

Air district calls for caution on burning

BY KIMBERLINA ROCHA

Visalia Times-Delta and Tulare Advance-Register, Thursday, Dec. 25, 2008

The chilly weather of the holiday season may call for a warm, glowing, wood-burning fire. But before you roast those chestnuts, San Joaquin Valley Air Pollution Control District officials urge Valley residents to make sure it's clear to use the fireplace.

The district issues daily forecasts for all counties in the Valley, including Tulare County, based on the current air quality. The two forecasts: "burn cleanly" or "wood-burning prohibited."

As of press time, the district was asking residents to burn cleanly on Christmas Day.

The guidelines are implemented in an effort to curb the amount of soot, ash and other harmful particulate matter polluting Valley air.

For burn cleanly days, residents should use either dry, seasoned wood or a manufactured firelog such as Duraflame, said district spokeswoman Maricela Velasquez.

"We also encourage the use of natural-gas fireplaces," she said. "Residents can actually have that fire without the particulate affecting the air."

Those living in areas where there is no natural-gas service or wood-burning is the only heat source are exempt from the prohibitions, according to the district.

If you can find alternative heat sources, but don't want to miss the ambiance of a fire, Velasquez recommended turning on the TV for the image of a crackling fire.

The best place to dispose of gift-wrapping paper is the trash. Never burn gift wrap or any type of plastics, newspapers, magazines or other materials not designated for the fireplace or stove, Velasquez said.

Additional Facts

- For air-quality forecasts, visit the San Joaquin Valley Air Pollution Control District's Web site at www.valleyair.org. Forecasts are also available by phone, call (800) 766-4463.
- Sign up to receive air-quality updates sent to your cell phone each day. Send a text message with "tcweather" to 44636. The message will be sent at 7 a.m. weekdays and 8 a.m. on Saturdays.

Check the air before lighting fire

By Ken Carlson

Modesto Bee, Thursday, Dec. 25, 2008

Officials are asking residents to check the air quality before lighting a crackling fire for the holidays.

The eight-county San Joaquin Valley Air Pollution Control District enforces fireplace regulations from November through February because of the harmful mixture of soot, ash and liquid droplets spewed into the air.

"We're asking people to take their own health, and that of their neighbors, into consideration when they think about building a fire this week," said Seyed Sadredin, executive director of the San Joaquin Valley Air Pollution Control District.

A storm moving through the area should ensure clean air today and Friday, with no restrictions on wood burning. But the air is expected to deteriorate during the weekend, said Jennifer Ridgway, a district air quality specialist.

Wood burners are advised to check the air quality on the days leading up to the new year.

"At the beginning of next week, we may near concentrations that would prohibit wood burning in the southern part of the valley," Ridgway said. "As the week progresses, Modesto and Stockton could slip into the (no burn) category."

Fireplace smoke can aggravate lung disease, trigger asthma attacks or increase the risk of respiratory infections. People with chronic heart disease shouldn't be exposed to the smoke, officials said.

The air district prohibits wood burning based on the concentration of sooty particles in the air.

Those violating a "no-burn" day can be fined \$50 for a first offense and \$150 for a second violation in a three-year period. Violators can avoid the initial fine by attending an air pollution class.

On days when wood burning is allowed, people can burn as cleanly as possible by using manufactured logs or dry, seasoned wood. The district says burning trash, including chemical-laden holiday wrapping paper, is not allowed.

New laws for drivers to ring in New Year

No texting while driving come Jan. 1

By Alex Cantatore

Turlock Journal, Thursday, Dec. 25, 2008

When the clock strikes midnight, that big ball drops, and the words to "Auld Lang Syne" are accompanied by the pops of champagne corks, the California Department of Motor Vehicles will be doing some celebrating of its own. On New Year's Day, Jan. 1, 2009, a slew of new laws will go into effect to improve driver safety, better air quality, and close loopholes frequently abused by drivers.

Perhaps the most notable of the changes to the California Vehicle Code, text messaging while driving will become illegal in 2009. This new law will compliment the restrictions that became law earlier this year which require the use of a hands-free device to talk on a cell phone while driving.

