

Air district lays foundation for cleaner air in 2008

By Mark Rivera, Staff Reporter

Turlock Journal, Thursday, Jan. 3, 2008

The San Joaquin Valley Air Pollution Control District is making its New Year's resolutions along with everyone else.

On the table for 2008 is a new Particulate Matter reduction plan that will help the district get closer to attaining national air pollution standards set in 1997.

The plan will focus on reducing PM that is 2.5 microns or less in diameter. The plan will build on the district's aggressive emission reduction strategy adopted in the 2007 Ozone Plan.

The district held public hearings on the plan Dec. 18-19. In the draft plan, the district said that "it appears the Valley can attain the 1997 PM2.5 standard by 2014."

Another workshop has been tentatively scheduled for early February 2008. District staff plans to present the 2008 PM2.5 plan to the district governing board on April 17, 2008, following a 30-day public comment period. The plan is due to the U.S. Environmental Protection Agency in April 2008.

New controls that will be considered in the 2008 PM2.5 plan include tighter restrictions on residential wood burning and space heating; more stringent limits on PM2.5, sulfur dioxide and nitrous oxide emissions from industrial sources; measures to reduce emissions from controlled forest and crop burning and other agricultural burning; and more effective work practices to control PM2.5 in fugitive dust.

The district will prepare a mid-course review in 2011 to evaluate and assure timely progress toward PM2.5 reduction.

The EPA set the first PM2.5 National Ambient Air Quality Standards in 1997 at 15 micrograms per cubic meter for the annual standard and 65 micrograms per cubic meter for the daily standard.

The Valley attains the daily standard based on 2004-2006 data, so the 2008 PM2.5 plan will focus on attaining the annual standard. The Valley's annual average "design value" is approximately 19 micrograms per cubic meter, or about 27 percent over the annual standard.

PM2.5 is emitted from human activities and natural sources. "Secondary" PM2.5 can form from gases such as nitrous oxide and sulfur dioxide.

Below is a sampling of articles in today's papers relating to the state's suit against the EPA.

California Sues EPA Over Emissions Rules

15 Other States Back Effort to Win Waiver to Allow the Setting of Tougher Standards

By Keith B. Richburg, Washington Post Staff Writer

Washington Post Thursday, January 3, 2008

NEW YORK, Jan. 2 -- California, joined by 15 other states led by New York, sued the Environmental Protection Agency on Wednesday over its refusal to allow the state to set its own, tougher vehicle-emissions standards to control greenhouse gases and combat global warming.

The suit, to which Maryland is a party, was filed in the U.S. Court of Appeals for the 9th Circuit in San Francisco two weeks after the EPA's decision to turn down California's request for a waiver that would have allowed it to begin implementing a landmark 2004 state law limiting carbon dioxide output from cars, trucks and SUVs. That law would require new vehicles to cut tailpipe emissions by a third by 2016, which California officials said would result in a fuel-efficiency standard of 36.8 miles per gallon.

Such waivers have been routinely granted to California under the 1970 Clean Air Act, which allows the Golden State to set its own air-pollution standards with federal approval. As a result, California has often been a national leader in developing air-quality protections.

In denying the waiver this time, EPA Director Stephen L. Johnson said following a single federal policy rather than having a confusing patchwork of state laws would be a more efficient way to combat global warming. In December, President Bush signed an energy bill that will raise vehicle fuel-efficiency standards nationwide to 35 mpg by 2020, four years later than the California mandate. Johnson called that approach a better way to address vehicles' contributions to the greenhouse-gas buildup.

In filing the lawsuit, California Attorney General Edmund G. "Jerry" Brown Jr. (D) said, "There's absolutely no justification for the administrator's action," the Associated Press reported. "It's illegal. It's unconscionable and a gross dereliction of duty.

"To curb the innovative efforts of California and other states makes no sense," Brown said in an interview.

In New York, Attorney General Andrew M. Cuomo announced that his state will lead a coalition of 15 states backing California's legal right to set its own environmental standards in the face of what he called inaction at the federal level.

"The EPA's attempt to stop New York and other states from taking on global warming pollution from automobiles is shameful," Cuomo said in a statement. "By denying New York the right to set global warming emissions standards for cars, the Bush administration is intentionally obstructing our efforts to combat climate change."

