

Air bill survives committee

Panel approves the measure, to dismay of Valley ag leaders.

By Jennifer M. Fitzenberger
Fresno Bee Capitol Bureau

(Published Saturday, August 30, 2003, 5:10 AM)

SACRAMENTO -- A beleaguered clean-air bill passed a key financial committee Friday despite strong opposition from farm leaders frustrated by days of near dead-end negotiations.

The Assembly Appropriations Committee approved the bill to end the agriculture industry's exemption from air operating permits, a measure which last week failed to get a majority vote.

Sen. Dean Florez, author of Senate Bill 700, said it is a historic step toward cleaning the Valley's dirty air, which is among the worst in the nation.

"It's a big victory for people who want to breathe cleaner air in the Valley," Florez, D-Shafter, said after 15 of 25 committee members voted for the bill. Five members opposed it, and five abstained.

Assembly Member Leland Yee, D-San Francisco, did an about-face, voting for the bill he initially said was too harsh on farmers. Yee was yanked into a political storm last week after Florez accused him and other urban Democrats of tanking SB 700 to keep it from the Assembly floor, where Assembly Member Nicole Parra, D-Hanford, will be asked for her vote.

Parra barely won her Assembly seat, and taking a stand on the controversial bill could make re-election tougher.

Nicole Winger, a spokeswoman for Parra, said the Assembly member isn't afraid to vote on SB 700. Parra believes the revised bill is "substantially" better but wants to see the final version before she makes a decision, Winger said.

Yee, who said he first frowned on the bill because Florez didn't give farmers a fair shake, declared Friday his concern had been quelled. He hopes, though, for continued discussion.

"Both sides came to the table and talked, I think, for the very first time in a very earnest way," said Yee, referring to more than three days of negotiation. "I'm going to go ahead and support this bill."

So did Assembly members Fabian Nunez, D-Los Angeles; Lou Correa, D-Santa Ana; Manny Diaz, D-San Jose; and Joe Nation, D-San Rafael. Last week they either opposed the bill or didn't vote.

Holding steadfast was Assembly Member Steve Samuelian, R-Clovis, who for a second week voted no. Samuelian said he will continue fighting against the bill, which could be heard on the Assembly floor as early as next week.

SB 700 would "hurt and punish small family farmers who are the backbone of the central San Joaquin Valley," Samuelian said. "To put yet another burdensome, extreme, overzealous regulation on them, I believe, is a mistake."

Agriculture officials also vowed to keep fighting.

"We plan to do everything we can to get people to realize it needs more work," said Cynthia Cory, director of environmental affairs for the California Farm Bureau.

Said Paul Rollin, 63, a dairy farmer from Riverdale: "It is our hope that when we get to the floor perhaps a different sentiment will prevail."

The negotiating group declared a stalemate about 1 a.m. Friday after several hours of pitching ideas without agreement.

Changes to SB 700 that Florez presented Friday include:

Clarify that air districts must consider socioeconomic impacts before making rules for agricultural pollution sources.

Extend the timeline under which confined animal facilities, like dairies, are required to get permits.

Require the state Air Resources Board to review the latest scientific information when determining which animal facilities will receive permits.

Allow air districts to waive permits for animal facilities not found to be significant pollution sources and smaller farms if they make certain findings.

The U.S. Environmental Protection Agency -- forced by an environmental lawsuit settlement -- told California last year to repeal agriculture's exemption or face statewide sanctions.

The sanctions, including increased fees for some businesses and eventual suspension of billions of dollars in highway-building funds, will begin in November unless the loophole is repealed.

Farm officials agree it's time to remove the industry's exemption, but they don't want certain regulations before scientific studies determine the extent of the problem. Key study results are expected in the next two years.

"We certainly want to wait until they're done before the state of California says we have to take out a permit," said Gary Conover, director of government relations for Western United Dairymen.

Also Friday, the Appropriations committee approved three other Florez air bills:

SB 704, which requires biomass facilities to regularly burn agricultural waste to produce electricity.

SB 707, which sets buffer zones between dairies and cities by blocking new dairy construction within three miles of urbanized areas.

SB 709, which adds three public members with expertise in health, economics and the environment to the San Joaquin Valley Air Pollution Control District Board.

They join two other air bills already on the Assembly floor:

SB 705, which bans open-field burning by June 1, 2005, and requires local air districts to help farms find alternatives for disposing farm waste.

SB 708, which requires a Smog Check program for older cars and trucks.

Feud between Florez, Parras symptomatic of senator's maverick style

By VIC POLLARD, Californian Sacramento Bureau
The Bakersfield Californian

Sunday August 31, 2003, 08:35:11 PM

SACRAMENTO -- What are we going to do about Dean Florez?

That's the question fellow legislators in both parties are asking as they shake their heads over the latest set of unorthodox tactics the maverick state senator used to blast away a political roadblock threatening to stymie one of his bills.

Florez, D-Shafter, inveigled Democratic members of the Assembly Appropriations Committee to vote for his big anti-smog bill even though he infuriated them in the process by publicly attacking a charming young Latina assemblywoman who also represents Kern County.

It wasn't the first time Florez has gotten things done by ignoring the traditional political strategy of going along to get along.

He hadn't been in office more than a few months in 1999 when he rattled the Bakersfield political establishment by blocking money for the popular Kern River Freeway project until planners agreed to protect a groundwater storage facility important to farmers.

While that involved a local flap, he left the whole state gasping last year when he skewered Democratic Gov. Gray Davis' administration in hearings on its mishandling of a computer software purchase contract.

"I've always got a battle," Florez said in an interview. "That's my style."

But the story of how he got the smog bill through the Assembly Appropriations Committee marks a new high in the Florez record of bulldozer politics -- or a new low, depending on whom you ask.

It has plots and subplots like a Russian novel.

It wasn't always easy getting the highly controversial bill through the state Senate. For the first time in history, it will require farmers and dairy operators to shoulder part of the burden of reducing pollution-causing emissions. That sends shivers down their spines, given the complaints they hear from other industries.

But Florez said he always expected smooth sailing for it in the Assembly money committee. It is dominated by Democrats, most of whom are urban liberals who never met an environmental bill they didn't like.

But a couple of days before the scheduled Aug. 20 hearing, he said he was warned that the bill might be in trouble. That meant that there was unexpected opposition among Democrats, since the minority Republicans are automatic no votes on such a bill.

To Capitol insiders that had all the earmarks of a last-minute behind-the-scenes power play by somebody who wants to scuttle or gut the bill for personal or political reasons. Those reasons may or may not have anything to do with the policy in the bill.

When confronted with that situation, the traditional response is for the author to quietly approach committee members -- or whoever's running the power play -- to see what's bothering them or try to work out a compromise. That may or may not be successful, depending on the influence or the feeling behind the play.

