permit issued Nov. 13 by the [San Joaquin County Air Pollution Control District](#). The permit allows the explosions to emit up to 67 pounds of particulate matter up to 10 microns in diameter per day, as well as carbon monoxide, hydrogen sulfide, nitrogen oxides, volatile organic compounds and sulfur oxides.

"It is hard to imagine that only 67 pounds of (particulate matter up to 10 microns in diameter) will occur from a charge of 350 pounds, since the charge alone will generate over 67 pounds of PM-10, not to mention the associated dust," wrote Sarvey in an e-mail to the air district's director of permit services.

But Sarvey doesn't plan on requesting a public hearing to appeal the permit as long as the lab assures the air district that neither tritium nor uranium — both radioactive elements — will be used in the detonations.

The materials have been used in previous outdoor blasts, but it's unclear whether it would be used in the planned larger outdoor blasts.

Today is the last day that such a hearing could be requested, according to air district permit director Dave Warner.

Sarvey instead said it was up to AKT Development or Souza Realty to request such a hearing, since the planned 5,500-home Tracy Hills housing project is only a mile from Site 300's border. The Tracy Hills land next to Site 300 is set aside as a wildlife refuge, and a hill separates Site 300 from the planned homes, that would be built along Interstate 580.

Souza Realty head Mike Souza said he was concerned by plans to increase outdoor explosive testing and he said he was trying to get more information about the planned blasts.

### **At a glance**

**WHAT:** Community discussion on the government's Complex 2030 program to redesign, rebuild and relocate U.S. nuclear weapons.

**WHO:** Speakers will include government spokespeople, current and retired employees of Lawrence Livermore National Laboratories, Tri-Valley Communities Against a Radioactive Environment, peace activists, and others.

**WHEN:** 6 to 10 p.m. today

**WHERE:** Community Center, 300 E. 10th St.

## **EPA grants California waiver for small-engine emissions rules**

By Erica Werner, Associated Press Writer

In the Hanford Sentinel, Tuesday, Dec. 12, 2006

Washington (AP) - The EPA granted California long-awaited permission Monday to implement emission controls on lawnmowers and other small-engine machines.

The EPA waiver will allow California, starting Jan. 1, to require lawnmower engines to be sold with catalytic converters that cut smog emissions by roughly 40 percent. EPA also said that early next year it will propose the same rule nationally.

"EPA approved the California waiver request because new, cleaner engines can safely reduce emissions," said Bill Wehrum, EPA acting assistant administrator for air and radiation.

Engines under 50 horsepower account for 7 percent of smog emissions in California from mobile sources - the equivalent of about three million cars. The engines also power pressure washers and small generators but most are on lawnmowers.

The EPA action Monday ended several years of political dispute driven by Republican Sen. Kit Bond, whose state of Missouri is home to two factories owned by Briggs & Stratton Corp., the nation's largest small engine maker.

Briggs & Stratton had resisted installing catalytic converters on its engines, and Bond had sought to block California from instituting its regulation. The state has unique authority under the Clean Air Act to set tougher pollution standards than the federal government, once it gets an EPA waiver.

Bond backed off under pressure from Sen. Dianne Feinstein, D-Calif., but he did succeed in blocking other states from being able to copy California's rule, something the Clean Air Act normally allows. Instead he required EPA to write a national standard.

Bond had questioned whether mowers with catalytic converters could spark fires, but an EPA study earlier this year found there was no safety problem.

"This is a giant step forward for California," Feinstein said. "It paves the way for California to implement strict emission controls on lawnmowers and other small engines and to see major reductions in air pollution."

The California Air Resources Board has estimated that walk-behind mowers will cost between \$37 and \$52 more under the new regulation, while the price of commercial turf care mowers will go up between \$71 and \$179.

California, home to some of the nation's most polluted air in the Los Angeles basin and San Joaquin Valley, is under constant pressure to meet federal air quality standards or risk sanctions including losing money for highway projects.

The California Air Resources Board, which passed the mower emissions rule three years ago but couldn't enforce it pending the EPA waiver, welcomed the news as key in developing clean air plans.

"We're really having to struggle to find enough reductions to achieve the air quality standards, so if you take away a piece that's this big it would probably permanently handicap us," said Tom Cackette, the agency's deputy executive officer.

## **Ranchers hope to block auto racing complex**

**They oppose a massive motor-sports project in the rural Central Valley. Backers say it will bring needed jobs.**

By Eric Bailey, Times Staff Writer  
L.A. Times, Tuesday, December 12, 2006

MERCED, CALIF. — When he's not busy branding his cattle or herding them across a lazy country road to pasture, Martin Machado gazes forlornly at the vast swath of farmland cater-corner to his spread. He sees a future he dreads.

That 1,200-acre expanse of almond trees and row crops is poised to become one of the West's premier motor-sports facilities, eight racetracks for everything from motocross to top-fuel dragsters and, perhaps eventually, a bona fide NASCAR event. Backed by the chamber of commerce and other local boosters, the \$250-million project is slated for a Merced County Board of Supervisors vote this evening. Foes like Machado fear they're about to be run down.

"This is the place I want to get old on," Machado, 41, said of his cattle ranch with its antique red barn and cozy farmhouse. "Now there's going to be a spotlight right at the corner of my place, and some days 50,000 people will be coming through here."

The battle over Riverside Motorsports Park has riven this agrarian county in the heart of the Central Valley.

The track promises to bring jobs, tax dollars and entertainment to a region of flat spaces, seasonal unemployment troubles and nothing much to do on a Friday night. But some locals contend a high-octane attraction devoted to the NASCAR Nation is the wrong way to grow.

On the back roads, folks are eager to hold onto the region's agrarian past. Closer to town, foes say the proposed raceway represents a hairpin turn from the clean industry and highbrow housing that the new UC Merced campus should help attract as it matures.

"We need to be patient and encourage the growth of industries that are cleaner and high-tech," said Tom Grave, a retired educator who helped form Citizens Against the Racetrack.

But this is a region awash in motor racing fans who say warnings of noise and traffic are overblown and contend that a track can bring jobs and entertainment to a region sadly in need of both.

John Condren, the smooth and affable former Silicon Valley executive steering the project, has doggedly pushed his vision of a world-class venue that would put Merced on the map.

For the silver-haired marketing entrepreneur, this is about a sport he loves. He began on

motorcycles 35 years ago, moved on to race cars, and now drives in the GT American Roadracing Series (his current ride: a souped-up Monte Carlo stock car).

Condren, 54, said the idea of building a racetrack came in August 2000 while he was sweating away the evening at a Las Vegas track. As he swigged Gatorade with buddies, talk turned to how the number of tracks had dwindled even as the sport had grown.

When Condren proposed a new track, "They looked at me like I was nuts," he recalled.

Over the next few years, he put together an investors group and narrowed his search to the Merced County site, next to the decommissioned Castle Air Force Base, now a private airfield. Nearly 10 million potential fans live within 100 miles of the spot, he said.

From the start, Condren envisioned a multipurpose facility giving fans more than just fast cars. Plans call for shopping, restaurants, an arcade and 650,000 square feet of garages and office buildings for race teams and trackside businesses.