The EPA's deputy press secretary, Jonathan Shradar, said in a statement: "As the Administrator indicated when announcing his intention to deny the California waiver request, under the recently signed Energy bill we now have a more beneficial national approach to a national problem which establishes an aggressive standard for all 50 states, as opposed to a lower standard in California and a patchwork of other states." He referred questions to the Justice Department.

Besides Maryland and New York, the other states and agencies that joined the suit are Massachusetts, Arizona, Connecticut, Delaware, Illinois, Maine, New Jersey, New Mexico, Oregon, the Pennsylvania Department of Environmental Protection, Rhode Island, Vermont and Washington.

Also yesterday, Sen. Dianne Feinstein (D-Calif.) sent a letter to the EPA inspector general's office asking for a formal investigation into how the decision was made to deny California the waiver.

In the letter to Deputy Inspector General Bill A. Roderick, Feinstein said the agency's administrator appears to have "deviated from standard Administration protocols in making this unprecedented decision," among other things by ignoring the advice of the EPA's technical staff and consulting with the White House before denying the waiver.

State sues EPA to force waiver over greenhouse gas emissions

Bob Egelko, Chronicle Staff Writer

S.F. Chronicle, Thursday, January 3, 2008

California led 15 other states and five environmental groups into federal court Wednesday to challenge the Bush administration's refusal to let the state limit vehicle emissions of gases that contribute to global warming.

In a lawsuit filed in San Francisco, the state accused the Environmental Protection Agency of exceeding its authority when it barred California last month from enforcing limits on cars and trucks starting with the 2009 model year, the first law of its kind in the nation. The state needed the EPA's approval to implement clean-air standards that are stricter than federal rules.

"The EPA has done nothing at the national level to curb greenhouse gases, and now it has wrongfully and illegally blocked California's landmark tailpipe emissions standards," state Attorney General Jerry Brown said at a news conference in San Francisco.

He said EPA Administrator Stephen Johnson had offered no coherent legal explanation for his Dec. 19 refusal to let California act and accused President Bush's appointee of merely "doing the bidding of the auto industry."

The lawsuit was endorsed by Gov. Arnold Schwarzenegger, who said federal regulators were "ignoring the will of millions of people who want their government to take action in the fight against global warming."

The federal veto affected as many as 19 other states that have adopted California's standards or indicated their intention to do so, including the 15 that joined the lawsuit filed Wednesday with the Ninth Circuit Court of Appeals in San Francisco.

Other California political leaders chimed in, including Democratic Sen. Dianne Feinstein, who chairs a Senate subcommittee on the environment. She cited reports in The Chronicle and other news outlets that Johnson had ignored his legal staff's recommendation to grant California the waiver and asked the EPA's inspector general to investigate the decision.

"The thought has occurred that this was a political decision rather than an environmental decision," Feinstein said.

In response, EPA spokesman Jonathan Shradar cited Johnson's position that a national approach to the problem is better than state-by-state regulation. He noted that Bush had just signed legislation that requires makers of cars and trucks to increase fuel economy to an average of 35 miles per gallon by 2020.

"We now have a more beneficial national approach to a national problem, which establishes an aggressive standard for all 50 states as opposed to a lower standard in California and a patchwork of other states," Shradar said.

California's law, passed in 2002, established limits on auto emissions of carbon dioxide and other gases that scientists consider to be among the major causes of global warming. The law was scheduled to take effect with the 2009 models and would require automakers to reduce their 2016 fleets' emissions by 30 percent.

A federal judge in Fresno upheld the law last month, rejecting automakers' arguments that the law would interfere with exclusive federal regulation of fuel economy and would make new cars dangerous and unaffordable. But the state still needed EPA approval to enforce the law.

The federal Clean Air Act allows California, because of its smog problems, to enact air-quality rules more stringent than the national standard if the state gets a waiver from the EPA. The agency had approved about 50 waiver applications without a denial since the law took effect more than 30 years ago.

The greenhouse gas case was different, because California and the states that followed its lead were implicitly challenging Bush's policy of relying on voluntary industry action, rather than mandatory limits, to reduce greenhouse gas emissions.

After considering California's request for two years - finally prompting California to file another lawsuit seeking a prompt ruling - Johnson denied a waiver last month. He cited the newly signed federal fuel-economy law and also said the state didn't qualify for a waiver because greenhouse gases are not unique to California.

