

## **Wildfires continue to impact Valley air**

By Mark Rivera

Turlock Journal, late Tuesday, September 11, 2007

Haze continues to cover the skies each day as two wildfires burning in Plumas and Santa Clara counties are keeping the particulate matter (PM) content in the air at unhealthy levels.

The effects are being felt mostly in Kern and Tulare counties, part of the San Joaquin Valley Air Pollution Control District. The impact felt in the Fresno metro area decreased over the weekend, but the smoke is moving farther south. Area pilots report smoke from ground level to 10,000 feet.

"The smoke continues to impact the (San Joaquin) Valley and residents in Kern and Tulare counties need to be aware that the high pollution experienced Friday in the central Valley is now headed their way," said Seyed Sadredin, the San Joaquin Valley Air Pollution Control District's Executive Director and Air Pollution Officer.

On Monday, officials observed a PM severity level of 56, considered to be at the moderate level. Tuesday's forecast saw the PM level rise to 60, still in the moderate zone. PM levels are expected to go back down to around 56 for Wednesday.

Stagnant conditions are forecasted to continue this week. Any smoke that is transported to the San Joaquin Valley from the Lick or Moonlight fire will tend to remain in the San Joaquin Valley due to an overnight inversion layer which acts as a lid, holding the smoke near the surface.

The recent conditions of the fires as reported at 7 a.m. on Saturday showed the Lick Fire to be encompassing approximately 39,585 acres and is 45 percent contained. The Moonlight Fire was covering more than 31,000 acres and had an extreme behavior and growth potential. The Moonlight Fire was only 16 percent contained as of Saturday morning.

According to the San Joaquin Valley Air Pollution Control District, the Moonlight Fire is very active. The smoke plume is very large and dense and is fortunately being transported to the west-northwest out of the San Joaquin Valley towards the upper Sacramento Valley and Mount Shasta area.

The Lick Fire smoke plume is smaller than the Moonlight smoke plume, but it is still significant, and is being transported to the east over Stanislaus and Merced counties.

For air-quality forecasts by county, visit <http://www.valleyair.org>, or call 800-766-4463. Forecasts are updated daily at 4:30 p.m.

## **Ceres Wal-Mart Supercenter shopping center open to public review**

By MICHELLE HATFIELD

Modesto Bee, Wednesday, September 12, 2007

CERES -- The Mitchell Ranch shopping center initial study is available for public review.

The 314,000-square-foot retail center plans include a Wal-Mart Supercenter. The review and comment period for the initial report runs through Oct. 5.

City staff also will hold two public meetings Sept. 19. The initial study is a precursor to the environmental impact report, and sets out which environmental factors potentially affected by the project should be investigated in the EIR.

Anyone attending the Sept. 19 meetings should not expect to argue the pros and cons of the Mitchell Ranch proposal or the supercenter. The public meetings will focus on which elements need to be studied in the EIR.

"We're not going to be debating the actual merits of the project," said Tom Westbrook, Ceres senior planner.

The 44-page initial study includes detailed plans and maps of Mitchell Ranch. The EIR will include analysis of how the shopping center will affect 15 environmental factors, including aesthetics, public services, noise, traffic and [air quality](#), according to the document.

The Mitchell Ranch project is proposed at the northwest corner of Service and Mitchell roads in south Ceres. Plans call for restaurants and retail stores anchored by a 208,000-square-foot Wal-Mart Supercenter.

Wal-Mart has a regular store at 1670 Mitchell Road. Supercenters are larger and sell more grocery products, including meats, fruits and vegetables.

While city officials are looking at the center to provide much-needed sales-tax revenue, some residents don't like the idea of locally owned businesses competing with two Wal-Marts.

## **Brown, refinery forge green pact**

### **ConocoPhillips will pay state \$10 million to offset emissions from the expansion of its Rodeo plant**

By Steve Geissinger and Denis Cuff, MediaNews - Staff Writers

Contra Costa Times and Tri-Valley Herald, Wednesday, September 12, 2007

SACRAMENTO -- Attorney General Jerry Brown and ConocoPhillips officials said Tuesday that they had agreed to a precedent-setting global warming reduction plan to offset greenhouse gases that would result from expanding an East Bay oil refinery.

Brown said that under the pact, which involves the company's Rodeo plant in Contra Costa County, "ConocoPhillips becomes the first oil company in America to offset greenhouse gas emissions from a refinery expansion project."

