

## Builders face new air fees

By Melinda Morales

Tulare Advance Register staff writer, November 11, 2003

Air-quality officials and local builders are trying to decide the question: How much does new housing pollute the air?

And how much should new homebuyers pay to fix it?

California builders successfully fought "air pollution impact" fees nearly 10 years ago when the San Joaquin Valley Air Pollution Control District tried to induce the new home industry to help clean up the air. And though they don't like it, they have been preparing for another round of debate on fees targeted at new homes.

Democratic state Sen. Dean Florez's package of air bills passed earlier this year includes one that would impose fees on growth.

It's too early to say how much that would be.

"They tried in 1995 to impose a fee of \$5,000 [a house], which was a little heavy, and on [the] industry of up to \$1 million," said Bob Keenan, executive director of the Building Industry Association of Tulare and Kings Counties Inc. "We were able to defeat it, but now it's tied to autos."

The so-called indirect source fee, incorporated in the state's health and safety code, is based on the idea that houses, strip malls and distribution centers become indirect polluters once construction is finished. Those new developments -- often built on the fringe of town -- increase commuter trips, diesel truck traffic and people using drive-through lanes at fast-food restaurants.

Keenan said builders are prepared to pay some, though neither they nor the air district has decided how much.

"We have brainstorming meetings where we go to the stakeholders and say here's what we need and how we think we can get there, then get their feedback," said Josette Merced-Bello, spokeswoman for the San Joaquin Valley Air Pollution Control District.

The district will develop a draft regulation or rule, then hold workshops with a public comment period, she said.

In the meantime builders have developed their own clean-air subdivisions to reduce the overall impact.

In Tulare and Kings counties, the BIA has developed what it calls the Clean Air Subdivision, new housing developments whose homes are built to emit fewer pollutants.

Homes in these subdivisions have Environmental Protection Agency-approved wood-burning fireplaces or gas fireplaces, a 110-volt recharge connection for electric cars, electrical outlets on the front and back exteriors of houses to encourage the use of electric mowers and edgers, gas jets for natural gas barbecues and lots of trees and sidewalks to encourage residents to walk. The costs to outfit the homes with the outlets and fireplaces, Keenan said, is insignificant compared to retrofitting an existing home.

There are 27 clean-air neighborhoods from Hanford to Porterville being built Valley home builders.

"Charging new development any amount of money doesn't remove pollution, it only keeps additional pollution from being formed if the money is used to offset any pollution caused by this house," Keenan said. "That's why we designed the clean-air subdivisions."

But Keenan said any plan must include the resale housing market -- which sells about three homes for every new home -- and at what point in the construction or sale of the new home the fees would be recorded.

Merced-Bello said an analysis would be done at the beginning of each new project based on how much emissions the project is expected to generate. The rule would specify how much the developer would need to offset, either by a fee or with their own in-house emissions reduction programs.

Merced-Bello said it could take up to 18 months for any fee plan to be implemented, but added "this is a priority for us."

## **Pollution problems center of debate**

By The Porterville Recorder staff, November 11, 2003

As the San Joaquin Valley Air Pollution Control District works to implement an air-quality fee to be imposed on new developments, two of the Central Valley's biggest growing pains - suburban development and the pollution that it brings - once again are at the center of the debate.

The fee, which was required in Senate Bill 709 by state Sen. Dean Florez, D-Shafter, intends to help counter the vehicle pollution that follows new developments, whether these are new homes or businesses.

Environmentalists said that Fresno-area builders are campaigning against the fee by arguing the valley's pollution problem has been improving over the last decades.

The Building Industry Association issued a statement about air improvement late last month saying that the valley's air is cleaner than it was in the 1980s. But Jeff Harris, association president and chief executive officer, said the three-page statement is not connected to the new fee, and no such campaign exists.

Sierra Club member Kevin Hall said the industry is trying to wave away the valley's pollution problem with the public statement.

Harris said he checked with local air officials before issuing the comment, and added that the association does not oppose an air-quality fee - it simply has suggestions on how to structure the new fee.

"We think the fee should apply to all land uses, not just new homes," Harris says. "We also think the fee could be reduced or eliminated by developing a set of clean-air alternatives that the builder can use. We prefer to prevent the pollution, instead of paying for it."

Air district officials did agree that they have been able to reduce short-term violations of the federal health standard. But the violations that do exist still make the area the second-smoggiest place in the country behind Los Angeles.

Meanwhile, long term health standard violations - unacceptable smog readings over an eight-hour period - have increased over the last four years.

## **New fees coming to help clean valley air**

By MARK GROSSI, THE FRESNO BEE  
and ERIC STERN, BEE CAPITOL BUREAU

Published in the Modesto Bee, November 12, 2003

Sprawling development -- and the smog-making traffic that comes with such growth -- has moved to center stage in the San Joaquin Valley debate over dirty air.