"Obviously when you are texting, your attention is diverted from driving," said California Highway Patrol Officer Eric Parsons. "You need to be able to react to things out there on the highways, especially during this busy holiday season."

In another change set to improve driver safety, those under probation for driving under the influence will now face a zero-tolerance standard for using any measurable amount of alcohol while driving. While most drivers are allowed to operate a motor vehicle with a blood alcohol concentration of up to .08, a recorded level of even .01 for any driver serving a DUI probation will result in an immediate suspension of his or her license.

"Somebody who has already had a DUI conviction, we don't want you out there with any alcohol in your system," Parsons said.

Other changes due to become law on Jan. 1 include new criminal consequences for the forging of Clean Air Stickers, a change in the definition of what constitutes a motorcycle, allowing for heavier two- and three-wheeled vehicles to obtain motorcycle classification, and a new "Gold Star Family" license plate available to family members of those killed in armed forces actions. Additionally, law enforcement officials will now have the authority to impound vehicles for sale by unlicensed car dealers, and impose stiffer fines on those who place frivolous 911 calls.

California drivers with GPS units mounted to their windshields may be surprised to know that they are currently breaking the law. Under the current Vehicle Code, GPS units can only be mounted to the dashboard.

Come Jan. 1, however, drivers will be legally allowed to mount their GPS units on their windshields. However, in order to retain maximum driver visibility, such mounting is only allowed within a seven-inch by seven-inch square in the lower corner of the windshield on the passenger side, or within a five-inch by five-inch square in the lower corner on the driver's side.

To improve air quality, new limits will be placed on the issuance of temporary operating permits to drivers whose vehicles have yet to pass a smog check. In the past, owners were able to obtain such a permit with no cost or time limit to complete the needed repairs.

"This new law ensures that vehicles on our highways are properly registered and maintained," said DMV Director George Valverde. "We also support efforts to reduce emissions which keep Californians healthy."

Emissions from vehicles that have failed to meet the state's smog test requirements are believed to account for the production of more than two tons of harmful hydrocarbons and nitrogen oxides each day in California. To cut down on the amount of time such vehicles remain on the road, the new law will allow owners of smog producing cars to obtain only one 60-day temporary operating permit, at a cost of \$50.

Drivers in Stanislaus County will be particularly interested to hear that the next time they go to register their vehicles, they could be hit by higher costs. While the change is not due to go into effect on Jan. 1, as had been previously reported by some outlets, by Spring of 2009 a new San Joaquin Valley Air **Pollution** Control District Fee could be assessed to drivers from San Joaquin County in the north to Kern County in the south.

The fee, which could be as much as \$23 dollars, would go toward programs to reduce vehicle emissions in the Central Valley.

"There isn't a new fee as of yet," said Tom Jordan with the San Joaquin Valley Air **Pollution** Control District. "We currently do collect DMV fees that go to air quality programs, but the state gave us additional authority to expand that fee. We're going to go through a public process before we increase any fees to determine how much the increase would be and even if we're going to do so."

New rules for the new year

Written by Jennifer Wadsworth

Tracy Press, Wednesday, Dec. 24, 2008

California residents will ring in 2009 with a spate of new laws, including a ban on text messaging while driving and an increased vehicle registration fee.

It'll be a tad more expensive to register a car in San Joaquin County, thanks to a new fee effective Jan. 1 that regulators hope will pay to ramp up pollution control in the Central Valley, one of California's dirtiest air basins.

It's one of a litany of new rules, including other pollution controls, a crack-down on convicted drunk drivers, protection against elder abuse and a few more traffic and vehicle regulations that take effect the first day of 2009.

Residents in some of the state's more polluted regions will have to pay an "air quality fee" of \$6 when they register their car in San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings and Tulare counties come the New Year.

Another change is a no-texting-while-driving law that's bound to frustrate thousands of text-happy motorists. The rule will prohibit Californians from reading, writing or sending text messages from behind the wheel.

Tracy resident Tammy Roux — one such driver — will have to exercise a bit more patience when it comes to text messaging in her car. In fact, she'll just have to wait until she arrives at her destination to answer back.

"Normally, I text at stop lights or in (heavy) traffic," she said. "It'll take some getting used to."

