

Ross to attend air board meeting

Visalia Times-Delta and Tulare Advance-Register, Sat., Nov. 5, 2011

Mayor Wayne Ross was appointed to attend the San Joaquin Valley Air Pollution Control District Nov. 29 meeting when Vice Mayor Skip Barwick is up for election to the board.

Councilman Craig Vejvoda usually attends but couldn't make the meeting.

Valley dairies can't afford to go green

By Mark Grossi, staff writer

The Fresno Bee, Sat., Nov. 5, 2011

California's new greenhouse rules offer dairies two reasons to be thankful -- an exemption from the limits and a chance to make money by voluntarily cutting back climate-warming methane.

But industry officials say it's unlikely that many dairies will get involved because it's too expensive to build a methane-capturing system.

"It's got to pay for it to work," says Michael Marsh, chief executive officer of Western United Dairywomen, representing 1,000 dairies in the state. "We don't think it does."

It's one of the growing pains for California's newly approved cap-and-trade program, which is supposed to drop greenhouse gas emissions to 1990 levels by the end of this decade.

This is the nation's first big push to limit climate-warming gases, such as carbon dioxide and methane. The entire country is watching to see how this works out.

California will set a cap, or limit, on greenhouse gases that refineries, power plants and other businesses are allowed to release. If companies can't get under the cap, they can buy allowances from companies that have made extra reductions.

Beyond the allowances, credits or offsets can come from dairies, which are exempt from the cap but encouraged to cut back to create a backlog of reductions. Dairies emit 2% of such gases in the state and regulating them would be too difficult at this point, state officials said.

Forestry projects and urban tree-planting programs are among the other activities invited to voluntarily create such reduction backlogs that also can be sold.

The reductions would be verified and sold by the ton to businesses that need to get under the cap. It's basically a market.

The approach works for air pollution, say officials with the San Joaquin Valley Air Pollution Control District. For years, there has been a bank of pollution credits -- tons of reductions above and beyond regulations. The bank includes credits for such ozone-making gases as oxides of nitrogen or NOx.

More than 70 sales have come through the district's active bank this year, and there are hundreds in other years. The credits have become more valuable as demand has increased to satisfy tighter pollution standards, said district executive director Seyed Sadredin.

"NOx credits average \$50,000 apiece now," he said.

Sadredin said he will propose setting up a similar bank in the Valley for greenhouse gases.

The problem for dairy owners: They would have to pay \$8 million or more apiece for a system to capture methane, industry officials say. The expense comes from environmental requirements. Fewer than 20 dairies out of 1,600 in the state have such systems, said Marsh of the Western United Dairywomen.

One of them is owned and operated by Rob Hilarides near Lindsay in Tulare County -- the nation's leading dairy county. After wrestling with air and water quality rules since 2005, he says he wouldn't advise anyone to take the plunge.

"It costs five times as much to do it now," he said.

Hilarides captures methane from animal waste and uses the biogas to create electricity that powers his operations. He also converted a half-dozen pickups and three tractors to run on the biogas.

But those advantages would not offset the costs of a new system, he says. Industry officials add that selling electricity or the biogas would help but it is a challenge. There's no assurance that the rates would cover the dairy's costs.

To make the deal sweet enough financially, the state must provide a guaranteed rate that dairy owners could get from utilities, industry officials say.

The only other way to make money would be from selling greenhouse gas credits. Hilarides and other dairy owners say they doubt the prices will climb high enough to make it work.

Going green expensive for dairies

By Mark Grossi - The Fresno Bee

In the Merced Sun-Star, Mon., Nov. 7, 2011

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Devin Nunes contemplating bid against Feinstein

By Paul C. Barton, Gannett Washington Bureau

Visalia Times-Delta and Tulare Advance-Register, Fri., Nov. 4, 2011

WASHINGTON — Rep. Devin Nunes has never been known for diplomacy when it comes to Democrats in the California congressional delegation, especially Sen. Dianne Feinstein.

"It's time for Sen. Feinstein to get off her butt and do something," Nunes, R-Tulare, says regarding the economic problems besetting the San Joaquin Valley.

"I have tried to be nice, and I have tried to work with her. She is all talk, and no action."

Nunes has even started running television spots in his 21st Congressional District against her, paid for out of his own \$1.4 million political war chest. It features her likeness and blames federal policies she either supports — or fails to fight — for making things worse for the valley on a wide range of issues, including air pollution

It's the kind of behavior you would expect of someone preparing to challenge the veteran senator in 2012. And Nunes, after being coy about the question for weeks, says he is now giving it serious thought.

