

Merced to join air board study

By LORRI WICKENHAUSER
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Published: August 13, 2003, 05:54:32 AM PDT

MERCED -- Merced County supervisors voted Tuesday to join San Joaquin and Stanislaus counties in studying a plan to break off into a separate air quality planning area within the San Joaquin Valley Air Pollution Control District.

The plan would benefit the district's three northernmost counties, which generally have better air quality than those farther south, according to Supervisor Mike Nelson.

The designation of a separate air quality planning area would allow the three counties a "severe" classification for ozone levels, rather than the "extreme" designation, Nelson said.

The district faces economic sanctions, including loss of federal transportation funds, if the valley does not meet a 2005 deadline to clean up smog.

But if the breakoff counties are allowed to submit a separate plan for their area, they may be able to meet required air quality standards by 2005, thus averting the sanctions and allowing less stringent control requirements than those faced by the southern counties, stretching from Fresno to Kern County.

Supervisors in San Joaquin and Stanislaus counties have approved the request. The idea is to go before the San Joaquin Valley Air Pollution Control District board Sept. 18.

If the district board gives its OK, the proposal will go to the California Air Resources Board and finally to the U.S. Environmental Protection Agency.

The board also unanimously approved a resolution by Supervisor Deidre Kelsey supporting language drafted by the San Joaquin Valley Water Coalition to help secure the valley's share of water for a proposed \$250 million water bond that may go to voters in 2004.

The language specifies percentages of water that would be received by San Joaquin, Stanislaus, Merced, Madera, Fresno, Tulare, Kings and Kern counties, based on population estimates and the amount of agricultural lands.

"The San Joaquin Valley has often been left behind in these bond issues," Kelsey said. "I think this is a good first step to provide water-supply reliability."

Supervisor Jerry O'Banion praised the effort, saying, "It's time the Central Valley got some of the money from these bond issues. Usually, most of the money gets sent down south."

Supervisors also unanimously approved a developer's appeal of limitations set by the planning commission on Fox Hills, a 400-lot golf-course subdivision near Volta Road and Highway 152 outside Los Banos.

The developer, Dick Price of Modesto, asked supervisors to ease limits on the number of homes that may be built before the proposed golf course is completed.

Price said it would be financially difficult if he were required to complete the golf course first, before enough homes are completed to provide the necessary cash flow.

Supervisors sympathized with Price's appeal.

But Los Banos Unified School District Superintendent Paul Alderete objected, urging the board not to make any change. "We're not interested in more houses being built faster," he said.

Alderete said the \$7,640 builders now pay for a 2,000-square-foot home falls far short of the \$23,500 in facility needs created by each new dwelling.

The student population in Alderete's district already has jumped from 6,200 in 1998 to 8,100 today, leaving schoolrooms bursting at the seams districtwide.

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Northern air district advocated

Merced Sun-Star, Wednesday, August 13, 2003

By Cynthia Neff, staff writer

Merced County officials say that local air quality could improve more quickly - if the county cuts its ties to the south.

On Tuesday, the Merced County supervisors unanimously voted to join Stanislaus and San Joaquin counties in splitting from their more polluted counterparts in the southern San Joaquin Valley.

But that decision has raised questions among environmentalists and officials from counties farther south in the Valley.

The three northern counties have each approved resolutions that support creating a separate planning area within the local air district - which now has jurisdiction of air regulations from Bakersfield to Stockton.

The proposed planning area would give Merced, Stanislaus, and San Joaquin counties their own set of rules and regulations for reducing air pollution within the San Joaquin Valley Air Pollution Control District.

It's believed a new northern planning area could save them from a costly outcome if federal clean air standards aren't met by 2005.

The northern part of the Valley tends to have cleaner air because air currents carry pollution from north to south.

Environmentalists said Tuesday they are skeptical of the three counties' motives, and two supervisors in the south end of the valley questioned the attempt to split the eight-county air district.

