

## **Smog fee pushed for Valley vehicles**

### **Lawmakers try again to pass a \$30 increase in registration charges.**

By E.J. Schultz / Bee Capitol Bureau  
Fresno Bee, Tuesday, April 8, 2008

SACRAMENTO -- Thwarted last year, two Valley lawmakers are back with legislation that would authorize the Valley air district to raise vehicle registration fees to pay for smog clean-up.

Vehicle owners would pay up to \$37 to the San Joaquin Valley Air Pollution Control District, up from the \$7 per vehicle the district collects today.

Most of the money would go to replace and retrofit polluting cars and trucks, helping the Valley meet federal clean air standards, district officials say. About \$94 million could be raised annually if air district board members approve the full increase.

Last year, a similar bill fell victim to a Senate-Assembly feud over fee-related bills.

The fight appeared to have little to do with the merits of the Valley bill.

Sen. Dean Florez, D-Shafter, who carried the bill, called it an "internal war." He is pushing the same bill this year and is joined by Assembly Member Juan Arambula, D-Fresno, who introduced an identical bill.

Arambula's bill, Assembly Bill 2522, passed its first test Monday, clearing the Assembly Transportation Committee on an 8-2 vote.

He cited the Valley's high asthma rate. Families "are depending on us to act now," he said.

Opponents include California AAA Clubs. The motorists organization argued in written testimony that the bill is not a fee, but a tax that should require local voter approval.

The bowl-shaped Valley is one of the worst air basins in the nation.

Much of the pollution comes from cars and trucks, over which the local district has little regulatory control.

The fee increase is supported by a rare alliance of environmental and farm groups. Farmers -- a frequent target of clean-air legislation -- see the bill as a way to spread the cost of cleaning the air to all drivers.

## **Group forms to oppose refinery chemical**

By Stacey Shepard, Californian staff writer  
Bakersfield Californian, Tuesday, April 8, 2008

Opposition to the use of a hazardous chemical as part of a planned expansion at the Big West refinery gained momentum Monday when a newly organized group voiced concerns about the toxic substance.

Jennifer McLean, one of many "Bakersfield Citizens against Hydrofluoric Acid," speaks at a press conference for the group Monday morning. The group, including a representative from Kern County Fire Fighters and many local parents, opposes Big West's plan to use hydrofluoric acid in the expansion of its plant, just a few miles from downtown Bakersfield.

The controversial expansion of Big West's refinery on Rosedale Highway is proceeding following completion of a new environmental report.

About a dozen members of Bakersfield Citizens Against Hydrofluoric Acid held a news conference in downtown Bakersfield where they called for the refinery to abandon plans to use the acid, known as HF.

The group's members include Kern County firefighters and other local residents who believe the chemical's risks to the community and first responders is too great.

They don't oppose the expansion, though.

"Because I grew up here I have a deep understanding of the importance of the oil and gas industry to Bakersfield and Kern County. I have, and do, support the industry," said Vicki Burger, who lives near the refinery. "However, I am very frightened by Big West's plans to use HF. It makes absolutely no sense and is wrong for our community."

The acid's use "quite simply puts lives in danger," said Derek Robinson, a Kern County firefighter and president of the county's firefighters union. The union's board of directors recently voted unanimously to oppose the chemical, Robinson said.

The group's announcement comes just days after state Sen. Dean Florez, D-Shafter, held his own media briefing urging Big West to use a common HF alternative called sulfuric acid. Kern County Environmental Health Services Director Matt Constantine has also advocated for the use of sulfuric acid.

The refinery would use HF in new units it wants to build as part of a \$700 million expansion to boost gasoline and diesel output. HF is one of two liquid acids used as a catalyst in the production of alkylate, which boosts octane in fuel and is a premium blending stock for cleaner burning gasoline and diesel required under California law.

HF is considered dangerous because it can form a ground-hugging cloud if spilled. The cloud can travel up to five miles and harm or kill those in its path, according to oil industry tests.

While Big West initially proposed the use of traditional HF, it decided last year to use modified HF, which contains an additive that reduces cloud formation by 70 to 80 percent in the event of a spill.

But critics say modified or not, HF is unsafe and the refinery should use sulfuric acid, which doesn't form a toxic cloud if spilled.

Big West officials have been unwilling so far to engage in the debate or respond to calls to switch chemicals. They maintain that modified HF is as safe as sulfuric acid, and they say the upcoming revised environmental impact report on the project provides a full explanation on the decision to use it.

A flier refinery officials sent to nearby homes recently says any vapors produced from a spill of modified HF at the facility would remain with the facility. The flier also says modified HF has been used without incident in other refineries around the country.

The opposition group says it plans to educate residents and rally parents, teachers and nurses in their effort to convince the refinery and local officials to use a safer substitute. It has also launched a Web site at [NoHydrofluoricAcid.com](http://NoHydrofluoricAcid.com).

The group is the first organized opposition to the refinery's plans, which were unveiled last year in an environmental impact report required as part of the county's permit application process.

### **Air-quality contest needs entries**

Visalia Times-Delta and Tulare Advance-Register, Monday, April 7, 2008

Tulare County students in kindergarten through 12th grade are invited to participate in the sixth annual "Make A Difference in Air Quality" student essay and poster contest.

Students have until May 23 to enter the contest. To do so, students must write an essay or create a poster illustrating how their families make a difference in the air quality by carpooling, biking,

walking, riding skateboards, riding buses, or by conserving energy. The contest is sponsored by the Tulare County Association of Governments.

