

## Study Lays Out Transit Impact

Merced Sun-Star

By Scott Pesznecker

Last Updated: June 14, 2004, 06:48:23 AM PDT

Future road construction projects in Merced County could destroy more than 2,000 acres of agricultural land, wetlands and riparian habitat.

But, as strange as it sounds, that's less than would be destroyed without those projects.

That's according to the draft environmental impact report for the Merced County Association of Governments proposed regional transportation plans, which outline road and transit growth for the next 25 years.

The EIR is available for public review at the MCAG office at 369 W. 18th St. It's also on the Internet at <http://www.mcag.cog.ca.us/pip/documents.htm>.

Mail comments about the EIR to the MCAG office. The deadline to comment is July 6.

Marjorie Kirn, deputy executive director of the Merced County Association of Governments, said the EIR is the most extensive study on regional transportation in more than a decade.

"It does a very thorough job of looking at the direct and cumulative impacts of the regional transportation plan," Kirn said.

State and federal law requires the Merced County Association of Governments to create at least a 20-year plan for future transportation development in the county. The plan must be updated every three or four years.

The EIR discusses each of the association's proposed plans.

The first plan, plan "B," is the county's current plan. It's funded by \$582 million in anticipated revenue from the state and federal government in the next 20 years. The plan meets minimum standards to fund road and highway projects, road maintenance, transit and bike paths.

Another plan, "D," would also cost \$582 million. The plan would provide incentives for other means of transportation -- including walking, trains and airplane service -- but would cut \$150 million from road construction.

The other three plans provide more funding across the board, but would cost up to \$1 billion over the next 20 years.

The EIR also describes the effect each alternative would have on the environment.

For example, the EIR says future road projects would result in the loss of between 1,237 and 2,092 acres of agricultural land, depending on which alternative is chosen.

The county has 1.1 million acres of agricultural land.

Also at risk are up to 19 acres of wetlands and 116 acres of riparian habitat.

But page 188 of the EIR said the county would lose more wetlands, riparian area and farmland to development if county roads are not improved.

Kirn said that's because future road projects will direct development to more urban areas of the county.

"It shows that by providing proper infrastructure for growth in Merced County, we can help protect the things we care about like agriculture and environmental resources," Kirn said.

Diana Westmoreland Pedrozo, executive director of the Merced County Farm Bureau, said she plans to review the EIR.

She said the EIR's theory of saving farmland by building new roads "sounds credible."

"You can either develop by your plan, or plan by developers," she said.

Westmoreland Pedrozo said the Merced County Association of Governments has done a good job working with community members to refine its construction alternatives.

"I'm looking forward to reviewing the draft EIR," she said.

## **Farmers grapple with new air rules**

By James C. Loughrie

Hanford Sentinel, June 11, 2004

HANFORD - With the San Joaquin Valley air pollution classified as "severe," area farmers have been tasked to file forms showing what they are doing to reduce emissions.

More than 200 farmers gathered at the Kings County Fairgrounds Thursday morning to hear from various state conservation, air quality and agriculture representatives regarding a new farm emissions monitoring program.

Farmers with 100 contiguous acres or more must submit a "conservation management practices plan" application with the San Joaquin Valley Air Pollution Control District.

The conservation plans are part of the aftermath of the U.S. Environmental Protection Agency's finding that the San Joaquin Valley is in serious non-attainment for PM-10 emissions standards under the federal Clean Air Act.

To pass the application process, farmers must register at least three practices on their farms to help reduce the amount of dust and air emissions. Practices such as upgrading an old diesel engine to a new one with less output, paving a dirt road or even posting a speed limit sign are among many mitigating factors farmers can take.

Rick McVaigh, permits services manager for the San Joaquin Valley Air Pollution Control District, said the agency is concentrating on conservation plan applications right now. McVaigh said the air district has obtained more than 1,200 plan applications so far, out of 8,000 needed for the Central Valley.

When inspectors begin enforcement, at a later date, a farm found not complying with the terms of a conservation plan can be warned or fined up to \$10,000 dollars a day, depending on the severity and emissions caused by the violations.

For Donnie Rose, a pistachio grower on 2,000 acres near Kettleman City, filing conservation practices may mean simply writing down what he is already doing. "A lot of the stuff we've been doing for 20 years already," Rose said after the meeting.

Stan Azevedo, a hay grower in the Hardwick area, was pleased with the meeting and the assistance available. He said, "I think it was very good. Actually, it was a lot better than I thought it would be."

Azevedo said that while he took a lot with him from the meeting, he also worried about new regulations placed on farmers.