"Could it be me? Sure," he says. "There would have to be a lot of things to fall in place."

For one, Nunes says, he would have to be convinced it was worth the risk of giving up his eight years of seniority in the House, plus his positions on the Ways and Means and Intelligence committees.

"I would have to look at what's best for the valley," says Nunes, who just turned 38.

Nunes' rarely minces words when talking about Feinstein, having once called her "a liar" and saying, "She is either held hostage by extremists or she is an extremist."

Feinstein political strategist William Carrick fires back, "I don't think we've ever had anybody on either side of the aisle as unstable as he is."

He calls the mosaic of charges in the congressman's new ad preposterous.

He adds, "She is trying to get things done, and he is out there playing politics."

One issue featured in Nunes' television spot that particularly rankles Feinstein is the association of her with a recent \$12 car-registration increase that motorists in eight Central California counties are paying to satisfy a \$29 million fine against the region for violating air-pollution standards.

The San Joaquin Valley Air Pollution Control District assessed the fine against motorists rather than industry. Why is Feinstein responsible? She hasn't used her Senate seat to oppose the EPA rulemaking authority that caused it, Nunes's ad says.

Nunes is co-sponsoring legislation along with another Californian, Rep. Kevin McCarthy, R-Bakersfield, to undo that authority. Feinstein, it notes, has failed to introduce the bill in the Senate.

Valley officials contend their constituents shouldn't be held accountable for the geography of the Valley, an essential "bowl" shape that exacerbates air pollution problems.

Feinstein's political team, though, bristles at the attempt to link her with car registration costs, long one of the most volatile issues in state and local politics.

"It's deceitful," Carrick says. "He wants people to believe she has something to do with car taxes."

The consultant also says Feinstein, a member of the Senate Appropriations Committee, has long fought for money that would help the Valley deal with its smog problems.

And she has been aggressive, Carrick says, in supporting many Valley industries, including agriculture and timber.

"She's got the endorsement of the California Farm Bureau Federation," he says.

Regardless, Carrick adds, anybody wanting to take on Feinstein "had better fasten their seatbelt" because her campaign is about to soar financially.

Feinstein has raised nearly \$10 million and is tapping her own considerable wealth for at least \$5 million to replace money allegedly embezzled by former campaign aide Kinde Durkee. Other California politicians claim to be Durkee's victims as well.

Still, the 78-year-old incumbent would be wise to take nothing for granted during an election cycle in which Congress' approval rating has plummeted to 9 percent, says veteran political analyst Norm Ornstein of the American Enterprise Institute.

"Any veteran incumbent is going to be worried," he says. "But, I think she would still have to be the strong favorite.

Dan Schnur, political analyst at the University of Southern California, says Nunes will likely only enter the race if Feinstein somehow changes course and retires.

The Tulare congressman has built enough of a reputation among conservatives, he says, to make him a strong possibility in that case.

Otherwise, says Schnur, taking on Feinstein "is a pretty tall mountain to climb."

Beijing firm backing West Park with \$27 million

Patterson Irrigator, Fri., Nov. 4, 2011

A Chinese construction corporation with more than \$1 billion in assets and 68,000 worldwide employees is working with PCCP West Park to help with rail improvements for the proposed logistics center at Crows Landing's former naval airbase, according to documents released by Stanislaus County Friday, Nov. 4.

Beijing Construction Engineering Group, which has international sales equaling \$4 billion in U.S. currency, will provide a \$27 million match for a federal transportation and infrastructure grant that West Park is seeking to help provide \$54 million in railroad improvements needed for the project.

The money would pay for the following improvements:

- A railroad junction and a new Oakland connector at Niles Canyon near Fremont
- Rail improvements at the Lyoth Junction near Tracy coming from Crows Landing
- Rail improvements in and around the Crows Landing air station

Beijing Construction's portfolio includes several casinos, resorts and apartment buildings in the United States including the Boomtown and Monte Carlo casinos in Las Vegas.

Their construction projects even include Olympic venues at the Beijing Olympics and infrastructure projects worldwide.

In addition to an "inland port", which would allow trains to drop off and pick up goods from the Port of Oakland, the proposed industrial park would include a solar farm, a general aviation airport, various industrial and logistics businesses and possibly a television and movie studio.

West Park developer Gerry Kamilos, who could not be reached for comment Friday, has until June to complete an environmental impact report for the project.