Florez quickly concluded that it was an effort by top Democrats to sidetrack the bill. They wanted to protect Assemblywoman Nicole Parra, D-Hanford, from having to vote on a controversial issue. She will have a tough re-election battle next year and she doesn't need to make enemies among either farmers or environmentalists.

The leader of the opposition among Assembly Democrats, Leland Yee of San Francisco, said he objected on policy grounds, but he told the *Los Angeles Times* that at least one colleague mentioned protecting Parra as the reason for his opposition.

Florez knew he was at a disadvantage if he tried to penetrate the circle of Assembly insiders surrounding Parra. He has few friends there.

His response was unique in the memory of many Sacramento veterans.

In the news media, he fired an angry blast at what he called a sneaky maneuver that disregarded the health problems of children in the valley to protect Parra politically.

It wasn't his first public jab at Parra, either. But for the first time, it exposed the entire Legislature to the ugly feud between Florez and Nicole Parra and her father, Kern County Supervisor Pete Parra.

The depth of bad feeling stunned most fellow lawmakers.

"There's a real war there," marveled Republican Assemblyman Richard Mountjoy, who got caught up in another Florez vs. Parra issue. That involved Florez's request for an audit of the way the county tobacco-tax commission -- headed by Pete Parra -- is handling its money.

Mountjoy initially agreed to a request from Parra to vote against the audit. But after a hallway conversation with Florez, after which a reporter heard Mountjoy say, "She lied to me," he switched and voted with Florez for the audit.

Mountjoy said Parra told him the audit was part of a political vendetta by Florez against her father and was unnecessary, Florez told *The Californian*.

Revealing details of such a conversation is a breach of political etiquette and it had a predictable effect.

Florez lost another friend.

"I think it was very vindictive of Dean Florez," Mountjoy said. "When I have a conversation with another legislator like that, it stays between him and me."

Although it cemented Florez's reputation for running roughshod over people's feelings, it accomplished his goal of getting it on the record that Nicole Parra had personally lobbied audit committee members to protect her father from a potentially embarrassing audit.

The Florez-Parra feud has overshadowed Kern County politics almost from the moment Florez was elected to the Assembly in 1998.

Its origin has been a bit of mystery, but Florez is now telling people, including reporters, that it began shortly after he first took office in 1999.

His version is that Nicole Parra verbally attacked him after he publicly criticized Ed Velasquez, who was then the embattled director of the Kern County Economic Opportunity Corp.

Velasquez eventually resigned under fire for collecting compensatory time-off pay in addition to his salary for work over 40 hours a week, although he was strongly supported by Pete Parra.

Neither Nicole nor Pete Parra responded to requests for comment for this article.

She is under heavy pressure from the Assembly Speaker's office not to respond to attacks or other comments from Florez, apparently in hopes that will allow the sparring to die down.

She finds that difficult, however.

She couldn't resist telling a *Fresno Bee* reporter that "Mr. Florez seems to think that attacking me will clean up the air in the Central Valley. I don't think that's right."

Whatever the origin of the feud, Florez and Pete Parra regularly sparred in public. Florez supported Jim Crettol against Nicole Parra in the Democratic Assembly primary election last year.

In Sacramento, the result of Florez's outburst was to expose the opposition to his bill and force critics to sit down in public and negotiate their points of difference. The negotiations did not produce an agreement with agriculture, but it eliminated the argument that Florez was obstinate. It also made it much more difficult for the environmentalists on the committee to vote against the bill.

None of them did and the bill passed the committee easily on Friday.

Another subplot is the question of why Florez is carrying not just one major environmental bill, but a whole package of measures to crack down on air pollution from farm and dairy operations, the biggest industry in his district.

For four years in the Assembly, Florez stood out as perhaps the most conservative Democrat in Sacramento. He drove fellow Democrats and legislative leaders crazy with his opposition to environmental and gay rights legislation and his support for business-friendly laws.

It all came to a head last July when Florez left the Assembly floor and flew home just before a crucial vote on the signature environmental bill of the session. That was the measure by Assemblywoman Fran Pavley, D-Agoura Hills, to curb greenhouse gas emissions from SUVs.

Assembly Speaker Herb Wesson immediately fired Florez as chairman and member of the legislative audit committee, which had just completed the headline-grabbing investigation of the Oracle software scandal.

Although Wesson said the reason for the firing was Florez's break with party ranks on the Pavley bill, most people believed the Oracle hearings, with day after day of embarrassing revelations for the governor, was the real reason. For one thing, Florez's vote wasn't necessary for the Pavley bill. It passed without him.

Now, Florez is not only sponsoring a package of environmental bills opposed by agriculture, he also has been publicly beating up on the No. 1 industry in his district with almost daily criticism of their efforts to water down the measure.

How can he afford to do that politically, when he may have to seek re-election in 2006?

Florez says he's not worried because he has carried a great deal of political water for the agriculture industry in the last four years.

"I have a big bank account with agriculture," he said. "There comes a time when you have to withdraw something from the bank account in order to accomplish something."

Others in Sacramento have another theory: Florez makes no secret of the fact that he wants to run for state Treasurer at some point in the future and probably higher statewide offices later.

But he is likely to have a tough time winning a Democratic primary because of his previous votes against environmental bills, gay rights bills and his attacks on Davis in the Oracle hearing, they say.

Florez needs to polish his credential with the left-of-center elements in the Democratic party if he wants to stand a chance in a statewide primary.

Florez doesn't deny that's a factor, but he insists that his main goal is to clean up the air in the Central Valley.

The farm-pollution bills also have another key ingredient of a Florez crusade: newspaper support. The epidemic of smog-related asthma was the subject of a major report in the *Fresno Bee* last year.

No one in Sacramento jumps on a big newspaper headline like Dean Florez, and he makes no apology for that.

"My style is to do things in the press and use that to get my message out," he said. He said it's the best way to let voters know what he's working on and it insures follow-up coverage by the media.

In fact, that was behind his angry outbursts to reporters over the committee's handling of the smog bill.

When something like that happens, Florez said he's not one to take it lying down.

"I'll expose them with the hot light of the press," he said.

That's against the rules of political etiquette, but it works for Florez, one reason why they still haven't figured out what to do about Dean Florez.

Yee said he has a theory.

"I think the way to deal with Dean Florez is to confront him and don't backdown," Yee said.

But that didn't work either.

Florez got his bill through the committee.

Look to the Sierra for air answers

By Bill McEwen

The Fresno Bee

(Published Tuesday, September 2, 2003, 5:10 AM)

While the environmental debates play out on flat land, the biomass plant in the Sierra on Auberry Road sits mothballed, a ghostly reminder of the area's once-thriving timber industry and a case study in California economics.

Visitors are rare, unless you can count the owl and young bobcats Kirby Molen has seen nesting in the abandoned cogeneration plant. But it might make an interesting stop for the gubernatorial candidates in the recall election.

On this small plot of mountain land, several of the major issues facing the state intersect -- energy, jobs, environment. The history of the plant, which cost \$8 million to build in 1987 and would cost \$20 million to replicate today, offers a lesson in the complexities of political leadership.

