

Air-pollution fee for builders upheld Valley district's sprawl rule was first in the state.

By Mark Grossi / The Fresno Bee
Saturday, Feb. 23, 2008

A Fresno County judge has upheld an unusual fee that makes developers pay for pollution caused by traffic coming from new homes and businesses on the edges of cities.

The ruling by Superior Court Judge Donald S. Black on Thursday allows air-quality officials to continue raising millions of dollars to invest in clean-air efforts, such as replacing diesel city buses and street sweepers.

The California Building Industry Association, which sued in June 2006, shortly after the fees began, called them illegal taxes that have no direct relation to air pollution emissions.

The San Joaquin Valley Air Pollution Control District is the first agency in the state to approve an air rule addressing sprawl. Other districts are considering similar rules.

"We're pleased with this court decision," said district counsel Phil Jay.

"We were aware of all the arguments against the rule, but our analysis came to the opposite conclusion of the building industry."

The state building association will study the ruling, said general counsel Nick Cammarota. "We have 60 days to decide on an appeal," he said.

Clovis City Council Member Nathan Magsig said he opposes the fee, but said he respects the judge's decision. Magsig is the head of the Coalition for Urban Renewal Excellence. The nonprofit organization is a plaintiff in the fee case and a builder of low- and moderate-income housing.

He said he worries the fee would increase home costs, possibly making them unaffordable for some. "I just want to make sure low- and moderate-income families don't have extra fees to pay," he said.

In addition to the legality of the fee, builders questioned the fairness of adding air cleanup costs for new homes and businesses, while owners of existing structures pay nothing.

But air district officials maintained the rule was structured in accordance with a 2003 state law that required the Valley district to levy the fees. Several state laws that year were pointed at the Valley because the region has some of the nation's worst air quality.

Officials calculate the amount of emissions with a mathematical model commonly used by planners in determining the number of miles people drive from developments into other parts of a city. From the mileage, air officials estimate the amount of pollution coming from new developments.

When the district passed the rule in late 2005, officials included provisions to reduce fees for builders who installed clean-air features, such as outdoor outlets for electric lawn mowers, bike lanes and energy-efficient water heaters. Many builders now routinely use such features, officials said. Some builders have voluntarily paid above and beyond what the district was requiring, preferring to eliminate any chance of future environmental legal action against their developments.

Castle & Cooke of California paid \$2.5 million -- three times what the district would have asked -- to offset pollution from Gateway Village, a development planned along Highway 41 north of the San Joaquin River.

Under the rule, builders who do not include the clean-air features are required to pay fees that are estimated to start at about \$780 per house and escalate to almost \$1,800 over time.

The building industry feared the fee Valley-wide would total more than \$200 million in the first five years. The district had expected more than \$100 million for the first three years.

Both estimates appear to be far from the mark because many builders are reducing their fees with clean-air features and the housing market has slowed. The district expects to have only \$9.7 million after the first two years of the rule.

The nonprofit group Environmental Defense supported the district in the lawsuit. Spokeswoman Kathryn Phillips, based in Oakland, said the court's decision was important for the entire state. "We need to give developers a chance to take part in cleaning the air," Phillips said. "This ruling opens the door for it."

Judge: Developers must pay air pollution fees

BY STACEY SHEPARD, Californian staff writer
Bakersfield Californian, Saturday, Feb 23, 2008

A Fresno County judge upheld a landmark regulation Friday requiring developers to pay fees to help clean up air pollution they create.

The so-called Indirect Source Rule was passed by the San Joaquin Valley Air Pollution Control District in December 2005.

The rule was challenged six months later by the California Building Industry Association and several co-plaintiffs including the Valley Taxpayers Coalition, Coalition of Urban Renewal Excellence and Modesto Chamber of Commerce.

Plaintiffs argued that the air district had no authority to impose fees on developments.

The Indirect Source Rule is based on the idea that every new home, minimart and office complex causes a certain number of vehicle trips and, as a result, air pollution.

Under the rules, developers have the option of mitigating new pollution by building sidewalks and greenspace or paying fees.

Court ruling is a victory for valley group's decision to charge developers fees

By Ken Carlson
Modesto Bee, Saturday, February 23, 2008

FRESNO -- A judge ruled Thursday that it is legal for the San Joaquin Valley Air Pollution Control District to charge air pollution fees on builders of housing subdivisions and commercial developments.

In 2006, the building industry, a taxpayer group and the Modesto Chamber of Commerce filed a lawsuit in Fresno County Superior Court challenging the fees. Those groups contend the fees are illegal because they are not directly related to air pollution emissions.

The district imposes the fees on developments with more than 50 housing units and commercial projects in the eight counties within its regulatory reach of San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Tulare and Kern.

The valley air district's rule was the first of its kind in the state when adopted in late 2005 and holds developers accountable for air pollution resulting from urban sprawl.

District officials Friday applauded Judge Donald Black's decision upholding the policy.

"We now hope the state Building Industry Association joins our many local developers, who have embraced this rule and are working with us to improve the valley's air quality," said Seyed Sadredin, the district's executive director. "We sincerely hope that we can work collaboratively for the valley's benefit."

A building industry official said he expected the plaintiffs will appeal.

"We knew this was going to be a long process," said Steve Madison, executive officer of the Building Industry Association of Central California. "Regardless of what occurred in the first round, we knew it is going to an appeal."

Among the plaintiffs were the California Building Industry Association, the Valley Taxpayers Coalition, the Coalition of Urban Renewal Excellence and the Modesto chamber.

Builders have questioned the fairness of imposing air cleanup costs that are passed on to home buyers and business owners in new developments, when others aren't required to pay.

Madison said increasing tail- pipe fees would be more equitable, but the district doesn't have the authority, so it is imposing the requirements on new developments as a condition of local government approvals.

He said some builders are being charged \$1,000 to nearly \$2,000 per house. Along with their payments, many builders are submitting letters saying they are paying under protest pending the outcome of the litigation.

The district policy aims to reduce motor vehicle tailpipe emissions as traffic circulates among new homes, shopping centers and schools in newly developed areas of cities.

Developers are given credit for designing their projects to offset pollution, by including sidewalks and bike lanes and putting retail outlets near homes, so people are walking to the store instead of driving.

Philip Jay, the air district's legal counsel, said Friday the fees average \$400 to \$500 per house for developers that make an effort to reduce pollution. In 2006, air district officials estimated the fees would generate more than \$100 million from new construction over three years.

The money pays for efforts to reduce pollution, such as retrofitting school buses and diesel trucks with cleaner engines.