So far, the partnership has spent \$4 million navigating environmental reviews and \$12.5 million buying the property, for generations a family farm.

They plan to spend \$34 million widening nearby roads as well as installing traffic signals, adding signs and putting in new turn lanes. Most of the projected 39 annual race events are projected to draw crowds of up to 10,000, but a couple of the biggest events could lure upward of 50,000 people.

Planners predict the conga line of spectator cars would clog narrow farm roads and exceed county limits for traffic congestion.

Facing high costs to improve the roads enough to avoid what he says would be just a few bad days, Condren is seeking an exemption from county congestion rules, prompting irate foes to cry foul.

On the flip side, Condren said, are the track's "significant economic and social benefits": \$180 million in annual business, 1,250 jobs, hundreds more in new businesses spurred by the operation, a new entertainment motif of racing and rock concerts, and more than \$16 million in annual state and local tax revenue.

He predicted that the track would "by far be the largest revenue source in Merced County."

The Merced Sun-Star newspaper backed the raceway in a recent editorial that declared "it's time to start our engines," saying in part that the racetrack would produce less noise and pollution than the howling B-52 bombers of the former base.

Though supervisors haven't tipped their hands, most seem bullish.

"There are pros and cons to everything," said board Chairman Mike Nelson. "But we can't say we're business-friendly then say we don't want *that* kind of business, we don't want *those* kinds of jobs. You either want economic development or you don't."

As the project wended its way through the county review process, most of the opposition came from environmentally conscious residents long opposed to big development.

But recent weeks have seen the region's agribusiness join the protest, in no small part because changes in traffic plans would route thousands of cars onto quiet back roads now dominated by farm tractors and cattle trucks.

"There's an entire culture out there steeped in agriculture," said Supervisor Deirdre Kelsey, the only lawmaker to voice reservations. "What's being proposed is for them the equivalent of a foreign invasion."

The county farm bureau voted to oppose the track. Meanwhile, executives at Merced County's signature business — Foster Farms — appear poised to sue if the racetrack goes forward. One of its poultry operations, a collection of chicken sheds, sits across a narrow road from the southeast corner of the proposed complex.

Aside from worries about air pollution and traffic, company officials object to a boost in noise. The racing promoters vow to pay for double-pane windows and erect 10-foot-high earthen berms to muffle race car roar, but Foster Farms officials have concluded that the racetrack — particularly the deafening howl of top-fuel dragsters during a four-second blitz down the quarter-mile strip — would make life unbearable for both man and fowl.

"This project will make it very difficult to continue our operation," Beth Kelly, the company's assistant manager of environmental affairs, told supervisors during a recent meeting.

Air pollution, meanwhile, remains "the elephant in the living room," said track opponent Grave. The San Joaquin Valley is one of the most sullied air basins in the country, with frequent spare-the-air days and a disturbing number of asthmatic children.

To mitigate the impact on air quality, raceway operators would pay for emission-reduction projects and offer a shuttle service to ease congestion. Those promises don't placate foes, who believe Riverside's promoters would be profiting at the expense of their health.

Over at his ranch, Machado spent a recent morning working at his cattle operation before heading off to his other job, as a livestock auctioneer.

He bought his ranch a couple years back, but worries that raceway traffic will make it impossible to operate. He also fears losing land to eminent domain if roads are widened.

"I've got a place now that I've always dreamed about," he said. "I don't want it to turn into a nightmare."

## **Valley group isn't standing idle in clean-car campaign**

By Mark Grossi

The Fresno Bee, Tuesday, December 12, 2006

At dawn in Bakersfield two months ago, 30 car owners waited for a smog inspection after lining up the night before and sleeping in their vehicles.

They knew that Valley Clean Air Now, a private nonprofit group, would hand out \$500 repair coupons to get their cars running clean enough to pass the state's smog test. Their cars would be tested with a laser technology that sometimes finds polluters missed by the state's test.

"By the end of that day, we had 500 cars," said Cristina Guccione of Clean Air Now. "People are catching on."

So is the voluntary Tune-in and Tune-up program, which started modestly three years ago with a few dozen cars. Now, hundreds of cars show up in Fresno, Stockton, Bakersfield and Visalia when the program holds periodic cleanup events.

Clean Air Now has invested a little more than \$100,000 of private donations in the program. Officials this month said they are ready to take a bigger swipe at the San Joaquin Valley's stubborn smog, which ranks among the worst in the nation.

The group wants to launch a campaign to raise \$3 million to \$5 million in private grants from businesses and industries to sponsor the voluntary cleanup events twice a month. Officials plan to clean up the 10,000 dirtiest-running cars on Valley roads.

"We feel like we have the most cost-effective program out there," said Paul Betancourt, chairman of the board for Clean Air Now. "We want pollution reductions from 10,000 cars."

In the last year, using technology that the state has yet to embrace in its Smog Check program, Clean Air Now has cut more than two tons of smog-making pollution just in the Fresno area, one air researcher says.

Doug Lawson, a Denver-based air researcher who worked many years in California, says the nonprofit's proposed expansion could have a big effect. Valleywide, the program might remove 450 tons of smog-making pollution per year from the dirtiest-running vehicles by repairing them.

About 10% of vehicles in the Valley account for more than half of the pollution created by cars and light trucks. Cars and light trucks in the Valley annually emit about 40,000 tons of the smog-making gases.

All on-road vehicles, including heavy-duty diesel trucks, produce more than 100,000 tons of such gases each year in the Valley.

"If we could eliminate the pollution from gross-polluting vehicles," Lawson said, "I think we would have a good chance of attaining the air quality standards."

The key test is remote sensing, in which a technician shoots a laser beam across the exhaust coming from the tailpipe. It quickly determines whether the car is a smog offender.

"Some of the cars tested in CAN's program actually passed California's Smog Check" test, Lawson said. "But remote sensing detected that they were still gross polluters."

Lawson said polluting vehicles often pass the state Smog Check because engines and emission systems can run differently from day to day. About 20% of the vehicles in the Clean Air Now program passed a state Smog Check test, even though they needed extensive emission repairs.

The state first discussed remote sensing in the 1980s, but the technology has not been used yet in the Smog Check program. Smog Check requires vehicle owners to have their smog-control systems inspected every other year.

State officials have studied remote sensing for many years, accumulating data by testing remote sensing equipment on the road.

A spokesman for the state Bureau of Automotive Repair, which oversees the Smog Check program, said remote sensing is under consideration, but there are no immediate plans to use it. The technology has not been proven to state officials, said automotive repair spokesman Glenn Mason.

"At some point, it may be part of Smog Check," he said. "The research is ongoing."

Years ago, remote sensing was a tough sell politically because officials worried about government invading people's privacy with random roadside checks on vehicles.

Lawson, who once worked for the California Air Resources Board, suggested remote sensing instead could be used on a voluntary basis, as Clean Air Now has done.

"With Smog Check, you have to go through the test to prove that you're not guilty of driving a polluting car," he said. "If you make remote sensing voluntary, you're just volunteering to see if your car's emission system needs work."