The oil company will pay about \$10 million -- roughly half the amount discussed at one point in negotiations -- to offset the expansion's environmental impact. That money will be used for everything from buying older polluting cars to restoring wetlands.

In return, the attorney general said he will no longer pursue any legal challenge to the expansion.

Mark Hughes, a spokesman for ConocoPhillips, said the firm "will now be able to move forward in the permitting process and add an additional 1 million gallons of cleaner-burning gasoline and diesel fuel daily in California."

One environmental group, however, said it would continue pressing for additional mitigations. Representatives of Communities for a Better Environment said they are concerned about the refinery's closest neighbors.

"The attorney general did a good thing," said Greg Karras, a spokesman for the environmental group. But he said Brown did not go far enough. Karras, a senior scientist for CBE, said his group will continue to appeal the environmental report on the project because ConocoPhillips failed to thoroughly assess emissions of smog-forming gases, soot particles, sulfur, heavy metals, dioxin and other toxic pollution.

"People that live in the shadow of the refinery," Karras said, "should be able to live to see the future climate that we would protect."

Touting the settlement, Brown said the oil company agreed to offset greenhouse gas-emission increases until the carbon-cutting regulations of AB 32 -- the state's overall global warming reduction plan -- begin taking effect in 2012.

"This gives the state an early edge in meeting the greenhouse gas reduction goals of AB 32," Brown said.

Of the roughly \$10 million ConocoPhillips has agreed to pay, \$7 million will go to the Bay Area Air Quality Management District.

The district will use the money for projects such as buying and scrapping old, polluting cars, converting vehicles to run on electricity or biofuels, installing vegetation over garbage dumps to trap and destroy methane and planting trees to offset greenhouse gases.

"We will select the most cost-effective projects," Ross said, "but we will also give weight to projects that improve air quality in the area near the plant."

Under the pact, ConocoPhillips also will:

- Fund \$2.8 million for reforestation efforts in California.
- Allocate \$200,000 to the Audubon Society for restoration of the San Pablo wetlands.
- Conduct an energy-efficiency audit at Rodeo to identify feasible energy efficiency measures.
- Check all its California refineries to identify greenhouse-gas emission sources and reduction opportunities.
- Surrender the operating permit for a facility at its Santa Maria plant, which the company estimates emitted 70,000 metric tons of greenhouse gases annually.

The attorney general's actions Tuesday followed his recent legal attack on a San Bernardino County growth plan he said fell short of meeting the spirit of AB 32.

That move triggered a backlash of Republican lawmakers blocking passage of the state budget until they won assurances Brown's environmental protection efforts would not delay transportation projects, funded with billions of dollars in voter-approved bonds.

Brown and San Bernardino County have since settled the lawsuit in what the attorney general called an agreement that would guide other counties' growth plans.

Likewise, Brown and local officials predicted Tuesday's settlement in Contra Costa County would serve as a model for local governments in California, particularly when it involves industry.

"It provides a precedent for mitigating greenhouse gases in the absence of specific guidelines from AB 32," said Mark Ross, who is chairman of the Bay Area Air Quality Management District and a Martinez city councilman.

In his original challenge to the oil refinery project in May, the attorney general accused Contra Costa County of failing to fully assess the environmental impact of the expansion, which includes a hydrogen plant that will emit about 500,000 metric tons of carbon dioxide per year.

## **State's first-time deal for \$10 million to offset oil refinery emissions**

Jane Kay, Chronicle Environment Writer

San Francisco Chronicle, Wednesday, September 12, 2007

In the first deal of its kind involving a U.S. oil company, ConocoPhillips has agreed to pay \$10 million to offset greenhouse gas emissions from a planned expansion of its refinery in Contra Costa County, California Attorney General Jerry Brown announced Tuesday.

Most of the oil company money would be spent on projects that include restoration of Bay Area wetlands and the planting of trees in California to help the state meet its goal of reducing emissions 25 percent by 2020.

Brown said Tuesday he is seeking similar measures from Chevron Corp., which wants to build new processing plants at its Richmond refinery, the largest in the region.

"ConocoPhillips is the first oil company in America to offset greenhouse gases from refinery expansion," Brown said in an interview after his announcement.

The refiner agreed to pay \$10 million for projects that would curb greenhouse gases in an attempt to compensate for releasing an additional 500,000 tons of carbon dioxide a year when the expansion at its Rodeo refinery is completed in 2009.