While Kamilos has moved forward on a model for a short-haul rail line with Union Pacific and is seeking federal funding for rail improvements, the California Transportation Commission has downgraded its status for potential bond funding.

A county progress report, which was distributed to supervisors Monday, Oct. 31, included a notice of preparation for the environmental impact report. Residents have until Dec. 1 to comment on that document.

The report also announced public forums that will allow residents to provide input on what should be included in the environmental document.

The first forum will be from 6 to 8 p.m. Thursday, Nov. 10, at the Bonita Elementary School cafeteria, 425 Fink Road, in Crows Landing. A second forum will be from 6 to 8 p.m. Nov. 17 at the Stanislaus County Ag Center's Harvest Hall Pavilion, 3800 Cornucopia Way, in Modesto.

Federal suit challenges Avenal Power Plant permit

Hanford Sentinel, Fri., Nov. 4, 2011

A coalition of conservation and environmental justice groups filed suit with the Ninth Circuit Court of Appeals Thursday to challenge the federal air pollution permit issued for the Avenal Power Plant by the U.S. Environmental Protection Agency.

The EPA said in May it would not require the project, to be built by Texas-based Macquarie Energy, to comply with current pollution control requirements because the agency took too long to process the permit application. Instead, the agency grandfathered the project from requirements to install the best available controls for greenhouse gases and to show it would not cause unsafe levels of nitrogen dioxide and sulfur dioxide pollution.

The Sierra Club, Center for Biological Diversity and Greenaction for Health and Environmental Justice, represented by national public-interest law firm Earthjustice, first challenged the permit before the EPA's environmental appeals board in June. On Aug. 18, a panel of three administrative law judges at the board allowed the weaker permit to remain. Thursday's suit seeks to overturn that ruling.

A copy of the petition is available at <http://bit.ly/sboklj>.

Groups challenge EPA's approval of power plant

The Associated Press

In the Modesto Bee, Fri., Nov. 4, 2011

AVENAL, Calif. -- Environmental groups are appealing the Environmental Protection Agency's approval of a natural gas-fueled power plant in the San Joaquin Valley.

The appeal, filed Thursday with the Ninth Circuit Court of Appeals, challenges the EPA's granting of an air pollution permit which would exempt Avenal Power Center, LLC from current air quality standards.

The permit authorizes the building and operation a 600-megawatt plant near the rural communities of Avenal and Kettleman City, which already has some of the most polluted air in the country.

The area, 70 miles from Fresno, also houses the biggest toxic waste dump in the West.

The environmental groups say the plant won't have to meet air pollution requirements adopted in 2009 for nitrogen dioxide and sulfur dioxide emissions because the EPA took too long to process its application.

America's 20 Dirtiest Cities

By Christopher Helman, Forbes staff

Forbes Magazine, Fri., Nov. 4, 2011

California has gone to extremes to improve the state's air quality, pushing out coal-fired power plants and implementing the strictest auto emissions standards in the nation. L.A.'s persistent smog layer may be a shadow of its former self, but it hasn't been enough. Lots of people and too many cars means California still has seven big cities that rank among the 20 most polluted in the nation.

L.A. ranks No. 2 on our list of America's Dirtiest Cities, and San Diego is no. 9, but some of the worst air in the country is in smaller cities in the San Joaquin Valley, where a ring of mountains traps a stagnant stew of ozone and particulate matter. According to data that Forbes crunched from The American Lung Association's State of the Air 2011 report, the most hazardous breathing in America is in Bakersfield. Hot, dusty, adjacent to California's biggest oil fields, Bakersfield has 60 days a year of unhealthy air, 10 times a level considered acceptable. Its ozone levels are better than at any time in the past 15 years, but still unhealthy for 100 days out of the year.

By contrast, Houston (No. 18) has 25 bad ozone days a year while New York (No. 14) suffers just 17, down from 40 a decade ago).

The Lung Association figures that half of the U.S. population lives in places where the air is sometimes unfit to breathe, contributing to asthma and lung cancer. And death. The data show that more people die of respiratory ailments on bad-air days.

Hold on folks, help is on the way. California and the federal government are set to embark on some giant regulatory experiments that could help clean the air. The concern is, at what cost?

First California. In late October, California's Air Resources Board cleared the last legal hurdles to launch a statewide carbon cap-and-trade regime. Emissions will be capped and emitters will receive permits covering roughly 90% of their effluent; if they want to pollute more, they'll have to buy permits on an exchange. The more cuts made, the more permits available.