With no trees to cut because of federal restrictions on logging, the sawmill at the old Sequoia Forest Industries site is no more. Salvage crews tore it down and hauled the metal away.

But the biomass plant, which for seven years turned wood waste into electricity, stands ready to help clean the central San Joaquin Valley's dirty air.

Consensus about air improvement efforts is rare, but experts agree biomass plants help us breathe better. Unlike open-field burning, which pours soot and ash into the air, these plants remove 95% of harmful pollution.

The rub is money. For the plant to run, its owners need a constant source of fuel and an electricity contract.

When the sawmill ran, the fuel was right there. Finding a market for the electricity wasn't a problem, either, until the energy price curve, which rode high in the 1980s, bottomed out.

So the Auberry plant sits idle, as do others in the Valley, because the juice they generate costs three times as much as electricity from other sources.

"We couldn't afford to operate this plant," says Molen, who manages Sierra operations, including the Wildflower residential subdivision at Shaver Lake, for Yanke Energy, a Boise, Idaho-based company. Yanke owns the idled plant.

The plant's location makes it impractical to haul in farm waste. But it could run again, perhaps, by burning underbrush thinned from the surrounding area. This would spare Sierra forest managers from relying on controlled burns to reduce the threat of fires.

Also needed are government subsidies to lower the cost of making electricity. That would be controversial, more so with California looking to eliminate its \$38 billion budget deficit.

But biomass subsidies are a bargain when you consider the outcome: cleaner air, less landfill, more electricity.

The downside of Valley biomass plants is that those still operating often burn waste brought in from Southern California -- as if we need more diesel truck fumes.

That's exactly what's happening at a former Yanke cogeneration plant in Dinuba next to another closed sawmill. Yanke gave the plant to California State University, Fresno, which in turn sold it to a Southern California recycler this year.

Up in Auberry, Molen ponders the many economic and political variables and says he is uncertain whether the empty plant ever will fire up again.

"If someone can come up with the right answers," he says, "we're ready to go."

I wonder whether any of our would-be governors have the smarts to solve this puzzle.

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Survey: Valley rain marked by toxins

By MATT WEISER, Californian staff writer

The Bakersfield Californian

Sunday August 31, 2003, 08:35:10 PM

A new study has found toxic chemicals from farm pesticides in the San Joaquin Valley's winter rainfall at levels too low to harm humans, but high enough to affect insects living in water.

The study was conducted by the U.S. Geological Survey in the Modesto area during January and February 2001. Rainfall samples were collected and analyzed for 45 pesticide compounds. Fourteen of those compounds were detected in the samples, and two were found at levels considered harmful to insects in rivers and lakes.

Those two compounds were diazinon and chlorpyrifos, common in dormant-season pesticides used throughout the valley -- especially on orchard crops -- to kill insects. Diazinon was found in rainfall samples at levels 5.7 times greater than state standards allow for the protection of aquatic insect life. Chlorpyrifos was found at 3.1 times above those standards.

Michael Majewski, an atmospheric scientist and co-author of the study, stressed that the detections are not high enough to pose a direct threat to human health, but may affect the food chain in rivers and lakes. He also said the findings are below those reported in earlier studies, due to efforts by farmers and others to reduce their use of harmful chemicals.

Still, the results are cause for concern in the context of the valley's overall pollution problem. Some pesticides are volatile organic compounds that contribute to smog formation. And Majewski said that while the study focused on the Modesto area, the results are directly applicable to Kern County, which has similar weather and pesticide use patterns, and the rest of the valley.

"People don't drop dead walking out in the rain, but a point needs to be made that we didn't find just diazinon and chlorpyrifos. There were 14 different pesticides that we had detections on during this study, and that's just the pesticides we looked for," Majewski said. "From a chronic-exposure perspective, you have to wonder because we're living in this chemical soup, basically."

Statewide, applications of chlorpyrifos declined about 30 percent between 1999 and 2001, the latest year for which figures are available. Diazinon applications remained fairly stable. In Kern County, chlorpyrifos use dropped 5 percent and diazinon use dropped about 28 percent during the same period, according to figures compiled by the California Department of Pesticide Regulation.

Common trade names associated with chlorpyrifos include Dursban and Lorsban. A common trade name for diazinon is Spectracide. Chronic exposure to either chemical can cause nervous system disorders, birth defects, breathing trouble, nausea, organ damage and even death.

It might seem surprising to find pesticides in rainfall. Most people assume these chemicals simply evaporate and blow away after being applied to crops. They do evaporate, but they become part of the stew of chemicals in the valley's atmosphere and can remain in the air for weeks or months.

"What that means is, it doesn't disappear. It changes state. It goes into gas form," Majewski said. "Also, the material can be attached to soil particles and then this windblown dust in the air can retain pesticides, too."

In runoff samples collected from an urban storm drain during the study, diazinon was found at 9.5 times above state standards. Other runoff samples were collected from the San Joaquin, Merced, Stanislaus and Tuolumne rivers and from Orestimba Creek. Of these, the highest diazinon levels were found in the San Joaquin River, at 3.6 times above state standards. The highest chlorpyrifos levels were in Orestimba Creek samples, at 3.4 times above state standards.

The study was funded by the Department of Pesticide Regulation, which is working with farmers to develop new regulations to minimize pesticide runoff. Those regulations are likely to be introduced before year-end, said department spokesman Glenn Brank. Meanwhile, the researchers are continuing to gather additional rainfall and runoff samples in an effort to understand the problem better.

"Based on our research for the last 10 years, we had always assumed that these dormant-season (pesticide) sprays were an important component in the problem of runoff carrying pesticides," Brank said. "What this study did for us was basically confirmed our plans to put into place new regulations which specifically address the issue."

EPA slashes 25% from Energy Star

Program to conserve power receives cut despite its successes.

By H. Josef Hebert
Associated Press

(Published Saturday, August 30, 2003, 5:14 AM)

WASHINGTON -- "Energy Star" is the Bush administration's most highly touted energy-conservation program, but that has not kept the Environmental Protection Agency from quietly slashing its budget by shifting millions of dollars to other programs.

Only recently, after three-fourths of this fiscal year had passed, the White House ordered some of the money put back, according to government and private sources.

By then, however, the 25% budget shortfall dating back to last October had forced cancellation of some pending Energy Star contracts and postponement or abandonment of other projects, said sources familiar with the program, speaking on condition of anonymity.

The program promotes products and business practices that conserve electricity and ease the load on what this month's blackout from Michigan to New York City proved to be a fragile transmission system.

Some of the most severe belt-tightening in the EPA's Energy Star office came as administration officials, including then-EPA Administrator Christie Whitman, repeatedly praised the program's successes, according to several sources who have followed the program closely.

Senior administration officials repeatedly have lauded Energy Star for saving billions of dollars in energy bills by helping businesses develop energy-conservation plans and by promoting energy-efficient appliances, building materials, electric motors and other products.