The no-texting rule comes six months after the state banned talking on hand-held cell phones while driving, boosting sales for hands-free phones this summer. The fine for violating the law will be \$20 for a first offense and \$50 for each subsequent violation.

Another law effective Jan. 1 intended to protect roadway safety is one that grants law enforcement the right to suspend the license and impound the car of someone on probation for drunken driving if they're caught with a blood-alcohol content of 0.01 or more.

The zero-tolerance policy could earn such a driver a full year with a suspended license.

Another law will make it a crime to forge clean-air stickers, which are used to identify hybrid and so-called clean-air vehicles.

A partial list of other changes to be heralded in by the New Year:

- Wages for temporary workers will be paid weekly or daily if the work less than 90 days, according to state legislators.
- The legal definition of a motorcycle will be expanded next week after the California Department of Motor Vehicles includes three-wheelers that carry more than 1,500 pounds in the category.
- Californians who have had family members killed in the line of active military duty will qualify for a commemorative "Gold Star Family" license plate.
- Theft from elderly folks at convalescent homes will have to get reported director to the district attorney's office in all California counties, after the rule become law next week.
- Computer professionals' hourly pay beginning in 2009 will be increased from \$36 to \$37.94.
- Authorities will be able to legally impound vehicles sold by unlicensed dealers.
- Families with relatives in active military duty will qualify for up to 12 weeks of leave from work if their enlisted family member gets deployed on short notice, has to attend a military event, needs child care or someone to attend school or day care meetings for them, needs someone to handle financial or legal matters or wants the family member to visit while on leave.
- California auto regulators will be allowed to withhold permits to allow more time to obtain a smog certificate.

Tulare County air quality rated 'good' by district

Staff reports

Visalia Times-Delta and Tulare Advance-Register, Thursday, Dec. 25, 2008

Not surprisingly, air quality in Tulare County was observed as "good" Wednesday, Christmas Eve, as reported by the San Joaquin Valley Air Pollution Control District.

Winter storms moving through the area over the past week have "scoured" the Central Valley floor of dangerous smoke and other particulate matter, experts say.

Further, air district officials have discouraged wood burning of any kind, and if households do wish to have fires in fireplaces during the holiday season, residents are encouraged to burn pressed logs instead of real wood, which releases more harmful smoke into the atmosphere.

Today, Christmas Day, was projected to have a "good" air-quality rating, and observed results should be released sometime Friday.

Friday's projected air rating is also "good" as windy conditions continue to clean Central Valley air.

Tulare split on plan for motor sports complex

Supporters say the \$300m-\$400m project has a good location and will help the city's economy

Staff reports

Visalia Times-Delta and Tulare Advance-Register, Friday, Dec. 26, 2008

TULARE — Tulare finds itself at a crossroads, facing a major decision next week on a \$300 million-to-\$400 million Tulare Motor Sports Complex plan that has intense supporters and opponents.

Supporters point to thousands of new jobs and projections for \$1.4 million added to the city treasury annually. Opponents point to an environmental report that projects [unavoidable air pollution](#) and noise, along with two similar projects that are failing elsewhere in the Valley.

On Monday, the Tulare City Council must make a decision. If the vote is yes, the plan will move on and seek county approval.

Supporters

The Tulare Motor Sports Complex has a prime location along Highway 99, versatility and the Valley residents' passion for racing, supporters say.

"We think it's in a superlative location," said Bud Long. "It's dead center in the middle of the state. It's located within four hours of the largest population areas."

Besides the 60,000-seat racetrack, the project includes commercial and retail development, a drag-racing strip component, an RV park, hotels and restaurants, Long said.

"It's wonderful for the community," Long said.

The 711-acre project, proposed to be built near the International Agri-Center grounds, was approved by the Tulare Planning Commission this month.

Tulare Planning Director Mark Kielty said no project of this scale has ever come before the Planning Commission for consideration.

The Del Lago housing development compares in acreage, at 600 acres, and the Galaxy Tulare Stadium 10 compares in the entertainment aspect, but those are still nowhere near the economic potential.

When the project was before the Planning Commission, Commissioner Chuck Miguel said he supported the project because it brings economic diversification to the area.