Essays should run between one to two pages and posters should be submitted on 8 1/2-by-11-inch white paper, turned horizontally. Entries should include contestant's name, address, grade, school and phone number.

For consideration, entries must be mailed by May 23 to The Lockwood Agency, 500 N. Willis St., Visalia, CA 93291. Entries can also be submitted by e-mail to [bkclch@thelockwoodagency.net](mailto:bkclch@thelockwoodagency.net). Contestants may enter both categories.

## **It's easy being green**

### **Just ask local mom Teri Van Huss, she'll tell you how to clean green (and save)**

By Ana Orozco Burlison

Visalia Times-Delta and Tulare Advance-Register, Tuesday, April 8, 2008

Helping her severely disabled 15-year-old son T.J. breathe easier 10 years ago turned Teri Van Huss into the queen of environmentally friendly housecleaning.

T.J., who is now 25 and living in a nursing-level group home in Porterville, has cerebral palsy, very sensitive skin and lungs, and he endures seizures.

"I was looking for ways to make his environment neutral because he can't tell me he has a headache or that something stinks," Van Huss said.

After a year of extensive research, the mother of three, including 30-year-old Javier, and 12-year-old Mary Elizabeth who has Down syndrome, drastically changed her cleaning methods by doing away with the chemical-based cleaners most of us use every day.

Van Huss opened her eyes to the damage she could be inflicting on her children when she paid closer attention to ingredient labels on cleaning and personal hygiene products.

"I would take bottles and look up words and more than once found myself on the EPA's toxic substance Web site looking up an ingredient from our shampoo," she said.

She wondered why toxic ingredients were allowed in products that were applied directly onto human skin.

"I became so disgusted," she said, "I had to change what I was doing."

### **Research paves the way**

It became even more urgent when she discovered that people use 80,000 chemicals in their homes made with petroleum. Things like plastics, detergents, pesticides, nylon and polyester.

"They're all made from the same stuff gasoline is made from, something our bodies don't know or the earth doesn't know and we've literally filled our world with them," Van Huss said.

Their effect on the bodies of children can wreak havoc considering they are 10 times more susceptible or sensitive to chemicals than adults, she said.

Van Huss said it took her about a year to completely phase out her entire chemical-laden cleaning supply, replacing things as they ran out with more natural substitutes. Because she was spending a lot of time at Valley Children's Hospital she was able to shop at Trader Joe's and Whole Foods in Fresno, but over time it became impractical.

She figured out how to cook up similar products that were just as effective by using things she found in her kitchen and medicine cabinet, which proved especially helpful when she started teaching other parents about green cleaning.

After playing scientist in her own home with vinegar, baking soda, hydrogen peroxide and dish soap, she took it on the road. Loaded with empty spray bottles and a box of just a few ingredients, she headed for small towns like Pixley and Waukena and shared her knowledge

using grants from the First 5 Program of Tulare County. This allowed her to teach parents, day-care providers and teachers.

### **Convincing skeptics takes time**

She recalls one teacher trying her new products on the spot after Van Huss' workshop.

"The teacher was scrubbing these tables so I said, 'Let's try this' and I sort of went spray-spray, shake-shake and wiped it off and away. It really does work," Van Huss said.

But not everyone is that easy to convince, mostly because the homemade products aren't blue or green like store-bought chemicals are.

She has even managed to convince her skeptical husband, Thomas, a heavy construction worker.

"He comes home with disastrous jeans full of grease, oil and cement and they [come] clean," she said, recalling a time when she pitted her friend's Tide against her cleaner in a contest to clean a pair of filthy jeans. "My jeans were cleaner than the Tide jeans," she recalls beaming.

Her husband became a believer when he saw that things were clean, the house was clean and so were his clothes.

And Van Huss swears that just because you don't smell the chemical scents we've all grown used to associating with cleanliness, doesn't mean the natural products don't work. It's just a different kind of clean, she says. One without toxic fumes, and all it takes are just a few simple ingredients, but some of her students still need proof.

She asks her class participants to think about the purpose for hydrogen peroxide - to kill bacteria. Why wouldn't it kill the bacteria on your counter tops or sinks?

"Usually the peroxide is what makes the first light bulb go on in people's heads," she said.

If you want visible proof, Van Huss suggests you spray a bit of peroxide in your kitchen sink and 6 inches around the sink, which she considers the dirtiest place in your home.

"The peroxide goes berserk, it's going to bubble up," she said.

And if you still need more proof of peroxide's germ-killing power, try it on your plastic cutting board.

"I've sprayed peroxide on it and have it bubble up completely," Van Huss said.

Another of Van Huss' favorites - baking soda on a grubby pan or casserole.

"I laugh a lot about this but I tell people it's just like a fairy tale."

She swears if you place a light layer of dry baking soda over a caked-on messy pan, let it sit, come back and get it a wet, the stuff falls right off.

### **Natural is also safe**

Not only do these products clean well, they also remove the worry from your mind, unlike using bleach to clean mold or surface areas in your kitchen and bathroom. With bleach and other household cleaning products, you may wonder what sort of residue is being left behind.

"You know vinegar and peroxide aren't going to leave anything [harmful] behind."

And besides tough cleaning, Van Huss said she has seen her natural cleaning products work miracles.

Van Huss had a friend whose daughter had severe asthma and the skin condition eczema, so she started reading up on chemically-sensitive people. Although skeptical, her friend followed her advice and changed the way she cleaned her home.

Her daughter's asthma disappeared.