"All this is building a whole new bureaucracy ... that will have the government hovering over farmers' heads," he said.

## **Hybrid-access bill speeds toward OK Critics fear incentive could increase traffic**

By Douglas Fischer, Hanford Sentinel, June 13

A measure granting drivers of hybrid vehicles access to free-way carpool lanes -- even when alone -- is cruising through the Legislature, despite calls from opponents who say such drivers could gum up the lanes for those in carpools and buses.

Sponsored by Assemblywoman Fran Pavley, D-Agoura Hills, the fast-moving bill would let up to 75,000 drivers of vehicles with gas-and-electric-powered "hybrid" engines use the lanes as an incentive to buy the new technology and improve overall air quality.

Republican Gov. Arnold Schwarzenegger supports the bill, as does Treasurer Phil Angelides, one of Schwarzenegger's leading Democratic critics. The California Air Resources Board also supports it, and it has cleared two committees with 19-1 and 12-1 votes.

Pavley says her proposal, AB 2628, will give consumers a "strong incentive to purchase the least polluting and most fuel efficient" hybrids, resulting in an increase in demand for the cleanest hybrid technology.

But opponents say letting 75,000 hybrids into High Occupancy Vehicle, or HOV, lanes would quickly fill those lanes, discouraging others from using carpools, vanpools and express buses. In the Bay Area, that congestion could prove fatal to a regional express bus service set to launch in 2006, said Stuart Cohen of the Transportation and Land Use Coalition, which opposes Pavley's measure.

"It basically means those buses we had anticipated going 30 to 60 mph will be going 5 to 10 mph," he said.

Cohen also sees problems with enforcement.

There are an estimated 20,000 hybrids in California today -- chiefly the Toyota Prius, Honda Civic and Honda Insight. The Prius and Insight have distinct looks, but new hybrids coming to market -- the Honda Accord, for example, or the Ford Escape, an SUV -- look nearly identical to conventional gasoline-powered counterparts.

Over the years lawmakers have floated proposals to open HOV lanes to one type of driver or another -- from doctors to seniors and the disabled.

All except one -- a measure extending the privilege to "clean fuel" vehicles -- have died.

Last year a nearly identical measure to Pavley's never got a hearing. But this year, with trendy hybrids selling briskly in Hollywood and the Bay Area, the bill has found a new set of wheels.

"It's a perfect example of feel-good legislation that looks good as long as you don't think too hard about it," said Bob Poole, director of transportation studies at Reason Foundation, a public policy watchdog.

"The longer and harder you think, the more you see big problems."

Among them, according to Poole, is a federal HOV-lane requirement that all vehicles with less than two occupants must be certified as a so-called "inherently low-emission vehicle."

No hybrid vehicle for sale today meets that standard, according to the Federal Highway Administration, and the state would need a waiver from the Bush administration to let hybrids into the diamond lanes at rush hour.

There's also a matter of fairness, critics note. Pavley's AB 2628 states the hybrids must meet a 45-mile-per-gallon standard to enter the carpool lanes. But conventional gasoline- and diesel-fueled cars meeting that standard would be excluded.

So, too, would be so-called "super ultra low emissions vehicles" which, in some cases, have better emissions than their hybrid counterparts.

Cohen and Poole also note the Prius' lengthy waiting list for new cars and wonder whether more incentive is needed.

"I live in Berkeley," Cohen said. "Those neighbors of mine who don't yet have a Prius are on the waiting list for one."

"With the Prius having an eight-month waiting list, every manufacturer is saying, 'We've got to get this to production quickly.' They just don't need HOV lanes as incentive."

## **County may hit brakes on SUV use**

### **Supervisor cites rising high gas prices, environmental concerns**

By Tamara Grippi, Tri-Valley Herald, June 11, 2004

Contra Costa County Supervisor Mark DeSaulnier of Concord wants the county to put the brakes on its use of sport utility vehicles.

Citing soaring gas prices and environmental concerns, the supervisor argues that the county should stop buying the trendy vehicles, except when truly needed for heavy-duty work.

The Board of Supervisors will consider DeSaulnier's proposal -- which exempts emergency SUVs used by such agencies as the sheriff's department -- at its meeting Tuesday.

"We are the largest public agency in the county with a very large fleet," DeSaulnier said. "We need to look at ways of conserving energy from both a financial standpoint and an environmental standpoint." DeSaulnier, who serves on the California Air Resources Board and the board of Bay Area Air Quality Management District, noted that the county can "phase out" some of its existing SUVs when those vehicles are due for replacement. Contra Costa County currently owns 44 SUVs in its fleet of 1,400 vehicles, said fleet manager Frank Morgan. A good number of those utility vehicles belong to the county's sheriff's department.