The building industry has noted that a significant portion of the fees has gone to reduce pollution caused by agricultural equipment, instead of having farmers pay to reduce pollution. If the court decision is appealed, the case would go to the 5th District Court of Appeal in Fresno.

Judge backs air pollution rule for developers

By Alex Breitler

Stockton Record, Saturday, February 23, 2008

FRESNO - A judge backed an innovative rule that holds San Joaquin Valley developers accountable for air pollution resulting from their projects, officials said Friday.

The case in Fresno County Superior Court had pitted developers against air regulators and environmentalists, who praised the rule as a model for other air districts around the state.

Basically, builders must reduce pollution that is indirectly caused by their projects, such as smog from traffic jams around new neighborhoods or shopping centers. They could do this by building more sidewalks or green spaces, for example.

How it works

- Developers are encouraged to reduce air pollution by putting homes or businesses near bus stops, building bicycle paths and sidewalks, increasing energy efficiency and other strategies.
- Developers pay a fee if emission levels are still above a certain threshold after these actions are taken. The amount depends on the quantity of pollution.
- The money the district collects is used to prevent pollution elsewhere.
- The program includes more than merely homes and businesses of a certain size. Schools, government buildings, hospitals and industrial properties are also subject to the program.

Source: San Joaquin Valley Air Pollution Control District

If pollution resulting from a development still exceeds standards, the developers must pay fees. Those fees are used to clean up other sources of air pollution in the Valley, such as replacing dirty diesel engines.

The rule was adopted in December 2005, and air regulators netted \$13 million in fees the first year.

"This is huge - I think it's a fantastic decision" by the judge, said Kathryn Phillips of the conservation group Environmental Defense, which in a rare alliance filed court papers supporting the San Joaquin Valley Air Pollution Control District in the lawsuit.

"The judge recognized that people who live in the Valley have a right to both clean air and good housing," she said. "It is possible to have both. You shouldn't sacrifice clean air" for development.

Developers led by the California Building Industry Association sued to block the so-called "indirect source" rule in 2006. A similar lawsuit is still pending in federal court.

Nick Cammarota, general counsel for the building association, said Friday that he had not seen the decision.

"We'll review it with our attorneys and consider our options, which will certainly include the possibility of an appeal," he said.

In a 47-page ruling dated Thursday, Judge Donald S. Black ruled there is "ample statutory authority" for the district to regulate indirect sources of pollution. He sided with the district on all 11 counts.

In a prepared statement, district Executive Director Seyed Sadredin said he hopes the district and developers now can move past adversity and "work collaboratively for the Valley's benefit."

Judge rules in favor of San Joaquin Valley air district

The Associated Press

In the Contra Costa Times, San Diego Union-Tribune and other papers, Saturday, Feb. 23, 2008

FRESNO, Calif.—A Fresno County Superior Court has ruled that the San Joaquin Valley Air Pollution Control District's regulation of developers for air-quality impacts is legal and valid.

The lawsuit challenging the District's rule establishing development fees for air-pollution mitigation was filed by the California Building Industry Association.

The lawsuit claimed that the District had no authority to regulate development and impose fees, and amounted to a tax under Proposition 13.

The court disagreed Thursday in its ruling.

The Valley Air District was the first in the state to put such a rule into place. Other areas are now looking to it as a model for their own potential regulation.

Rule 9510 holds developers accountable for air-quality impacts that result from building activity.

District ends 'Spare the Air' campaign, implements year-round push

By Inga Miller

Modesto Bee, Saturday, February 23, 2008

The anti-pollution Spare the Air campaign is getting the ax.

Regional air quality officials Friday announced they will replace the program known for providing air quality alerts in summertime with a program focused on healthier lifestyles year-round.

The new Healthy Air Living program will launch next week, said Anthony Presto, spokesman for the San Joaquin Valley Air Pollution Control District.

"We're focusing on getting everyone in the valley thinking about what they can do every day, not just in summer on days when air quality is at its worst," Presto said. "Just focusing on episodic events (when the pollution flares up) is not enough to clean the valley's air. It cleans it a little bit, but we really need a more comprehensive program that encourages people to incorporate practices into their everyday life."

He said Healthy Air Living will include all aspects of Spare the Air, including summertime advisories when conditions deteriorate. He also said the district will continue to work with schools to fly flags alerting students and parents to air quality levels.

In addition, Healthy Air Living is designed to encourage businesses to pursue creative ways to get workers to use their cars less, Presto said, from setting aside parking places for people who car pool and setting up van pools to selling food and stamps at work. Businesses can even have laundry delivery service so employees can drop off and pick up dry cleaning at work.

"Nobody has ever done anything like Healthy Air Living, so there are going to be a lot of new ideas," he said. "We're in new territory here."

As incentives, the district is offering companies recognition in print or online advertising and pollution-saver "toolboxes" with promotional pens and notepads for employees.

The district also provides grants to companies involved in sizable projects such as beginning a van pool. It might, for instance, provide part of the money to buy the van. It calculates grants based on the pounds of pollution a project would eliminate.

The district is planning a Healthy Air Living Week in July and contests with prizes including electric lawn mowers and a hybrid car. One of the contests will be to produce a video the district hopes to use for a commercial.

Most of the valley's pollution comes from driving, Presto said.

The district announced the program in its newsletter sent to 700 businesses and organizations that worked on Spare the Air. All will be asked to sign on to Healthy Air Living, Presto said.

The program will be formally introduced at summits in Bakersfield, Fresno and Modesto. The Modesto summit will be March 27 at the DoubleTree Hotel, 1150 Ninth St. The event is free, but participants must register. To register, see the air district's Web site at www.valleyair.org.

The district also is working on a Web site dedicated to Healthy Air Living at www.healthyairliving.com. It will include tips on how people can reduce pollution; games; and calculators so businesses can tally their emissions, Presto said.

In addition to the summit, the air district announced several upcoming local events:

April 12, Beyond Earth Day at Galaxy Theatres, 2525 Patterson Road.

April 19, Earth Day Festival at Graceada Park, Needham at Sycamore avenues.

May is Clean Air Month.

May 12-16, Bike to Work Week; May 15 is Bike to Work Day in Modesto at Tenth Street Place, 1010 Tenth St.

July 7-13, Healthy Air Living Week.

Health warning issued over blowing dust

Bakersfield Californian, Saturday, Feb. 23, 2008

The potential for wind-blown dust Saturday afternoon and evening has prompted local air pollution officials to issue a health warning.

The dust, expected in drier parts of the south valley, may create unhealthy levels of particulate matter, according a news release from the Valley Air District issued Saturday morning.

Residents are advised to remain indoors if they notice high levels of dust. People with heart or lung diseases should follow doctor's orders on dealing with episodes of unhealthy air quality, the release stated.