But the state and environmental groups said the EPA has regularly granted waivers to California to address air pollution problems that were not unique to the state.

In addition, "no other state can claim the same wide range of severe impacts that California faces: melting of the state's snowpack ... increases in catastrophic wildfires, worsening of dangerous smog levels and other harms," said attorney David Doniger of the Natural Resources Defense Council, one of the five advocacy organizations that went to court along with California and the other states.

California and its allies also disputed the EPA's assertion that the state law is weaker than the new national fuel-economy standards.

The EPA's Shradar said the federal agency estimates that manufacturers could comply with the California law by achieving an average of 33.8 mpg in their new cars and trucks by 2016.

But Mary Nichols, chairwoman of the state Air Resources Board, said studies by board staffers concluded that the California law would require a fleet average of 44 mpg by 2020 and would reduce greenhouse gas emissions in the state by about twice as much as the federal law.

"Frankly, this is not very surprising because California standards start earlier, go faster ... and the end points are more stringent," Nichols said.

Brown's office had said earlier that federal law required the lawsuit to be brought in the U.S. Court of Appeals in Washington, D.C., a more conservative court than the Ninth Circuit. Brown said Wednesday that Johnson's letter rejecting California's waiver did not refer to the controversy as a nationwide issue - which would have sent the suit to Washington - and instead referred only to conditions in California.

Brown said he prefers the Ninth Circuit because its record in environmental cases "has been more closely aligned with how we interpret the law." That may not matter in the long run, he added, because the case could wind up in the U.S. Supreme Court.

Calif. Sues EPA Over Tailpipe Rules

By SAMANTHA YOUNG, Associated Press Writer

In the N.Y. Times, S.F. Chronicle and other papers, Thursday, January 3, 2008

Sacramento -- California sued the federal government in its struggle to set the country's first greenhouse gas limits on cars, trucks and SUVs, asking the Environmental Protection Agency to review its decision to deny the state a waiver that would allow it and 16 other states to regulate emissions.

Dismissing California's arguments that it faced unique threats from climate change, EPA Administrator Stephen L. Johnson said last month the federal government had a national plan to raise fuel economy standards. California officials on Wednesday provided new data in an attempt to show their program is superior to the federal plan.

"I think we are coming back strong not only with our legal case, but our technical justification," California Air Resources Board chairwoman Mary Nichols told reporters in a conference call.

Johnson said energy legislation signed by President Bush would raise fuel economy standards to an average of 35 miles per gallon by 2020, which he called a more effective approach to reducing greenhouse gases than a patchwork of state regulations.

California officials say their more aggressive law would require the auto industry to cut emissions by one-third in new vehicles by 2016, boosting efficiency to about 36.8 mpg.

EPA spokesman Jonathan Shradar said in an e-mail statement Wednesday that federal estimates show California's law would achieve reductions to only 33.8 mpg.

But an analysis released by state air regulators showed their 2004 tailpipe regulation would be faster and tougher than the federal fuel economy rules.

By 2016, California's standard would reduce the amount of carbon dioxide that vehicles produce by 45.4 million metric tons a year in California and the 12 other states that have already adopted the rules. That's nearly double the 23.4 million metric tons the report forecast would be cut under the federal fuel-efficiency standards, according to the analysis, which was based on EPA air pollution modeling.

By 2020, the California law would achieve a 44 mpg standard if the state extended its law as regulators have suggested, the report said.

Nichols said the report shows the EPA's rationale for denying the waiver was wrong. She and a coalition of environmental groups also challenged Johnson's claim that California does not face extraordinary conditions from climate change.

Scientists say rising seas could erode the state's coastline and top its levees, while warming temperatures are expected to reduce the Sierra snowpack, leading to a potential water crisis.

"He's wrong factually and legally," said David Doniger, an attorney for the Natural Resources Defense Council, which led environmental groups in filing a similar lawsuit Wednesday. "No other state can claim to be affected in so many serious ways as California."

Gov. Arnold Schwarzenegger said in a statement that EPA officials "are ignoring the will of millions of people who want their government to take action in the fight against global warming."

California Attorney General Jerry Brown filed the lawsuit Wednesday in San Francisco's 9th U.S. Circuit Court of Appeals, which is viewed as more friendly to the state's position than other federal courts. Brown said he expects the Bush administration will seek to transfer the case to the more conservative Washington, D.C.-based appeals court.