The air resources board figures that they'll be overseeing \$10 billion in annual carbon trading by 2016. The objective is to reduce California's emissions to 1990 levels by 2020. The law also requires emissions cuts for vehicles, more efficient appliances and for the state to get a third of its electricity from renewable sources by 2020.

Then there's Washington, D.C. This month the Environmental Protection Agency is expected to issue a series of new rules that have power plant operators quaking. They will govern the emissions of hazardous air pollutants like mercury, arsenic and other toxins, and will require power plants to use maximum available technology to control what comes out of their stacks.

The EPA issued drafts of their rules earlier this year, and the industry has run the numbers. Critics fear that green goals will trump economic realities and that the rules will cripple power generation and kill jobs.

Coal-fired power plants will likely be the hardest hit. Electric power giant AEP says the new rules will likely affect 525 plants that produce 25% of U.S. electricity. FBR Capital Markets expects that plant owners will close 50 gigawatts of coal plants rather than invest in costly emissions overhauls. Bernstein Research is even more pessimistic, expecting 66 gigawatts, or 20% of all coal generation to be mothballed.

This could lead to some real air improvements in places like Louisville, Ky. (No. 11), and Knoxville, Tenn. (No. 15). Already Louisville Gas & Electric says it plans to mothball an old coal plant, while the Tennessee Valley Authority plans to take 11 of its 59 coal units offline. Philadelphia (No. 12) too should breathe easier soon; the Portland Generating Station outside of Philly has already been ordered by the EPA to reduce its massive sulfur dioxide emissions by 81% in three years.

Naturally, power plant operators complain about having to make costly investments in new technology to scrub pollutants out of their waste stream. And in California oil refiners resent that their cash will have to go to buy emissions permits instead of investments in emissions controls.

The green lobby has no sympathy. The EPA says that such investments will pay broad dividends to society, figuring that every dollar spent on pollution control will bring \$30 in savings on health care.

State leaders aren't so sure. In Texas, which relies heavily on coal generation, Gov. Rick Perry has sued the EPA to block implementation of the Cross State Air Pollution Rule, which would force Texas to reduce the amount of sulfur dioxide and nitrogen oxide that waft from Texas coal plants into neighboring states. In a letter to President Obama in September, Perry said complying with the rule would have an "immediate and devastating effect on Texas jobs, our economy and our ability to supply the electricity our citizens, schools and employers need." Texas already suffered rolling blackouts this year when power demand exceeded supply.

Perry's not alone. So far 25 states have urged the EPA to delay issuing rules until their economic impact is better understood.

And if the lights go out in Texas? It won't be for long. Let the EPA and California push the nation away from coal. The solution is already here, in the form of cheap, plentiful, clean-burning natural gas. Compared with coal and nuclear, building gas-fired power plants is cheap.

Now if only we can get that gas “fracking” controversy cleared up. The EPA is looking at that one, too.

Global carbon dioxide output soars in 2010

Seth Borenstein, Associated Press

In the S.F. Chronicle, Fri., Nov. 4, 2011

Washington -- The global output of heat-trapping carbon dioxide jumped by the biggest amount on record, the U.S. Department of Energy calculated, a sign of how feeble the world's efforts are at slowing man-made global warming.

The new figures for 2010 mean that levels of greenhouse gases are higher than the worst-case scenario outlined by climate experts just four years ago.

"The more we talk about the need to control emissions, the more they are growing," said John Reilly, co-director of MIT's Joint Program on the Science and Policy of Global Change.

The world pumped about 564 million tons more of carbon into the air in 2010 than it did in 2009. That's a 6 percent increase. That amount of extra pollution eclipses the individual emissions of all but three countries - China, the United States and India, the world's top producers of greenhouse gases.

It is a "monster" increase that is unheard of, said Gregg Marland, a professor of geology at Appalachian State University, who has helped calculate Department of Energy figures in the past.

Extra pollution in China and the United States account for more than half the increase in emissions last year, Marland said.

"It's a big jump," said Tom Boden, director of the Energy Department's Carbon Dioxide Information Analysis Center at Oak Ridge National Lab. "From an emissions standpoint, the global financial crisis seems to be over."

Boden said that in 2010 people were traveling, and manufacturing was back up worldwide, spurring the use of fossil fuels, the chief contributor of man-made climate change.

Burning coal is the biggest carbon source worldwide and emissions from that jumped nearly 8 percent in 2010.