Currently, the Valley's air is classified as being in "severe" noncompliance with federal clean air standards. If the situation doesn't improve by 2005, federal sanctions could take effect.

Those sanctions include losses of highway funding.

"If transportation projects are delayed because we're not in attainment, we're in a disadvantage in Merced County," said Supervisor Deidre Kelsey.

A report published last October by the Sierra Nevada Air Quality Group found that, if the three northern counties formed a planning area within the existing Valley district, that area "would likely have an easier time attaining the state standards" for air pollution.

"The formation (of a separate planning area) should foster greater accountability ... and improve the air quality," said David Calkins of the group.

While Merced County supervisors support the idea, it perplexed two Fresno County officials.

"I know (the three counties) want to pull away because they feel the air is not the same ... but when you break down the eight counties you lose your buying power," said Fresno County Supervisor Bob Waterston.

Supervisor Judy Case, who has served on the San Joaquin Valley Regional Air Pollution Control Board for five years, said she was not in favor of the plan.

"We know that northern counties contribute to the southern counties' air pollution so why is this different," she said. "I see it as (a way) to avoid dealing with the issue. The consequences are tough, but the bottom line is we all want clean air."

But before Merced, Stanislaus and San Joaquin counties can form their own planning area, three regulatory agencies would have to approve it.

The local Valley air district, the California Air Resources Board and the U.S. Environmental Protection Agency would all have to sign off on it, in that order.

U.S. EPA spokeswoman Lisa Fasano said that the counties will likely have a tough time accomplishing that.

"It's going to be very difficult to argue that they are a separate planning area, because in the San Joaquin Valley they do share the same air basin," she said. "There are no significant weather patterns, geological features or demographic reasons (as to) why they should be a separate air quality area."

Valley air district spokeswoman Janis Parker said there have been no requests from the counties to put the proposals before the district's governing board.

So, she said, the district has no position yet.

She said the three counties' requests would most likely go before the district in September or October.

"We know that all three counties have asked the district to take a look at it, and that's where we are right now," Parker said.

Demand is Revving Up for Low-Speed Vehicles

A cousin of the golf cart, the electric or gas-powered autos use little fuel and are easy to park. About 10,000 have been sold in the state.

By Sharon Bernstein, Los Angeles Times Staff Writer, August 13, 2003

The last time Nancy Woods needed to attend a business meeting, she didn't take a car or use public transportation.

Instead, Woods, business manager of Santa Barbara's Department of Parks and Recreation, strolled through her office parking lot to a shaded carport, unplugged a souped-up electric golf cart and hopped in.

She and three colleagues bounced along two city boulevards — maxing out at about 25 mph — to a Santa Barbara park, seat-belted into one of the 10,000 to 15,000 such contraptions that automakers say are in operation in California.

"It was convenient," Woods said of the roughly mile-long trip. "And it was beautiful. The sun was out; the wind was blowing. We enjoyed it very much."

Nearby at the city's zoo, director Richard Block uses an electric cart to tote visitors up a hill.

"It's nice, because it's easy enough to use on pathways in the zoo, but I can take it out on short trips for business right around the zoo on the streets," he said. "And it's much more comfortable than a golf cart."

No longer confined to the links or to planned communities like Leisure World, these low-speed vehicles, as the federal government calls them, are increasingly employed by civic organizations, businesses and others who want something cheaper and more environmentally friendly than cars.

"People are using them every day," said Michael Coates of Green Car Marketing & Communications, a San Luis Obispo public relations firm. "They're functional. They are a part of the transportation mix right now."

A recent survey conducted by Coates' company found 10,000 to 15,000 of the electric version of the vehicles in use in the state, although some counts have estimated the number to be lower. DaimlerChrysler, which makes a version, says it has 20,000 of them in service nationwide.

The average user takes 7.8 trips in one per day, the survey found; the vehicles travel an estimated 12.6 million miles per year and eliminate 8 million starts of combustion engines.