## **Visalia drives to greener city**

### **Seven new transit buses are fueled by cleaner compressed natural gas.**

By Tim Sheehan / The Fresno Bee

Tuesday, December 12, 2006

VISALIA — Seven new transit buses rolling on city streets represent the latest step by city leaders to reduce the Valley's chronic air pollution woes.

Visalia City Coach is taking delivery of its first batch of full-size transit buses fueled by compressed natural gas, or CNG, considered a cleaner-burning alternative to diesel and gasoline. The buses, loaded with bells and whistles for riders, join a growing number of "green" vehicles in the city's fleet.

Each of the 35-foot, 31-passenger Orion buses cost \$373,000 — about \$40,000 to \$50,000 more than an equivalent diesel-powered bus, said Monty Cox, Visalia's transit manager.

But, Cox added, the added cost is balanced by a triple payoff for the city:

Less pollution from the exhaust pipe. "They are approximately five times less polluting than the diesel buses they are replacing," Cox said.

Lower fuel costs. Cox said the city currently pays about \$2.17 a gallon for compressed natural gas, compared to about \$2.35 a gallon for diesel. Earlier this year, about the same time diesel prices peaked at about \$2.70 a gallon, CNG costs were dipping to below \$2 per gallon. Fuel mileage is comparable between the two fuels.

Lower maintenance costs for the John Deere engines over the life of the vehicles. "Generally speaking, from the cities we've talked to, the CNG engines are expected to last longer, have longer maintenance intervals and have lower maintenance costs," Cox said.

In addition to the seven new buses, the Visalia transit fleet includes 18 diesel buses, four gasoline dial-a-ride vans, five CNG dial-a-ride vans, three diesel trolleys and three gasoline-electric hybrid trolleys.

"Our current bus replacement schedule calls for us to have 100% alternative-fuel buses over the next 10 years," Cox said.

The transit division isn't the only place where Visalia is going "greener."

Jim Bean, the city's solid-waste manager, already operates 11 garbage trucks fueled by compressed natural gas, with three more expected to be delivered in the coming week or so. An additional seven are on order for delivery in May, by which time CNG engines will account for about 40% of his 52-truck fleet.

The streets division also has one CNG 10-wheel heavy-duty hauler.

"Every time we purchase a new vehicle, we're trying to look at alternative fuels," Bean said.

With the eventual conversion of heavy vehicles from diesel, Visalia is nearing completion of a \$1.5 million compressed natural gas fueling station as part of a new bus-maintenance facility the city is building on Cain Street south of Goshen Avenue. Cox said he hopes that facility will be open by February, alleviating the need for city buses and trash trucks to travel across town to a station operated by the Visalia Unified School District.

"The station demonstrates the city's commitment not only to our own conversion to alternative fuels; the intent is to increase the number of these vehicles on the road," Cox said, noting the station will be available for members of the public. "Anyone with a credit card can fuel up there if they have a CNG vehicle."

Clean-air and transportation grants from the state and federal governments are covering the entire purchase price for the new buses, Cox said. "We haven't spent a dollar of local money on these buses."

Restrictions on the federal grant money require that the city keep the buses in service for at least 12 years. Six of the vehicles are replacing older diesel buses in the transit fleet, Cox said; the seventh accounts for growth in routes and ridership. The buses being replaced are between 15 and 18 years old and have rolled up between 600,000 and 700,000 miles apiece.

Visalia's not alone among large Valley cities making green strides.

Fresno's fleet acquisition supervisor, Joseph Oldham, said that of the 100-bus Fresno Area Express transit fleet, 50 are fueled by compressed natural gas. The fleet includes four hybrids (two gasoline-electric, two diesel-electric) and four CNG trolleys.

Oldham said the city has 69 liquid natural-gas-fueled refuse trucks and one CNG-electric hybrid — reportedly the only one of its kind in the world — in its 140-unit trash fleet.

Fresno also operates the Valley's largest liquid natural gas and compressed natural gas fueling stations, Oldham said.

"Our goal is to have both the transit and solid-waste fleets on natural-gas fuels by 2010," Oldham said.

Alternative efforts in Bakersfield are "concentrating on the heavy -duty vehicles, because that's where the majority of emissions come from," said Ernie Medina, that city's fleet superintendent.

Medina said Bakersfield has 21 trash-collection trucks that burn liquid natural gas, with nine more on order. The city also operates seven street-sweepers and about 60 light-duty pickups that run on compressed natural gas.

He added that Bakersfield already operates its own CNG/LNG fueling station for its vehicles and is designing a second station as the city continues its conversion efforts.

Clovis' transit supervisor, Shonna Halterman, said she has six CNG buses in her 29-vehicle Clovis Transit fleet. The city, she added, is also working toward developing its own natural-gas fueling station.

## **State cracks down on lawn mowers**

**Feds allow pollution standards on small engines, with catalytic converters for new models.**

By Chris Bowman - Bee Staff Writer

Sacramento Bee, Tuesday, December 12, 2006

Come next spring, cutting the green will become greener in California thanks to a federal decision Monday granting the state permission to require smog controls on lawn mowers.

California air quality officials applauded the hard-won U.S. Environmental Protection Agency waiver, saying it reaffirms the state's need to set its own, strongest-in-the-nation emission standards.

U.S. Sen. Kit Bond, R-Mo., had tried for years to block California's effort to curtail smog-forming exhausts from small engines, saying the costs of making the lower-polluting models would force production overseas. The leading small-engine manufacturer, Briggs & Stratton, has two plants in Bond's home state.

"In the end, truth won out that this is good for the environment, it's not very costly and it's safe," said Tom Cackette, deputy executive officer of the California Air Resources Board.

"And, if all goes well, California standards will be the model for the nation one more time."

Most small-engine manufacturers are expected to meet the tougher emission standards by adding a catalytic converter, the same device strapped on automotive exhaust systems to cut smog.

The pollution controls will cost consumers an extra \$37 to \$52 for a walk-behind lawn mower and \$71 to \$179 for a riding mower, according to the air board.

"Consumers shouldn't notice any difference in the performance of the lawn mower," Cackette said.

Lawn mowers are one of the last sources of smog-forming emissions without exhaust controls in California, the nation's smoggiest state.

Engines under 50 horsepower account for 7 percent of smog emissions in California from mobile sources, the equivalent of about 3 million cars.

The air board adopted a rule in 2003 restricting exhaust pollutants on gasoline engines under 50 horsepower, including those used for power washers, commercial leaf blowers and small generators.

Briggs & Stratton had resisted installing catalytic converters on its engines, and Bond had sought to block California from instituting its regulation. The state has unique authority under the Clean Air Act to set tougher pollution standards than the federal government, once it gets an EPA waiver.

Bond backed off under pressure from Sen. Dianne Feinstein, D-Calif., but he did succeed in blocking other states from being able to copy California's rule, something the Clean Air Act normally allows. Instead, he pushed through Congress a requirement that EPA write a national standard. The EPA is expected to issue a proposed rule next spring.

Bond had questioned whether mowers with catalytic converters could spark fires, but an EPA study earlier this year found there was no safety problem.