The Energy Star label has become synonymous with energy efficiency.

The program produces \$70 in benefits for every dollar spent on it, according to EPA officials. Last spring, Whitman singled it out as "a shining example" of government-business cooperation to cut energy use, saying it has spurred \$7 billion in energy savings.

Two years ago, Vice President Dick Cheney's energy task force called for its expansion.

But partly because Congress failed to protect it, the Energy Star program has had to do with millions of dollars less than what lawmakers thought they were providing.

Even as Whitman and other senior administration officials were praising the program, EPA budget planners informed the Energy Star office in February that it could count on only \$37.5 million this fiscal year, \$12.5 million less than what Bush requested and Congress appeared to have approved, congressional and private sources said.

Because of the funding shortfall, some contracts with private businesses to promote energy efficiency were canceled and several tests to determine whether products warranted the "Energy Star" label were scrapped, the sources said.

The reason given was that the EPA had to find money to pay for scores of congressionally mandated projects while at the same time absorbing an across-the-board governmentwide spending cut.

But the across-the-board cut was only about one-half of 1%, meaning Energy Star should have lost no more than about \$250,000.

Instead, the \$12.5 million was siphoned away to pay for other programs and projects within the agency, including so-called "pork barrel" projects that lawmakers demanded be fully funded, said EPA and private sources familiar with the budget process.

Last month, the White House directed \$7 million be put back into the program, bringing its budget for this year to \$44.6 million, still shy of what Bush and lawmakers had intended. The EPA had to scramble to find the money elsewhere in its budget.

Global warming registry seeks recruits

By MATT WEISER, Californian staff writer

The Bakersfield Californian

Monday September 01, 2003, 09:40:16 PM

The U.S. Borax company has been digging borate out of the California desert for more than 130 years. This year the company decided to do something about the role all that digging has played in making the Earth a hotter place.

The company opted to join the California Climate Action Registry, a voluntary program established by state law that allows companies to track how their emissions contribute to global warming.

U.S. Borax exploits one of the richest borate deposits on the planet at its mine near Boron, creating raw material for detergents, ceramics, fertilizers and other products. It is the only Kern County business to join the registry so far, even though the county's oil industry contributes to global warming in a much bigger way.

"Compared to them, we're a real small emitter, but regardless, we think we ought to work together to find a solution to the problem," said Jim Qin, environmental health and safety officer for U.S. Borax. "As a company, we realize it's a serious problem, and we want to be part of the solution to that problem. We want to be a good corporate citizen."

This would seem a surprising position at a time when many American corporations, backed by the Bush administration, continue to express skepticism about global warming. The administration opposes the Kyoto Protocol, a laboriously negotiated international agreement to reduce greenhouse gases, saying further study is needed.

Yet a broad spectrum of scientists has concluded that the Earth's climate is getting warmer, and that a leading cause is the burning of fossil fuels for transportation, power generation and other industrial processes. The Intergovernmental Panel on Climate Change has found that the 1990s were hotter than any decade in the previous 1,000 years, and that global temperatures could rise between 2.5 and 10.4 degrees by the end of the century.

The results could include catastrophic droughts and floods, altered natural habitats and rising ocean levels.

"There is no longer debate among mainstream scientists that climate change is occurring, and it is driven by human activities," said Jason Mark, California director of the Union of Concerned Scientists. "What to do about it is where many companies worldwide have really fallen down. The climate registry is one step towards taking action."

Participation in the registry is basically an acknowledgement that global warming is a problem, and that regulations could be enacted eventually to deal with the problem.

By joining the registry, participants agree to inventory and report air pollution emissions that contribute to global warming. At U.S. Borax, that means emissions from a natural-gas burning power generation unit at its Boron mine, and emissions from numerous fleet vehicles at the mine and at its processing facility at the Port of Los Angeles.

The registry provides software on its Web site (at www.climateregistry.org) to help companies calculate emissions based on utility costs, fuel usage and other factors. These reports are verified by an independent third party, then made public.

In return, the registry promises to help participants obtain credit for reductions they make if future laws require reductions.

"In some respects, it's sort of hedging against future policy changes," Mark said. "The registry allows a company to track emissions, so that once a global warming emission reduction program is in place, they can take credit for the reductions they're making today. It ends up being a smart investment for these companies."

About 35 companies have signed on so far, representing more than \$140 billion in annual revenues.

The process encourages participants to become more aware of their emissions and to search for efficiency improvements that reduce air pollution. This usually reduces operating costs, which makes the company more profitable and more competitive.

It also improves local air quality, since the pollutants that cause global warming also cause smog and health problems in cities like Bakersfield. That is one reason the registry hopes Kern County's oil industry will sign up.

"We would love to get them," said Diane Doucette, a business development specialist with the registry. "If we can get more companies to join, then the hope is that we won't require regulations. We are hoping there are market incentives out there for companies to reduce emissions. One is to save money: If you have greenhouse gas emissions, it represents a waste of some sort."

The oil industry is a major contributor to Kern County air pollution. Three of the area's leading players, Shell, ChevronTexaco and Aera Energy, did not respond to requests for comment. British Petroleum Corp. is the only oil industry representative to join the registry so far. Other members include Pacific Gas & Electric and Southern California Edison.

"Frankly, we want to establish good relations with our community and regulators, and to show that a voluntary program can work," said Qin of U.S. Borax.

"We really need to be proactive, because the problem is not going to go away."

Not as much might in activist's fight

By DAVIN McHENRY, Californian staff writer
The Bakersfield Californian
Sunday August 31, 2003, 08:35:11 PM

A local Sierra Club spokesman who has been battling development in northeast Bakersfield has now turned his attention on a project in Rosedale.

But don't expect the same kind of fight.

Earlier this summer, Gordon Nipp sent county planners a healthy list of questions about the Rosedale project, which would convert 71 acres of land at Meacham and Heath roads into 59 homes.

Many of the questions were similar to those Nipp and the Sierra Club have been asking about projects along the Kern River bluffs.

"We want them to do air quality studies, we want them to do traffic studies," he said. "These projects have cumulative impacts that they aren't considering. Look at Rosedale Highway. Traffic is abysmal, but they are still approving these projects."

Nipp's list of comments covered everything from septic tanks to low-cost housing to pedestrian amenities.

He also called for the county to begin charging a \$1,200-per-home air quality fee for new developments. At least one local developer has promised to pay that much after Nipp and the Sierra Club sued.

In all, Nipp has taken at least three projects in the northeast to court in recent months.

But he said he isn't sure if he is ready to take such a strong approach in Rosedale.

So far, he has been tackling the northeast projects because he is familiar with the area, he has said.

"We are an entirely volunteer organization," he said. "We picked this (Rosedale) project kind of randomly."

In fact, Nipp said he wasn't even certain whether he would make it to the county Board of Supervisors meeting Tuesday, where the project will be voted on. He missed the Aug. 14 Planning Commission meeting where the project was previously approved.