Group wants to put CAP on plants

Citizens Against Pollution will hold fundraiser to defray costs

Staff reports

Tri-Valley Herald, Sunday, Feb. 24, 2008

SAN LORENZO — While the smoke plumes of the future Hayward energy plants may be rising on a distant horizon, the Hayward-based Citizens Against Pollution, also known as a CAP, is doing everything in its power to stop the plants from coming to Hayward shores.

On Friday, CAP is hosting a party, fundraiser and auction to help defray the legal costs associated with the fight.

The San Lorenzo Village Homes Association and the Skywest Town House Homeowners Association will co-host the party at the San Lorenzo Community Hall.

The public is invited to attend the reception, beginning at 5:30 p.m., and the dinner-auction, which is at 6:30 p.m.

The California Energy Commission has approved the Russell City power plant, although local groups are busy working behind the scenes to stop it. The second, smaller plant, called both the Tierra Energy Center and Eastshore Energy Center, which may be built on the corner of Clawiter and Depot roads in west Hayward, is still awaiting a decision by the energy commission.

Assemblywoman Mary Hayashi will be the special guest. She plans to thank the community for supporting her legislation to prevent the power plants. The event supports using renewable energy resources.

Organizer Audrey LePell wrote "We oppose the siting of two power plants in the Hayward Shoreland areas that will pollute the air our East Bay communities and impact the health and welfare of our residents, schools, hospitals and recreation areas."

Suzanne Barba of the Eden Area League of Women Voters and Andy Wilson will emcee the party, which will also feature music by Alison Corson as well as excerpts from "Fiddler on the Roof," from Chabot College drama students. A silent and oral auction will include probaseball and basketball tickets.

If you go:

When: Friday, Feb. 29 5:30 p.m

Where: San Lorenzo Community Hall, 377 Paseo Grande in San Lorenzo

Cost: \$30 per person early bird special. After Feb. 26, \$40 per person.

Rail plan bad for air quality, Patterson says

By Tom Moran

Modesto Bee, Saturday, Feb. 23, 2008

FRESNO -- The proposed short-haul rail system and inland port at the Crows Landing Air Facility might be good for air quality regionally, but it is bad for the air in the city of Patterson, according to City Attorney George Logan.

Logan attacked the PCCP West Park LLC short-haul rail project during a public hearing Friday held by the California Transportation Commission.

Logan revealed a city-commissioned air quality study that he said showed the rail project would create substantial air pollution problems in and around Patterson. The study, by Autumn Wind Associates of Newcastle, said diesel particulate matter from train and truck traffic associated with the project would pose potential health hazards for Patterson residents.

West Park proponents have argued that the project will benefit air quality in the region by reducing the number of trucks driving over the Altamont Pass.

The project would create a short-haul rail link between the Port of Oakland and the former Crows Landing Naval Air Base, and establish an inland port at the Crows Landing facility. It is part of a proposal to develop 4,800 acres in and around the air facility into an industrial and business park.

Developer Gerry Kamilos is negotiating with Stanislaus County on the project. Kamilos and the county are applying for \$26 million from the California Transportation Commission for the rail project.

The project is vying with dozens of other transportation projects around the state for an estimated \$2.5 billion to \$3 billion in state funds for improving transportation corridors. About \$4.2 billion in applications has been submitted.

Friday's hearing was the last of four held this week around the state and keyed on San Joaquin Valley projects. The Transportation Commission is expected to choose which projects will be funded April 10.

Stanislaus County Supervisor Dick Monteith made the case for the short-haul rail proposal via video. He was unable to attend the meeting.

Monteith said the project would benefit the entire San Joaquin Valley by providing more efficient import and export of goods. Agricultural commodities and food processing companies would use the port, taking truck traffic off Interstate 5 and Interstate 580, Monteith said.

The transportation commission is expected to make a decision on the projects on April 10.

Local senator faces challenges in wielding new legislative power

Dave Cogdill was chosen as the new minority leader

Ben van der Meer, The Modesto Bee

In the Merced Sun-Star and Modesto Bee, Monday, Feb. 25, 2008

The Northern San Joaquin Valley has a bigger presence at the top levels of Sacramento, with state Sen. Dave Cogdill's selection as minority leader.

Cogdill, R-Modesto, represents the district including Chowchilla and parts of Mariposa County.

But before you think that will mean wholesale improvements on local issues such as water and air quality, take a breather.

A whole host of factors limit the ability of Cogdill, R-Modesto, or any other legislator, from driving huge changes in the charged atmosphere of capital politics.

One even Cogdill concedes: He represents not just a district, but to an extent, a party.

As leader of the Senate Republican Caucus, Cogdill said, he's taking into consideration the wishes of GOP representatives statewide. Some of them care a lot about issues in the valley. Some don't.

"We have to beg, borrow and steal to get anything," said Cogdill, who added that too often, the valley is a "red-headed stepchild" in currying the state's favor.

But on such issues as air quality and transportation, Cogdill believes, he can make the case that the valley's problems are the state's problems.

Bad air in the valley is partially a function of pollution that drifts from the Bay Area, Cogdill said. And Highway 99 is an important freeway for not only locals, but companies sending goods up and down the state, he said.

The valley also can benefit if Cogdill can work with two of his colleagues in the so-called "Big Five" of legislative leaders and the governor.

Those two colleagues -- Republican Assembly Minority Leader Mike Villines of Clovis and new Democratic Senate President Pro Tem Darrell Steinberg of Sacramento -- also hail from the valley and know its issues, Cogdill said.

But before any of them can get to pet issues, the daunting task of crafting a state budget during a time of huge deficits has to be done.

Cogdill, like his fellow Republicans and Gov. Schwarzenegger, has drawn a line in the sand over increasing taxes and wants to cut spending.

"We have to find a way to get beyond our spending addiction," Cogdill said. "Tax increases just aren't viable, and I think they hurt the economy in the long run."

Because a new budget will require a two-thirds majority vote, Cogdill has a lever against any Democratic plan his caucus doesn't like. (Democrats have that kind of majority in the Assembly but not in the Senate.)

Larry Giventer, a political science professor at California State University, Stanislaus, said in an e-mail that gives Republicans a kind of veto power.

Giventer wrote that because the Democrats don't have a two-thirds' majority, the Republicans "can (and do) effectively thwart" the Democrats' policies, programs and spending or can even withhold approval until the plans are changed to the GOP's liking.

Yet that, too, is subject to considerations beyond the surface. Sen. Jeff Denham, R-Merced, represents a district neighboring Cogdill's.

Largely because Denham wouldn't support a Democratic budget proposal last summer, he's now under a recall threat. And Democratic Party leaders believe they can capture two other Republican seats in the election this fall.