Monday's waiver signed by EPA administrator Stephen Johnson came none too soon. The California rule is scheduled to take effect Jan. 1. At that point, engine makers are required to begin producing the cleaner model for at least the California market.

The lag time in engine production means the greener mowers won't start showing up at stores until this spring.

Older models still in stock can be sold.

## **EPA grants California waiver for small-engine emissions rules**

By Erica Werner, Associated Press Writer

In the Hanford Sentinel, New York Times, Washington Post, Contra Costa Times and San Francisco Chronicle, Tuesday, Dec. 12, 2006

Washington (AP) - The EPA granted California long-awaited permission Monday to implement emission controls on lawnmowers and other small-engine machines.

The EPA waiver will allow California, starting Jan. 1, to require lawnmower engines to be sold with catalytic converters that cut smog emissions by roughly 40 percent. EPA also said that early next year it will propose the same rule nationally.

"EPA approved the California waiver request because new, cleaner engines can safely reduce emissions," said Bill Wehrum, EPA acting assistant administrator for air and radiation.

Engines under 50 horsepower account for 7 percent of smog emissions in California from mobile sources - the equivalent of about three million cars. The engines also power pressure washers and small generators but most are on lawnmowers.

The EPA action Monday ended several years of political dispute driven by Republican Sen. Kit Bond, whose state of Missouri is home to two factories owned by Briggs & Stratton Corp., the nation's largest small engine maker.

Briggs & Stratton had resisted installing catalytic converters on its engines, and Bond had sought to block California from instituting its regulation. The state has unique authority under the Clean Air Act to set tougher pollution standards than the federal government, once it gets an EPA waiver.

Bond backed off under pressure from Sen. Dianne Feinstein, D-Calif., but he did succeed in blocking other states from being able to copy California's rule, something the Clean Air Act normally allows. Instead he required EPA to write a national standard.

Bond had questioned whether mowers with catalytic converters could spark fires, but an EPA study earlier this year found there was no safety problem.

"This is a giant step forward for California," Feinstein said. "It paves the way for California to implement strict emission controls on lawnmowers and other small engines and to see major reductions in air pollution."

The California Air Resources Board has estimated that walk-behind mowers will cost between \$37 and \$52 more under the new regulation, while the price of commercial turf care mowers will go up between \$71 and \$179.

California, home to some of the nation's most polluted air in the Los Angeles basin and San Joaquin Valley, is under constant pressure to meet federal air quality standards or risk sanctions including losing money for highway projects.

The California Air Resources Board, which passed the mower emissions rule three years ago but couldn't enforce it pending the EPA waiver, welcomed the news as key in developing clean air plans.

"We're really having to struggle to find enough reductions to achieve the air quality standards, so if you take away a piece that's this big it would probably permanently handicap us," said Tom Cackette, the agency's deputy executive officer.

## **Vehicle mileage estimates get real**

**Ratings for '08 models, especially hybrids, will drop in new EPA tests.**

By John O'Dell, Times Staff Writer

L.A. Times, Tuesday, December 12, 2006

That 55-mile-per-gallon hybrid car you've been eyeing may end up being a 44-mpg hybrid if you wait for the 2008 model.

The federal Environmental Protection Agency announced a new system Monday for evaluating fuel economy that will lower mileage estimates for most vehicles.

On average, vehicles rated under the 2008 method will post a 12% drop in city gasoline mileage and an 8% decline in highway mileage, said Bill Wehrum, the EPA's acting assistant administrator for air and radiation.

With the new testing requirements, the EPA is attempting to come up with estimates that more closely reflect the real-world mileage motorists can expect when they purchase a vehicle.

Under the current system, which has been in effect since 1975 and was last changed in 1984, actual mileage is often far lower than the posted EPA ratings.

Hybrids will be hit harder because the new test eliminates some of the all-electric driving that helped them produce impressive results under the present system, Wehrum said.

For the first time, the EPA also will require estimated mileage to be posted on medium-duty pickup trucks, vans and sport utility vehicles — behemoths such as the Ford Excursion that weigh between 8,500 and 10,000 pounds.

Such vehicles have been exempted from the ratings because they were considered commercial trucks. But as growing numbers of Americans adopt large SUVs and pickups as family vehicles, environmentalists and others have called on regulators to require mileage information for them as well.

Automakers won't have to publicize the big trucks' mileage estimates until the 2011 model year, however. The EPA did not explain the three-year delay but typically gives manufacturers substantial lead time when applying new regulations.

A recent study by automotive information website Edmunds.com found that the average mileage for passenger cars and light trucks was about 14% less than EPA estimates.

In part that's because the agency's current test doesn't include much stop-and-go traffic or lead-footed acceleration. Air conditioners — notorious for lowering mileage by sucking up engine power — aren't turned on, and all testing is done under conditions that simulate a 70-degree environment.

The new system will use more high-speed driving, partly in 20-degree cold. Air conditioning will be on some portion of each driving cycle, and there will be more stop-and-go and rapid-acceleration driving.

The mileage for gas-electric hybrids probably will be 20% to 30% lower than present estimates for city driving and 10% to 20% lower on the highway. These vehicles quickly lose their all-electric advantage when operated in cold weather or quickly accelerated, Wehrum said.

"This is all about providing more and better information to consumers," he said.

Toyota Motor Corp., which makes the popular Prius hybrid, now rated at 60 miles per gallon in the city and 51 on the highway — a combined rating of 55 mpg — supports the changes.

"This doesn't change the car or the technology, just the way the mileage is calculated," said Ming-Jou Chen, spokeswoman for Torrance-based Toyota Motor Sales USA. "It makes the estimate closer to real-world numbers, and we fully support that."

Moe Durand, a spokesman for Mitsubishi Motors Corp., which is bringing one of the first 2008 models to market in the U.S., said he was "quite pleased" with the averages cited Monday by EPA officials.

Environmental groups applauded, too.

The EPA "did an excellent job" with the revisions, said Russell Long, executive director of the Bluewater Network, the San Francisco-based environmental group that sought the changes. The new procedures can help motorists save money and reduce pollution by providing more accurate mileage information for them to use in their car-buying decisions, Long said.

"We're thrilled with it," he said.

The new system seems to be one that even auto dealers — notoriously sensitive to anything that could hurt a sale — can get behind.

"It won't have a big impact," said Fritz Hitchcock, whose Hitchcock Automotive Resources of Puente Hills owns several Toyota franchises and a BMW dealership.

"There's such intense comparison shopping on the Internet that people will know all about the changes" before ever setting foot in a dealership, he said. "And in the end, people find a reason to buy what they want to buy" regardless of mileage estimates.

Automakers are working on a plan for 2008 models that come out in 2007 that will enable shoppers to see the new fuel economy estimates and the mileage ratings that would have been attached to the vehicle under the present system.

As part of the new approach, the EPA redesigned its fuel economy window sticker.

It will provide a range of mileage for competing vehicles; estimated city and highway mileage for the vehicle displaying the sticker; the vehicle's estimated fuel costs for a year, based on 15,000 miles of driving; and a caution that gas mileage will vary based on driving conditions and driving styles.