His absence surprised county planners, who had delayed the hearing to give them time to draft answers to Nipp's questions. In each case, they argued that Nipp's issues had already been adequately addressed.

"It was very odd when it came to the Planning Commission and slid right through," said Jim Ellis, an operations division chief with the county Planning Department. "We were kind of shocked that no one was there."

The board will consider rezoning the Rosedale land from agriculture to residential use at their 2 p.m. session. Even if the zone change is approved, the owners would still have to get a second approval to divvy up the site in the future.

The board meets at the main county administration building, 1115 Truxtun Ave.

Today's a Spare the Air day in SF Bay area

The Associated Press

In The Bakersfield Californian, The Fresno Bee and The Modesto Bee
Tuesday September 02, 2003, 05:15:14 AM

San Francisco (AP) - It's another Spare the Air day today in the San Francisco Bay area.

The Bay Area Air Quality Management District is asking residents to car-pool or use public transit to get around - and leave the gas-powered yard tools in the garage.

Today's the seventh Spare the Air day of the summer in the Bay Area. (Contra Costa Times)

Growers, USDA launch \$11 M of air quality improvements

(Aug. 26) The Business Journal - San Joaquin Valley Farmers and USDA's Natural Resources Conservation Service (NRCS) are partnering to purchase \$11 million worth of cleaner air through newer diesel engines, chipping farm wastes in lieu of burning, conservation tillage, and treating rural roads to reduce dust.

Collectively these practices will result in a 723-ton reduction in particulates that could otherwise result in PM-10 a type of air pollution.

"We are pleased to be partners with the farmers in the San Joaquin Valley in their fight to keep the Valley a healthy community; a place where people want to continue to live, work and raise their children," says Jose Acevedo, Deputy Chief for Programs of the NRCS in Washington D.C.

"California is on the forefront of tackling air quality challenges," says Chuck Bell, NRCS State Conservationist in California. "Farmers recognize that along with industry, transportation and others they have a role to play in meeting those challenges. Working together in a constructive and voluntary fashion, farmers and NRCS have made progress on policy, educational and practical fronts to improve air quality. Together we have realized a substantial 2,179-ton reduction in air pollutants since 1998 in the San Joaquin Valley."

Funded through NRCS's Environmental Quality Incentives Program (EQIP), the air quality effort began in 1998 with just \$294,000 and 35 cooperating farmers. This year the program will involve 510 farmer contracts and \$5.5 million of EQIP funds. Farmers match each federal dollar expended, placing the total investment in Valley air quality this year at \$11 million.

Acevedo noted that while this is the sixth year the air quality effort has been underway, the project was able to vastly expand its scope due to last year's reauthorization and expansion of EQIP, a part of the Farm Security and Rural Investment Act (Farm Bill) of 2002.

"Despite the greatly expanded resources, however, there were still twice as many EQIP applications for air quality assistance as available funds could accommodate," said Roger Isom, of the Fresno-based California Cotton Ginners and Growers Association. "This clearly indicates a huge willingness among Valley farmers to participate in a voluntary, collaborative process."

New aspects of the San Joaquin air quality program in 2003/04 include incentive funds for conservation tillage to reduce trips across the field and also funds to replace older diesel engines with newer, more efficient and cleaner burning ones. In this later regard EQIP will continue work previously done through the Carl Moyer Program.

The Agriculture Improving Resources (AIR) Partners was formed in 2000 to help farmers, ranchers and food and fiber processors in promoting the voluntary improvement of air quality through scientifically and cost-effective measures. It originally began as a coalition that had been instrumental in working with the USDA's Air Quality Task Force to address air quality issues affecting agriculture around the country.

Among its educational activities, AIR has prepared and distributed a guidebook that offers practical on-farm activities for minimizing particulate matter and dust from unpaved roads and equipment yards. Distributed to more than 10,000 farmers during workshops held by AIR last winter and spring, the guidebook will be followed by a second workbook, currently underway, that will offer conservation management practices to reduce PM10 from field and cultural activities.

Bush Administration Joins Effort to Kill Southland Agency's Anti-Pollution Rule

By Cara Mia DiMassa, Los Angeles Times Staff Writer, August 31, 2003

The U.S. Department of Justice has urged the U.S. Supreme Court to overturn regulations established by Southern California's smog-fighting agency to curb pollution from taxis, buses, trash trucks and other fleet vehicles.

The government contended in a friend of the court brief filed Friday that the rules are at odds with the federal Clean Air Act because the authority to make such rules is limited to the federal government.

The regulations were adopted by the South Coast Air Quality Management District in 2000 and 2001. They require public and private operators of transit buses, school buses, trash trucks, street sweepers, heavy-duty utility trucks, airport shuttles and taxis to buy clean-fuel models when they replace or add to fleets of 15 vehicles or more.

AQMD is the air pollution control agency for Los Angeles, Orange, San Bernardino and Riverside counties.

The Western States Petroleum Assn., a trade group representing approximately 30 petroleum companies, and the Engine Manufacturers Assn. filed suit in 2001, arguing that AQMD regulations cannot override the Clean Air Act. Spokesmen for both associations were unavailable Saturday, but in court documents, the organizations have said that the Clean Air Act gives the Environmental Protection Agency exclusive authority to regulate motor vehicle emissions.

A spokesman for AQMD said Saturday that the rules are not emissions standards but simply require fleet operators to choose among clean-air vehicles already on the market.

A spokesman, Sam Atwood, said the agency is not requiring Detroit manufacturers "to make an engine that meets a certain level of oxide and nitrogen emissions per mile."

"We are saying to fleet operators, when you are purchasing a new vehicle or adding to your fleet, you need to buy a clean-air vehicle that's already available," he said.

The trade groups lost their case before the U.S. District Court and appealed last year to the 9th Circuit Court of Appeals, which also upheld the AQMD rules. The Supreme Court agreed to take the case in June.

The Department of Justice's brief, submitted by U.S. Solicitor Gen. Theodore B. Olson, supports reversal of the lower courts' decisions. The government contends that the Clean Air Act preempts the regional air quality district's rules because those rules are related to emissions standards. It also states that neither California nor AQMD has requested a waiver that would permit the state to adopt such controls.

A message left with the Department of Justice's press office for comment on Saturday drew no response.

Atwood charged that the brief represents the third time in a month that the Bush administration has tried to thwart clean-air efforts in Southern California. Earlier this month, the EPA refused to commit to any specific emission reduction measures in its 2003 air quality management plan. Last week, the government revised Clean Air Act rules, allowing power plants and factories to upgrade without adopting the most up-to-date pollution equipment.

The Supreme Court is expected to hear arguments in the clean-fleet suit in December and to make a decision about mid-year.