"We have to look out for what's best for Tulare," he said. "If the project passes and gets built, we need to get on the bandwagon. Jobs are important."

Mayor Craig Vejvoda agreed with Miguel, also citing economic development as the reason the project could get his approval.

"I haven't totally made up my mind. I am leaning more for than against," Vejvoda said. "[But] the economic upside is the driving force driving the project."

Opponents

Not everything about the Tulare Motor Sports Complex is about numbers. Opponents bash the plan as not having a place within the Tulare's small-town culture.

Opponents also contend that the notoriously smoggy Valley doesn't need another major smog maker. Some say it's simply not economically feasible.

Commissioner Frank Nunes Jr. said he was concerned the project was not a good fit for Tulare, echoing the thoughts of residents who attended the Planning Commission meeting.

Resident Felix Mata, who spoke at the meeting, said supporters don't live near the proposed project, like he does.

"If you don't live near [the site], I don't think you should be saying anything," he said. "We need to come up with something better."

Resident Tom Drilling said he opposed the project because, if it fails, it could mean the city inherits debt. He pointed out similar projects in other Valley cities failed as the nation's economy has turned rocky.

Kern County has its own racetrack that hasn't been completed off Highway 43 on the western edge of Bakersfield.

The racetrack, temporarily named Kern County's Home to NASCAR, was scheduled to be completed by spring and, like the Tulare complex, would include hotels and retail.

Currently, there is no construction activity at the site. Published reports have stated that the racetrack's owners recently defaulted on a \$4.5 million loan.

Another track proposal in Merced County is stuck in litigation over aspects of its environmental reports. Those cases add fuel to arguments by opponents of the Tulare plan.

Two local organizations, the Tulare County Farm Bureau and the Sierra Club in Tulare County, also oppose the project.

Darrell Hicks, who recently moved to Tulare, said the Tulare project must be considered carefully.

"Will this Valley be able to support something like this?" he said. "Let's be very careful. Let's think about this sensitively."

MOTOR SPORTS COMPLEX TIMELINE

- November 2006: The Tulare Motor Sports Complex proposal is announced at a Tulare City Council meeting. The council essentially votes to look into the \$300 million idea from Fresno-area developer Bud Long. The complex is initially labeled a "NASCAR" site. "This could change the entire character of the community," says then-Mayor Richard Ortega.
- January 2007: NASCAR officials tell the Advance-Register they have no plans for activity in Tulare; Long said NASCAR was merely a possibility.
- February 2007: Long meets with would-be neighbors of the motor sports complex to share information and answer questions. Long also begins meeting with civic clubs for the same reason.
- April 2007: Councilman David Macedo is the first council member to speak out against the proposal; the other councilmen take a wait-and-see approach.
- July 2007: A Southern California Edison economic report suggests the motor sports complex would add \$1.4 million annually to the city treasury.
- December 2007: Environmentalists, at a council meeting, share their displeasure with the motor sports complex plan.
- May: An environmental report suggests the motor sports complex would add significant and unavoidable air and noise pollution.
- May 19: Opponents of the motor sports complex dominate a public comment session of a Tulare Planning Commission meeting on the environmental report.
- June 2: A second Planning Commission meeting on the report is more evenly split among supporters and opponents of the motor sports complex.
- July: The environmental report is re-released to the public because a water study was previously omitted.
- Sept. 25: An independent board organizes a public information meeting about the motor sports complex. The Claude Meitzenheimer Center is standing-room only; the center appears evenly split of supporters and opponents.
- October: Some residents begin spreading the idea of a city-wide vote to decide the motor sports complex, but the idea never advances.
- Dec. 8: The Planning Commission approves the motor sports complex, sending the plan to the City Council.
- Monday: The council is scheduled to vote on the matter at 7 p.m. at the Tulare Senior Center, 201 North F St.

Planners approve 326-acre development

By Eiji Yamashita

Hanford Sentinel, Thursday, Dec. 25, 2008

The Hanford City Planning Commission on Tuesday recommended approving the Villagio development, which would bring a mixture of houses, parks, bike paths, school, church and commercial areas to north Hanford.