"We understand this is a long fight that may go to the Supreme Court," Brown said. "We feel this is going to be a struggle."

Twelve other states - Connecticut, Maine, Maryland, Massachusetts, New Jersey, New Mexico, New York, Oregon, Pennsylvania, Rhode Island, Vermont and Washington - have adopted California's emissions standards, and others have said they plan to do so. The 12 states, along with Arizona, Delaware and Illinois, said Wednesday they plan to intervene in support of California.

"Today, there is simply no environmental issue more compelling - or extraordinary - than the increasing threat of climate change," New York Attorney General Andrew Cuomo said in a statement.

The EPA's Dec. 19 decision was a victory for automakers, which argued that they would be forced to reduce their selection of vehicles and raise prices in states that adopted California's standards.

It was the first time the EPA had fully denied California a waiver under the Clean Air Act since Congress gave the state the right to obtain such waivers in 1967.

The Alliance of Automobile Manufacturers, which represents General Motors Corp., Ford Motor Co., Chrysler LLC, Toyota Motor Corp. and six other automakers, favors the federal plan, spokesman Charles Territo said.

"We agree with EPA that a national policy is important to avoid a patchwork quilt of state regulations," Territo said.

The EPA's denial angered members of Congress, including California Democrats. Sen. Barbara Boxer and Rep. Henry Waxman, who chair the committees that oversee the EPA, said the agency ignored the legal requirements of the Clean Air Act.

Sen. Dianne Feinstein, D-Calif., on Wednesday called on the agency's inspector general to investigate allegations that Johnson acted against recommendations from his technical and legal staff in denying the waiver.

Last week, the EPA said it would turn over all documents about its decision to congressional committees that have promised hearings. The documents would include records of the EPA's communications with the White House.

The auto regulations are a major part of California's global warming law, which aims to reduce greenhouse gases statewide by 25 percent by 2020. Auto emissions account for about 17 percent of the state's proposed reductions.

Nichols said the California air board is reviewing other measures it could impose on automobile manufacturers if the lawsuit fails or delays the state's regulations from taking effect.

California sues government for rejecting bid to curb emissions

The state joins 15 others in a challenge to the EPA's position that a new federal energy bill trumps other action.

By Margot Roosevelt, Los Angeles Times Staff Writer
L.A. Times, Thursday, January 3, 2008

California and 15 other states sued the Bush administration Wednesday, seeking to overturn a federal decision last month rejecting the state's bid to curb greenhouse gases from cars and trucks.

The lawsuit, filed in the U.S. 9th Circuit Court of Appeals in San Francisco, marks a new round in an epic five-year struggle between California and the federal government over whether states have the power to regulate carbon dioxide and other pollutants that cause global warming.

The controversy also spilled into Congress, as Sen. Barbara Boxer (D-Calif.) and Rep. Henry A. Waxman (D-Beverly Hills) prepared to hold hearings on whether the White House and automakers influenced the Environmental Protection Agency's decision, which was required to be based on scientific and legal grounds.

Sen. Dianne Feinstein (D-Calif.), who chairs the appropriations subcommittee that oversees the agency's funding, on Monday called on the EPA's inspector general to "immediately open an investigation. . . . The thought has occurred that this was a political decision rather than an environmental decision and that cannot be countenanced."

Under the federal Clean Air Act, California is allowed to enact stricter air pollution laws than the federal government as long as the state is given a waiver from the EPA.

Waivers have been routinely granted in roughly 50 cases during the last three decades, allowing the state to lead the way in catalytic converters, unleaded gasoline and other areas.

But in a two-page Dec. 19 letter to Gov. Arnold Schwarzenegger, EPA Administrator Stephen L. Johnson denied a waiver for the state's landmark 2002 law, which seeks to cut greenhouse gas emissions from new vehicles by 30% over the next eight years.

Climate change is a global issue that "extends far beyond the borders of California," Johnson wrote, adding that new fuel economy standards signed into law last month should lower greenhouse emissions beyond what California proposed.

Schwarzenegger, California Atty. Gen. Jerry Brown and other state officials were joined by five national environmental groups in the lawsuit.

The governor called the EPA decision "unconscionable" in a statement released Wednesday.

"They are ignoring the will of millions of people who want their government to take action in the fight against global warming," Schwarzenegger said.