Dairies' toll on valley air is put to test

By MARK GROSSI, THE FRESNO BEE (published in the Modesto Bee, Monday, September 2, 2003)

FRESNO -- Laser beams danced across the murky lagoon filled with the pasty green waste streaming from dairy stalls where 180 cows produce more than just milk. Through the gases rising from this liquefied gunk pit at California State University, Fresno, lasers pulsed 64 times per second.

The laser information went through a maze of cable to a nearby computer that determined how much pollution wafted into the air.

"I frankly had trouble believing it would work at first," said professor Charles Krauter, the Fresno State agriculture scientist who leads this study.

In the scientific community, laser technology is well-established. It has been used mostly to measure pollution coming from smokestacks at power plants and factories.

But nobody expected to find a laser measuring air pollution at a dairy.

And, in a little trailer next to the lagoon, a national spotlight shines on Krauter and his lasers. His work could become research bedrock for dairy industry officials, environmentalists, academics and government regulators.

It will no doubt be reviewed and cited from California to North Carolina in years to come.

Forget smokestacks and tailpipes. Krauter and the smoggy San Joaquin Valley, with its \$4.5 billion dairy industry, are at ground zero on the nation's newest frontier for air pollution investigation.

Why would anyone care about air pollution coming from a Holstein? Because at one point last year, state and local estimates indicated that valley cows would produce as much smog-making pollution -- called reactive organic gas -- as cars by 2005.

The valley's dairy herds had swelled to more than 1.1 million cows. With each animal daily expelling 20 times more waste than a person, environmentalists filed lawsuits claiming air pollution from dairies was too dangerous to allow continued expansion.

Trouble was, nobody knew how much pollution really was coming from cow waste. The government based its estimates on research published in 1938.

Regulators admitted that the research was old and way off the mark.

For the valley, in particular, with one of the nation's dirtiest air basins and a count of 300,000 people afflicted with respiratory disease, officials agreed that the 65-year-old research needed to be updated.

The California Air Resources Board launched a campaign last year with a grant of more than \$100,000 to Fresno State.

Krauter's first results came from monitoring last fall at a Hanford-area dairy.

Three days of monitoring showed the old research grossly overestimated reactive organic gases. But it was only one dairy and one three-day period.

"We are planning more work," Krauter said. "But the emissions looked like they were far less than half of the current estimates."

Krauter plans to go to three valley dairies over the next year to sample emissions in October, late winter and summer. His work at the Fresno State dairy is focusing on methane, which is not a regulated gas but may have some connection to smog-making gases.

With his data from lasers, computers and special equipment such as a gas chromatograph that helps identify the gases, Krauter said he believes his study will show "there's a big difference between 1938 and 2003."

The dairy industry is pleased but cautious about Krauter's results.

"The early results are very encouraging," said J.P. Cativiela, representing the Community Alliance for Responsible Environmental Stewardship, a dairy advocacy group. "But more work needs to be done. We don't want to replace the old science with equally shaky numbers."

'Physiology of the Ruminant'

The old science was based on a methane study that cited sources dating back to 1890. Additional research has taken place since 1938, but nothing has been definitive enough to replace the old work.

The 1938 study, found in a publication called "Nutritional Physiology of the Ruminant" from the Carnegie Institute, has remained the basis for dairy smog projections on environmental impact reports for decades.

The study indicated that cows emit about 160 pounds of methane annually. But methane is not a smog-making gas.

Nobody measured the more reactive gases that make smog or ozone, a lung-corroding summertime pollutant. It is believed that smog-creating gases account for about 8 percent of cow emissions.

Instead of measuring those gases, regulators have been figuring 8 percent of the 160 pounds of methane, or 12.8 pounds of smog-making gases per cow each year. In the 12.8 pounds, dozens of smog-making gases could be included, such as ethyl alcohol, ethyl amine, isopropyl alcohol, propyl acetate and trimethyl amine.

Nobody knows if the 12.8 pounds is right. Until the past few years, when dairy herds began expanding, nobody had any reason to figure it out.

Now environmentalists say regulators should impose rules on dairies to save the lungs of valley residents. The regulations could be changed as science catches up, they say.

"Act now, apologize later," said Brent Newell, lawyer for the Center on Race, Poverty and the Environment, which has sued several dairies over air pollution.

Dairy officials say they are willing to invest in emission controls, but there simply is not enough science to guide them yet. Animal waste emissions are not understood well enough to devise a control strategy, they argue.

That is one argument they use in opposing Senate Bill 707, an effort by state Sen. Dean Florez, D-Shafter, to require buffers around new or expanding dairies, to separate them from communities and schools.

Industry officials fear the policy might unfairly restrict dairies and cause unnecessary expense if it is enacted before the research is done.

"The National Academies of Science advised the federal government not to develop recommendations (about dairies) without sound science," said Michael Marsh, chief executive officer of Modesto-based Western United Dairyman, representing more than 1,000 dairies.

"There's nothing to support the legislation from Florez."

Research that could guide regulators is a ways off, perhaps a year for Krauter's investigation focused on methane.

Information is available now about ammonia. Past inquiry leads scientists to believe that ammonia hangs in the valley's thick, winter fog and combines with another chemical to make dangerous particles, called ammonium nitrate, that lodge in people's lungs. The state considers dairies the No. 1 source of ammonia, estimating more than 60,000 tons annually.

The San Joaquin Valley Air Pollution Control District is attempting to control ammonium nitrate by cutting down on nitrogen oxide, the chemical that combines with ammonia. Nitrogen oxide comes from combustion sources such as cars and boilers on steam generators. Stricter engine standards and more controls on other sources will help.

But the Fresno State research has something to say about ammonia, too.

Krauter was standing next to his portable weather station at the Fresno State trailer when ammonia crossed his mind.

He and graduate student Matt Beene are discussing how the lasers will be placed downwind of dairies during their testing to see how far pollution travels.

Ammonia-eating crops

Farmers often grow crops around their complex of stalls, buildings and lagoons. The crops appear to absorb ammonia, Krauter said.

"In our initial monitoring, we found excellent evidence that vegetation pulls the ammonia plume down to about 20 percent of its original size," he said. "Most of it is gone after (it moves) a short distance beyond the dairy."

But an equation for smog-making gases may not be so simple, Krauter said. Atmospheric chemistry and the sometimes chaotic nature of weather complicate his work. And dairies differ in their construction and the way they manage waste.

To illustrate one difference, Krauter said he hopes to monitor a dairy with a biogas digester, a system to capture methane from cow waste and burn it to run an electricity generator.

It is believed that digesters cut down air pollution but, again, no one knows.

"It might produce more reactive organic gases," Krauter said. "It might also burn them up."

If dairy pollution estimates are eventually lowered as a result of Krauter's work, it would raise a formidable challenge. Jerry Martin, spokesman for the state Air Resources Board, said regulators would have to cut back pollution from other sources.

Martin said dramatic efforts may be needed, such as focusing on better mass transit and

cleaner-running vehicles. He cited the Los Angeles-area South Coast Air Basin, which has drastically cut down on diesel in truck and bus fleets by switching to natural-gas power.