If Democrats take two of those three seats, they would have a two-thirds majority in the 40-member Senate and the ability to pass whatever legislation they wanted. Senate Republicans would cease to have influence.

Cogdill called a potential Denham recall a wrong way to punish a good legislator and expressed confidence in his party's ability to keep a more than one-third minority in the Senate.

If there's one change that could make his job easier, Cogdill said it would be redistricting reform that he'll push from now until 2014, when he would be termed out.

"You have to have hope in this business," Cogdill said of the chances of that happening before 2011, when new census data mandate new political district maps.

"The Democrats realize they have a monopoly right now, and there's no reason for them to give that up," he said.

In the meantime, Cogdill says he can portray the valley, increasingly a Republican stronghold, as a sensible-headed region compared with left-wing legislators from coastal California.

If he's able to do so, he'll bring clout to the valley that hasn't been seen in decades in Sacramento, said one observer.

Randy Siefkin, a former GOP chairman in Stanislaus County and a retired Modesto Junior College political science professor, said term limits in the 1990s sapped the valley of the strong voice it had with legislators such as Ralph Brown and Clare Berryhill in the '50s and '60s.

The Democratic majority will frustrate Cogdill, Siefkin predicted.

But having scouted out the minority leader spot even during his days in the state Assembly, Cogdill said he's confident he can make a strong stand for what he supports.

"I'm not comfortable being a back bencher," Cogdill said. "It's just about continuing forward with sound public policy."

Logger Warns Farmers of Threat from Activists

By Rick Elkins

Valley Voice Newspaper, Monday, Feb. 25, 2008

Tulare County- Bruce Vincent may have been preaching to the choir when he spoke at the World Ag Expo last week, but the crowd on hand to hear him liked what they heard.

The second-generation timber man whose profession has basically been eliminated by environmental activists, warned farmers, especially dairymen, that their livelihoods are also been threatened by activists who are bent on imposing their vision of how those in another area should live.

After telling the audience of farmers and dairymen how his industry (logging) and his way of life (rural) have been greatly changed by people who got caught up in the movement to "protect rural America,"

Vincent said agriculture needs to be aware of the threat to its way of life and those in ag need to become activists themselves.

Calling it a collision of visions, he said people love to visit the rural areas, especially mountains, and "then they go back to L.A. and they have a desire to protect rural America." They then listen to bad science and misinformation and formulate how rural America should be managed, he added.

"Rural America is being protected to death," he said, telling a story of how the government came up to his town of Libby, MT with a plan to protect the grizzly bear, a plan that had no scientific basis or was based on bad science, he said, but one that was pushed by an environmentalist who used the courts to force the protection. He said the environmentalist threatened to sue to protect species after species if the government did not act.

"There is no longer a sawmill in Libby," he said of the result.

He sees a parallel to the fight the timber industry has lost and the one ag is just beginning to fight.

"Where we've been is where I see a lot of the ag community is going, particularly the dairy community," warned Vincent.

He said America now imports 65 percent of its lumber and "people are paying a price." He said not only have jobs been lost, but so has a way of life.

He jokingly spoke of the so-called exports, "Dr. Meryl Streep, Dr. Woody Harrelson and Dr. Ted Turner," and how science has been tossed aside. "When they spew their halftruths, we base policy on it...They've convinced people to abandon science.

"How'd we get so crazy," he rhetorically asked. The answer, he said, dates back to the '60s and the increasing exposure of the world via the "boob tube." "What happened in the 60s is we had one planet and we were doing stuff to hurt it and we had to stop," he said.

That led to a slew of laws, from endangered species to clean water and [air pollution](#). "Those laws are now 40 years old and they're showing their age," he cautioned. But, the movement continues.

"What they are selling is fear. Send me 20 bucks or the planet is going to die. And, they've made billions."

Vincent explained that the first major target was the timber industry. Today, few logs are being harvested in the mountains. "Save the Forest' made them hundreds of millions of dollars," he said.

However, Vincent sees the trend reversing. Recent catastrophic fires have many people questioning what activists have told them and they see that maybe logging can be a tool to reduce the threat of catastrophic fire. Because of that, he said, activists are looking for a new cause.

"I'm afraid their issues will be water, animal husbandry and food safety. They're going to try beating on you guys and make billions of dollars," he warned. "Don't repeat our mistakes. Point out they are not out to save the environment, they're out to make money. Fight ignorance. Tell the truth, warts, pimples and all."

Vincent said he believes the first target will be over the use of BST, or bovine somatotropin, which is a natural protein hormone made by cows that is now mass produced and used to increase milk output by cows. "If you give that up, what's next? We thought giving up clear-cutting was enough."

Vincent called on the audience to "answer the call."

He offered a ray of hope, explaining that democracy does work, but "it's not a spectator sport." He also said ag leaders need to step out and speak with their elected representatives and lastly, "the world is run by those who show up. If you don't show up, somebody else is going to be running your world. You've got to take time to show up for the fights. You have to become an activist.

"Activists survive. Those that don't are parking their equipment in 20 years."

He senses the time is right for common sense to rise to the top. "America is ready to hear from us. America is sick and tired of hearing what is wrong. We need a new environmental vision. People want a message of hope."

EPA list names top Bay Area polluters

Toxic releases dip slightly across state

By Mike Taugher, staff writer

Tri-Valley Herald, Saturday, Feb. 23, 2008

Tesoro's Golden Eagle refinery near Martinez was again the Bay Area's top polluter in 2006, according to data on toxic releases made available this week by the U.S. Environmental Protection Agency.

The refinery, which is the second largest in the region, reported releases of 1.8 million pounds of toxic chemicals to air, water or land. That figure was down from 2.5 million pounds in 2005.

Locally in the top 10 list were New United Motor Manufacturing in Fremont, at seventh, with 370,000 pounds; and United States Pipe & Foundry in Union City, at eighth, with 337,000 pounds.

Overall, the EPA said toxic releases in 2006 from 1,357 facilities in California were down 2.8 percent to 45.2 million pounds from the previous year.

Tesoro's refinery historically has lagged behind the other refineries in installing upgrades. It was the region's biggest polluter every year since at least 2003, according to an EPA toxics database.

Mike Marcy, a Tesoro spokesman, said most of the toxic material reported by the refinery was ammonia that airquality regulators require to control smog.

A \$575 million upgrade that is scheduled to be done this year will slash toxic pollution from the Tesoro refinery to about 500,000 pounds a year, Marcy said.

"This is replacing 1950s technology that was here when Tesoro bought the refinery in 2002," he said.