Brown, in an interview, noted that Johnson had reportedly ignored his own legal and technical staff's recommendations to grant the waiver.

"He must have consulted a Ouija board," Brown said. "I don't know what else can explain his bizarre decision."

New York Atty. Gen. Andrew Cuomo echoed Brown's sentiments, calling the EPA denial "shameful." Global warming "will have devastating impacts on our environment, health and economy if it continues to go unchecked," Cuomo said in a statement.

The outcome of the court battle may hinge in part on whether California can show that its greenhouse gas law would reduce emissions more than the new fuel-economy standard -- which sets a fleet-wide average of 35 mpg for cars and light trucks by 2020.

Johnson said California's standards would amount to only a 33.8 mpg equivalent.

But the technical staff of the state Air Resources Board worked feverishly through the holidays to crunch numbers. Its calculations not only disputed the EPA's fuel-efficiency estimate, but also concluded that California's rules would achieve twice the greenhouse gas reductions expected under the new federal mpg standard.

"We were frankly stunned" by the EPA's numbers, Air Resources Board Chairwoman Mary Nichols said at a news conference Wednesday.

"It will be interesting to see what kind of technical analysis EPA is able to produce," Nichols said.

It will be up to the courts to sort out the numbers once EPA produces its backup studies. The agency has yet to publish the extensive documentation normally provided in the federal register, although it has agreed to release all relevant documents to congressional committees.

Lawyers involved in Wednesday's court case said the two-paragraph lawsuit was filed very early in the year as a way to force the federal agency to move ahead with a formal notice of its decision.

Cases challenging the EPA are normally filed in federal appeals court in the District of Columbia, but the 9th Circuit is seen as a more favorable venue for their causes, environmental attorneys said.

EPA Assistant Press Secretary Jonathan Schradar declined to discuss the lawsuit but wrote in an e-mail: "Under the recently signed energy bill we now have a more beneficial national approach to a national problem which establishes an aggressive standard for all 50 states, as opposed to a lower standard in California and a patchwork of other states."

Gloria Bergquist, spokeswoman for the Alliance of Automobile Manufacturers, offered a similar argument.

"Congress just passed a tough new national fuel economy law for the next 12 years and beyond, and these new mileage standards will reduce carbon dioxide by 30%," she wrote in an e-mail.

Whatever the outcome of the lawsuit, California is required by law to slash overall greenhouse gas emissions to 1990 levels by 2020. That will entail 174 million metric tons in reductions, of which 18% is to come from tailpipe emissions, the state Air Resources Board estimates.

Nichols said the board would look at other measures to force reductions from cars, including incentives for consumers to purchase cleaner cars.

She declined to say if the board would consider taxing cars that emitted the most greenhouse gas emissions.

"The reductions are going to come from cleaner new vehicles one way or another," she said. "But we do not intend to penalize individual motorists for the failure of the automobile industry to produce cleaner vehicles."

Nationwide, passenger vehicles generate about 20% of carbon dioxide emissions. In California, the proportion is higher: about a third.

Leading scientists worldwide have said that global carbon dioxide emissions must be slashed by about 80% by mid-century if the worst effects of climate change are to be avoided, including rising seas, melting snowcaps, spreading deserts and widespread species extinction.

California is particularly concerned about water shortages if seawater overwhelms levees and the Sierra Nevada snowpack melts.

The 15 states joining California in the lawsuit are Massachusetts, Arizona, Connecticut, Delaware, Illinois, Maine, Maryland, New Jersey, New Mexico, New York, Oregon, Pennsylvania, Rhode Island, Vermont and Washington.

Climate change affects Calif. air most, study says

By Chris Bowman / The Sacramento Bee

In the Fresno, Sacramento and Modesto Bees Thursday, Jan. 3, 2008

Global warming is making breathing more hazardous for Californians than other Americans, says a pioneering Stanford University study scheduled for release today.

The research is the first to estimate the health effects of air pollution attributed solely to climate change -- specifically the heat-trapping or "greenhouse" effect of carbon dioxide from tailpipes and smokestacks -- experts said.

The findings contradict a Bush administration rationale for denying California the power to enforce its first-in-the-nation limits on cars, passenger trucks and SUVs, said Mark Jacobson, the Stanford atmospheric scientist who did the study.

"The study shows carbon dioxide is causing the health impacts, it quantifies those impacts and shows California has been impacted greater than other states," Jacobson said. "They should revisit their decision."