Under the agreement:

- \$7 million would be used to start a fund for financing projects to cut carbon dioxide in the Bay Area. The fund would be operated under guidelines to be developed by the Bay Area Air Quality Management District in consultation with the attorney general's office.
- \$2.8 million would be spent to grow trees in mature forests that absorb carbon dioxide.
- \$200,000 would help restore wetlands on San Pablo Bay.
- 70,000 tons of greenhouse gas emissions would be eliminated from a ConocoPhillips facility in Santa Maria (Santa Barbara County).

Mark Hughes, a ConocoPhillips spokesman, said the corporation was pleased with the agreement and the prospect of reducing the gases.

"Now our clean-fuels project is going to move forward," he said.

Under the agreement, projects to offset emissions could be changed if both parties believe the strategies, such as planting trees, are not effective in reducing the culprit gases.

Last year, California passed a landmark global warming law, AB32, that requires businesses and other entities to reduce carbon dioxide and five other gases that are linked to a rise over the past century in ocean and atmospheric temperatures.

ConocoPhillips applied to Contra Costa County two years ago for a land-use permit that would allow it to build a hydrogen plant and expand its hydro-cracker as a way to remove sulfur from heavy marine bunker fuel to produce gasoline.

The expansion would have the effect of adding more than 1 million tons a year of carbon dioxide to the plant's emissions when it is fully operating. Now, the plant emits about 1.9 million tons a year. The construction would also add additional amounts of nitrogen oxides, sulfur dioxide, soot and other pollutants.

Brown, a leader on environmental issues when he was California's governor from 1975 to 1983, recently has testified before the U.S. Environmental Protection Agency and Congress on behalf of the state's right to move aggressively to combat global warming.

Last week, he met in Los Angeles with ConocoPhillips' president of U.S. refining, Larry Ziemba, to complete the deal, which had been discussed for weeks by the staffs of the oil company and Brown's office.

Brown told Ziemba that the refiner would have to reduce the emissions eventually under AB32. "Why not do it initially? We offered a practical solution," Brown said.

The attorney general got involved in the case when his office responded to the Contra Costa County Planning Commission under the California Environmental Policy Act. State attorneys sent comments on the project's environmental report, recommending that county staff demand more mitigations for greenhouse gases that would be emitted by ConocoPhillips.

Despite the state's objections, county supervisors approved the land-use permit in May, which their staff had recommended for approval. But Brown appealed their decision, saying Tuesday that "we objected to the adequacy of the environmental impact report."

His attorneys began negotiating with officials for the refinery, the third largest in the United States. When the deal was announced Tuesday, the state removed its appeal.

The county's Board of Supervisors is expected to hear the refinery's request for the land-use permit again on Sept. 25.

Two environmental groups, the Center for Biological Diversity and Communities for A Better Environment, are appealing the expansion plan. They want the county to better analyze such pollution as mercury and selenium from the proposed new processes, which they say will use dirty, cheap crude.

"We think that the AG did a good thing about part of the pollution," said Greg Karras, senior scientist at Communities for A Better Environment. "But people in Rodeo, Crockett and Pinole are most immediately at risk from pollution from the proposed shift to a vastly dirtier feed stock" from San Joaquin Valley and foreign crude.

Contra Costa Community Development Director Dennis Barry said he was glad that the state had dropped its appeal and will recommend that supervisors deny the environmental groups' appeal.

Meanwhile, the city of Richmond is reviewing Chevron's request to build a hydrogen plant that would replace its current plant. The same environmental groups are concerned about additional pollutants that would be sent into low-income neighborhoods bordering the refinery.

Brown's office has been in touch with Richmond and Chevron officials about addressing the effects of greenhouse gases at the plant.

In addition, Brown has submitted comments on Chevron's draft environmental review, Chevron spokeswoman Camille Priselac said.

"Chevron is working to respond to the comments," Priselac said. She wouldn't say whether emissions would increase under the planned construction in Richmond, saying "we're trying to understand the emissions for the project."

### **The plan**

How the \$10 million ConocoPhillips has agreed to pay to offset increased emissions due to an expansion would be spent:

\$7 million to fund projects to cut carbon dioxide in the Bay Area

\$2.8 million to grow trees in forests that absorb carbon dioxide

\$200,000 to help restore wetlands on San Pablo Bay

## **Atwater lost, but trip was worth it**

### **Falcons nearly pulled off upset after hitting the road for opener**

By WILL DeBOARD

Modesto Bee, Wednesday, September 12, 2007

Bob Valladao's debut as Atwater High School's varsity football coach was crazier than he could have imagined.