"For her," Van Huss said. "The asthma triggers were the cleaning chemicals."

Next, Van Huss made an almond oil lotion and the girl's eczema went away.

"All we did was change her environment and she healed. We took that as a message," she said, adding that not only is it good for the environment and inexpensive, it can also change some people's lives.

But did it change her son T.J.'s life?

"He wasn't supposed to live as long as he has so maybe I changed that," Van Huss said, noting that although she didn't experience the same dramatic results as her friend, she thinks she kept him from getting colds and the flu by providing better indoor air quality, which in most homes in the Valley is often worse than the air outside because of air sprays and other cleaners.

Still, people trust the products found in the stores and can't always make the leap to a greener way to clean.

"Not too many people talk about this subject and it has to do with Proctor and Gamble and Johnson and Johnson. They don't want you to know you can clean your house with your dish soap and vinegar."

### **We can all do something**

Nevertheless, this full-time bookkeeper will continue to spread what she feels so passionate about through workshops and speaking engagements in the hopes of converting more people.

"You need to be really aware of what you're breathing in, what's going into your skin and what's going down your drain," she said. She added that many people think that the actions of one person are not that significant.

"My message is that we are all important and we can all do something," she said.

## **Bay Area fireplace rebates gone quickly**

By Denis Cuff, staff writer

Contra Costa Times, Tuesday, April 8, 2008

Bay Area residents took less than four hours this morning to snap up all 666 rebates offered by an air pollution agency to replace wood-burning fireplace with a gas-burning stove or fireplace insert.

Applications to reserve the \$600 rebates opened at 8 a.m., and closed before noon when claimed all \$400,000 of the clean air rebate money was spoken for.

"This shows a high level of interest in the public about investing in technology that makes the air cleaner," said Karen Schkolnick, a spokeswoman for the nine-county Bay Area Air Quality Management District.

Gas appliances avert the fine particles in wood smoke, which can cause a variety of lung and heart problems, she said.

After submitting an application for a rebate, the consumer must install a gas stove or fireplace insert, a sealed system heating appliance which can cost more than \$2,500. The consumer must then submit proof of the installation in order to receive the money.

While the rebates go to a small percentage of the more than 1.2 million fireplace owners in the region, district officials say they hope the program will generate interest in others switching to gas burning appliances.

## **Meetings to address ban on wood fires**

By Denis Cuff, Staff Writer

Contra Costa Times, Tuesday, April 8, 2008

The Bay Area's air pollution agency will hold nine public workshops this month on its proposal to ban wood fires in fireplaces and stoves on bad-air nights.

Each county in the region will get a meeting, providing an informal setting for the public to learn about and comment on the rule.

The Bay Area Air Quality Management District board is expected to vote this summer on the rule, aimed at protecting the public from unhealthy particles in smoke.

The proposal would ban wood fires in fireplaces, fire pits and pellet stoves on Spare the Air winter nights, when unhealthy soot levels are expected.

After months of reviewing earlier public comments, air district administrators continue to recommend that the ban apply to all wood-burning heating devices.

Hearth industry representatives have argued for a more lenient, two-stage no-burn rule, allowing fires in EPA-certified wood stoves and fireplace inserts on moderately dirty air nights. No one could burn on dirtier nights unless the wood-burner is the only source of home heat.

Air district representatives said a two-stage ban would be difficult to understand and enforce because some people could burn on moderately dirty nights, but others could not.

### **Public meetings on proposed wood fire ban on bad-air nights**

Redwood City: 1-3 p.m. Monday, Redwood City Library, 1044 Middlefield Road

Napa: 6-8 p.m. April 15, Napa County Library, 580 Coombs St.

Santa Rosa: 1-3 p.m. April 17, Steele Lane

Community Center, Dohn Room, 415 Steele Lane

Vallejo: 1-3 p.m. April 21, JFK Library, Joseph Room, 505 Santa Clara St.

Concord: 1-3 p.m. April 23, Concord Senior Center, 2727 Parkside Circle

Livermore: 6-8 p.m. April 24, Robert Livermore Community Center, Palo Verde Room, 4444 East Ave.

Novato: 1-3 p.m. April 28, Hill Community Room, 1560 Hill Road

San Jose: 6-8 p.m. April 29, San Jose Community Room, 200 East Santa Clara St.

Oakland: 1-3 p.m. April 30, Metropolitan Transportation Commission, Metrocenter Auditorium, 101 Eighth St.

For more information: <http://www.baaqmd.gov/pln/ruledev/workshops.htm>

### **\$8 Traffic Fee for Manhattan Gets Nowhere**

By Nicholas Confessore

N.Y. Times, Tuesday, April 8, 2008

ALBANY — Mayor Michael R. Bloomberg's far-reaching plan to ease traffic in Manhattan died here on Monday in a closed conference room on the third floor of the Capitol.

Democratic members of the State Assembly held one final meeting to debate the merits of Mr. Bloomberg's plan and found overwhelming and persistent opposition. The plan would have charged drivers \$8 to enter a congestion zone in Manhattan south of 60th Street during peak hours.

Mr. Bloomberg and his supporters, including civic, labor and environmental organizations, viewed the proposal as a bold and essential step to help manage the city's inexorable growth.

But the mayor's plan was strongly opposed by a broad array of politicians from Queens, Brooklyn and New York's suburbs, who viewed the proposed congestion fee as a regressive measure that overwhelmingly benefited affluent Manhattanites.

"The congestion pricing bill did not have anywhere near a majority of the Democratic conference, and will not be on the floor of the Assembly," Sheldon Silver, the Assembly speaker, said after the meeting.