Commissioners voted 4-0 to endorse the ambitious 326-acre plan by two builders -- Ennis Homes and Jim Clark -- to establish a master-planned community where people can live, work and shop.

The development is proposed for the area between 12th Avenue and the railroad tracks, stretching from Fargo Avenue north to Flint Avenue.

"I'm in favor of this project. One reason I support it is because it offers a school site and also offers a church location," said Commissioner Danny Escobar, who made a motion to recommend the project for approval.

Although a sizable number of residents showed up, no one spoke during the public hearing. Even commissioners themselves had few questions regarding the project, which is considered large and complex for the city.

The Villagio proposal is a planned unit development - PUD for short -- which allows for structures to be built in denser clusters than usually allowed by the city's general plan. In exchange, the city may impose additional amenities, such as more park space, a bike path, affordable housing units and aesthetically appealing neighborhood designs as seen in the Villagio blueprint.

In the past, the commission could sometimes delve deeply into projects like this, spending hours discussing, asking countless questions and picking apart the project to see how proposed rezoning fits the city's vision.

On Tuesday, the commission spent no time in discussions after a public comment period.

"That just indicates that we're all in favor of the project and concur that the way this project is laid out is very appealing," said Commissioner Neil Jennings. "It shows to me that you can put a lot of different uses which some people think are competing designs into it and still make a cohesive project that works well together. I think that's what we've got here."

The commission's Tuesday vote is only a recommendation. Final approval must be granted by the Hanford City Council, which will take up the matter in January.

Tuesday's public hearing culminates a nearly four-year planning by E-C Entitlements, a joint venture between two builders Ennis and Clark, said John Zumwalt, civil engineer for the project.

The project first came to light last October, when the company began the preparation of an environmental document for the project.

Commissioners praised the thoroughness of the environmental impact report, which indicated that there were several potentially significant impacts, such as increased light and glare, exposure to odor from farming and exposure to train noise, which consultants said could be mitigated. There were also unavoidable impacts, such as conversion of farmland, [increased car emissions](#) and traffic congestion, the report said.

Deputy Public Works Director John Doyel said the project would pay for the future widening of 12th Avenue from Highway 198 to Flint Avenue.

Zumwalt added that the project, if it moves forward, would pay the city at least \$2 million in traffic impact fees and pay more to Caltrans.

So how real is this project?

That was the question Escobar had.

Zumwalt said: "If the economy recovers, and everybody thinks it will, I think it's very real," Zumwalt said. "One of the strengths about it is that it has everything -- estate lots for wealthy people, very small homes that would go for a low price for single and old persons and everything in between. A traditional development should be very hard to market; this would be a superior place to live."

But the current economy is expected to cause the project to move forward at a glacial pace.

Zumwalt said it would take at least a year before the groundbreaking can take place, adding that it is highly unlikely with the current economy.

The completion of the development might take up to 15 years from now, Zumwalt said.

SFO to feature carbon offset kiosks

In the S.F. Chronicle and other papers, Thursday, Dec. 25, 2008

San Francisco, CA (AP) -- San Francisco International Airport is planning to give guilt-ridden travelers a chance to offset the air pollution emitted from their plane rides.

The airport says it will set up a series of kiosks that will allow travelers to purchase certified carbon offsets. The city of San Francisco, the airport and a carbon-reduction investment company, 3Degrees, plans to roll out a pilot program this spring.

Travelers will enter their destination into the kiosk, which will calculate the amount of carbon dioxide for which they are responsible, and the cost of offsetting it. After swiping their credit cards, they would get a receipt listing the exact carbon-reducing projects their money went to.

The program is not the only option that travelers have. Delta Air Lines Inc. offers its customers an opportunity to purchase carbon offsets on its Web site.

Indoor air quality on rise with well-sealed modern homes

By ALAN J. HEAVENS, The Philadelphia Inquirer
In the Modesto Bee, Friday, Dec. 26, 2008

The quality of the air we breathe indoors becomes even more important in the colder months, when we naturally spend more time inside. But the list of things that pollute that air is a long one, featuring such varied culprits as combustion sources (oil, gas, kerosene, coal, wood and tobacco), building materials (deteriorated insulation, damp carpet), household cleaners, even our furniture and carpets.