His Falcons, prepped for a home game against heavy favorite Nevada Union of Grass Valley on Friday, had to scramble when their game was canceled due to [poor air quality](#). It went from being a contest at the cozy confines of Falcon Field to a 3½-hour drive to Grass Valley.

"It was a busier day than I thought it was going to be, that's for sure," Valladao said, adding that the air quality forecast for Friday was orange (unhealthy for sensitive groups), "so we didn't make alternate plans."

Then, at about 10:30 a.m. Friday, Valladao was given the news: The game was canceled. But the Falcons had a choice if they really wanted to play.

"We could either drive up there and play, or not play at all," Valladao said. "So we got a bus and rustled everybody up."

Valladao gathered the team and told them.

"They said the game was canceled in Atwater, then they said we'd be going up there to play," Falcons senior Bryce Dibble said. "It was like a big surge went through us. Everybody wanted to play that game."

And what a game it was.

The Falcons, wearing their home blues but standing on the visitor's sideline, came within a whisker of beating Nevada Union in a 20-14 loss.

"They handed us a bad loss last year," Atwater senior Vincent Flores said, recalling a 42-13 defeat. "Maybe they were overlooking us. But we were pretty angry about last year, too."

Atwater led 14-0 on Dexter Coward's fumble return for a TD and a scoring run by Trevor Staats.

The Miners rallied to take the lead, but the Falcons embarked on a 15-play drive -- including two fourth-down conversions -- that bridged the third and fourth quarters. The drive ended with a fumble at the NU 1-yard line.

"The long trip didn't seem to affect the kids," Valladao said. "We kept our goals simple: Execute and take care of the football. We competed with them. I thought we did just fine."

Atwater may be 0-1, but it was a close loss to one of the section's perennial title contenders. Nevada Union lost to Vacaville 28-16 in the section Division I North championship game last season.

"We feel we're a dangerous team," Flores said. "But we know we're going to have to prove it every week."

## **City approves MOU for Carrizo Plain**

By Doug Keeler, Midway Driller Editor  
Taft Midway Driller, Wednesday, Sept. 12, 2007

The Taft City Council finally approved an agreement to participate with the Taft District Chamber of Commerce and Bureau of Land Management in promoting Taft as a gateway to the Carrizo Plains National Monument.

The proposal, first raised by former city councilman and Mayor Ray Hatch, was brought to the council in July but rejected then because the current council felt it was worded too vaguely.

They feared it could open the city to liability for the acts of others or obligate it to spend money without a decision by the council - "implied possibility of liability" was the way it was described.

City staff drew up a new proposal that included two separate agreements - one between the city and Taft District Chamber of Commerce and one with the Bureau of Land Management.

Neither agreement places the city under any financial obligation, according to a staff report from City Manager Bob Gorson.

The agreement calls for the three parties to work together on projects publicizing Taft as the eastern gateway to the national monument "where Taft deems it appropriate and beneficial to the city of Taft."

It specifically states the city has no financial obligation.

The council also approved a memorandum of understanding with Synagro to have all of the city's solid waste from the wastewater treatment plant removed to Synagro's composting facility on South Lake Road.

In the past, the city's biosolids were trucked to a landfill in the Lost Hills area after the council voted to end the practice of having the city's waste used in land application.

Under the agreement, Synagro will take up to thirty truckloads of the city's biosolids at no charge each year at its South Kern Manufacturing Facility.

That will save the city \$30,000 every other year.

Synagro will also take in the city's greenwaste provided it is chipped and the facility is notified in advance.

In other business, the council heard a report from Gorson that the city had to spend \$7,500 to purchase new two-way radios for the Taft Area Transit Program.

TAT had been using radios purchased by the Kern County Fire Department that were to be used for emergency purposes only.

[Fresno Bee commentary, Tuesday, Sept. 11, 2007:](#)

### **It's not all location if mayor's job gets done**

By Bill McEwen / The Fresno Bee

I do a lot of huffing and puffing on the bike at a gym south of Shaw Avenue. It's the Gold's that Mayor Alan Autry doesn't hang out at.

Like the mayor, I do some of my best thinking at the gym. What I don't think about, my buddies do.

Monday morning one of them wanted to know: If the mayor wasn't using his reserved parking space at City Hall, could he set up a car wash there?

I told him he could as long he got the proper licenses and permits and Donald Trump didn't beat him to the spot.

Anyway, I don't care where the mayor hangs his baseball cap as long as he does the job. This is the communication age, with almost everyone toting some kind of Bluetooth, BlackBerry or iPhone.