The new EPA mileage estimates won't harm automakers' ability to meet federal rules requiring an industrywide average fuel economy of 27.5 miles per gallon for cars and 21 mpg for sport utility vehicles, pickup trucks and vans.

Those requirements are part of the corporate average fuel economy program run by the Transportation Department.

With the new testing requirements, the EPA is attempting to come up with estimates that more closely reflect the real-world mileage motorists can expect when they purchase a vehicle.

Under the current system, which has been in effect since 1975 and was last changed in 1984, actual mileage is often far lower than the posted EPA ratings.

Hybrids will be hit harder because the new test eliminates some of the all-electric driving that helped them produce impressive results under the present system, Wehrum said.

For the first time, the EPA also will require estimated mileage to be posted on medium-duty pickup trucks, vans and sport utility vehicles — behemoths such as the Ford Excursion that weigh between 8,500 and 10,000 pounds.

Such vehicles have been exempted from the ratings because they were considered commercial trucks. But as growing numbers of Americans adopt large SUVs and pickups as family vehicles,

environmentalists and others have called on regulators to require mileage information for them as well.

Automakers won't have to publicize the big trucks' mileage estimates until the 2011 model year, however. The EPA did not explain the three-year delay but typically gives manufacturers substantial lead time when applying new regulations.

A recent study by automotive information website Edmunds.com found that the average mileage for passenger cars and light trucks was about 14% less than EPA estimates.

In part that's because the agency's current test doesn't include much stop-and-go traffic or lead-footed acceleration. Air conditioners — notorious for lowering mileage by sucking up engine power — aren't turned on, and all testing is done under conditions that simulate a 70-degree environment.

The new system will use more high-speed driving, partly in 20-degree cold. Air conditioning will be on some portion of each driving cycle, and there will be more stop-and-go and rapid-acceleration driving.

The mileage for gas-electric hybrids probably will be 20% to 30% lower than present estimates for city driving and 10% to 20% lower on the highway. These vehicles quickly lose their all-electric advantage when operated in cold weather or quickly accelerated, Wehrum said.

"This is all about providing more and better information to consumers," he said.

Toyota Motor Corp., which makes the popular Prius hybrid, now rated at 60 miles per gallon in the city and 51 on the highway — a combined rating of 55 mpg — supports the changes.

"This doesn't change the car or the technology, just the way the mileage is calculated," said Ming-Jou Chen, spokeswoman for Torrance-based Toyota Motor Sales USA. "It makes the estimate closer to real-world numbers, and we fully support that."

Moe Durand, a spokesman for Mitsubishi Motors Corp., which is bringing one of the first 2008 models to market in the U.S., said he was "quite pleased" with the averages cited Monday by EPA officials.

Environmental groups applauded, too.

The EPA "did an excellent job" with the revisions, said Russell Long, executive director of the Bluewater Network, the San Francisco-based environmental group that sought the changes. The new procedures can help motorists save money and reduce pollution by providing more accurate mileage information for them to use in their car-buying decisions, Long said.

"We're thrilled with it," he said.

The new system seems to be one that even auto dealers — notoriously sensitive to anything that could hurt a sale — can get behind.

"It won't have a big impact," said Fritz Hitchcock, whose Hitchcock Automotive Resources of Puente Hills owns several Toyota franchises and a BMW dealership.

"There's such intense comparison shopping on the Internet that people will know all about the changes" before ever setting foot in a dealership, he said. "And in the end, people find a reason to buy what they want to buy" regardless of mileage estimates.

Automakers are working on a plan for 2008 models that come out in 2007 that will enable

shoppers to see the new fuel economy estimates and the mileage ratings that would have been attached to the vehicle under the present system.

As part of the new approach, the EPA redesigned its fuel economy window sticker.

It will provide a range of mileage for competing vehicles; estimated city and highway mileage for the vehicle displaying the sticker; the vehicle's estimated fuel costs for a year, based on 15,000 miles of driving; and a caution that gas mileage will vary based on driving conditions and driving styles.

The new EPA mileage estimates won't harm automakers' ability to meet federal rules requiring an industrywide average fuel economy of 27.5 miles per gallon for cars and 21 mpg for sport utility vehicles, pickup trucks and vans.

Those requirements are part of the corporate average fuel economy program run by the Transportation Department.

Only after the policy assessment is published in the Federal Register, when it is less likely to be changed significantly, will independent experts have any say at all.

The ostensible reason for the change is to streamline the regulatory process — a reasonable goal. Both industry and environmentalists have criticized the EPA for failing to meet legal deadlines for updating air standards. But there are better ways to make the EPA run more efficiently than by converting a scientific process into a political one.

In a way, the new policy is more honest — politicians were already brushing aside research that didn't fit their ideology. Last year, for example, the EPA's inspector general reported that the agency ignored scientific findings to come up with softer regulations on mercury, which is produced largely by coal-burning plants. Three years before, it held up the release of a report on mercury levels in women, for no good reason, until it was leaked nine months later. Now it won't have to pretend to pay much attention to scientists at all.

Normally, the administration has broad leeway to interpret law into regulations. But when it changes the process to subvert the law's protective intent, Congress should reluctantly step in to spell out the obvious: Environmental policy is, first and foremost, about science.

On average, vehicles rated under the 2008 method will post a 12% drop in city gasoline mileage and an 8% decline in highway mileage, said Bill Wehrum, the EPA's acting assistant administrator

## **Mileage ratings predicted to drop**

### **EPA tests better reflect many aspects of driving**

By KEN THOMAS - THE ASSOCIATED PRESS

in the Modesto Bee and Contra Costa Times Tuesday, December 12, 2006

WASHINGTON — Car buyers will face a new form of sticker shock when they browse dealer lots next year: Mileage estimates will be down, reflecting the way people actually drive.

The Environmental Protection Agency on Monday issued new testing procedures that will cause fuel economy estimates on the stickers of new vehicles to drop an average of 12 percent for city driving on most 2008 model year vehicles, and 8 percent for highway driving.

Highly fuel-efficient vehicles are expected to see the largest slide, with ratings for city driving dropping by as much as 30 percent and highway estimates falling 25 percent from current levels.

Mileage estimates for gas-electric hybrids probably will be 20 percent to 30 percent lower for city driving and 10 percent to 20 percent lower on the highway, the agency said.

The changes are a response to consumer complaints that fuel economy estimates frequently are less than advertised. EPA's new system will take into account data from vehicle tests designed to more accurately assess high-speed driving, rapid acceleration, the use of air conditioning and driving in cold temperatures.

"EPA's new fuel economy sticker ensures American motorists won't be stuck with higher than-anticipated charges at the pump," said EPA Administrator Stephen L. Johnson in a statement.

The agency said no test can precisely predict the fuel economy of a vehicle because driving behaviors and conditions vary. But the test methods will help bring the estimates on the window stickers closer to the miles per gallon that drivers achieve on the road.

Stickers also will be upgraded to include fuel cost information, a graphic for comparing the fuel economy of different vehicles and a Web site address for more information.

Test results will not be used to determine whether automakers comply with laws requiring the U.S. fleet to have an average fuel economy of 27.5 miles per gallon for cars and 21 mpg for sport utility vehicles, pickup trucks and vans.