Morgan said the new policy would "make sure anything we purchase is really thought through to the point where (the vehicles) are fuel-efficient and environmentally friendly."

Newly developed SUV hybrids will offer another option for the county in the future, he added.

In recent years, gas-hungry SUVs have raised concerns about pollution and global warming.

"Driving, in general, is the No. 1 source of pollution in the Bay Area and SUVs are allowed to pollute more than cars," said Luna Salaver, with the Bay Area Air Quality Management District.

Officials are concerned that SUVs emit higher amounts of the "greenhouse gas," carbon dioxide as well as the "smog-forming pollution" that is particularly harmful to children, the elderly and people with asthma, Salaver said.

"What the supervisor is doing is commendable," Salaver said. "People should be following the trend toward making choices that result in healthier air and a healthier environment."

While Contra Costa considers the new policy for its fleet, the state is poised to take action on the global warming front.

On Monday, the California Air Resources Board is expected to release new regulations requiring automakers to cut carbon dioxide and other greenhouse gas emissions by nearly 30 percent over the next decade.

## **Valley asthma cases on the rise**

By [Kimberly Horg](#)

Published Saturday, June 12, 2004 Turlock Journal

The number of Central Valley children diagnosed with asthma is rising, nurses and doctors say.

Since 1980, the number of asthma cases in California has risen by 160 percent, prompting California State Assemblymembers Wilma Chan, Sarah Reyes and Fran Pavley to introduce new legislation that would require school districts to allow students to carry asthma medication on campus in addition to improving environmental conditions during construction of new buildings and improving upon indoor air quality.

Asthma is one of the most common illnesses that effect children in the United States. In 2001, about 136,000 California adolescents with asthma missed at least one day of school a month, according to a press release sent out by Chan's office. Currently, each school district has to develop its own policies on asthma. Some school districts have no-drug policies so children are not allowed to carry their asthma medication with them when they are attending class. Additionally, not many districts have policies to educate teachers about asthma.

The legislation that was introduced last month include recommendations from the "Guidelines for the Management of Asthma in California Schools," a list of standards developed by asthma organizations, health care providers, the American Lung Association and the California Department of health services.

The guidelines were put together because of the lack of understanding of asthma by school personnel and the continual improvement of medical technologies to treat the it. The document is being finalized by Gov. Arnold Schwarzenegger's office.

The guidelines recommend:

- Requiring that schools have on file an asthma action plan for each student who has been diagnosed with asthma.
- Requiring schools perform annual training for all staff with the focus of understanding asthma.

Adolescents are especially at risk because most teenagers do not have the ability to relate actions with consequences and might not realize how dangerous it is to not manage the disease properly. Teenagers with asthma might also push themselves during activities more than they should to fit in with their peers, according to the Journal of School Nursing.

"Research supports the need for asthma education tailored for adolescents to help them with asthma management," said Ann Bonfiglio, a school nurse who works out of Ustach Middle School in Modesto. Ustach, who also teaches a community health class at California State University, Stanislaus, offers an asthma education program for students at Ustach who have asthma. The 30-minute class is given in small-group sessions that help explain what asthma is, symptoms and triggers of asthma, prevention and control and medications.

Bonfiglio has been a nurse since 1981 and has been with the Sylvan School District since 1995. She recently received some good ideas after going to the California School Nurse Convention and attended a class about asthma, she said.

## **Waste to a Wasteland**

By Mark Grossi

The Fresno Bee, June 13, 2004

Farmer Ceil Howe strolls along a sun-baked slab of land larger than the city of Clovis, explaining why he abandoned growing cotton here. The abridged version: The clay on the dried Tulare Lake bed is like concrete.

Yet on this corner of his 40,000-acre Kings County ranch, he doesn't seem to notice the latest crop of lizards and weeds. He sees serendipity flowing from big-city sewage plants.

Howe has a provocative idea to marry this scrubby part of his Westlake Farms with 78 cities in Los Angeles County. His proposal would stop conversation at any dinner table.

He wants to use treated sewage produced by 5.4 million people and businesses in those 78 cities to make compost, or soil nutrient -- lots of it. The compost might perk up this land, allowing Howe to grow crops that people don't eat, such as cotton or alfalfa.