The plan's collapse was a severe blow to Mr. Bloomberg's environmental agenda and political legacy. The mayor introduced his plan a year ago as the signature proposal of a 127-item program for sustainable city growth that helped raise his national profile. Without approval from Albany, the city now stands to lose about \$354 million worth of federal money that would have financed the system for collecting the fee and helped to pay for new bus routes and other traffic mitigation measures.

After Mr. Silver announced the plan's demise, a statement was released by Mary E. Peters, the federal transportation secretary, indicating that her department would now seek to distribute those funds to traffic-fighting proposals in other cities.

New York also hoped to use revenues from congestion pricing to finance billions of dollars in subway expansion and other improvements by the Metropolitan Transportation Authority, money that must now come from somewhere else.

Assemblyman Mark S. Weprin, a Queens Democrat, said that in discussing the issue with his colleagues, "the word 'elitist' came up a number of times." His constituents, Mr. Weprin said, almost uniformly opposed the measure, viewing it as a tax on their ability to move around their own city.

Mr. Weprin estimated that opinion among Assembly Democrats ran four to one against the plan. No formal vote was taken at the closed meeting.

Prospects for the bill returning any time soon appear dim.

It was the latest defeat for Mr. Bloomberg from Albany, which in 2005 dashed the mayor's dreams of building a football stadium on the West Side and bringing the 2012 Olympics to New York.

The mayor has appeared increasingly frustrated with the situation in Albany in recent days and did not appear publicly after the measure's defeat. He released an angry statement shortly after the rejection.

"It takes a special type of cowardice for elected officials to refuse to stand up and vote their conscience on an issue that has been debated, and amended significantly to resolve many outstanding issues, for more than a year," Mr. Bloomberg said. "Every New Yorker has a right to know if the person they send to Albany was for or against better transit and cleaner air."

But even in the Republican-controlled State Senate, the plan did not receive much consideration. Out of deference to Mr. Bloomberg, who has been an ally and financial patron of Senate Republicans, the Senate majority leader, Joseph L. Bruno, pushed for a floor vote on the legislation Monday afternoon. But Senate Democrats refused to take the floor, forestalling any vote.

That move followed a year's worth of cajoling and brinkmanship between opponents and supporters of the plan, which evolved significantly — but, it turned out, not significantly enough — from the version Mr. Bloomberg proposed last April.

Supporters ultimately agreed to shrink the zone in which the fees would apply, to the area south of 60th Street in Manhattan, instead of south of 86th Street. They also added a small charge on taxicab and limousine trips through the zone, as well as a tax credit for low-income residents.

But many issues remained unresolved. Critics also objected to the elimination of a sunset provision, which would have required the plan to win approval again after three years. City officials said that such a provision would have precluded long-term bond financing for capital improvement projects.

Mr. Silver, a frequent antagonist of Mr. Bloomberg's who in 2005 blocked the mayor's plan to redevelop the West Side railyards, pre-empted criticism that he was personally to blame for the plan's defeat, saying that he favored some kind of congestion proposal but that the mayor's plan simply lacked enough support to pass. "Let me be clear: If I were making the decision alone, I might have made a different decision," Mr. Silver said.

Ultimately, the battle lines over the plan remained almost unchanged during the yearlong debate over the project, despite multiple rounds of public hearings, reams of studies and an aggressive lobbying campaign by Mr. Bloomberg and his allies. Indeed, many opponents said they resented the pressure and threats that they said emanated from Mr. Bloomberg's side, including hints that the mayor would back primary candidates to run against politicians who opposed congestion pricing.

The mayor's allies recently formed a political action committee to finance those campaigns.

Those efforts, supporters and opponents agreed, illustrated the gulf between Mr. Bloomberg and lawmakers in Albany, where the mayor sometimes seemed to miscalculate how far his power and prestige could carry him.

Many Democrats in the Legislature felt that the mayor's demeanor in private meetings was condescending. Some opponents wondered at Mr. Bloomberg's political strategy, noting that they hardly expected to be punished by their constituents for siding with them.

"I'd be very happy running for re-election letting everybody know that I was an advocate against congestion pricing," said Assemblyman Rory I. Lancman, a Queens Democrat.

Ultimately, some supporters said privately, the same qualities that liberated Mr. Bloomberg to propose such a far-reaching plan — his independence from established power-brokers and detachment from traditional politicking — are what doomed the plan to failure.

"It doesn't really work up here, and it didn't help it at all," said Assemblyman William F. Boyland, Jr., a Brooklyn Democrat who opposed the plan.

Some Assembly Democrats said that by Monday, even many of the supporters of the plan had significant reservations about it. Debate had veered from the issues of traffic and pollution, they said, to advocates emphasizing the need to finance badly needed mass transit projects. That further alienated suburban officials, whose constituents would have borne much of the cost of the fees but reaped little benefit from those projects.

[Visalia Times-Delta and Tulare Advance-Register commentary, Tuesday, April 8, 2008:](#)  
**Measure R: Funding bike trails near you and fueling change**

With gas prices nearing \$4 a gallon, people in Tulare County are already on the hunt for alternative ways to get around town.

They're exchanging their gas guzzling SUVs for fuel-efficient models and hopping on the bus, but why not turn to the old reliable two-wheeled wonder - yes, a bicycle.

Having commuted by bike for the past 30 years in Visalia, I can honestly say that commuting by bicycle is one of the best ways to get around. I love it.