(I don't know if Harald Bluetooth, the 10th century king of Norway and Denmark for which the wireless device is named, hung around the castle. I do know some historians say he was dethroned by his son -- the ancient equivalent of term limits.)

The article in Sunday's Bee about the mayor's aversion to City Hall is useful because it helps frame the election to choose his successor.

Should the next mayor attend more council meetings and work more at City Hall?

If the mayor wants to, fine. If not, I'm OK with that, too.

But, unlike Autry, the next mayor should post his or her appointment schedule on the city Web site. If Gov. Schwarzenegger can share his schedule with the public, Fresno's mayor can, too.

Transparency is healthy for government, and taxpayers deserve to know what they're getting for their money.

Wherever the workplace, our next mayor should be focused and pragmatic. Jim Patterson was a conservative ideologue. Autry has been a big-idea promoter sidetracked by outside issues such as immigration and school-board control.

But even with the self-created distractions and time sipping coffee and shaking hands at Starbucks, Autry has been a good mayor. He has directed growth south and west, ending the mad scramble north. He got the governor committed to fixing Highway 99. He's promoted [clean air](#), turned around the Parks and Recreation Department and made people look hard at Fresno Unified School District.

Who will follow him?

Two of the biggest names -- Police Chief Jerry Dyer and former state Sen. Chuck Poochigian -- aren't running. Dyer will someday, but not in 2008. Poochigian is helping his wife, Debbie, challenge for Bob Waterston's supervisorial seat.

If Patterson mounts a political comeback, he'll have the most name identification by far -- and a record opponents will try to pick apart.

Mike Dages is in the race, and he'll be joined by fellow council members Jerry Duncan and Henry T. Perea -- and maybe Larry Westerlund. Figure on business/education executive Ashley Swaengin running, too.

I want to hear their ideas about gangs, downtown, the homeless, job creation, eminent domain, [pollution](#), consolidation, infrastructure and the city budget.

The candidates can answer in organized debates -- or next to me on the exercise bike. Maybe Autry will join us.

[Fresno Bee editorial, Wed., Sept. 12, 2007:](#)

### **Governor: Sign air district bill**

#### **Governing board expansion to include medical experts is a positive step.**

A bill headed to the governor's desk would -- at long last -- expand the membership of the governing board of the Valley's air district. The governor should sign it.

Senate Bill 719, written by Sen. Mike Machado, D-Linden, passed the Assembly Monday. It had earlier been approved by the state Senate. It took several tries in recent years to get this reform through the Legislature, but the effort was worth it.

The bill would add two representatives of large Valley cities and -- most important -- two medical experts appointed by the governor to the board of the San Joaquin Valley Air Pollution Control District.

Gov. Arnold Schwarzenegger hasn't indicated how he views the bill, but it was just a couple of months ago that he signaled, in strong terms, his unhappiness with the status quo in the Valley, and in particular with regard to the air district board's proposal to delay cleanup of the Valley's air until 2024.

And upsetting the status quo is what this bill is all about. The air district board has been dominated from the beginning by eight representatives -- out of 11 -- from county boards of supervisors. The remaining three seats are rotated among the Valley's cities, large and small.

That lineup, largely beholden to established interests in agriculture and industry, has more often than not been an obstacle to progress in the fight to clean the air, rather than an aggressive agent for the changes we must make.

It has also led to the largest cities in the Valley -- Fresno among them -- often being unrepresented in the deliberations and decisions of the air district board.

That will change if Schwarzenegger signs the bill. The board would grow to 15 members, and would always include at least two members from cities in the eight-county district with more than 100,000 residents. Besides Fresno, that list includes Visalia, Modesto, Bakersfield and Stockton.

The greater impact could come from the medical experts who would be appointed by the governor. One would have to be a physician with expertise in the health impacts of air pollution, the other would be required to have medical or scientific expertise in air pollution. Both would have to live in the district.

Farm and business interests lobbied strongly against the bill, as they have in its earlier, failed incarnations.

Sadly, the only area representative to vote for SB 719 was Assembly Member Juan Arambula, D-Fresno. Republican Assembly Members Mike Villines of Clovis, Bill Maze of Visalia and Tom Berryhill of Modesto opposed the change, as did Nicole Parra, D-Hanford. That's a measure of just how powerful the status quo is in the air quality battle, and why it's such an uphill struggle.

But the governor now has a chance to move the ball forward. We urge him to do so by signing SB 719.