The second largest polluter in the Bay Area was Valero's refinery in Benicia, which released 1.7 million pounds

of toxic chemicals last year. That refinery, with a 144,000 barrel-per-day capacity, is the fourth largest of the Bay Area's five refineries.

Valero spokesman Chris Howe said most of the increase in reported emissions in 2006 — double the figure reported the previous year — were due to revisions that were made after tests of ammonia releases from some stacks showed higher emissions.

He also said the refinery reported higher releases of nitrates to the water. The refinery also disposed of lead and other metals as part of routine maintenance done in 2006, which inflated the number.

Asked why the region's fourth largest refinery would have the second highest emissions, Howe said it was difficult to say but suggested the possibility that the other refineries might have more recent upgrades.

The Benicia refinery, at nearly 30 years old, is the newest of the five. The older refineries have had to perform upgrades, and when those upgrades are done, newer pollution control equipment is installed.

Howe said the Benicia plant "is just now coming up to be able to do," those upgrades.

Chevron's Richmond refinery, meanwhile, is by far the largest in the Bay Area, with a capacity of nearly 243,000 barrels a day. It is also the oldest. It reported 1.2 million pounds of toxic releases in 2006, making it the third largest polluter in the region.

"We're one of the most energy efficient refineries in the U.S.," said Chevron spokeswoman Camille Priselac.

The Toxics Release Inventory is a database of emissions from large industrial sources. The EPA has collected the data since 1987 as part of a law that was passed after a Union Carbide chemical plant in 1984 leaked poisonous gas and killed thousands of people in Bhopal, India.

Union issues undermine green effort at port

The Associated Press

In the L.A. Daily News, Monday, Feb. 25, 2008

An effort by the Port of Los Angeles to rid the region of unhealthy diesel pollution from aging big rigs is being threatened by a labor-management issue.

Under a new clean-air plan, both independent drivers and employees of the new greener big rigs will be entitled to health insurance, and the licensed carriers will be responsible for seeing that their trucks meet tough standards for both clean air and safety.

Unions are using all their clout to get a mandate that all participating drivers be required to become employees of trucking companies serving the ports, which would make them easy to organize.

The Los Angeles Board of Harbor Commissioners has been leaning toward requiring trucking companies to hire the independent truckers. But the companies worry that this would encourage unionization efforts that would put them at odds with the International Brotherhood of Teamsters.

Such an employee provision would likely lead to lawsuits by trucking firms and delays in cleaning the air. That's just not acceptable considering the harm these diesel emissions cause in the harbor area.

As L.A. officials consider the best course to reduce diesel pollution at the Port of Los Angeles, their main goal should be improving air quality in the region as quickly as possible. Labor-management issues should be secondary.

Bills vying for attention amid state's budget crunch

Immigration, health-care measures among 4,500 on list

By Harrison Sheppard, Sacramento Bureau

In the L.A. Daily News, Saturday, Feb. 23, 2008

SACRAMENTO - As the deadline passed Friday for introducing new measures into the Legislature, lawmakers said the budget crisis may eclipse any large-scale efforts even as more than 4,500 bills and resolutions are on tap for the 2007-08 session.

"We'll still pass a few thousand bills, but obviously the dominant issue will be the budget discussion - getting the budget under control and revenues versus expenditures," said Sen. George Runner, R-Lancaster.

The state is facing a budget deficit of \$16 billion, although recent actions have nearly cut that figure in half.

At least 20 bills pending this year deal with immigration, including granting college tuition breaks to illegal immigrants; studying how many forest fires are caused by illegal immigrants; cracking down on employers who hire illegal immigrants; and requiring state prisons to verify the immigration status of new prisoners and deport those who are here illegally.

Some lawmakers are expected to work on efforts to improve health-care access, including new restrictions to prevent insurers from using loopholes to cancel policies.

"I think if you look at problems creatively, you can reach solutions," said Assemblyman Lloyd Levine, D-Van Nuys.

"For example, you talk about health care - I know the big health-care policy failed in the Senate, but I still think there are a number of things we can do to save money, and we are going to pursue those."

Among other bills now pending:

L.A. tax: AB 2321 by Assemblyman Michael Feuer, D-West Hollywood, extends the amount of time that the Metropolitan Transportation Authority can impose an additional 0.5 percent sales tax in Los Angeles County.

Pollution fee: AB 2558, Feuer, allows Metro to impose a regional fee, subject to voter approval, on carbon emissions either through the gasoline tax or the Vehicle License Fee. Estimated revenue of \$400 million to \$600 million per year would help pay for air pollution and congestion management programs.

Virgin Flies Biofueled Jet

By Thomas Wagner, The Associated Press
Washington Post and other papers, Sunday, Feb. 24, 2008

LONDON -- Virgin Atlantic carried out the world's first flight of a commercial aircraft powered with biofuel on Sunday in an effort to show it can produce less carbon dioxide than normal jet fuels.

Some analysts praised the jumbo jet test flight from London to Amsterdam as a potentially useful experiment. But others criticized it as a publicity stunt and noted scientists are questioning the environmental benefits of biofuels.

"This breakthrough will help Virgin Atlantic to fly its planes using clean fuel sooner than expected," Sir Richard Branson, the airline's president, said before the Boeing 747 flew from London's Heathrow Airport to Amsterdam's Schiphol Airport.

He said the flight would provide "crucial knowledge that we can use to dramatically reduce our carbon footprint," he said.

Sunday's flight was partially fueled with a biofuel mixture of coconut and babassu oil in one of its four main fuel tanks. The jet carried pilots and several technicians, but no passengers.

Virgin Atlantic spokesman Paul Charles predicted this biofuel would produce much less CO₂ than regular jet fuel, but said it will take weeks to analyze the data from Sunday's flight.

"It's great that somebody like Richard is willing to put some of his billions into an experiment aimed at reducing the climate change impact of aviation," said James Halstead, an airline analyst at the London stockbroker Dawnay Day Lochart.

"But there are a lot of unanswered questions about the usefulness of biofuels in the battle against global warming," he said.

The flight is the latest example of how the world's airlines are jumping on the environmental bandwagon by trying to find ways of reducing aviation's carbon footprint.

These efforts have included finding alternative jet fuels, developing engines that burn existing fuels more slowly, and changing the way planes land.

The experiment by Virgin Atlantic and its partners -- Boeing, General Electric and Imperium Renewables -- also comes at a time when high oil prices and the U.S. economic slowdown are promoting consolidation in the airline industry.

Aircraft engines cause noise pollution and emit gases and particulates that reduce air quality and contribute to global warming and global dimming, where dust and ash from natural and industrial sources block the sun to create a cooling effect.