The fault line: Problems associated with indoor air quality have increased since the late 1970s and early 1980s, when builders started adding large quantities of insulation to new houses to reduce energy costs without balancing it with adequate ventilation to exchange polluted indoor air with fresh outdoor air. Excessive moisture and high temperatures created mold issues. Carbon monoxide from gas stoves, dryers and furnaces, if not properly vented outside, can cause illness and even death.

"In return for saving energy, many of us aren't feeling that well," says Tim Burke, strategic-marketing manager of the White-Rodgers division of Emerson Electric Co., which makes air cleaners and humidifiers. Studies have shown that indoor air is five times more polluted than outside air, he says, and that asthma has been on the rise for the last 15 to 20 years.

The foe: "The particles that you can see floating in the air in the sunlight are not 'bad dirt,'" says Burke. "It's the small stuff you can't see that is more of a concern from a health standpoint, and you need to remove as much of it as possible."

The objective: Improving indoor air means filtering it to remove those small particles, adjusting the temperature to create a comfortable environment, and getting humidity levels right so the air isn't too wet or too dry, Burke says.

The ideal humidity range in the northeastern United States is 40 percent and 60 percent, based on tests conducted in Pennsylvania about 20 years ago, he says. Below or above that range, even in the driest air, mold and microbes can thrive. Temperature, of course, is a matter of personal comfort; strive for consistency, rather than creating hot or cold spots throughout the house.

The obstacles: In winter, heat tends to dry out indoor air, and if moisture isn't introduced to compensate, the result can be dry skin and popping drywall nails and screws. "Although we test homes extensively before we recommend solutions, I can tell what's wrong simply by looking at the pops or cracks in the crown molding, as well as dirt and dust caked around the return registers," Burke says. "Dust and dirt migrates through the home through ducts quickly, and humidity levels are consistent throughout."

The remedy: Take a whole-house approach to indoor air quality, the same as you might for indoor comfort after an energy audit, Burke advises. (Remember, too, that everyone has a different reaction to indoor pollutants; the odor of glue used in boxes or carpeting might make one person sick and not affect anyone else.)

If a house is too tight, consider installing ventilation-recovery units to promote regular indoor-outdoor air exchange. Set dehumidifying and humidifying units to work in concert rather than against one another. Look for building products with low or no volatile organic compounds to release into the air. Install thermostats or try to zone your heating system to ensure that every part of the house is comfortable and

energy efficient. And make sure gas-fired units are regularly serviced and cleaned to ensure proper combustion.

Colorado seeks protections amid energy boom

New regulations aim to protect medical workers, the environment and wildlife. Critics call them potentially crippling to an industry crucial to the state economy.

By DeeDee Correll

L.A. Times, Friday, Dec. 26, 2008

Reporting from Denver -- When a Colorado emergency room nurse fell gravely ill after treating a gas field worker, doctors struggled to figure out what was wrong with her.

Her liver, heart and lungs were failing, probably a result of inhaling ZetaFlow -- a substance used in natural-gas drilling -- from the patient's boots. But doctors could find little treatment information in the medical texts or on the Internet because the fluid's formulation is a closely guarded trade secret.

"Nobody knew exactly where to go," said nurse Cathy Behr, 56, who since has recovered.

New regulations adopted this month to govern Colorado's booming oil and gas industry aim to make future incidents easier to handle by, among other things, requiring companies to disclose to doctors and emergency workers the ingredients they use.

Regarded as the most comprehensive in the country, the rules have been hailed by some as providing much-needed protections for the wildlife and environment, but they are assailed by others as punitive -- and potentially crippling -- for an industry critical to Colorado's economy.

"We think these are the right regulations for Colorado," said Dave Neslin, acting director of the state's Oil and Gas Conservation Commission. "The oil and gas industry . . . has a large footprint within the state. We think these rules strike an appropriate and sustainable balance."

The requirements come as Colorado is struggling to keep pace with a significant energy boom. A decade ago, state officials issued 1,000 drilling permits per year; this year, they are on pace to issue more than 7,600, Neslin said.