The Howe family, west San Joaquin Valley farmers since the Great Depression, could make millions of dollars. Cities such as Long Beach, Beverly Hills and dozens of others could find a place to dump several hundred thousand tons of pungent sewage sludge.

The project already has cleared what many consider the major hurdle, a county conditional use permit, and sludge might roll up Interstate 5 in the next couple of years.

For many of the 1,500 people living in the nearest community, Kettleman City, the idea is revolting.

Consider the content of sewage sludge. It's whatever flushes down toilets and drains to sewage plants, where a treatment process removes most liquids, bacteria and many other pollutants.

The result -- damp, chunky and ripe -- would arrive by truck 24 hours a day four miles from Kettleman residents. A \$50 million, state-of-the-art composting operation would combine the sewage with crop

wastes, such as orchard debris or wood chips. The resulting soil nutrient wouldn't have enough nitrogen, phosphorus and potassium to qualify as fertilizer.

The federal government deems this nutrient safe to use in your back yard. In fact, it is commonly sold in the garden department at home improvement stores under such names as Gromulch.

Westlake Farms would become one of the state's biggest sludge composters, possibly producing up to 320,000 tons annually.

"Every person generates this waste every day," Howe says. "We have a project that would recycle it safely every day. Plus, we give farmers a place to take their crop wastes instead of burning them."

No matter how well he makes the pitch, though, some say it's just a way for Southern California to send the Valley a nasty brew of human and industrial waste. For them, that's just too creepy.

"How gross can you get?" asks Gloria Racy, 53, who lives in Stratford, 14 miles away. "Of course, I'm opposed to it. We're always a dumping ground in the Valley."

In Kettleman City, some people call this project environmental racism. Kettleman City is a farmworker community where half the population speaks only Spanish. Residents already live three miles from one of the five largest hazardous waste landfills in the country.

The Kettleman opponents say Howe's composted sewage will wind up in fields not far from their back yards. "Agua negra," or black water, is what they call it.

"How come they only think of Kettleman City when there's something to dump?" asks Maricela Mares-Alatorre, 32. "This sludge is not 100% safe."

U.S. Environmental Protection Agency officials have seen numerous studies since the early 1990s, and nothing has convinced them that sludge is dangerous if properly applied and monitored.

Besides, as Howe says, this is not about spreading the actual sludge directly on the ground. The sludge will come to a composter where nature will distill many of the remaining impurities.

Here's how it would work: Los Angeles County sludge would arrive in 25-ton trucks. Crews would combine it with crop waste into several piles -- 500 feet long, 7 feet tall and 20 feet wide at the base. A layer of finished compost would cover the piles, keeping bugs away and holding in heat.

Inside the piles, natural decomposition and moisture would cause the temperature to rise above 130 degrees over several days, killing off most of the remaining bacteria. The result is the same kind of compost you buy at the store.

To further hold down the smell, workers would mix sludge and farm waste inside a building before moving it to the piles, Howe says. The prevailing wind in the area blows away from Kettleman.

Howe isn't planning to build the composter himself. The Sanitation Districts of Los Angeles, the 78-city confederation, will buy Howe's property and build the composter.

Before escrow can close, Howe needs to obtain four permits -- two from the local air district, one from state water authorities and one from the state waste-management agency.

If the permits are secured, maybe by the end of the year, the Sanitation Districts of Los Angeles will buy the 14,500 acres and permits for more than \$25 million, build a \$50 million composting operation and lease most of the land back to Howe for farming.

As part of the deal, Howe says, he will use the composted sewage on that scrubby land. He says he does not fear compost, which is the same stuff his wife uses around their yard at home.

Howe adds that he and his family -- including his mother and granddaughter -- live on the ranch 11 miles from the future composting site. He wouldn't put his family in harm's way, he says.

And, along with the Boswells, the Hansens and the Gilkeys, the Howes have been agricultural stalwarts in Kings County. This is no sellout, he says: "I don't live in Beverly Hills."

That does not reassure Kettleman City opponents, who don't have many options.

Kettleman City residents went down this road once before, facing what they considered an unacceptable project and long political odds against stopping it. In the early 1990s, they stood up to Chemical Waste Management Inc., part of the largest garbage company in the country.

Mares-Alatorre's mother, Mary Lou Mares, helped lead the town in a fight against Chemical Waste over the installation of a toxic waste incinerator at the company's nearby hazardous waste landfill.

In 1993, the company bailed on the incinerator, saying the project would not have penciled out financially.

The fight lit up this little community where residents are consumed with long working hours in grape vineyards, pistachio orchards and tomato fields.