Now that it's spring and the weather is beautiful, there isn't a better time to try commuting by bike.

While commuting by bike is already possible in Visalia, it will be more so next year thanks to Measure R. This summer, \$1.7 million of Measure R money will be used to improve a number of trails in Visalia.

That work will play an important role so that next year at this time, we'll have even more ways to commute by bike and enjoy the outdoors. The way I see it, any money used to create trails where all non-motorized users are welcome - walkers, bikers, strollers, wheelchairs users - will be money well spent. These areas are safe, quiet, scenic and provide a means for physical exercise and enjoyment of the outdoors. Measure R is helping us get the message across that if we build them, they will be used.

Remember, Measure R isn't just about filling potholes or fixing roads - 14 percent (\$91.3 million) of the one-half cent sales tax will be used through 2037 to fund projects that improve bike/pedestrian, transit and environmental projects.

At least \$71 million of Measure R money will fund bicycle projects over the 30-year life of the sales tax. That figure will grow, now that Measure R is bringing in more money than originally expected.

Through March, Measure R has brought in \$3.6 million more than expected, so the future is looking very bright for bicycle projects in Tulare County.

This summer Measure R will fund design work on two trails in the City of Visalia - Packwood Creek and the Santa Fe Trail.

Using Measure R money, the City of Visalia will extend the Packwood Creek Trail from County Center along Cameron Street and fund its portion of the Santa Fe Trail from Tulare Avenue to Avenue 272.

The first portion of the Packwood Creek Trail, which will begin construction next year, will include a one-half mile long, 10-12-foot wide landscaped trail that can be used for outdoor activities such as biking, walking, rollerblading, skating or running.

It will start at County Center, cross over Mooney Boulevard and extend 1,000 feet east of Mooney.

The east section, which will start in 2011-12, will start there and progress to the east, across Stonebrook Street to Caldwell Avenue.

Ultimately, the city plans to make the Packwood Creek Trail continuous throughout the city.

Measure R money will also be used for multiple sections of the Santa Fe Trail that fall within the city's boundaries.

The first section, which in the next two years will begin construction, will go from Tulare Avenue to the city's southern border.

The second section will be completed in 2011-12 and will extend the Santa Fe Trail from Houston to Riggins avenues.

Meanwhile, the City of Visalia is also using Measure R money to make improvements to the Mill Creek Trail and the St. Johns Trail. The St. Johns Trail will go a half-mile east of McAuliff Street, while the Mill Creek Trail will go one-half mile east to Lovers Lane.

As a member of the Measure R Citizens' Oversight Committee, I'm proud to see that policy makers are making the connection that we have a great resource, Measure R, to improve the lives of Tulare County residents. Who knows? Measure R might even help a few of us avoid a heart attack when we find out it will soon cost us \$5 for one measly gallon of gasoline. *Vicki Stasch of Visalia is a member of the Measure R Citizens Oversight Committee, City of Visalia Waterways, Bicycle and Trails Committee and a member of the Rails to Trails Conservancy.*

[Visalia Times-Delta and Tulare Advance-Register editorial, Tuesday, April 8, 2008:](#)

### **Bike lanes are worth tradeoff of parking**

Converting Acequia Avenue to a two-way street will come with some tradeoffs. The city will need to make some adjustments and some sacrifices. So will motorists and businesses. And one of the tradeoffs will obviously be parking.

In a high-minded gesture, the Visalia City Council gave preliminary approval to an alternative for the Acequia Avenue conversion that would install bicycle lanes. But this option is meeting opposition, especially from the business community, which objects to the loss of parking spaces on Acequia if bikes lanes are included in the two-way street plan.

Let's not make bicycle lanes a scapegoat for the loss of on-street parking as a result of the Acequia conversion. Expanding Visalia's bikeway network is a deserving initiative that the city ought to continue to pursue.

Ironically, downtown businesses have sought to convert Acequia to two-way for years. Main Street merchants especially have complained that, once customers drive past their business, if they want to return they drive several blocks and circle the downtown area to try again.

Most observers agree that having traffic flow two ways on Acequia Avenue gives motorists more options and will move traffic more quickly in and through downtown. But it has always been known that conversion would come with a price.

The loss of street parking spaces is just one of the many concessions that will need to be made to make a two-way Acequia Avenue work.

The project will require new traffic signals, lane striping, cross walks and space reserved at intersections for traffic to have proper clearance.

Acequia Avenue has changed a lot in the past few years. There are two public parking garages now with entrances on Acequia Avenue. Kaweah Delta Medical Center's expansion will have a huge impact on Acequia traffic and parking.

The location of the downtown post office presents its own set of problems. Motorists use its 20-minute parking to slip in and out of the post office.

Traffic in that section of Acequia between Locust and Court streets will be challenging to say the least.

We can understand why downtown businesses don't want to give up parking, but the solution is to generate more parking, not interrupt a feature that has worthwhile benefits for Visalia.

We applaud the city's efforts to continue to work on a bikeway system for the entire city.

It has not made the kind of progress we would have liked, and one reason is that the city pulls back on the project when it threatens to become a reality.

Visalia has a number of very good bicycle lanes now, but they are not connected. They don't intersect in a coherent system, so it is still impossible to ride a bicycle continuously on bike paths all through the city.

Achieving that ideal will take commitment to the small segments as they come up. Bikeways for downtown make a huge amount of sense. The downtown area has become a destination area for the city. Its the kind of place in which bicycles would fit in well.

Meanwhile, the city and county are investing in Measure R funds to increase the bicycle paths around the city.