The regulations:

- Create a 300-foot-wide protection zone around streams that provide drinking water.
- Require operators to disclose information about their chemicals to emergency responders and physicians, although the information may not be released publicly.
- Require emission controls on operations within a quarter of a mile of schools and homes in northwestern Colorado.
- Allow state health and wildlife officials to review and provide input on applications for operations that could affect public health or wildlife habitat.

The Colorado Oil and Gas Assn., an industry trade group, regards that last rule as particularly onerous.

"As a result . . . this process becomes the most burdensome in the nation," said John Swartout, vice president of government and legislative affairs for the association.

Swartout said it already takes longer to apply for a permit in Colorado than in other gas- and oil-producing states -- an average of 65 days here, compared with two to seven days in other states.

Neslin acknowledged the process takes too long because commission staffing levels haven't kept pace with the growing number of permits.

"We face particular challenges here in Colorado," including drilling in areas of important wildlife habitat, he said. "In Colorado, it would be difficult to do a thorough review in two or three days."

The new regulatory climate could dissuade companies from operating in Colorado, Swartout warned.

"You're going to see a significant drop in investment in the Rocky Mountains. That equates to a loss of jobs in our state -- good-paying jobs with healthcare and benefits," he said.

Several Republican state lawmakers have echoed that concern, saying they intend to push for modifications to the rules. "We cannot afford to push the energy industry out of Colorado, given the current state of the economy," Colorado House Minority Leader Mike May told the Denver Post. "And many fear that the proposed rules will do just that."

Environmentalists counter that tourism is a far more important industry in Colorado and that it makes sense to protect the natural assets that draw visitors to the state.

Hunting, fishing and outdoor recreation "are contingent on an environment that's thriving," said Pam Kiely, legislative director for Environment Colorado.

The argument that the rules will contribute to a worsening economy is flawed, said Elise Jones, executive director of the Colorado Environmental Coalition.

"What affects the oil and gas industry is really the price of natural gas, which is set on the national market," Jones said. "It's influenced by things that have nothing to do with whether they have to line waste pits."

[Sacramento Bee, Commentary, Friday, Dec. 26, 2008:](#)

My View: Climate plan needs refinement

California is working aggressively to reduce the causes of climate change. But we have to make sure we do it without harming people in other ways.

First, the good news. California's historic commitment to reduce greenhouse gas emissions by 30 percent within the next 12 years moved closer to reality when the state Air Resources Board recently unveiled its plan to cut emissions.

The board deserves kudos for calling on all private and industrial utilities to get at least a third of their energy from clean, renewable sources, like wind and solar. Green energy is the largest economic opportunity of the 21st century, and California's natural assets position us well to take advantage.

Now, the bad news. The current plan to permit companies to buy and sell carbon emissions credits from the state would allow air pollution to become more concentrated around poor, urban communities, even while statewide emissions are reduced.

For example, those living near a factory or refinery that buys credits to offset its pollution (but does not reduce its pollution at all) would get the short end of the stick. Without safety guarantees in place, a facility that is going to emit more carbon is also likely to produce other harmful air pollutants. And the people most likely to be harmed are those living in low-income communities of color, where rates of asthma and other health problems are already endemic.

We don't have to look far for a real example of how this system might put disadvantaged communities at a higher risk. In southwestern Chula Vista in San Diego County, a low-income, predominantly Latino community, local residents and the Environmental Health Coalition are working to block the expansion of a power plant near an elementary school and residential neighborhoods.

This proposed expansion by MMC Energy illustrates how environmental injustices from the past continue to be exacerbated. There is a very real concern that the proposed cap-and-trade system will allow many of these poorly sited plants to get bigger and pollute longer.

Under the current plan, the owners of that plant could buy carbon credits to continue polluting the nearby community and add large amounts of carbon emissions into the air. Even if the plant used cleaner, more efficient technology, a bigger facility means that area kids would be exposed to more dirty air overall.

Whatever climate change strategy we use must factor in where pollution occurs – and who it affects – so that low-income communities don't bear an unhealthy burden.

One alternative that is earning support from policymakers, community and environmental groups and even energy companies is the creation of a cap and carbon fee system. Charge companies for carbon

content and emissions from burning fossil fuels, and redirect that revenue toward incentives for cleaner technology.