Their lives in Kettleman are worth the fight, many say. The Latino culture is steeped in family tradition -- weddings, dances, close-knit friendships, Saturday gatherings, Sunday worship.

You wouldn't call Kettleman a family place if you looked just beyond the town's aging houses and worn streets. This area serves as one of the more startling crossroads in California. It has all the ambience of a jumbo industrial park.

Cars and trucks blast past on Highway 41 and Interstate 5, some stopping at the fast-food and gas station lights blazing a few blocks from town. Nearby, the California Aqueduct carries water for 18 million Southern Californians.

Oil pipelines snake behind Kettleman. Overhead, buzzing cables atop imposing metal towers transport electricity all over California.

And there's that hazardous waste landfill just southwest of town with large trucks coming and going.

The fight over the incinerator at the landfill captured the interest of Greenpeace and the California Rural Legal Assistance. Greenpeace organized protests, and the CRLA filed court action.

Kettleman suddenly became a cause celebre in the green community and a poster child for communities claiming environmental racism.

Mares-Alatorre, who has lived in Kettleman since she was 5, says she still sees the racism.

"No one is saying this out loud, so I will," she says. "This is a wealthy white man imposing this project on poor Latino people. That's the definition of environmental racism. Someone needs to represent us."

Mares-Alatorre tries. Married to farmworker Miguel Alatorre, 35, she is one of the few Kettleman residents with a bachelor's degree -- in linguistics from California State University, Fresno. With their 9-year-old son, Miguel Jr., the Alatorres live in the home of Maricela's parents, who have moved to Sacramento.

She coaxed more than 200 Kettleman residents to sign a petition opposing the composting project and appeared before the Kings County Board of Supervisors in a last-ditch appeal this year. Project support from other neighbors and businesses swayed supervisors, who denied appeals and granted a county permit.

Mares-Alatorre remains dedicated to the fight. She grew up listening to her activist mother and her father, Ramon, a United Farm Workers field organizer whom growers blackballed from fieldwork for his union activities in the 1980s.

But she knows the fight is uphill in Kettleman, where less than 20% of the population graduate high school. Losing the two-year battle over the county permit wore down the community's resistance, she says.

Some residents even see a chance for work in the 100-plus jobs at the proposed composting site. They side with Westlake, signing letters circulated by Howe supporters.

The scene looked much different in 2002 when more than 50 Kettleman residents signed form letters opposing the project. The Kettleman letters, along with protests from many other residents, appeared in the draft environmental impact report.

But the final report in January contained an overwhelming majority of supportive letters, mostly from Howe's neighbors and surrounding businesses. The Kettleman contingent and much of the opposition were eclipsed in the documentation.

Howe says people finally understood the project would not apply sludge directly to the ground.

Adela Aguilera, 50, of Kettleman City seems to confirm Howe's explanation, though she isn't totally convinced.

"It doesn't seem bad, the way they talk about it," she says. "But we need to see what really happens."

Mares-Alatorre says the protest momentum simply lost steam. Most residents have little time for government meetings and months of discussion. This is not an incorporated city and there are no elected city leaders.

Concerned about the lack of representation, some people just leave town. Even a few leaders from the 1990s fight against Chemical Waste have moved.

"I could leave here, but I don't want to," says Mares-Alatorre, whose job as a property manager for the United Farm Workers takes her all over the Valley and out of the state. "I know someone needs to speak up."

The three appeals of the sludge composter went nowhere with the county. Two of the appellants -- both lawyers -- have joined forces to sue over the project in Kings County Superior Court.

Lawyer Richard Harriman, representing some surrounding landowners and the Fresno-based Valley Advocates, says the project could interfere with a possible restoration of historic wetlands in the area.

He filed the lawsuit with lawyer Caroline Farrell of the Center on Race, Poverty and the Environment in Delano, challenging the environmental impact report.

Farrell argues the report misrepresents air pollution reductions. Because farmers could use composting as an alternative to open-field burning, Howe claims credit for reducing air pollution, she says.

"But state law is banning farm burning," she says. "You can't take credit in an EIR for reductions that the law is already making you do. We need a legal accounting of the impact on air quality."

The third appellant, Rosemary Chan, 50, of Laton, says thousands of area residents, including those in Kettleman, want a safe environment and do not believe the project addresses their interests. She has not pursued her appeal any further.

Mares-Alatorre and others say no groups are meeting with Kettleman residents. There is no Greenpeace leading an activist campaign in town this time.

"We're all alone now," Mares-Alatorre says. "We don't want that sludge near our homes. I won't give up telling people our side."