The debate revolves around air quality fees being structured for new homes, businesses and other developments built on the edges of cities.

The money will go to the San Joaquin Valley Air Pollution Control District, which has tried unsuccessfully to adopt similar plans.

As air pollution concerns grow in the valley, a new state law orders the district to establish the fees.

In theory, the fees could raise money to subsidize pollution-control devices on big trucks and farm equipment while forcing builders to rethink pushing development farther into farmland, said J.P. Batmale, renewable energy program manager at the Great Valley Center, a Modesto-based policy group.

But the result will be different if there is another motive behind the fees.

"If it's just a money grab, it's going to raise a lot of rancor," Batmale said.

It already seems to be doing just that. Modesto developer Bill Zoslocki has questioned how his homes and apartment buildings pollute the air.

"Is it the water heater, or is it the grass and trees?" he asked sarcastically.

He said developers are being made the scapegoats for pollution problems, and worries that new fees will continue to drive up housing prices.

Aside from home builders, new trucking distribution centers, industrial complexes, shopping malls and others will be subject to the fees because they attract vehicle traffic. Such pollution is the No. 1 contributor to smog in the valley.

"We haven't committed to any dollar amount yet, but the building industry is obviously going to push for the cheapest fee possible," said Dave Mitchell, a planning manager for the air district. "This fee is one of the few ways we have left to raise real money for real mitigation measures."

Builders want to ensure that pollution cleanup measures really work before they agree to a set fee.

"I'm not going to agree to any number unless I'm convinced that it's going to help clean the air," said Kevin Sharrar, head of the Building Industry Association in San Joaquin County. "Who's going to be collecting and spending the money and on what programs? Do we charge just new development?"

\$5,000 fee proposed 10 years ago

A decade ago, the air district proposed a fee of \$5,000 per house for subdivisions on city fringes and a lesser fee for projects built in city cores.

Since then, an average of 17,000 houses has been built each year in the district, most of them on farmland, according to the air district. Had the

indirect-source rule been adopted in 1992, the air district would have raised about \$850 million for programs to clean the air.

"We would have reduced air pollution by a third in the valley had that fee been imposed a decade ago," said Sierra Club member Kevin Hall of Fresno. "We would have been able to replace all the farm diesel pumps and enclosed the dairy lagoons to turn their waste into energy.

"We would have more biomass plants running and a lot less sprawl because the higher fees would have encouraged in-fill development. The valley would have smelled a lot different."

The air district is establishing the fee as required in Senate Bill 709 by state Sen. Dean Florez, D-Shafter.

"The San Joaquin Valley air district has had the authority for 10 years under state law, and they've done nothing with it," Florez said. "We've let hundreds of millions of dollars slip out the back door. We could have been ahead of the game. Now it's a game of catch-up."

His bill passed earlier this year despite opposition from many San Joaquin Valley legislators, including Assembly members Dave Cogdill, R- Modesto; Greg Aghazarian, R-Stockton; and Barbara Matthews, D-Tracy.

"It unfairly targets the Central Valley," said Nick Rappley, a spokesman for state Sen. Jeff Denham, R-Salinas. Denham, who represents Stanislaus and Merced counties and also voted against the bill, said pollution from the Bay Area gets trapped in the Central Valley, but Bay Area counties won't be subjected to new development fees.

Public workshops are due to be held in coming months, and the district's governing board probably will hear the proposal next spring or summer.

In mid-October, the Building Industry Association sent the air district suggestions for the new fee. The suggestions include the idea that the rule should apply to all land uses that generate vehicle traffic, such as existing subdivisions and agriculture.

Builders want annual fee, not one-time payment

Builders also recommended making the fee an annual payment, instead of a one-time permit fee, to maintain a steady stream of money.

"Right now we're trying to figure out where they're headed," said Steve Madison, executive officer of the Building Industry Association of Central California in Modesto. "It's fair to say we're very concerned about it. New development is an easy target."

The valley's air violations make this area the second-smoggiest place in the country behind Los Angeles.

The valley also led the nation this year with 128 days over the health standard for the long-term or eight-hour average smog reading.

The Los Angeles Times contributed to this report.

## Gross polluters' offered help

Tune In and Tune Up program helps repair smoggiest vehicles

By HEIDI ROWLEY  
Visalia Times Delta Staff writer, November 8, 2003

Nobody wants to be classified as a "gross polluter."

But when cars don't pass smog tests, that's a label that definitely gets attached to the driver. To help people get rid of the label, Valley Clean Air Now offered gross polluters a \$100 coupon to go toward fixing their cars and hopefully helping fix the Valley air problem.