This would go much further to stimulate efficient and renewable energy use, and it's relatively easy and quick to administer. And it wouldn't pass the buck to poor communities to absorb the bulk of the pollution – because the buck would stop with polluters themselves.

Another approach would be to expand the required percentage of renewable power that utilities must purchase, also known as a Renewable Portfolio Standard. An expanded RPS would ensure that the majority of new energy projects would come from renewable sources rather than the polluting old power plants of the past.

As we look for solutions to the complex challenge of climate change, we must ensure that these approaches serve to preserve the health and well-being of all Californians.

While the Air Resources Board's plan is headed in the right direction, it must go further to protect disadvantaged communities from unintended harm. Doing so will ensure that California's clean energy future belongs to all of us.

Diane Takvorian is the executive director of the Environmental Health Coalition in San Diego and a 2008 recipient of the James Irvine Foundation Leadership Awards.

[N.Y. Times editorial, Friday, Dec. 26, 2008:](#)

E.P.A.'s Doctor No

On April 2, 2007, the Supreme Court ruled that the federal Clean Air Act plainly empowered the Environmental Protection Agency to regulate greenhouse gases from cars and trucks — and, by inference, other sources like power plants.

There was great hope at the time that the decision would force President Bush to confront the issue of climate change, which he had largely ignored for six years. Instead, it became the catalyst for a campaign of scientific obfuscation, political flimflam and simple dereliction of duty — which United States Senator Barbara Boxer aptly described as a “master plan” — to ensure that the administration did as little as possible.

The guiding intelligence behind the master plan has been Vice President Dick Cheney; Mr. Cheney's point man, in turn, has been Stephen Johnson, the administrator of the Environmental Protection Agency.

It was Mr. Johnson who refused to grant California a normally routine waiver that would have allowed it to impose its own greenhouse gas standards on cars and trucks. It was Mr. Johnson who was trotted out to explain why the administration could not possibly fulfill the Supreme Court's mandate before leaving office.

And it was Mr. Johnson, in one final burst of negativity, who declared last week that his agency was under no obligation to even consider greenhouse gas emissions when deciding whether to allow a new coal-fired power plant to go forward.

The case involved a proposed power plant in Utah and turned on an arcane regulatory question: whether a Clean Air Act provision requiring the monitoring of carbon-dioxide emissions also meant that they could be controlled. This sort of question would normally prompt careful review. Mr. Johnson responded with a 19-page memorandum that added up to one word: No.

Senator Boxer has gone so far as to call Mr. Johnson's peremptory judgment illegal.

The only thing saving this administration from a total wipeout on clean air issues was a timely decision on Tuesday from the Court of Appeals for the District of Columbia Circuit. It temporarily reinstated the Clean Air Interstate Rule — a 2005 regulation aimed at reducing soot and smog, and the most important clean air proposal to emerge from Mr. Bush's E.P.A. In July, the court found the rule deficient on several counts, but on appeal it decided that a flawed rule was better than none at all.

So there we have it. One original initiative in eight years, saved at the bell. That's a poor showing, and the Democrats are hardly alone in hoping for better under an Obama administration. Last week, two

prominent moderate Republicans — William K. Reilly, who ran the E.P.A. under President George H.W. Bush, and William D. Ruckelshaus, who served as administrator under both Presidents Richard Nixon and Ronald Reagan — sent a little-noticed but eloquent letter to President-elect Barack Obama.

The gist of the letter was that the E.P.A. could be an enormously positive force in the fight against climate change and oil dependency. All it needed was someone who believed in its mission and was prepared to use the laws already on the books. Granting California its waiver, carrying out the Supreme Court decision, regulating emissions from vehicles and power plants — all this and more, they wrote, could be accomplished with the statutory tools at hand.

This exhortation from two veterans of the environmental wars was designed to encourage not only Mr. Obama, but also Lisa Jackson, the woman he has chosen to run the agency. It was also, however, an arrow aimed at the ideologues who have been running the agency for the last half-dozen years — and a lament for how little they have done with the weapons Congress gave them.