U.S. Environmental Protection Agency officials declined to respond Wednesday to Jacobson's comments or his study.

Bart Croes, research chief at the state Air Resources Board, said the Stanford study "refutes the flimsy argument" that climate change does not affect California in any compelling or extraordinary way to warrant state limits on greenhouse gases.

"The study definitely demonstrates the disproportionate impact on California's air quality and health," Croes said.

The Stanford study says carbon dioxide-induced warming causes an estimated 1,000 additional deaths and many more cases of respiratory disease every year in the United States for each 1.8 degrees Fahrenheit temperature rise in Earth's atmosphere.

At least 300 of those deaths are occurring in California cities already socked with air pollution, Jacobson said.

Higher temperatures are known to speed formation of smog -- mainly ozone, a colorless gas that inflames airways and triggers asthma attacks.

Jacobson broke ground with computer simulations of climate and air pollution demonstrating that warming speeds ozone production much faster in areas already choked with smog and soot.

With six of the most-polluted cities in the United States, California will continue to bear an increasingly disproportionate share of air pollution-related deaths and illnesses as cars and factories continue to spew carbon dioxide, Jacobson said.

"Increased warming due to carbon dioxide will worsen people's health in those cities at a much faster clip than elsewhere in the nation," Jacobson said, referring to Los Angeles, Bakersfield, Visalia, Fresno, Merced and Sacramento.

California is the only state permitted under the federal Clean Air Act to set its own rules on auto emissions and fuels. But the state needs federal permission to enforce those regulations.

On Dec. 19, EPA Administrator Stephen Johnson denied California's petition to implement its greenhouse gas law on grounds that the state had failed to show the requisite "compelling and extraordinary conditions."

Jacobson had presented his peer-reviewed findings to dozens of EPA scientists and executives in October at an agency climate change workshop in San Francisco. Because the study had not yet been published, California officials did not cite the work in its bid to the EPA.

The research has since been accepted for publication in *Geophysical Research Letters*, a top-cited Earth sciences journal. The Stanford study is one of only a handful of computer analyses worldwide that have attempted to project the effects of climate change on air pollution. The study is the first to isolate the warming effects of carbon dioxide, and the first to estimate the public health impact from those changes -- data scientists need to advise regulators on how best to curtail greenhouse gases, said Michael Kleeman, a University of California at Davis professor of civil and environmental engineering.

"It's a great study," Kleeman said, "but you would never use the results of just one study to determine the effects of carbon dioxide on air pollution and public health. You really need to look at multiple studies from multiple groups."

Daniel Jacob, an atmospheric chemist at Harvard University, said the simulations he and other modelers have performed on the effects of climate change on air quality have produced widely varying results.

Greater consistency and confidence in results will emerge, he said, as more researchers develop models, refine them and compare results. It's a years-long process.

"Eventually you'll get enough of these models on the effects of climate change on air pollution so you'll have a range that will be useful," Jacob said.

Study calls global warming, pollution deadly

Hundreds stand to die each year, and California will be affected most, Stanford researchers say

By John Woolfolk, Medianews Staff

Contra Costa Times, Thursday, Jan. 3, 2008

Hundreds more people in the United States will die each year from air pollution as temperatures increase from carbon dioxide, the greenhouse gas blamed for global warming, according to a new Stanford University study.

The study by Mark Jacobson, a professor of civil and environmental engineering, is considered the first to directly link increased carbon dioxide, or CO₂, in the air to human deaths. It is expected to be published today in the journal *Geophysical Research Letters*.

"I think this is really important because it definitively in my mind shows the causal effect of CO₂ on health," he said.

The study also shows that the deadly effects of carbon dioxide intensify in areas such as many major California cities that already suffer from poor air quality.

"Climate change impacts air pollution more where air pollution is already high," Jacobson said. "It has huge implications. California bears the brunt of climate change in terms of air pollution health problems."

The study comes as California officials are suing the federal government in a bid to reverse a decision last month denying California a waiver needed so the state can impose its own laws to regulate greenhouse gases from new cars and trucks.

State officials reached Wednesday had not yet seen the Stanford study but said its conclusions bolster their argument that the state suffers more than many others from the effects of global warming.

"The results don't surprise me," said BreAnda Northcutt, deputy communications secretary for the California Environmental Protection Agency. "Rising temperatures will certainly worsen our air quality."