"We all know we have an air pollution problem," said Shelley McKenry, who oversaw the event.

The coupon was re-deemable at California Smog and Muffler in Visalia, a locally owned business that was happy to participate.

"If they don't have a lot of money, at least they know what's wrong with their car," said Cheryl Murphy, owner of California Smog and Muffler.

She said the coupon can at least pay for baseline repairs and the diagnostic to evaluate the car.

Who was eligible?

To get the coupon, a driver had to drive between 15 mph and 20 mph past a laser that read the vehicle's emissions from the muffler. Those who failed, or were borderline, in one of three categories were given the coupon. They were also given a printout with their emission readings. Those who passed received a note congratulating them for being non-gross polluters.

"We're trying to make it easy," said McKenry, who was monitoring the readings on the computer.

She would look at the car's hydrocarbons, carbon monoxide and NOx readings.

One car that went through tested off the charts at 1,459 hydrocarbons.

"It's a gross polluter at 184," she said.

Mike Murphy, co-owner and technician at California Smog said he would use the printout made available to the drivers, along with making his own evaluations.

"If they're a gross polluter here, they'll be a gross polluter at Mike's shop," McKenry said.

Scott Dutro of Tulare, who was driving a 1993 Oldsmobile Cutlass said he had already done some repairs on his car, but it hadn't been enough.

"I just got a gross polluter last week, so I wanted to get a coupon," he said.

Visalia resident Brandon Radar, 24, was excited after he went through the checkup.

"I just bought this car," he said. "[I] want to take advantage of the services."

When his 1985 Olds98 passed the emissions test, he actually did a little dance and smiled while sitting in the driver's seat.

The Tune In and Tune Up program will visit six locations in five weeks testing Valley cars. So far it has been to Tracy, Fresno, Dinuba and Visalia.

During the next two weeks, it will visit Bakersfield and Merced.

Because of the weekend rain, McKenry said fewer people went through the testing station than at other locations.

The site was set up Saturday at Sequoia Mall outside Mervyn's, alongside KJUG 106.7 FM, which promoted the event.

McKenry said that in the 2 1/2 hours that the test site was able to be operate, 15 cars went through, and eight of them were gross polluters.

"In a short amount of time, actually that was good," she said. "We couldn't risk bringing the equipment out in the rain."

She said the next time Valley CAN does the program, it will visit Visalia again.

[Letter to the Editor, Lodi News Sentinel, November 11, 2003:](#)

## **More people make more pollution**

Describing the problem has its place, because not everyone knows that air pollution extends even into the paradise of our national parks.

But I feel like Ralph Kramden swelling up with frustration as Ed Norton dithers out an explanation or strategy.

Lodi News-Sentinel Editor Rich Hanner in his Nov. 1 column wrote that Annie Esperanza, an air quality specialist at Sequoia National Park, "did not mince words," and then repeats her nicely minced words about what causes the smog and how to control it ("Smog choking the life out of Sequoia, Yosemite," Lodinews.com, Nov. 1, 2003).

"Drive less, support mass transit, think about tooling around in smaller, more efficient vehicles."

Here's where the Kramden in me wants to explode in exasperation when a professional journalist repeats an air quality specialist's incomplete suggestions.

More people make more pollution. And more people is what California is getting -- by 6 million a decade -- as long as unrestrained immigration is encouraged from the White House on down to the City Hall.

Doug Bell  
San Diego

[Letter to the Editor, Fresno Bee:](#)

### **Winter's approaching chill shows up in the energy bill**

By Richard Petersen

Fresno

*(Published Wednesday, November 12, 2003, 5:55 AM)*

A few days ago, Pacific Gas and Electric announced a 33% increase in the price of natural gas. The announcement was lubricated with the term "shortage."

This is a bitter pill made worse by the chill of winter and the basic necessity of warmth.

Now, since the burning of wood in the fireplace is being curtailed, our only alternative is to use less gas or suffer the ever increasing sting of higher energy bills. On the bright side, at least it isn't snowing.

[Letter to the Bakersfield Californian:](#)

### **Back bone needed**

By DAN DAWSON, Bakersfield

**Posted:** Tuesday November 11th, 2003, 5:25 PM

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I applaud Sen. Dean Florez for trying to solve one of our air problems. I would like to see some legislation on decreasing the "particulates" in our air -- i.e. dirt. One only has to see how their car gets filthy in just two days to know we have a serious problem.

Maybe a ban on leaf blowers, wetting down fields before plowing, putting gravel along side of country roads and farm roads? I'm sure there are many other reasons for this dirt we are all breathing. Anyone have the back bone to tackle this one?