Those requirements are found in the Corporate Average Fuel Economy program, which is run by the Transportation Department and has separate regulations to determine fuel economy.

Russell Long, vice president of Bluewater Network, a San Francisco-based environmental group that sought the changes, said the new testing procedures would help motorists save money and reduce pollution.

But he said the "new numbers will expose how far short American passenger vehicles are from the 27.5 mpg that Congress intended them to achieve over 30 years ago."

EPA's test methods for devising the estimates were last revised in 1984. The rules issued on Monday were first proposed last January.

The agency will require for the first time fuel economy labeling of medium-duty vehicles, which weigh between 8,500 and 10,000 pounds, including SUVs and vans. Automakers will be required to post the labels on the vehicles beginning with the 2011 model year.

Toyota Motor Corp. and Ford Motor Co. said they did not have revised fuel economy estimates for 2008 models of their hybrid vehicles. The top-selling Toyota Prius reports an EPA estimate of 60 mpg in the city and 51 mpg on the highway. The Ford Escape hybrid, the first hybrid SUV on the market, gets an estimated 36 mpg in the city and 31 mpg on the highway.

Auto industry officials noted that mileage estimates differ based on vehicle speeds, quick stops and starts, routine maintenance and whether the vehicle is hauling cargo in the trunk.

"Even with the new labels, mileage will vary," said Charles Territo, a spokesman for the Alliance of Automobile Manufacturers.

The trade group released a Web site detailing the changes: [www.mileagewillvary.com](http://www.mileagewillvary.com). The auto industry group said 2007 will be a transition year for the labels, with some of the new estimates appearing on dealer lots in the next few months. Consumers should compare the miles per gallon estimates on 2007 models to other 2007 vehicles and 2008 vehicles to other models from that year, they said.

"Consumers deserve the government's best efforts when it comes to compiling the information they see on the label of new vehicles," said AAA President and CEO Robert L. Darbelnet. "That has not been the case, and EPA is moving to correct the situation."

## **Proposed gas terminal at Long Beach port is losing steam**

**Harbor officials say they don't want to pursue the facility without clear support from the city.**

By Gary Polakovic, Times Staff Writer

L.A. Times, Tuesday, December 12, 2006

A proposed natural gas terminal in Long Beach Harbor is in jeopardy as officials in that city express growing doubts about safety and other issues surrounding the \$700-million project.

The facility, one of several liquefied natural gas processing plants proposed for the West Coast, would be built in the harbor — the only such project to be situated so close to a major urban center.

The location so complicates an ongoing review that harbor officials suggest halting the environmental impact report before it is complete, effectively putting an end to the proposal.

Harbor Commission President James C. Hankla, in a Dec. 4 letter to the Long Beach mayor and City Council, questioned whether city officials still want the gas terminal. He said his staff has been working to move the project forward while the city has failed to negotiate a deal with the energy company for lower-cost natural gas for Long Beach residents.

Hankla warned the City Council that harbor authorities saw no sense in completing the environmental review, already past due and expected to take several more months, absent "a clear understanding that the city is prepared to support the project." He said bigger priorities loom, such as moving expeditiously to implement a comprehensive \$2-billion plan to cut by half sooty emissions at the Los Angeles-Long Beach port complex over five years.

"We're willing to pull the plug if the city isn't going to support the project," said Long Beach Harbor spokesman Art Wong.

Port officials could change their minds if they receive a clear signal of support for the project from City Hall. The port, joined by state and federal authorities, is conducting the environmental review, though the city has jurisdiction in land-use and energy issues.

Support for the project at City Hall has been wobbly despite vigorous lobbying for the project by Sound Energy Solutions, the project developer, and a partnership between ConocoPhillips and Mitsubishi Corp.

In a Dec. 7 letter to Sound Energy Solutions, Long Beach Mayor Bob Foster said he continues to have "grave concerns" about building the natural gas plant so close to a densely populated city.

"On a common-sense basis, you don't put a facility of that size and magnitude so close to an urban area," Foster said Monday. "It almost has enough natural gas to power the entire state in one load. It doesn't make sense to me to put it in the busiest port in the nation. It's a risk for accident and terrorist attack and it's not a good business deal for the city."

The mayor also said that talks between the energy company and the city to secure lower-cost natural gas for Long Beach have stalled. Foster said the city seeks indemnification from the company in the event of lawsuits stemming from an accident.

Bry Myown, spokesperson for Long Beach Citizens for Utility Reform, said the City Council and the port seem to be trying to terminate the project.

"Finally, both the port and the mayor are in agreement with our position that the Port of Long Beach is probably the worst place in the nation to build such a facility," Myown said. "I hope it

means both bodies will do everything in their power to stop" it.

The terminal would receive natural gas that has been chilled and liquefied for shipment across the Pacific Ocean and reheat it to produce about 800 million cubic feet of vapor per day for use in power plants, businesses and households. Natural gas is the cleanest fossil fuel, and state officials say growth demands in California require more of it. They say it also helps the state meet air pollution standards.

It is unclear how, or if, the City Council will act. Hankla's letter makes clear he seeks a specific gesture of support for the project from the council or else he will halt work and leave the final environmental impact report unfinished. The project cannot go forward without that document.

But council member Suja Lowenthal says the council could take no action — in effect, signaling the council's tacit support for terminating the project. "The silence will be resounding," she said.

"I have doubts" about the project, Lowenthal added. "I am uncertain if I'd support this project" because of concerns about its location.

A divided Long Beach City Council voted last year to wait until the environmental review was complete before taking a stand. In June, the city's board of harbor commissioners allowed an agreement with Sound Energy Solutions to lapse, jeopardizing the company's exclusive right to build the plant.

Meanwhile, the energy company has threatened to sue the port and the city of Long Beach if they attempt to halt the project. Officials at Sound Energy Solutions did not return phone calls for comment.

The matter is not on the City Council agenda for the next few weeks.

## **Congress leaves Central Valley work unfinished Agricultural museum, vocational training center, and research on sudden oak death and grape diseases left in lurch**

By Michael Doyle, McClatchy News Service  
Contra Costa Times, Friday, December 8, 2006

WASHINGTON - A lot of San Joaquin Valley work is going down the drain when Congress walks off the field today.

Republican leaders are giving up on most fiscal 2007 funding bills. It's a political maneuver, putting a bigger burden on Democrats next year.

Locally, it's leaving collateral damage.

For now, funding for a Modesto agricultural museum is being abandoned along with the bills. A Fresno-area vocational training center likewise loses out. Research dollars to fight sudden oak death and grape diseases in California wither.

"It's another sign the Congress we have just served in was dysfunctional under Republican leadership," Rep. Dennis Cardoza, D-Merced, said Wednesday. "Basically, we have lost a year."

The government, of course, will still have the money it needs to operate. This won't include, however, myriad local add-ons that range from a San Joaquin Valley air pollution study to boosted funding for promoting California's fruits and vegetables.

What had once appeared to be local victories must now be won again starting next February.

"As long as there's bipartisan support for the projects, I think we'll still get them," insisted Rep. Devin Nunes, R-Visalia.