Their tiny niche has been jump-started in large part by huge corporate donations of the vehicles. Ford gave 500 to municipalities and parks in California just last year. DaimlerChrysler has donated vehicles here and in several other states, and has begun a generous rebate program in New York, Vermont and Massachusetts.

Ironically, however, these funny little vehicles are actually getting harder to find just as their owners are starting to enjoy them: Ford, which made an electric version called the Think Neighbor, has shut down production, and DaimlerChrysler has cut way back on its Global Electric Motorcars (GEM) subsidiary.

Manny Salierno, who sells GEMs in the Long Island community of Bethpage, N.Y., said he has moved 200 of them in the last three months. Purchasers include the owner of a day camp who ordered 33 vehicles, older people who use them to tool around retirement communities and younger adults who buy them for short hops around town. Salierno, who advertises the vehicles on eBay as well as in newspapers, said he gets 10 to 20 inquiries a day.

Salierno said he had to turn away some customers after DaimlerChrysler ran out of the four-seat version equipped to meet New York regulatory standards.

The cutbacks were partly market-driven. Ford spokesman Miles Johnson said consumers just weren't ready for the bubble-like electric vehicles, which look like golf carts but sport seat belts, turn signals and wide, high windshields. More to the point, perhaps, the price at which consumers expressed interest in the vehicles was about \$3,000, said Salierno and others, less than half of the automakers' suggested retail price.

But there was a political component as well: The automakers had received credit toward meeting air pollution regulations by selling or donating the cars in California and elsewhere. But now implementation of some of those regulations has been put off in the Golden State, making the need to establish a market here less pressing.

Similar regulations have been approved in other states — hence DaimlerChrysler's recent donations and rebates on purchases in New York and parts of New England. But now that the company has essentially met environmental requirements and placed a critical mass of vehicles in service, officials have decided to cut back and wait for demand to build, said spokesman Sam Locricchio. This year, DaimlerChrysler cut its work force at the GEM plant in Fargo, N.D., to 85 workers from a high of 185, he said.

Salierno said some of his customers, unable to find the DaimlerChrysler vehicle and unwilling to wait for next year's model, were planning to buy used ones.

"We really didn't feel it made sense to be in a business where the demand just wasn't there yet," said Johnson of Ford. "It's great technology but there isn't a consumer marketplace out there."

Tell that to Tony Natale, who uses gas-powered versions of the carts in his auto detailing business, scooting up and down streets in Long Beach's Belmont Shore and Naples communities. Natale settled on old-fashioned, gas-burning golf carts with improved engines, because the electric vehicles were hard to find when he was building his business in the late 1990s.

"I wound up getting one because of the parking problem in the Belmont Shore and Naples area," he said. "I had my truck and all my equipment, and I found myself having to park a block away and carry everything we were using for the detailing. Now I only need three feet of room — I can back in and park between two cars."

Natale estimates that his brightly painted carts, which also serve as free advertising as they putt through the neighborhood, get 300 miles to a six-gallon tank of gas. By comparison, he said, his Dodge Dakota gets about 8 1/2 miles to the gallon.

The vehicles are legal in 22 states, to be driven only on streets with a speed limit of 35 mph or less. The consumer versions, like Natale's, have two or four seats, shoulder belts, turn signals, windshield wipers and halogen headlights. They're about as tall as a minivan, and some come with a choice of hard or soft doors. The electric ones, which account for most of those in service, can be plugged into a regular 110-volt outlet to be recharged.

In Santa Barbara, the little Fords are so popular among city workers that officials wanted to buy more: a few for the Public Works Department, and another for the zoo.

There was just that problem of Ford quitting production.

"They stopped making them, so that kind of cramped our style," said zoo director Block. "Just as things really started to catch on, they dropped out of it."

Bush Names Utah Gov. to Run EPA

* Environmentalists call Mike Leavitt a 'dramatic lurch rightward' from former chief Christie Whitman. Industry praises the nomination.