Strange as it sounds, sewage sludge concerns in Kettleman City started on New Jersey's shoreline in 1987. For years, many large cities had legally discharged their sewage and other waste into the ocean. Sewage slicks began appearing on the New Jersey shore.

The headlines were horrific. Medical syringes and used condoms appeared in sand castles. Beachgoers stayed away in droves as authorities reported the coastline and inlets were laced with bacteria from the sewage.

Congress didn't wait for more headlines, though others followed. In 1988, congressional members passed a law prohibiting cities from dumping sewage into the ocean. It took effect in 1992.

At the same time, recycling fever spread across the country. Soon, recycling sewage sludge caught on.

It was cheaper than burying sewage in landfills. The EPA quickly began regulating the spreading of sludge on land in 1993.

The EPA now estimates that about 5.6 million tons of dry sewage sludge are used or disposed of each year in the United States, and 60% of it is applied to land.

Sewage had been used this way on a smaller scale for many years, but the popularity of recycling it magnified an argument that has long raged over safety. Critics allege sludge harms people, livestock and the environment.

Over the last decade, people blamed illnesses and strange rashes on the sludge, but government officials say investigations debunked the claims and provided little proof to change policies.

Still, there's more to the story, skeptical scientists say.

Bacteria and viruses survive in the more lightly treated sludge, called Class B, says Ellen Harrison, a Cornell University professor whose research has stirred arguments. More thoroughly treated sludge, called Class A and exceptional quality, eliminates many more of the impurities.

In Howe's proposal, the composter would use Class B sludge from Los Angeles County. After Class B sludge is composted, officials say they consider it safer -- Class A or exceptional quality.

But Harrison says no amount of treatment will eliminate metals, such as mercury or lead. Mercury and lead are toxic to people and animals in high doses. Metals can cause kidney disease, hypertension, liver damage, neural damage, structural change in tissues and reproductive difficulties.

The metals are dumped into sewage systems by industry, which now uses more than 50,000 chemicals in processes. Many chemicals wind up in sewage along with bacteria, fungi and heavy metals, leading skeptics to wonder about unpredictable combinations of contaminants.

"No one can assure you that treatment, not even composting, will make sludge completely safe," Harrison says.

Investigating Class B, she says, she has found 39 incidences in 15 states involving 328 people who said they suffered some kind of reaction from sludge. Aside from respiratory and stomach problems, people reported nosebleeds, burning eyes and flulike symptoms, she wrote in a study published in 2002.

Nobody knows exactly what caused the problems, she says. But because of them, a group of 70 organizations says all sludge and sludge-based products, even compost, are unsafe.

The organizations, including Valley farm group Kern Food Growers Against Sewage Sludge, petitioned the EPA last year for a national ban on spreading sludge of any kind. The Kern growers were worried about the reputation of their products.

The EPA rejected the petition but promised further study of 15 additional chemicals sometimes found in sludge and sludge-based soil nutrients. That is not nearly enough for sludge opponents, who say no one knows if toxins will accumulate in the ground and contaminate future generations.

"If it were just human excrement, that would be one thing," says engineer Laura Orlando, executive director of a Boston-based nonprofit called Resource Institute for Low Entropy Systems.

"Unfortunately, there's a lot more that goes down the drain -- like heavy metals and endotoxins. We need to keep this out of the life cycle. Landfill it and come up with strategies to produce less waste."

Opponents of sewage sludge also point to a 2002 National Academies of Science report that says EPA's sludge standards are based on outdated science. The report says science is still uncertain about the effects on human health.

On the other side of the argument, industries, the EPA and many academics say studies do not indicate danger with treated sludge if it is handled properly.

David Crohn, a professor at the University of California at Riverside with a dozen years of research on the subject, says farmers can contain contaminants.

"They must be managed," he says. "We've studied the pathogens and how nutrients can be used safely. It works in agriculture. The management contains contaminants."

Individual counties control monitoring, amounts of sludge applied and distances from water supplies.

Merced County is one of the few Valley counties to continue allowing direct land spreading of less-treated sludge, the Class B. The county does not allow the sludge any closer than 500 feet from drinking water wells, homes, schools or hospitals.

Once the sludge is applied, natural decomposition makes it go away in time, but the heavy metals remain and eventually are absorbed into the ground or plants. They, too, can be managed and monitored, the federal government says.

"Sewage treatment operators set limits for heavy metals coming from industries," says Lauren Fondahl, regional biosolids coordinator for the EPA. "They are designed to meet clean water standards. The metal levels are lower than they ever have been."