About a year ago, the European Commission, the executive of the European Union, said greenhouse gas emissions from aviation account for about 3 percent of the total in the EU and have increased by 87 percent since 1990 as air travel cheapened.

Charles said Virgin's Boeing 747-400 jet and its engines did not have to be redesigned to use biofuel on the test flight.

He said CO2 emissions on a normal flight are generally three times the fuel burned, and that technical engineers on the test flight would take readings and analyze data to estimate its greenhouse gas emissions.

Forest Service asks for changes to Allegheny Forest plan

The Associated Press

In the Contra Costa Times, Saturday, Feb. 23, 2008

PITTSBURGH—The U.S. Forest Service told Allegheny National Forest to redo parts of its management plan to clarify its authority to manage oil and gas drilling and because the plan does not take into account drilling's effect on air quality.

The Allegheny National Forest, the state's only national forest, also did not allow the public to comment on changes concerning oil and gas development that were made between the plan's draft and final versions, according Joel D. Holtrop, reviewing officer for the chief of the Forest Service.

Though Allegheny officials must redo portions affecting oil and natural gas, other aspects of their plan were affirmed.

The plan, adopted a year ago, was designed to guide management of the forest for the next 10 to 15 years. Among other things, it called for increased regulation of oil and gas drilling, adding two wilderness areas totaling about 12,000 acres and creating three remote recreation areas.

Various stakeholders, including environmentalists, recreational users and the timber, oil and gas industries, challenged it on various grounds.

Steve Rhodes, president of the Pennsylvania Oil and Gas Association, said the industry does not agree with the proposed increased regulation.

"The new rules and regulations ... go far beyond what's authorized" by the law that established the national forest system in the eastern U.S. and by Pennsylvania property law, Rhodes said.

The Forest Service owns the surface, but does not own underground mineral rights. More than 90 percent of the mineral rights are privately held. Rhodes said mineral rights owners are guaranteed a right of entry to extract oil and gas.

"It appears to us that they (the Forest Service) have essentially given themselves the authority to regulate oil and gas, without citing any law or regulations that gives it to them," Rhodes said.

Ryan Talbott, forest watch coordinator for the Allegheny Defense Project, said the service has the authority.

"At long last the Washington office has told the local Allegheny Forest Service managers what should have been obvious all along—the Forest Service not only can, but must, regulate oil and gas drilling in order to protect the national forest's surface resources," he said.

The 800-square-mile national forest, which lies in Elk, Forest, McKean and Warren counties, has seen a dramatic increase in the number of oil and gas wells because of increasing gas prices. There are about 8,000 active oil wells in the forest.

Talbot said drillers have built more than 1,000 miles of roads to get to the oil and gas and that's disturbed habitat, led to stream siltation and interfered with recreational opportunities.

"For too long, they have just allowed unmitigated access to the national forest," he said, adding a comprehensive road plan must be developed.

Kathy Mohney, a forest spokeswoman, could not say how long the revisions could take.

"We will re-examine these specific aspects of the plan and involve the public in making any needed changes," she said. No deadline was given.

[Bakersfield Californian commentary, Saturday, Feb. 23, 2008:](#)

COMMUNITY VOICES: Clean air, choices on top of list

I love Bakersfield. We moved here when I was 7 years old and it has become my home. Everyone I know knows everyone I know, you know?

My family is all here: aunts, uncles, cousins, parents and grandparents. My children have friends here that they've grown up with. I know all the streets, all the shops, all the places to go.

The coast is a hop, step and a jump away. The Happiest Place on Earth is just down the road. What more could a young family man ask for?

? Air. I would like air to breathe. Bakersfield routinely trades places with Los Angeles for the title of "Worst Air in America." On the short list of things I need to survive, air is number one.

A coworker's daughter just spent the day in the hospital because of asthma. My 17-year-old cousin has asthma. My friend's son has "reactive airway disease," or pre-asthma. My son has pre-asthma. He's 4 years old. He's had it for half of his life. The other day he coughed up a piece of booger so hard it could've put an eye out. It's the air, I know it.

? Choices. Not places to eat or places to go, but choices to not do things I don't want to do or don't feel are necessary for my family's welfare. Like solar panels. Soon we may be required to build solar panels on our new homes. What if I don't want solar panels on my new house? Tough.

I would also like to keep my thermostat where I want it. I want the choice to turn the AC down so low I can see my breath in the summer in my own house. Guess what? Lawmakers in Sacramento want to control the temperature inside my house thanks to fears from "global warming."

I want the choice to drive the biggest, baddest, fastest and least fuel-efficient car on the planet (soon to be against the law). I want to be able to say, "I believe in God" as a teacher without the fear of a lawsuit. I want the freedom for my kids to not have to take college preparatory classes in high school in case they just want to be a mechanic or a fireman or just the most intelligent non-college educated person around.

(No Child Left Behind presumes every child should attend college.)

I want the choice to eat myself to death with trans fats (practically against the law), or smoke myself to death in my own house (will soon be against the law, if it's not already). I want to say "Mom" or "Dad" in a public school without inciting a lawsuit from the gay rights groups.

Of course, some of these gripes are not exclusive to Bakersfield, but our fair state always leads the way in creating new laws to make life better by telling us what to do. Maybe I'll move to Texas.

Alejandro Gonzaga of Bakersfield works for Kern County Engineering Department. Community Voices is an expanded commentary that may contain up to 500 words.

[Fresno Bee commentaries, Sunday, Feb. 24, 2008:](#)

TWO VIEWS: Greens tread on thin ice by calling polar bears 'endangered'

By Ben Lieberman

WASHINGTON -- Exxon used to encourage motorists to "put a tiger in your tank." Well, a different animal may begin influencing traffic soon. Polar bears could force drivers to shell out even more money for gasoline.

Why? Because environmental groups are pushing to list the polar bear as a threatened species under the Endangered Species Act, and the Bush administration is considering their demands.

It might make sense -- if the polar bear were endangered.

But the worldwide population of these bears has more than doubled since 1965, to an estimated 20,000-25,000 today. Far from being threatened, by all accounts, the bears are thriving.

So what's behind the push to "save" the bears? A desire to ban energy exploration in much of Alaska and a threatened species tag is just the ticket to make it happen.

Once a species is listed, its "critical habitat" is broadly defined to include vast areas. The government then drafts a "recovery plan" that often contain onerous restrictions on economic activity inside the habitat and, in some cases, even outside it, trumping property rights in the process. Plus, environmental groups can sue to force the Interior Department to include additional restrictions.