Jacobson said his research, based upon a state-of-the-art computer model of the atmosphere that incorporates scores of physical and chemical environmental processes, shows that carbon dioxide can directly affect human health.

The research predicts that carbon dioxide may increase annual U.S. air pollution deaths by about 1,000, though it could range from 350 to 1,800, and cancers by 20 to 30 for every 1-degree Celsius increase in temperature caused by gas.

Globally, deaths could increase by about 21,600 a year, ranging from 7,400 to 39,000, the study said.

A degree Celsius -- the preferred scale among scientists -- is greater than a degree Fahrenheit commonly used in the United States. Under the Celsius scale, water at sea level freezes at 0 degrees and boils at 100.

In the Fahrenheit scale, it freezes at 32 degrees and boils at 212.

Carbon dioxide is called a greenhouse gas because it acts like a window pane, letting light through but trapping heat.

California is home to seven of the 10 worst metropolitan areas for ozone pollution in the United States -- Los Angeles, Fresno, Bakersfield, Visalia, Merced, Sacramento and Hanford -- according to the American Lung Association.

According to Jacobson, more than 30 percent of the estimated 1,000 annual additional U.S. deaths caused by carbon dioxide would occur in California, which has a population of about 12 percent of the United States.

For the study, Jacobson used the computer model to determine the amounts of ozone and airborne particles that result from temperature increases, caused by increases in carbon dioxide emissions.

Ozone causes and worsens respiratory and cardiovascular illnesses including emphysema and asthma, and has been linked to higher human mortality.

He found that higher temperatures caused by carbon dioxide increased the chemical rate of ozone production in urban areas.

He also found that increased water vapor caused by carbon dioxide-induced higher temperatures boosted chemical ozone production even more in urban areas.

Truckers push for national idling laws

By Larry Copeland, USA TODAY
USA Today Thursday, Jan. 3, 2008

Interstate truck drivers are clamoring for national rules on how long they can idle their engines to keep warm or stay cool during federally-mandated driving breaks. Truckers say the patchwork of state and local laws is difficult to follow.

The issue challenges state and local regulators, who must protect the air quality of their communities and the safety of truckers delivering vital goods.

"It is the most frustrating scenario you could imagine," says Todd Spencer, executive vice president of the Owner-Operator Independent Drivers Association, which represents 159,000 truckers and small trucking firms. "The federal regulations say a driver must stop to sleep after X number of hours. How many people could sleep in their car when it's 96 degrees or 14 below without the engine running?"

Exhaust particles from the diesel that trucks use can penetrate into the lungs, aggravating asthma and other ailments.

The Northeast Diesel Collaborative, a partnership of public agencies and industry groups in eight Northeastern states, is working to retrofit or replace polluting engines, electrifying truck stops to enable truckers to plug in auxiliary generators, and enforcing idling measures.

Idling costs the trucking industry more than \$2.5 billion a year in fuel and engine repair, and releases 11 million tons of carbon dioxide into the air, according to the National Conference of State Legislatures. Ten states, including California, Maryland and New Jersey, and dozens of local communities have anti-idling laws.

Maximum limits on idling time range from zero in some Minneapolis residential areas to 15 minutes in Nevada and Atlanta, according to the research arm of the American Trucking Associations, which has more than 35,000 members. Fines for a first violation vary from \$25 to \$1,000, although some jurisdictions allow exceptions in extreme cold or heat.

The Environmental Protection Agency has implemented stronger rules for heavy-duty highway vehicles - beginning with the 2007 model year - that reduce harmful emissions by 90%. Those rules apply only to new vehicles, and diesel engines have a life span up to 30 years. The EPA and the Small Business Administration offer loans to small trucking companies to retrofit older trucks with other power sources.

"The idling laws, I call them feel-good laws," says Steve Griffith, 49, of Seattle, a trucker for 18 years who drives about 120,000 miles a year. "How do you enforce an idling law? A seasoned police officer isn't going to go around knocking on doors, saying, 'Now you gotta turn your truck off while it's 30 degrees outside.' "

He chuckles. "They've got laws saying you can't leave a pet in the car with the windows rolled up," he says. "But there are laws that say you can't keep a truck driver in a truck with the air conditioning on."