Lawmakers spent the last 11 months crafting the appropriations bills needed to run the federal government. Stuffed with line items and local goodies, the bills are due by the Oct. 1 start of the fiscal year.

Republican leaders made time this year for hot-button legislation, like a vote Wednesday declaring that fetuses feel pain. During 103 days in session this Congress -- fewer than the so-called "Do-Nothing Congress" of 1948 -- lawmakers also renamed at least 60 post offices.

They passed resolutions congratulating the St. Louis Cardinals, condemning religious repression in Iran and vowing support for "eliminating suffering and death due to cancer by 2015."

Ten of the 12 appropriations bills required by the federal government, though, were not completed in time.

Instead of trying to finish them this month, Republican leaders opted for what's called a "continuing resolution." This will keep the government operating at its current funding levels through mid-February.

The decision will congest Capitol Hill next year, as Congress must simultaneously craft appropriations bills for fiscal 2008 and what remains of fiscal 2007.

Local projects that had been put in the pipeline this year must also be sold again, with Democrats instead of Republicans in charge of the funding panels.

"I don't agree with our leadership on how they handled the budget," said Rep. George Radanovich, R-Mariposa.

Senators, for instance, were poised this year to provide \$200,000 for a new teen center in Sacramento's South Natomas area and \$250,000 for a "regional economic development and research center" in Fresno.

A vocational training center in the Fresno County town of Mendota was slated for \$200,000.

The House was poised to provide \$200,000 in seed money for the proposed Ag Science Center in Stanislaus County, and \$500,000 for new interactive exhibits at the Aerospace Museum of California, on the grounds of the former McClellan Air Force Base near Sacramento.

Fresno's WestCare substance abuse program was due for \$250,000 to help upgrade facilities. An additional \$375,000 was on its way to fund a San Joaquin Valley ozone study, and millions of dollars were slated for research into the sudden oak death that's been devastating the state's signature trees.

Many of the local projects, Radanovich and Nunes agreed, will likely be folded back into the new bills. Still, new congressional leadership can render things unpredictable.

A Californian, for instance, will no longer chair the money-doling House Appropriations Committee. Instead of Rep. Jerry Lewis, R-San Bernardino, the committee will be headed by Wisconsin Democrat David Obey.

Potentially, the local projects could also fall prey to tighter rules on earmarking, if Democratic leaders follow through on their previously articulated ethics agenda.

## **Utility agrees to cut mercury pollution from coal-fired plants**

Associated Press

Contra Costa Times, Tuesday, December 12, 2006

CHICAGO - The operator of six coal-fired power plants in northern and central Illinois has struck a deal with Gov. Rod Blagojevich's administration calling for drastic cuts in mercury emissions.

Under the deal announced Monday, Midwest Generation officials also agreed to reduce smog and soot at its plants in Chicago, Waukegan, and outside of Romeoville, Joliet and Peoria.

Officials said the fate of three older plants, two in Chicago and one in Waukegan, will be determined by the cost of their cleanup. Those plants could be closed if the cleanup is too costly.

State officials and environmental activists cheered the agreement Monday.

"This is a really good deal for Illinois," said Doug Scott, director of the Illinois Environmental Protection Agency. "We're giving them a few more years to comply, but we are getting so much in return."

The deal gives Midwest Generation extra time - until 2018 for sulfur dioxide emissions - to meet the state's standards. Mercury emissions will be controlled by 2009 and nitrogen oxide by 2012. The company is the last holdout to agree to new mercury rules.

Mercury seeps into rivers and lakes through rain and snow, then accumulates in fish. Consumption by humans, especially women of childbearing age, pregnant women and young children, can cause nervous system disorders. Sulfur dioxide and nitrogen oxide contribute to smog and soot.

St. Louis-based Ameren and Houston-based Dynegy had already reached agreements with the state. A panel of state lawmakers is set to vote on the Blagojevich's proposed mercury emission rules Tuesday.

Midwest Generation said the deal benefits both the company and the government.

"This agreement will help the state and city meet their clean-air goals," said company spokesman Doug McFarlan. "It also gives us time to assess market conditions and decide whether we should make additional capital expenditures at our plants."

Howard Learner, executive director of the Environmental Law and Policy Center, called the deal "a very important step to protect public health."

"After all of the huffing and puffing, this is a remarkable achievement in a large industrial state that depends heavily on coal," he said.

[Fresno Bee editorial, Tuesday, December 12, 2006:](#)

### **Too slow on street fees**

#### **Inaction by City Council hurts all residents as traffic worsens.**

Fees charged to developers for new streets in their projects have been stalled — again. It's been 15 years since the fees have been raised, and the shortfall has led to a number of bottlenecks around new developments. The resulting congestion frays nerves, wastes fuel and adds to the already immense problem of air pollution in the Valley.

It is ever thus in Fresno, it seems. Even the developers want the fees raised, so they can get about the business of building. Several council members and the Building Industry Association have suggested doubling the fees immediately, to begin collecting much-needed revenue for new streets while a permanent fee structure is worked out.

No can do, says the city staff. There's too much paper to shuffle to permit such a direct approach.

The problem is real and growing. Fresno's general plan envisions growth in the next two decades that will require some \$4 billion worth of street improvements. Higher developer fees for streets are a big part of the answer, raising as much as 20% of the total.

But Fresno has missed out on nearly \$40 million in revenue in the 15 years since the fees were last updated, and that continues by the day as we await a new plan.

City Council members point their fingers at city staff, which has indeed been slow to move on the problem. But council members should just as quickly point the fingers at themselves and their predecessors. No one paid attention to this issue for years, which is standard operating procedure in Fresno. We have done the same thing with city utility rates, which have now reached a crisis point requiring massive increases in a short period of time.

City staff will do what they're told to do by the mayor and the council, which are responsible for setting policy. In the end, that's where the buck stops.

And despite the angry tones emanating from the council dais, it's not clear that this council has the will to get the job done right. The council has already rejected a proposal from an outside consultant to increase fees to nearly \$10,000 per unit, depending on location. The fees currently run from \$716 to \$1,058 for single-family homes.

Developers complained and council members agreed that such increases price too many families out of the market. That's a problem in Fresno, even with our lower housing costs compared with other parts of the state.

But we still need the money. Streets don't come for free — and in some cases they won't come at all until this gets sorted out.

[Fresno Bee editorial, Monday, December 11, 2006:](#)

### **VALLEY'S TOP 10: Qualifications to serve on Valley air board**

10. Must be without scientific or medical training.
9. Drives SUV with "Save the Air" bumper sticker.
8. Longs for the days of burning trash in backyard incinerator.
7. Thinks Valley's air is good for grandchild with asthma.
6. Wants to have community bonfire to celebrate air quality improvements.
5. Thinks bad air and global warming are overrated.
4. Blames Valley air problem on smog from San Francisco.
3. Majority of donations in political campaigns must be from developers.
2. Loves the smell of diesel in the morning.
1. Thinks mass transit is a church ceremony held on a trailer.