Krauter watched as the dairy stalls flushed into the 30-foot-deep lagoon. The lasers kept firing across the 138-by-378-foot pit.

He knows sweeping policy decisions, industry adjustments and public health are riding on what he finds. His findings will be under a microscope.

144 S.J. farmers part of air deal

Feds to share cost of reducing pollution

The Record, Saturday, August 30, 2003

Final touches are being made on more agreements between the federal government and 500 Central Valley farmers willing to try pollution-reduction practices.

The U.S. Department of Agriculture's Natural Resources Conservation Service announced that it would give out more than \$5.5 million this year to farmers willing to put in some of their own money to improve the air.

Farmers had to agree to match the government money dollar for dollar. The money will be used for various pollution-reduction activities, including buying cleaner diesel engines, chipping farm waste instead of burning it, and reducing dust pollution from rural roads.

The incentive program began in 1998 with just \$294,000 and 35 farmers. This year it grew to the \$5.5 million contribution and 510 farmers, NRCS spokeswoman Anita Brown said.

Of those 510 farmers, 144 are in San Joaquin County, Brown said.

The pollution-reduction activities will help cut particulate pollution by 723 tons a year, according to NRCS estimates.

Brown said NRCS could choose only about half the farmers who expressed interest in the program.

The farmers came from Sacramento and Solano counties as well as the eight-county region that encompasses the San Joaquin Valley air basin.

Several looming anti-pollution efforts from state and local air regulators threaten to force Valley farmers to cut back on pollution. Farmers with several old diesel irrigation pumps are required to get permits to operate their pumps.

Some farmers also are required to cut back on dust that flies off unpaved farm roads.

The NRCS money can help farmers meet those requirements, Brown said.

The incentive program this year also included funds that will help farmers reduce the number of tractor trips across a field, which can reduce flyaway dust.

Relaxed Air Rules Choke an Industry

The pollution-control business, once booming, sees lean years ahead under new Bush policy.

By Elizabeth Shogren, Los Angeles Times Staff Writer, August 31, 2003

DURHAM, N.C. — Cormetech Inc.'s state-of-the-art manufacturing plant makes big pollution-control devices that clean millions of tons of smog-producing nitrogen oxides from the smoke that billows out of power plants.

But on Friday, like all Fridays these days, most of the factory's machines were still. Since June, the Durham-based company has cut its workforce and production by more than half and shrunk its workweek from seven days to three or four.

Business is very slow for companies like Cormetech. And it is about to get even slower, industry experts say.

The Bush administration on Wednesday announced a relaxation of the Clean Air Act's requirement that older facilities install modern pollution-control devices when they modify their plants in ways that significantly increase emissions.

The new policy was the second step of the administration's reform of the "new source review" portion of the Clean Air Act, and it had been in the making for two years. The prospect of this reform had already weakened the market for pollution-control equipment, experts said.

Industry representatives, state officials and environmentalists agree that under the new rule, coal-fired power plants, the nation's biggest polluters by far, will rarely if ever trigger this requirement to install pollution-control devices.

"It looks like we will have a lot of lean years here," said David Foerter, executive director of the Institute of Clean Air Companies, which represents 80 firms that produce pollution-control devices.

The companies that belong to the trade group, which account for a third of the industry, booked about \$1 billion in sales in 2001. In 2002, sales fell to \$800 million, and in the first half of this year revenues plunged to \$75 million.

"Orders for the future are almost nonexistent," Foerter said. "It's like falling off a cliff."

Companies did not expect these to be tough times.

Just a few years ago, it looked like aggressive enforcement would make all the dirtiest, pre-1970-vintage plants clean up, said Robert McIlvaine, an industry analyst. Starting in 1999, the Clinton administration brought lawsuits against 51 power plants as well as a number of refineries and wood-processing plants.

Many of the refineries settled and have started cleaning up. But the power plants, a much bigger market for pollution-control companies, balked.

Some of the biggest polluting utilities had signed agreements in principle in 2000, but after the Bush administration took office and launched its reforms, those potential agreements stalled. A few utilities have reached agreements with the government, but most opted to go to court.

The administration's new policy makes it easier for electric utilities, refineries and manufacturing plants to update or repair their facilities without having to install modern pollution-control devices as part of the process.

The idea is to give industry greater flexibility to modernize its plants without being penalized for it financially. Some utilities, for example, say they have been reluctant to install advanced steam

turbines that let them make more power from less coal — a clean-air benefit in itself — because doing so might force them to install costly new pollution-control equipment.

But environmentalists warn that the change allows dirty industrial facilities to keep polluting. Their chief concern is coal-fired power plants.

Thirty-three years after the Clean Air Act was passed, the majority of coal-fired electricity generators in the U.S. still have not installed pollution-control devices, industry officials said.

They're responsible for the lion's share of the pollution from the power industry, whose emissions account for a quarter of the nitrogen oxides and two-thirds of the acid-rain producing sulfur dioxides emitted nationally.

The effect of the new policy might be limited in California, which has led the nation in requiring pollution controls. The California Air Resources Board considers its new source review program very effective at forcing industrial polluters to install new control equipment. It plans to fight to keep using its own program.

California is one of the few parts of the country without coal-fired power plants, and the rest of its industrial facilities are cleaner than in most states. Cormetech was busy retrofitting gas boilers in California in 1993 and 1994, years before it did similar projects in the East.

For companies like Cormetech, air pollution control is a potentially massive market that has never been fully realized.

Business had been strong for Cormetech in recent years, because the company was busy helping some older coal-fired power plants reduce emissions of nitrogen oxides. But that work is almost completed, said Fred Maurer, Cormetech's president.

Maurer said his company is still turning a profit, but it has not been easy. In addition to the layoffs and cutbacks, Cormetech recently cut costs by moving office staff out of a downtown office building and into its plant in a leafy industrial area about 20 miles from Durham.

"Right now people are downsizing and just trying to hold on," Maurer said.

Cormetech produces huge honeycomb-shaped ceramic filters known as selective catalytic reduction machines.

To reduce nitrogen oxide emission by as much as 90%, ammonia is added to exhaust before it flows through the honeycombs. A chemical reaction turns most of the gas into water and nitrogen. It can cost a plant \$40 million to \$50 million to install one machine.

Maurer remains optimistic. It's not as if regulation of plant emissions is disappearing; Congress is weighing legislative proposals that would require power plants to reduce pollution.

Republicans and Democrats support the general concept, but the Bush administration and Senate Democrats have very different ideas about how deep the cuts in pollution should be, and most Washington observers see little chance of a bill passing this session.

Even with the Bush Clear Skies plan, which is the least aggressive, industry experts believe that about half the nation's coal-fired power plants would be retrofitted with pollution controls, up from about a third now, Foerter said.

And even without such a bill, there are regulations in the works that could require deep reductions.