[Fresno Bee editorial, Thursday, Jan. 3, 2008:](#)

State to EPA: 'See you in court'

It's no surprise that California plans to challenge the agency's decision.

California filed suit against the U.S. Environmental Protection Agency on Wednesday, seeking to overturn the agency's denial of a waiver for the state's landmark efforts to reduce greenhouse gas emissions. It's a shame it had to come to litigation, but given the Bush administration's hostility toward efforts to improve the environment, it was inevitable.

California isn't alone. Sixteen other states and a host of environmental organizations are either joining the lawsuit or filing their own. The odds of prevailing seem good, since EPA Administrator Stephen L. Johnson appears to have overridden his own staff's recommendations, both on scientific and legal grounds, to grant the waiver.

In addition, the EPA has never issued a complete denial of a waiver request in the entire 40-year history of the Clean Air Act.

That act permits California, alone among the states, to craft tougher environmental protections than the federal standards, but it must first obtain a waiver. Once a waiver has been granted, other states are permitted to follow California's lead or adopt the federal rules.

In this case, 12 other states -- Connecticut, Maine, Maryland, Massachusetts, New Jersey, New Mexico, New York, Oregon, Pennsylvania, Rhode Island, Vermont and Washington -- have already adopted the California emissions standards, first approved in 2004. Five others -- Arizona, Colorado, Florida, Utah and Iowa -- are considering such a move.

But Johnson's action stalled those efforts -- at least until the courts sort things out.

The courts will have plenty to consider. Johnson and the Bush administration argued that the recently passed energy bill, with its higher fuel efficiency standards, will accomplish the same goals California sought to achieve. But that ignores the fact that California's efforts go further than the new federal standards. That's something the state is expressly permitted to do under the Clean Air Act. That power is reiterated in the new energy legislation.

The new energy bill specifically calls the federal standards a floor, not a ceiling, on regulatory efforts.

The denial of the waiver was hardly a surprise, though it was a disappointment. The EPA had argued earlier that it had no power to regulate greenhouse gas emissions, saying carbon dioxide -- the principal culprit in greenhouse gases -- is not a pollutant. The Supreme Court emphatically rejected that argument last year.

The EPA took its own sweet time reaching the decision to deny the waiver, waiting almost two years before turning it down. And the litigation over that denial will push back California's 2009 deadline for imposing its own new rules. That's too bad. But the EPA and the Bush administration are on the wrong side of science, public opinion and, we believe, the law in this fight. We hope the courts agree.

[Letters to the Fresno Bee, Thursday, Jan. 3, 2008:](#)

Kaiser shouldn't settle just for smoking ban

I've been an employee of Kaiser Permanente for more than 12 years, and I'm really excited that Kaiser is stepping up to ban smoking on the grounds by patients, visitors and employees in 2008. This shows a real commitment to the quality of our health.

I'd like to challenge Kaiser to take it a step further and prohibit the landscape maintenance personnel from using gasoline-powered leaf blowers. Patients and employees are subjected to the dust and fumes that they give off daily, and with the condition of the Valley air, I feel that we owe this to our community.

Kim Thurman, Fresno

Get the facts

Kevin Hall's column "Be suspicious of ag's claims of air progress" [Dec. 29] loses its credibility when statements of fact are not true, either due to being intentionally misleading or a lack of research. When stated by someone who holds himself to be an expert on the subject, it is even more telling.

According to the U.S. Geological Survey, our Valley is considered an arid to semi-arid region -- a desert. The second statement of fact that appears to be incorrect is that the Valley was a lush green environment. Two expeditions by the Spanish into the Valley in the 1770s described it as a bleak, arid expanse of land. Eyewitness accounts certainly contradict his second assertion.

Based on those two significant factual errors, I find it hard to accept any other premises in his article. It is too bad he either did not check his "facts" or deliberately chose to mislead. I don't dispute that pollution is a problem -- I have the asthma to prove it. Regardless of popular truism, the ends never justify the means. If the facts do not support a conclusion, perhaps the conclusion is not supportable at all.

Bill Wheeler, Selma

Tired of waiting

When, when, when will the City Council ban leaf blowers? Do the council members not hear the voices of the citizens of Fresno begging for such a ban? Are they unaware of the impact these awful machines have on the already bad Valley air? And the noise is terrible!

Please, honorable members of the Fresno City Council -- ban leaf blowers!

Vicky Shoquist, Fresno