Back in Kings County, the environmental impact study of the Westlake Farms project shows mercury, arsenic, cadmium, copper, lead and other metals would be far below federal limits. Yet suspicion continues to stalk the project.

That's not necessarily a bad thing, says Supervising Engineer Mike Sullivan, representing the sanitation districts.

"It's good to have close oversight," Sullivan says. "A lot of people are unfamiliar with this compost. People in the Valley may be using it in their own garden and don't know it."

Sullivan says he grew up near a Southern California composting plant that used sludge. He says people have used the sludge-based compost for decades with no problem.

"We would use the same material for the same product," he says. "That plant has been doing it for more than 30 years."

Ceil Howe was born at his family's ranch in 1944, has spent most of his life there and has been a leader in Kings County agriculture. His son is the fourth generation of Howes at Westlake. Norman Rockwell could have painted this life.

Why would Howe bring tons of sewage sludge into this image? It's economics and that scrubby land.

Both factors have dominated the thinking at Westlake since before Howe was born.

Howe's grandfather farmed the dried western edge of the Tulare Lake bed since 1929, growing wheat and grain on a half section, or 320 acres.

In the 1940s, with federal subsidy programs for many crops catching on, cotton became the crop of choice for the Howes and other lake-bottom growers. Cotton would grow well enough on the clay soil, and federal payments for growing it made the crop attractive.

Over several decades, the Howes became known for cotton, growing and ginning as well as acquiring land whenever possible. The farm grew to more than 50,000 acres in the late 1960s.

In this land of giants, the Howes' biggest neighbor to the east, J.G. Boswell, had more than twice the acreage.

The Howes distinguished themselves 10 years ago by voluntarily providing more than 700 acres of marshes for stilts, avocets and other shorebirds. The marshes gave birds a healthy alternative to Westlake's tainted irrigation drainage ponds.

On the other hand, the state fined Westlake almost \$2,000 in 1989 for discharging treated sewage water into the Kings River. The Howes maintained the incident was a mistake.

Through the years, the Howes dealt with thick, cracked clay, which does not grow as much cotton as soil on other west-side farms in the Valley. Then cotton prices retreated in the 1990s, and the Howes could not increase their production per acre to sell enough to make ends meet.

In addition, the costs of fuel, equipment and labor climbed, making life tougher on most cotton growers. Many began to let land lie fallow in the 1990s.

"It was a tremendous downturn," says Earl Williams, president of the California Cotton Ginners and Growers Association. "We had more than 1 million acres in cotton production at one point in the early 1990s. We now have about 700,000 or 800,000 acres in production."

After a disappointing harvest season four years ago, Howe stunned the farming community by shutting down his remaining cotton-growing acreage, about 15,000 acres.

He laid off more than 60 permanent employees by early 2001. Some 150 seasonal workers would not see employment with Westlake Farms. He mothballed his 800-bale-per-day gin, considered a medium-size operation.

"Agriculture was getting hammered," Howe says. "But we weren't going out of business."

Westlake Farms continued with wheat, alfalfa and other crops while Howe and his son, Ceil III, talked with the Sanitation Districts of Los Angeles County. The sludge recycling phenomenon had been going for years in Kings County.

The Howes knew two other farmers, Pat McCarthy and Shaen Magan, had been applying the less-treated Class B sludge to their land as fertilizer. The Howes figured they would use the nutrient-rich sludge to invigorate their soil.

McCarthy had fertilized with Class B sludge since the mid-1990s, using it on almost 40% of his 25,000-acre farm where he grows such crops as cotton. His supply came from Fresno, Avenal, Exeter and other Valley cities as well as Southern California municipalities.

McCarthy, who did not return calls for an interview, made millions of dollars taking the sludge from cities.

But just months after Howe laid off his permanent employees in his cotton operation, Kings County banned the use of Class B sludge. The ban forced McCarthy and others to stop spreading Class B sludge in January 2003.

Like McCarthy, Howe found the county would still allow him to use Class B sludge in a composting operation and spread the composted sludge because it is considered safer.

To varying degrees, many other Valley counties, such as Fresno, Tulare, Stanislaus, San Joaquin and Kern, have bans on Class B sludge.

Some of the loudest sludge critics in the Valley are farmers and county officials, who worry about agriculture's image.

Kevin Williams, Stanislaus County's director of environmental resources, says growers are wary of any connection between their products and sewage sludge.

"Ag is the No. 1 driver of the economy," he says. "We don't want anything at all to impair that industry."