Visalia needs to make the commitment to support bicycle commuting at some point, but every time the city puts off that commitment when it has project such as Acequia Avenue on the table, the harder it will be next time.

Yes, it's true that our community is a car culture. Some will say it will always be a car culture, and it will only be a car culture. We'll continue to be one as long as we keep putting off the decisions that would permit alternatives.

Converting Acequia Avenue will not be easy. The concessions that will be necessary will make somebody unhappy. Any change from the status quo requires adjustment. The Acequia project will require some sacrifices anyway. Bike lanes will be a tradeoff that is worth the loss of some parking.

[Washington Post commentary, Tuesday, April 8, 2008:](#)

### **It's Not a Backroom Deal If the Call Is Made in the Oval Office**

By Cindy Skrzycki

It isn't often in Washington that a paper trail on a controversial regulatory decision leads back to the White House quite so publicly.

The conflict between *Stephen L. Johnson*, administrator of the *Environmental Protection Agency*, and *Susan E. Dudley*, head of regulatory review at the *Office of Management and Budget*, over how strong to make a standard on ozone, a component of smog, was unusual because *President Bush* was asked to break the impasse. He decided on a requirement weaker than what the EPA wanted.

"During my experience, the policy people in the administration are all part of the same administration and don't like to air a public policy dispute," said *Donald R. Arbuckle*, a retired deputy of the OMB *Office of Information and Regulatory Affairs* who served there 25 years.

Regulatory experts said this was the first time they recall a president stepping in, under a provision of an executive order allowing appeals between agencies and the OMB to be sent to him for a final decision.

Typically, differences like these are worked out behind closed doors among top officials.

When the *Department of Transportation* was sparring with the OMB in 2005 over the terms of a rule on how long truckers could drive before resting, a long conference call between officials of the two agencies settled the differences.

Democrats in Congress want to follow the paper trail further. Rep. *Henry A. Waxman* (D-Calif.), who is chairman of the *House Committee on Oversight and Government Reform*, has asked the OMB for "unredacted copies of communications" about the ozone standard.

In the Bush administration, the OMB has usually intervened at earlier, informal stages of rulemaking, where there is no public documentation. That makes it difficult to know where changes in an agency's final rule originated.

Veterans of the process say the ozone dispute was extraordinary because three documents written between March 6 and March 12 spelled out in detail the policy positions and arguments that the OMB and EPA marshaled. The disagreement was over a so-called public welfare standard for ozone, which is designed to protect vegetation, parks and farm lands.

When the EPA sent its final rule to the OMB on Feb. 22, it proposed lowering the permissible ozone "public health" standard to 0.075 parts per million, the concentration in the air over an eight-hour period, from the current 0.084 parts per million.

The agency proposed for the first time changing the secondary standard to one in which ozone would be measured over a seasonal period because of concerns over the cumulative effect the pollutant has on vegetation.

Agricultural interests, including corn growers and others in the biofuels business, opposed the idea. They had a meeting with OMB officials, including Dudley, on Jan. 24. The administration reviewers also met with public health and environmental groups pushing to make the rule more stringent.

In going ahead with the plan for a separate secondary standard, Johnson was following the advice of EPA staff members and scientific advisers.

Dudley fired back in a March 6 memo to Johnson, signaling her opposition. "The draft rule under review does not contain a reasoned basis for concluding that a secondary standard set separate from the primary standard is 'requisite to protect the public welfare,' " she wrote.

The EPA responded the next day that "there is no presumption that the secondary standard should be the same as the primary standard." The agency said it was relying on new research to propose seasonal monitoring. The letter was signed by *Marcus Peacock*, the deputy administrator who once worked at the OMB review office. The EPA also prepared a "deliberative and confidential" memo on March 11 to support the new, separate standard.

It was then that the feud escalated to the president. Another letter from Dudley on March 12 said Bush concluded the two standards should be the same.

A senior administration official said the exchange of correspondence was included in the public record to demonstrate that no backroom deals had been made.

"We thought it would be in everyone's interest to show clearly what our concerns were and the rationale for those concerns," said the official, who spoke on condition of anonymity because the negotiations were confidential. The goal in posting the documents on government Web sites "was to minimize mischaracterizations of these concerns," the official said.

Johnson said at a news conference that he made the final decision on the rule, though the published preamble to the rule reflects the influence of the OMB and the White House.

*Frank O'Donnell*, president of *Clean Air Watch*, an environmental group in the District, said, "EPA was carefully trying to keep records to show [that the OMB] was pushing them in a different direction. They were squashed at the last minute."

Waxman's attempt to learn more about the rulemaking has been stymied so far. He has received only documents already made public, according to a follow-up letter he sent to Dudley on April 1. He said the committee is entitled to the material unless the president "intends to assert a valid claim of executive privilege."

[LA Daily News Guest Commentary, Tuesday, April 8, 2008:](#)

## **Red Cars quaint, but they got us there**

By Sandy Sand

We can't get there from here.

We can't get from Tarzana to downtown ... from North Hollywood to the beach ... from the Westside to the Valley ... from the Valley to Dodger Stadium.

Hard to believe, but Los Angeles had one of the best rapid transit systems in the country back in the '40s and '50s: Pacific Electric Railway's Big Red Cars. The best, that is, until Detroit sold us on the wave of future with fume-spewing, gas-guzzling buses.