By Elizabeth Shogren and Edwin Chen, Los Angeles Times Staff Writers, August 12, 2003

DENVER — President Bush nominated Utah Gov. Mike Leavitt on Monday to head the Environmental Protection Agency, again turning to his fraternity of governors to help him address the nation's problems.

In Leavitt, Bush chose a like-minded Republican who wants to shift authority over pollution control from the federal government to the states and who favors voluntary cleanups by industry rather than mandatory government regulations.

Leavitt "rejects the old ways of command and control from above," Bush said. He hailed the 52-year-old, three-term governor as "a trusted friend" and a man who "understands the obligations of environmental stewardship."

Industry groups, applauding Leavitt's nomination, said he would take a balanced approach to

pollution control.

But environmentalists said Leavitt had a poor record on protecting Utah's air, water and land and would probably weaken environmental protections nationwide in the lead job at EPA.

If confirmed by the Senate, Leavitt will take charge of the agency that until June was run by Christie Whitman, the former governor of New Jersey, who often battled the White House to make environmental regulations more protective than others in the administration sought.

Environmental activists said they worried that Leavitt would not fight back the way Whitman did. As a result, they predicted, the EPA would become more friendly to polluting industries.

"Although administrator Whitman got rolled on just about every environmental issue, she came from a Republican moderate background and at times was an independent voice in the administration," said Jim Angell, a Denver-based staff attorney for Earthjustice Legal Defense Fund, an environmental law firm. "That's a very different background than the Western radical anti-federal views espoused by people like Gov. Leavitt. This is a dramatic lurch rightward."

Bush, defending Leavitt's record in Utah, said the governor had gained "widespread respect for handling environmental issues in a spirit of openness and bipartisanship."

Top on the list of Leavitt's accomplishments was his role as the co-chairman of a commission of 13 governors and 13 tribal leaders who developed a plan to address the haze that mars the beautiful vistas at the Grand Canyon.

In his brief remarks, Leavitt described a visit to the Grand Canyon when he was 8 years old as a defining moment in his environmental awareness. He returned to the exact location 36 years later, as governor, only to confront a brown haze at the national monument.

Leavitt said that as EPA administrator, he would apply the lessons he learned when trying to get that diverse group of leaders to agree on a strategy to combat the haze.

"There is no progress polarizing at the extremes, but there's great environmental progress when we collaborate in the productive middle," Leavitt said during a news conference with the president at a small hotel meeting room in Aurora, just outside Denver.

Since being elected governor in 1992, Leavitt has not won friends among Utah's environmentalists. They point out that, according to EPA data, industries release more toxins into the air, water and land in Utah than in any other state except Nevada.

"I have never seen Gov. Leavitt demonstrate any passion toward working for environmental protection," said Jason Groenewold, who represents two Utah environmental groups, Families Against Incinerator Risk and the Healthy Environment Alliance of Utah.

Instead, Leavitt continued a long pattern of neglecting Utah's serious environmental problems, such as large stockpiles of chemical weapons and landfills full of radioactive waste, Groenewold said. Environmentalists also criticized Leavitt for supporting a controversial highway through fragile wetlands close to the Great Salt Lake — a plan that failed.

They took issue with him for making a deal with Interior Secretary Gale A. Norton that changed the way the federal government manages millions of acres of land in Utah that had been proposed for permanent protection as wilderness. The deal opened the possibility of oil drilling and off-road vehicle travel in the state's red rock canyon region, which had been temporarily out of bounds for uses that would spoil the area's wilderness characteristics.

But representatives from industries in Utah and across the nation said Leavitt was a good choice

because he would seek their advice as he made pollution control more flexible.

"He has enforced the laws of the state, and he has also tried to promote the concept of cooperation between government and business to try to resolve issues," said Louie Connelos, director of government and public affairs for Kennecott Utah Copper Corp., one of the state's largest mining companies and largest polluters. "I give him very, very high marks."