The first victim of a polar-bear listing would be new oil and natural gas production throughout Alaska and in its surrounding waters. The listing would end any chances of opening up a small part of the Arctic National Wildlife Refuge, estimated to contain 10 billion barrels of oil -- enough to offset nearly 15 years worth of current imports from Saudi Arabia.

That's a problem, because Alaska is America's last best frontier for domestic oil and natural gas. Closing off these potential resources would jack up energy prices for decades to come and make us even more dependent on imports.

It's true that legislative proposals to open ANWR have faltered in Congress, but a polar-bear listing would be the nail in the igloo. And other promising onshore areas could also be restricted.

The fact that extensive oil drilling has been under way for decades in Prudhoe Bay and elsewhere in Alaska without harm to polar bears and other Arctic wildlife is something that should sway federal bureaucrats, but probably wouldn't.

It gets worse. The rationale for listing the polar bears as endangered, after all, is that carbon dioxide from fossil fuel use contributes to global warming and thus harms the bears. Well, having them listed as a threatened species could give the government the authority to shut down new power plants, factories, or just about any fossil energy-producing or energy-using entity in the United States.

That scenario may seem far-fetched, but it's precisely the kind of sweeping controls environmental activists have long hoped to achieve through climate-change legislation. So far

lawmakers -- wisely -- have been unwilling to pass laws banning carbon dioxide. Yet polar-bear protections would give environmentalists a way to use courts to force a regulatory end-run around congressional and White House inaction.

Ironically, being listed might hurt polar bears. After all, Alaska's economy depends on energy production; without it, the state's successful environmental programs, including those that have helped boost bear numbers, wouldn't be well funded. Plus, red tape unspooled by the feds could actually slow these programs and jeopardize their continued success.

If radical environmentalists want to push their agenda at the cost of ever-higher gasoline prices, they should at least do so honestly. Misusing the Endangered Species Act is wrong. The Bush administration should decline to list the polar bear as a threatened species.

Ben Lieberman is a senior policy analyst in the Roe Institute for Economic Policy Studies at The Heritage Foundation.

TWO VIEWS: Hunters, global climate change endanger bears' future

By Vicky Meretsky

BLOOMINGTON, Ind. -- These days, the news is full of beautiful -- and wrenching -- images of polar bears, often swimming in unending open water, or standing on tiny ice floes. Although polar bears swim readily, ice is the habitat to which they are best suited -- where they hunt the seals that are their prey. And the ice is shrinking. Even those only vaguely familiar with polar bears know they are heading into troubled times.

Scientists now know enough about climate change to model future sea ice conditions. Model results suggest the Arctic will be completely ice-free in summer well before the end of the century. As a result, polar bear populations are expected to decline by two-thirds by 2050.

These anticipated declines have led to a proposal to list the polar bear as a threatened species under the Endangered Species Act.

A decision was due in January but has been delayed. To be listed as "threatened," the U.S. Fish and Wildlife Service must find that polar bears are likely to become endangered in the foreseeable future.

"Endangered" implies a species is threatened with extinction in the foreseeable future.

Listing the polar bear as endangered is warranted and has value for conservation both as a symbol of the urgent need for action on climate change issues and as a means of providing potential protection for the species.

Nevertheless, considerable noise and heat accompanied the proposal for listing. Shipping and mining interests and the agencies that support them are concerned their activities will be blocked if the Endangered Species Act comes into play.

Currently, U.S. citizens are the major clients for Canadian polar bear hunts and bring trophies home with little difficulty. Both the hunters and their guides -- often indigenous people -- are concerned about the impacts of listing. In addition, fears have been raised that listing the polar bear is a way to force draconian conservation measures on the United States.

Those opposing listing polar bears point out that they are already protected under the Marine Mammal Protection Act, that their populations have increased in the past few decades and that solid management programs are in place for many populations around the Arctic.

In response to arguments against listing, conservation groups point out that Endangered Species Act provisions are stronger than those protecting marine mammals, that "threatened" status could still permit hunting, and that management programs, however good they may be, are unlikely to protect the bear against the coming changes to its environment.

As for sending out the climate-change police, the Endangered Species Act has no provisions for such actions. Holly Doremus, an environmental law expert with a gift for clear language, outlined the limitations of the act in this regard in a January commentary on the Slate Web site.

One of the more pragmatic reasons put forward for not listing the polar bear has been that listing cannot eliminate or even reduce the major threat to the polar bears -- climate change.

Yes, it's true that the Endangered Species Act offers no instant remedy. But listing a species does send a clear signal. It requires government agencies to arrange their activities and activities they permit so as to protect listed species. Listing can also increase research and monitoring activity to improve management.

The threat to polar bears is well within the range of danger at which other species have been listed and listing as "threatened" may well offer protection in the future.

Presently, the U.S. Fish and Wildlife Service indicates that oil exploration and extraction, hunting and shipping are not major threats to the species. But as warming continues, these and other activities may become more damaging to the bears or their habitat. We should offer what safety we can through the law intended for that purpose.

Vicky Meretsky is an associate professor in the Indiana University School of Public and Environmental Affairs

[Fresno Bee editorial, Sunday, Feb. 24, 2008:](#)

**Give Valley fair share of air funds
State air board must find a more equitable solution.**

The state air board will decide on Thursday how to divvy up funding from Proposition 1B to pay for reducing emissions along California's trade corridors.

If the past is any guide, the Valley is likely to get shortchanged -- again -- in favor of more heavily populated areas in Southern California. It's time to break that historical pattern of unfairness.

There is reason to hope. The state Air Resources Board has begun to pay more attention to Valley air-quality needs in recent months, in part because Gov. Arnold Schwarzenegger has signaled his desire for a faster pace of improvement. The governor's Partnership for the San Joaquin Valley has taken a leading advocacy role, along with the San Joaquin Valley Air Pollution Control District, environmental groups, scientists and civic activists of every stripe.

Those various groups don't always see eye-to-eye and frequently tangle on specific issues, but the ensuing noise and thunder has the attention of many in Sacramento.

Unfortunately, when it comes to the issue of trade corridor emissions, that new perspective doesn't seem to have reached the staff of the state air board. When it comes to a fair apportionment of Proposition 1B funds, it appears to be business as usual.

There are four such corridors identified in Proposition 1B. One is the San Joaquin Valley. The ARB staff has recommended a split of the funds that would give the lion's share -- 55% -- to the southern corridors, and only 25% to the Valley. That allocation is based largely on population.

But simply counting heads in the various regions overlooks a number of other important factors.

? The Valley handles 45% of all the traffic in the four corridors in the state.

? Southern California produces seven times as much air pollution as the Valley, but our climate and geography cause us to be on a par with the south in terms of violating clean air standards.