It wasn't the wave of the future the way they sold it. It was a direct transfer of our money to their pockets. From there we got a pass to more smog, pea-soup air to breathe, thicker than pea soup traffic jams, more tokens to pay for the Air Quality Management District that has more knotty regulations than there are mass-transit riders.

Buses never went where we needed them to go; there were fewer new buses than there were old trolleys; and the ones that did traverse the streets came with less frequency.

So with congested heads and watery eyes we became the car-driving capital of the world, and we still can't get there from here. I'm not sure, but it's possible that it takes as long, if not longer, to get there from here on streets and freeways by car as it did on the Red Car.

OK, trolleys are quaint, and our parents and grandparents remember them with great nostalgic fondness. They weren't perfect, but they got mom and grandpa from here to there, albeit slowly. They ran on a track down the middle of the street; passengers had to dodge cars while crossing the street to get to the mid-street trolley stops.

Quaint, slow, somewhat dangerous, but pretty to look at, nonpolluting, mind-stimulating, playing dodge-car, good exercise, people used them and - best of all - we could get there from here.

For years we've had traffic that is so tangled not even a fine-tooth comb can unsnarl it, but unlike the weather, which we can only complain about, we can fix traffic.

But the longer we dally, the longer we'll be slaves to our cars, congestion, costly auto insurance and high gas prices. I don't know if the recently proposed maglev train system is the answer. Like any other problem, the solution to traffic congestion needs more than one answer.

Being that we are the car-driving capital of the world and have been for so long that it's practically woven into our DNA, many believe there is no way to get us out of our cars, and they might be right. But then they've never given us decent, convenient rapid transit either.

Of course, there's always the old joke to solve the traffic problem. One-way streets, all leading out of town.

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[Merced Sun-Star editorial, Tuesday, Apr. 08, 2008:](#)

## **Our View: Color coding air quality**

**Pollution Control District's plan to warn of poor air quality is a good, but unfortunate consequence of our dirty skies**

It's a sign of the times. Well, actually, it's not a sign, it's a flag. It's still emblematic of the times we are living in.

The San Joaquin Valley has some of the worst air quality in the nation and that includes Merced. Particularly in the summer months, there are days when the air's marginal for everyone to breathe.

Public buildings generally display state and American flags. Now they also are sporting a series of flags from the San Joaquin Valley Air Pollution Control District that will tell you how good -- or bad -- our air quality is. The American Lung Association rated Merced as the sixth-most ozone-polluted city in the nation last year, certainly a dubious distinction. We can thank the Merced/Mariposa Asthma Coalition with providing these banners at no cost to the city.

The flags certainly display helpful information, particularly for groups that are sensitive to bad air, such as children, the elderly or those with asthma or other breathing conditions. Now, as well as looking at the horizon and realizing you can't see the mountains due to the smog, the color-coded flags can tell the tale as well.

One has only to look at the Merced Civic Center at the corner of West 18th and N streets, the Merced Police Department's South Station on West 11th Street or the city public works yard on Grogan Avenue to see one of the distinctive air quality flags. These flags have been flying at local schools for about four years and, fittingly, also at the Community Campus of Mercy Medical Center Merced.

If it's green, things are good. A yellow flag warns of moderate air quality, meaning the air is unhealthy only for extremely sensitive children and adults.

When a light orange flag is flying, things are a bit more tentative. That means those termed "sensitive individuals" should avoid prolonged outdoor exposure and exercise.

When a dark orange, rust-colored flag is displayed, look out. That means the air is unhealthy for everyone and it's best to stay indoors. We don't want to see dark orange but it certainly can happen, and does.

[Modesto Bee editorial, Tuesday, April 8, 2008:](#)

### **Day of reckoning near for West Park project**

Developer Gerry Kamilos hitched his plans for the old Crows Landing Naval Air Station behind an economic engine powered by short-haul rail. We'll know if the state embraces that vision Thursday.

That's when the California Transportation Commission votes on staff recommendations for allocating Proposition 1B funds to improve the state's trade corridors -- the routes that combine ports, rail and roads to move goods in, out and through the state. A not insignificant portion of the money will go to 26 projects that make up the northern corridor, which will connect the Port of Oakland to rail routes over the Sierra and beyond.

West Park -- Kamilos' plan to build a 4,800-acre business park at Crows Landing -- is among those Northern California projects. Under his proposal, containers filled with imported goods would travel over rails owned by Union Pacific to the Lyoth juncture near Tracy, then turn south to Crows Landing. Local manufacturers could send the containers back to Oakland filled with their products. Those 26 miles of rail, from Crows Landing through Patterson to Lyoth, would have to be rebuilt at a cost of about \$52 million. CTC staff recommends paying roughly half. Kamilos has said his investors can provide the rest.

The transportation commission is expected to -- and should -- approve the allocation, in part to make up for years of ignoring the San Joaquin Valley's transportation needs. The approval, however, likely will have many conditions. If any of the deadlines, requirements and procedures go unmet, funding could be withdrawn.

Foremost among those conditions will be a deadline for West Park to make a deal with Union Pacific to use its lines into Oakland. Without such a deal, there's no reason to fund the project. It's certain the commission will want Kamilos to report back, perhaps as early as September.

That's appropriate. State commissions should be careful with the public money, entrusting it only to those who can deliver projects with a wide benefit.

But getting the bond money is only one small step. More important is a vote by the Stanislaus County Board of Supervisors on April 22 to give West Park authority to proceed. The board wisely delayed its decision until after the CTC's bond-allocation vote.