One of the tasks Leavitt likely will have early in his tenure at the EPA is rewriting the regulations that dictate whether older coal-fired power plants can undergo major renovations without the addition of modern pollution-control devices.

Representatives of energy companies that want the EPA to write lenient rules applauded Leavitt's nomination.

"We are pleased that a governor with a strong record of consensus-building is President Bush's choice," said Scott Segal, director of the Electric Reliability Coordinating Council, a coalition of coal-fired power plants.

Farmers need a break

Letters to the Editor for August 13, 2003

Submitted by readers of The Bakersfield Californian

We appreciate your support of conditional waivers to allow farmers to play an active, productive role in water quality improvement (*The Californian's* editorial, "Let ag catch its breath.")

You cite flaws inherent in allowing lawsuits to drive the regulatory process as a compelling reason for your stand on the issue. We have news for you; the same approach has been taken on new clean air regulations, which should raise serious concerns for your readers.

There is a disturbing and dangerous trend of allowing environmental activists to dictate environmental public policy via threat of litigation. New federal air regulations valley farmers now face under the Clean Air Act were not spurred by some revelation about an imminent health threat posed by farm emissions.

Instead, the U.S. Environmental Protection Agency, when sued by environmental activists, agreed to settlement terms and regulations that have not had the benefit of scientific analysis or the application of relevant, real-world data.

The danger of this approach is possible misallocation of precious government resources and skewing priorities that may not actually result in air quality improvement. The public interest is not served in the process.

Farmers want to grow high-quality food and protect the environment, including our valley air. Heaping more regulation on their shoulders at the behest of litigants and without knowing if it will really help is unwise.

If the flaws of a third-party, lawsuit-driven regulatory process are bad for effective water quality management, they should be equally bad for management of air quality, too.

BILL PAULI, California Farm Bureau Federation, Sacramento

Community Voices / Kathryn Shaffer: Taft Chamber of Commerce endorses Tejon projects

The Bakersfield Californian

Tuesday August 12, 2003, 06:45:12 PM

This letter is a response to several articles recently in *The Californian* regarding Tejon Ranch. The Taft District Chamber of Commerce would like to go on record as supporting our neighbor,

Tejon Ranch, as it moves ahead to further develop frontage commercial development just east of Interstate 5.

We also support the Kern County Board of Supervisors' approval of the 15 million-square-foot warehouse expansion on Tejon land at the foot of the Grapevine. We support the development of Tejon Ranch.

The vast 270,000-acre Tejon Ranch is certainly the largest single block of private property in California. As it sits at the border of Los Angeles and Kern County, the local "neighborhood" has been able to see the standard of quality development it plans to build by simply viewing the successful existing commercial development east of I-5.

The I-5 transportation corridor will continue to be a major thoroughfare connecting Northern and Southern California. This development of retail, commercial and industrial space merely helps the Central Valley promote business, provide jobs and an economic base for Kern County to recover funding from the transportation public as it travels through our area.

We believe the positive impacts are overwhelming and the positive stewardship of the land, as has already been demonstrated, creates a comfort to our board of directors that future development of such quality projects should be promoted and fulfills similar goals detailed in Taft's Vision 2022 Plan.

Growth always brings opportunity and challenges. Certainly, Tejon Ranch has taken a huge step recently in setting aside 100,000 acres to conserve nature and threatened wildlife. This gesture, while publicly doubted and second-guessed, will no doubt be well preserved by the Trust for Public Land in California, and these "quality of life" projects should not be minimized.

The funds from this balanced development of proposed open land, as well as the economic base from the commercial development, will no doubt help the Kern County Board of Supervisors find leadership opportunities to solve many central valley problems like creating jobs, workers' compensation reform, Valley Fever, air pollution, maintaining and improving infrastructure and creating a diversified economy.

Kathryn Shaffer is president of the Taft District Chamber of Commerce. Community Voices is an expanded commentary that may contain up to 500 words. The Californian reserves the right to republish contributed commentaries in all formats, including on its Web page.