[L.A. Times editorial, Tuesday, December 12, 2006:](#)

### **More politicized science at the EPA**

**The Environmental Protection Agency is making it official: Bush appointees, not scientists, will have the first say on air-quality standards.**

The Environmental Protection Agency has been rightly criticized under the Bush administration for repeatedly allowing political appointees to run roughshod over scientists, ignoring their findings and crafting regulations that please industry but fail to protect the public. Now the agency is making the practice official.

Under a new policy announced last week, scientists will be shuffled to the margins when the agency resets its all-important air-quality standards. Up to now, the process of drawing up new standards began with two sets of scientists — EPA staffers and an independent panel — conducting reviews of how pollution affects public health, then making recommendations to

agency managers. Now the managers, who are usually political appointees, will work with staff scientists from the start, and the first review paper will be about policy, not science.

Only after the policy assessment is published in the Federal Register, when it is less likely to be changed significantly, will independent experts have any say at all.

The ostensible reason for the change is to streamline the regulatory process — a reasonable goal. Both industry and environmentalists have criticized the EPA for failing to meet legal deadlines for updating air standards. But there are better ways to make the EPA run more efficiently than by converting a scientific process into a political one.

In a way, the new policy is more honest — politicians were already brushing aside research that didn't fit their ideology. Last year, for example, the EPA's inspector general reported that the agency ignored scientific findings to come up with softer regulations on mercury, which is produced largely by coal-burning plants. Three years before, it held up the release of a report on mercury levels in women, for no good reason, until it was leaked nine months later. Now it won't have to pretend to pay much attention to scientists at all.

Normally, the administration has broad leeway to interpret law into regulations. But when it changes the process to subvert the law's protective intent, Congress should reluctantly step in to spell out the obvious: Environmental policy is, first and foremost, about science.

[Note: The following clip in Spanish discusses the waiver granted to California from the EPA to implement emission controls on lawnmowers and other small-engine machines. For more information, contact Maricela at \(559\) 230-5849.](#)

### **Autoriza la EPA en California imponer límites a contaminación de pequeños motores**

**El gobierno estatal exigirá cambio de motores por menos contaminantes, producto de un esfuerzo bipartidista de tres años de trabajo**

Noticiero Latino, Aire Libre, California  
Radio Bilingüe, Tuesday, December 12, 2006

La Agencia federal de Protección Ambiental, la EPA, autorizó al estado de California imponer límites a la contaminación que generan pequeños motores como las podadoras de pasto que consumen gasolina.

California había argumentado que las maquinarias pequeñas contribuyen en siete por ciento a la contaminación del aire en el estado. Con la autorización, el gobierno estatal exigirá cambio de motores por menos contaminantes.

El gobernador Arnold Schwarzenegger dijo que la autorización es producto de un esfuerzo bipartidista de tres años de trabajo y que su administración republicana buscará el apoyo de legisladores demócratas para lograr otras iniciativas anticontaminantes.

[Note: The following clip in Spanish discusses the possible arrival of two new dairies to Allensworth. There is strong opposition, not just from those who live nearby but from the African-American community from other areas. The Tulare County Board of Supervisors has postponed the hearing until December 19, 2006 because the Center for Race, Poverty and the Environment provided a document that listed possible dangers to human health and the environment. For more information, contact Maricela at \(559\) 230-5849.](#)

### **Sin Decisión Sobre Nuevas Lecherías**

Por Eduardo Stanley  
El Sol, Friday, December 8, 2006

VISALIA — La posible llegada de dos nuevas lecherías en el área despertó una fuerte oposición no solamente en aquellos que viven en la zona cercana sino de la comunidad afroamericana de otras localidades.

Es que ambas empresas buscan establecerse cerca de Allensworth, pequeño pueblo ubicado al oeste de Earlimart, y que fuera fundado en 1908 por el entonces Coronel Alan Allensworth, primer afroamericano en establecer un proyecto agrícola en California. En su honor se estableció después en esa zona el Parque Allensworth.

"Mucha gente no entiende el valor que tiene este pueblo para nuestra comunidad", dijo a El Sol Carla Service, quien viajó desde Oakland a Visalia el martes 5 de diciembre para presionar a los Supervisores del Condado de Tulare a que voten contra el establecimiento de las lecherías. "Estas dos lecherías tomarán tierra que tiene valor histórico para la comunidad negra".

"En sus orígenes Allensworth era un pueblo próspero, pero sospechosamente el tren dejó de hacer escala ahí, luego el agua empezó a escasear", comentó Joy Holland, también del área de la Bahía. "El mismo Allensworth murió en un extraño accidente en Los Angeles".

Activistas afroamericanos buscan mantener la memoria de este histórico establecimiento en California por medio de diferentes actividades.

"Queremos que nuestro hijos conozcan el lugar, es parte de nuestra cultura y las lecherías la destruirán", agregó Holland.

Para Susie Smith, la llegada de estas empresas sería catastrófico. "Compré un terreno ahí porque mi sueño es ir a vivir a Allensworth, pero si llegan las lecherías mi propiedad no valdrá nada y ya no me interesaría establecerme ahí". Para esta residente de Fremont, la actitud de las empresas significa "una falta de respeto a la gente que tiene propiedad ahí y quieren vivir una vida tranquila y respirar aire limpio".

Allensworth tiene unas 500 almas y actualmente los afroamericanos no son más de 25 o 30 personas—siendo la mayoría de origen latino— de acuerdo a Ricardo Rodríguez, residente desde hace 30 años en esa comunidad. Para él, la preocupación principal ante la llegada de las lecherías es también la salud. "Nos oponemos a ellas porque afectan la salud y traen un olor desagradable". Explica además que la lucha por el agua, que pensaban habían ganado, podría perderse definitivamente con la llegada de las lecherías. "La noria se va a contaminar, y esto afectará a todos nosotros".

Las empresas aseguran que traerán empleos al Valle, pero no todos están de acuerdo. "Si acaso representará unos 60 trabajos, pero ellos ya tienen su gente, no ayudará a los nuestros", comentó Francisco Castillo Medina, jubilado y residente de Allensworth desde hace 40 años. "Pero lo más importante es el impacto en la salud, por ejemplo, las lecherías están siempre llenas de moscas, y éstas pasan enfermedades".

Castillo Media también asegura que la llegada de las lecherías a la zona "representa una falta de respeto al fundador del pueblo", y agrega que quieren establecerse en esa zona porque ya fueron expulsadas de otros condados.

Cuando los Supervisores del Condado de Tulare resuman la discusión sobre el posible establecimiento de estas empresas en Allensworth, es casi seguro que representantes de la comunidad afroamericana del estado regresen a Visalia para expresar su oposición al proyecto—un punto de coincidencia con muchos latinos que se sienten igualmente afectados.

### **Qué pasó el Martes**

La Mesa de Supervisores del Condado de Tulare pospuso para el 19 de diciembre su decisión respecto a las dos lecherías a construirse en Allensworth porque el Centro para la Raza, la Pobreza y el Medio Ambiente presentó un documento donde alega que ellas presentan posibles peligros para la salud y el medio ambiente.

Además, el Departamento de Parques de California podría pagar al dueño de la tierra, Sam Etchegaray, para que retire su aceptación a la construcción de las lecherías.