There's opposition to West Park in and around Patterson based on eating up prime ag land and allowing trains to change the character of the city. There also are concerns about an estimated 140,000 vehicle trips a day by 2030, meaning West Park would have to mitigate traffic congestion and air pollution.

Kamilos promises that his projects will deliver 37,650 jobs and provide a host of other benefits. But a great many more steps will be required before this project is truly on the road to reality. Each step must be made with careful deliberation and with conditions attached. That's how we'll know that we've hitched our dreams to a project that can deliver.

### **Our Point**

The California Transportation Commission will decide Thursday if it likes the proposal to run short-haul trains from Crows Landing to the Port of Oakland well enough to give it \$25 million. We hope commissioners support the project, with all the appropriate safeguards.

[N.Y. Times editorial, Tuesday, April 8, 2008:](#)

### **California Feuding**

Two couples are neighbors in Sunnyvale, Calif. One couple plants redwoods and drives a Prius. The other one installs solar panels and drives an electric car. The solar-panel couple sues the redwood couple because the trees block the sun, making the panels less effective.

This could happen only in California, you say to yourself, and, of course, you are right. California has more eco-conscious people per square foot than anyplace else, and occasionally they are bound to collide.

Yet there is another and more fundamentally serious reason why this tale of backyard bickering — recounted by Felicity Barringer in *The Times* on Monday — was more likely to occur in California than anywhere else: no state has done as much to sponsor, legitimize and reward environmental virtue.

California has long been an innovator. It passed laws governing automobile air pollution in 1966, well before Congress did. Since 1982, it has compensated utilities for helping consumers become more efficient, in effect rewarding them for selling less energy, not more. And in 2006, Gov. Arnold Schwarzenegger signed a measure requiring home builders to offer buyers solar panels. The worth of these and other efforts is reflected in one dramatic statistic: despite robust economic growth, the state's per-capita electricity use has been constant for 20 years, while the rest of the country's rose 50 percent.

California also has been well ahead of Washington on climate change, regulating carbon-dioxide emissions from vehicles and taking steps to reduce industrial emissions of greenhouse gases by 25 percent by 2020.

Obviously, there will be costs associated with all this virtue, and for some — like the Sunnyvale couples — there will be shoving and pushing. Given the alternative of a less hospitable globe, these seem to be small sacrifices.

[N.Y. Times editorial, Tuesday, April 8, 2008:](#)

### **Mr. Silver Does It Again**

Rarely does one man have a chance to do so much harm to so many.

New Yorkers should remember Monday as the day Sheldon Silver, the Assembly speaker, used the power of his office to deprive them of \$354 million in federal funds to help mass transportation, ease traffic congestion and improve the air that all New Yorkers breathe.

Backed by his Democratic conference, the speaker killed congestion pricing in the most cowardly way: without even holding a vote. Mr. Silver said so many members of his own conference were against the plan that it would never pass. How many? Who knows? The speaker hid behind closed doors to keep the public from watching his cronies do the deed.

After weeks of dithering as a deadline for the federal grant neared and then expired, Mr. Silver has now ensured the uncertain future of an already strained mass transit system and the continued growing problems of gridlock and tailpipe emissions.

Thank you, Mr. Speaker.

It is not just the federal grant that Mr. Silver has taken from New Yorkers. Without congestion pricing, mass transit won't have the nearly \$500 million that would have been raised annually by charging most cars \$8 and trucks \$21 to enter Midtown and Lower Manhattan during the busiest hours on weekdays. That money would have helped bring public transportation, including express buses and ferries, to commuters who have few options for getting into Manhattan.

Without congestion pricing, the public can expect to pay in other, less equitable ways: additional taxes, higher fares, reduced transit service or all of the above. Mr. Silver now owes it to New York to come up with an alternative plan to provide a steady source of new funds for the financially strapped Metropolitan Transportation Authority.

We've seen Mr. Silver's style of leadership before. In 1999, he cavalierly killed the commuter tax, costing the city, so far, more than \$5.5 billion. It's always difficult to pinpoint the motivations of the opaque and narrowly political Mr. Silver. Certainly, the speaker has made little effort to disguise his personal dislike for Mayor Michael Bloomberg, who proposed congestion pricing. But there is no place for personal grudges in leading the state and city of New York.

The congestion-pricing plan was not perfect, but it improved over time. Mr. Silver did not seem to put any effort into addressing the concerns of its opponents or into moving his members to do the right thing. He failed to put New Yorkers' needs before his personal agenda. That makes him unworthy of his office.

[Note: The following clip in Spanish discusses the proposed fees for commercial trucks that would go towards replacing older, contaminating trucks in order to fight California's pollution. For more information on this Spanish clips, contact Claudia Encinas at \(559\) 230-5851.](#)

### **Proponen ampliar tarifas par combatir la contaminación en California**

Manuel Ocaño

Noticiero Latino

Radio Bilingüe, Tuesday, April 8, 2008

Legisladores de la región central de California proponen imponer una cuota a los camiones de carga comerciales para formar un presupuesto que ayude a sustituir viejas unidades contaminantes por otras nuevas.

La legislatura estatal analiza por lo menos dos iniciativas similares para el Valle de San Joaquín, del senador, Dean Flores y del asambleísta, Juan Arámbula, ambos demócratas. Las propuestas elevarían de siete a 37 dólares las cuotas de circulación a los camiones.

Dichas propuestas para la segunda región más contaminada en el país ya han funcionado, con la misma tarifa, pero para camiones que descargan en los puertos en el área de Los Ángeles, la única región con aire más deteriorado que el Valle de San Joaquín.