But the pollution-control industry worries that these regulations, like past regulations, will be delayed for years by legal challenges.

Jeffrey Holmstead, the assistant Environmental Protection Agency administrator for air programs, said that if the president's plan were to pass, about 85% of electricity from coal-fired power plants would come from plants with advanced-control technology.

Even if it does not pass, Holmstead believes that the market for pollution-control equipment will be good.

"There is a misperception that somehow the new source review is the only program that requires people to install technology controls," he said.

But many local and state officials charged with cleaning up the air believe that the new administration policy will make it much easier for industries to avoid updating.

Said S. William Becker, executive director of the State and Territorial Air Pollution Program Administrators and the Assn. of Local Air Pollution Control Officials: "We are very concerned it will postpone the achievement of our health-based standards, and the public should be outraged."

Pollution effect on Tahoe studied

Scientists look into whether ozone from the Sacramento area affects lake and residents.

Associated Press

(Published in the Fresno Bee, Tuesday, September 2, 2003, 5:26 AM)

SOUTH LAKE TAHOE -- Experts are studying whether air pollution from Sacramento threatens the environmental health of the Lake Tahoe basin.

A study made public last week by the Surface Transportation Policy Project, a Sacramento-based, nonprofit organization focused on transportation reform, ranked Sacramento fifth among the top clean-air offending cities in the country.

While scientists agree that pollutants from Sacramento are reaching the Tahoe basin 100 miles to the east, they're not sure whether it's enough to cause lake damage or health problems.

Using data from the U.S. Environmental Protection Agency, the study ranked metropolitan areas by how many days their air-pollution levels exceeded national health standards during a three-year period. All of the top five cities in the nationwide survey were in California, three in the Central Valley.

"Tahoe is definitely being impacted by pollution from Sacramento and the Bay Area," Jennifer Quashnick, an Air Quality Program Manager with the Tahoe Regional Planning Agency, told the Tahoe Daily Tribune.

"We've known for years that we can have transport of pollutants in the wind."

A study conducted a few years ago revealed mercury in the lake's floor.

"There was no mercury activity in the basin, so it had to come from outside," said John Reuter, a professor at the University of California at Davis who has studied Lake Tahoe since 1978.

The TRPA also has observed an increase in the ozone around Tahoe at night, an indication that pollution is coming from outside the basin, because local ozone normally rises with the heat of the day, Quashnick said.

Scientists say Tahoe's elevation shields it from the brunt of the Central Valley's pollution. Ozone is carried up the western slope of the Sierra Nevada, but by the time it reaches Tahoe, it either blows across the lake high above ground or is diluted enough not to be a problem at ground level.

"As far as we know, it's not polluting the lake and it's not having a big impact on people," said Tom Cahill, who teaches atmospheric science and physics at UC Davis.

"But it's a cautionary tale because it shows how efficiently it can be transported."

The pollution, however, is affecting Jeffrey pines, Cahill said.

Increased ozone levels make the trees' needles age faster, resulting in bare branches with green tips on the end.

Not all pollution found in Tahoe comes from outside the basin. Quashnick said that while southwest summer winds blow in contaminants, in the winter all pollution is generated locally.

The Placer County Air Pollution Control District reported that the majority of pollution in Tahoe comes from wood-burning stoves and diesel engines. "It's both in-house and out-of-house," Reuter said.

Whether Sacramento's smog is having a major impact on the lake remains to be seen. "No doubt bad air quality is getting into the lake. The question is -- how much and is it a big deal?" Reuter said.

[Fresno Bee Editorial:](#)

Air bills break through

Florez legislation now heads for a vote of the full Assembly.

(Published Saturday, August 30, 2003, 5:12 AM)

Four clean air bills were approved by a state Assembly committee on Friday and are now headed for a full vote on the Assembly floor. It wasn't easy, but it was worth the wait.

Three of the bills, offered by state Sen. Dean Florez, D-Shafter, met relatively little resistance. It was a different story for SB 700, called the linchpin of Florez's package of eight measures.

An odd confluence of political interests combined to make SB 700's passage out of the Assembly Appropriations Committee a rocky one, at least for a while. The agricultural industry fought it furiously, and managed to find help in an unlikely quarter: some liberal Democrats who represent urban coastal districts.

It seems that party leadership was reluctant to force Valley Democrats to take a stand on a bill so hated by ag interests. Perhaps that's understandable, but people -- even legislators -- must stand for something sometime. Cleaner air ought to be an easy call for elected representatives; clearly, it isn't that easy in the cloistered world of state government.

SB 700's main feature is the repeal of a decades-old exemption from permit processes for agriculture. If it becomes law, it would forestall severe federal sanctions that would otherwise land right on the neck of the Valley's economy next year.

The other measures approved by the committee on Friday:

SB 704 would require biomass energy facilities to regularly burn agricultural waste -- at least 30% of their total fuel -- to produce electricity.

SB 707 would establish buffer zones between dairies and urban areas.

SB 709 would expand the authority of the San Joaquin Valley Air Pollution Control District to create and fund Valley air quality improvement initiatives.

All these measures are needed, and represent only the beginning of our long haul toward cleaner air. The monumental effort it took to get them this far shows us just how difficult that larger task will be.

LASTGASP

"We can't go on living this way. And we won't."

Four crucial clean air bills manage to survive intact on their journey through the gantlet of politics in the state Assembly.

[Letters to the editor, Fresno Bee:](#)

'Important crop'

By R.X. Spence
Sanger

(Published Sunday, August 31, 2003, 5:34 AM)

I think we have overlooked the obvious.

The most important crop that farmers produce is oxygen. Plants take in carbon dioxide and produce oxygen.

Soon we will be like Los Angeles, with the worst air in the nation and only one or two farmers to blame it on.

Letter to the Editor - Fresno Bee

'A tough battle'

By Linda J. Smith
Clovis

(Published Tuesday, September 2, 2003, 5:29 AM)

I thank state Sen. Dean Florez for working to get his clean air bills for the Valley up for a vote. It's been a tough battle and one that hasn't been completely won yet, but his efforts to work for all the citizens of the Valley deserve recognition and praise.

We all have to make changes in the way we live in order to make this a healthy place for all of us. The old ways just won't do anymore.

To clean up our air will require sacrifices from all of us, but having healthy children, beautiful blue skies and attractive communities for new businesses to develop will be well worth the effort.

I thank Sen. Florez for starting us on our way.

[Letter to the editor, Modesto Bee:](#)

A sign for conservation

September 2, 2003,

I am glad we refinanced our house and bought a hybrid electric/gas car last month. Its mileage was advertised as 45 on the highway, and 52 in town due to its ability to retrieve energy during braking. But so far, all our long trips have come out at 52 to 54 mpg. The hybrid concept can be applied to diesels and even Hummers. Let's interpret the \$2.15 per gallon gas prices as a sign for conservation of natural resources.

RICHARD ANDERSON

Modesto