The Bay Area, by contrast, has clean air -- even though it produces six times the pollution generated in the Valley. That argues for an allocation of Proposition 1B funds based on the population's exposure to emissions -- a per capita figure -- rather than a simple head count.

? The movement of goods is the single largest source of emissions in the Valley. It creates more than 50% of all mobile source emissions and more than 40% of total emissions of smog-forming nitrogen oxides. It's not just diesel trucks, although they are the greatest offenders. Locomotives, while vastly more efficient, are also significant sources of pollution.

? The ARB staff appears to be using statistics that underestimate the average age of diesel trucks used in the Valley corridor. The older the trucks, the more they pollute.

? The staff doesn't appear to recognize that pollutants may be more easily dispersed in one air basin than another. For example, emissions occurring out at sea are judged to have the same impact as pollution that is trapped for days in the Valley.

Valley air district experts and others have suggested that a fair allocation of the Proposition 1B funds would put the Valley in the 37% to 42% range of the total. That sounds about right to us -- and much better than the 25% the ARB staff has recommended.

We're not suggesting that Southern California should be treated the way the Valley usually is. The air quality problems there are every bit as serious as the ones we face here. But the funding mechanism suggested by the ARB staff represents more of the historical neglect the Valley has suffered when it comes to an equitable share of state resources.

One number sticks out: The Valley suffers from 45% of the pollution created by the movement of goods in California's trade corridors. Yet the ARB staff proposes spending only 25% of the Proposition 1B funds here. That's not simply wrong, it's hurtful.

We're counting on the state air board members to rectify that unfair error when they meet Thursday. The Valley's need is real, and simple fairness demands an equitable sharing of the money California's taxpayers authorized for this crucial purpose.

[Bakersfield Californian editorial, Sunday, Feb. 24, 2008:](#)

Jeremy Adams: Letter of the Year

Bakersfield High School teacher Jeremy Adams' September letter to the editor about the overlooked nuances of managing a democracy has been selected *The Californian's* Letter of the Year.

Adams and 11 other 2007 Letter-of-the-Month authors were honored this week at a reception at *The Californian*, where the top honor was announced. The theme of Adams' letter is particularly important as Americans are engaged in a yearlong campaign to select a new president.

"Governing a country as diverse and complex as the United States is a colossal task for any lawmaker or executive. Don't expect easy answers to difficult issues," Adams warned in his letter.

The government teacher noted that "social consensus and national progress do not result from sour partisanship or a 10-second sound bite. Instead, progress occurs when leaders encourage a national conversation that is honest and straightforward about the complexity of the issues we face."

He pointed out James Madison "understood that in a nation of competing factions, ever-changing public opinion and geographic diversity, compromise plays an essential role in the nation's progress.

"But compromise and thus progress are not possible in a political arena where simplicity and partisanship trump genuine dialogue."

He quoted Thomas Jefferson: "Every difference of opinion is not a difference of principle."

Other 2007 Letter-of-the-Month recipients honored by *The Californian* included:

January: Alvis West, history teacher at Bakersfield College and Summit Bible College. West wrote about the poor driving skills and behavior of some motorists on Kern County's roads.

February: Helen Venosdel, a retired Earl Warren Junior High School teacher. Venosdel wrote about the threat of gangs, offering solutions the community can initiate.

March: Jeff Peterson, a truck service manager who lives in Bakersfield. Peterson wrote about the kindness he was shown by total strangers when his truck became stranded. Peterson was attempting to round up a stray lamb on 7th Standard Road when his truck's wheel became stuck in a hole. Motorists stopped to help him and to help corral the animal.

April: Ray Swope of Bakersfield, who retired from a career in security work. Swope wrote about his pride in the young women who worked in war plants building Liberty ships during World War II. As a merchant seaman, Swope sailed in these ships.

May: Gay Mitchell, a postal worker in Tehachapi. Mitchell wrote about the touching ceremony she witnessed when her son-in-law and 985 other people became American citizens.

June: Emily Thiroux, an English teacher at Cal State Bakersfield and community volunteer. Thiroux wrote about the void in filling community leadership posts. She particularly noted the lack of women filling these posts. Thiroux offered constructive tips for people interested in getting involved and running for public office.

July: Howard Harris, a sales consultant who lives in Bakersfield. Harris wrote about "Bakersfield's wealth," which he defined as the many people who step forward often as volunteers to do good works.

August: Ben Taft, a Bakersfield citrus farmer. Taft "hit the wall" one Saturday morning in August when he woke up to find yet again the air filled with smoke and ash from other cities, in this case the Santa Barbara wildfires. Sick of choking on the mess, Taft asked what many of us were thinking: Why must we be sickened by Santa Barbara's weeks-long "control burn"?

October: Peggy Dewane-Pope, an eighth-grade teacher at Stone Creek Junior High School in Bakersfield. Dewane-Pope wrote a touching tribute to her niece's young husband who had died in Iraq when an explosive detonated near his vehicle.

November: John Peter Konopak, a senior at Burroughs High School in Ridgecrest. Konopak wrote about believing in yourself and drawing inner strength. He drew examples from his competition in cross country, as well as his involvement in music.

December: Melissa Grahek, a Bakersfield community volunteer. Grahek wrote about a childhood experience, when non-Christian students were required to stand and listen as the Lord's Prayer was recited by classmates in their public school. She used the experience to discuss religious freedom and tolerance.

The Californian selected the Letter of the Year from the 12 monthly winners.

[Washington Post editorial, Sunday, February 24, 2008:](#)

DR. G'S TIPS

Concerns About Quiet Cars

What's not to love about hybrid cars? They not only reduce air pollution but also are quieter. However, many sight-impaired people say traffic noise aids them in crossing streets, and hybrids operating on electric power make very little noise.

Bills now before the Maryland legislature call for creation of a task force to report what might be done to set a minimum sound level for new vehicles sold in the state.

[Note: The following clip in Spanish discusses that carbon dioxide kills 22 million people a year. For more information on this clip, contact Claudia Encinas at \(559\) 230-5851.](#)

Mata el dióxido de carbono unas 22 mil personas por año

Noticiero Latino

Radio Bilingüe, Friday, February 22, 2008

Un nuevo estudio de la Universidad de Stanford en California determinó que el dióxido de carbono mata a unas 22 mil personas anualmente.

El autor del estudio, Mark Jacobson dijo que el impacto de la contaminación del aire por dióxido de carbono es quizás el doble de lo que hasta ahora se había estimado.

El analisis comprobó 21 mil 600 muertes en el mundo durante un año.

Jacobson, del Departamento de Ingeniería Civil Ambiental de Stanford aseguró que la contaminación mata por efectos en los sistemas cardiovascular y respiratorio.