McCarthy still uses Class B sludge from Fresno and other cities in his San Joaquin Composting, located in an isolated western Kern County area called Lost Hills. He mixes the sludge with farm waste, such as prunings.

The composter on the Howe property would do the same, taking up to 500,000 tons of Class B sludge and 400,000 tons of crop wastes to combine with sludge for compost. The Howes say it would help farmers fight air pollution.

A new state air quality law requires farmers to begin phasing out crop waste burning in the next several years.

"The whole Valley is in a crisis over the burning issue," Ceil III says. "We have an opportunity to help every other farmer reduce field burning."

As for those who still worry about the sludge, officials for the Los Angeles County sanitation districts say they don't plan to run the composter at full capacity. And other technologies would contain and filter gases coming off the piles.

None of this convinces Rosemary Chan, a Laton resident and West Hills College student who tried unsuccessfully to stop the project.

"There are things that can't be removed from sewage," she says. "What if there was a flood in the lake basin? That alone makes me afraid. We're being taken advantage of."

Engineer Sullivan of the sanitation districts answers: "This is the best composter you can technically build. It's a lot more expensive than we thought it would be, but we're doing it because we want to be good neighbors. We understand some people won't be convinced. We're going to try to change their minds over time."

## **Valley braces for haul of smog Mexico-based trucks will add to pollution, local air officials say**

By Mark Grossi

The Fresno Bee, June 11, 2004

As smog season starts this week in the murky San Joaquin Valley, residents face a new air-quality headache that will soon arrive on Interstate 5 and Highway 99.

Mexico-based diesel trucks and buses, considered twice as bad for the air as their U.S. counterparts, will roll through the Valley, one of the country's most fouled air basins.

A U.S. Supreme Court decision this week opened the border to the trucks and buses. Local air officials estimate the Mexican-based vehicles will daily load 8 more tons of smog-producing chemicals into the Valley's air.

Diesel trucks produce 109 tons of nitrogen oxide, a main ingredient in smog. They create about half of such daily pollution coming from on-road vehicles.

San Joaquin Valley Air Pollution Control District officials say they don't know yet where they will find other cutbacks to deal with the extra 8 tons of pollution. "It's a significant increase," said district planning manager Scott Nester. "That's why we're so concerned about it. We have to deal with it somehow."

Over the last five years, the Valley violated the smog standard for daylong exposure more often than any other place in the country. Smog is mostly ozone, a corrosive warm-weather gas that damages human tissues and triggers lung problems such as asthma.

Federal officials did not conduct an environmental impact study to analyze health effects and other issues surrounding the Mexican truck traffic in the Valley or other places in the country.

But the Bush administration, which wants the border opened, predicted no significant increase in emissions compared to U.S. trucks and buses.

Both U.S. and Mexican standards are virtually the same for trucks and buses manufactured between 1993 and 2001. But the Mexican standards are not nearly as strict before 1993 and after 2001.

The Mexican standards will fall much further behind by 2007 when new U.S. fuel and engine standards will drastically reduce emissions. By 2020, estimates show the Mexican fleets will pollute four times as much as those in the United States.

Environmentalists also fear U.S. fleet owners will sell older trucks to Mexican companies, and the trucks will return as part of another fleet.

Earthjustice lawyer Deborah Sivas, who wrote one of the arguments against the Bush administration in the Supreme Court case, said California and the Southwest will suffer the most.

"We should be looking at specific local impacts," said Sivas, who is based at the Earthjustice Law Clinic at Stanford University. "They will be concentrated in Imperial County, the South Coast area and places along the interstate corridors."

That would include the Valley along the I-5 and 99 corridors. The U.S. Department of Transportation estimates 30,000 Mexican trucks soon will operate in California.

More than 1 million trucks from Mexico crossed into the state last year, carrying cargo about 20 miles into border-area cities, where it was transferred to long-haul U.S. trucks. Until the decision this week, the Mexican fleets could not go any farther than 20 miles into the country.

State officials, who supported an environmental study before allowing Mexican trucks and buses into California, hope their 10 roaming teams of air inspectors will catch polluting vehicles. Drivers of vehicles violating the state's emission standards receive fines, officials said

The teams will focus on the border, said spokesman Jerry Martin of the California Air Resources Board.

About 6% of U.S. trucks and buses fail such inspections, he said. About 12% of the Mexican-based trucks and buses have failed in the past.

Martin said he thought the percentage of Mexican-based vehicle violations would decline over time. He said serious trucking operations probably would not run the risk of a fine, which is \$800 on the first offense and \$1,800 for the second.

But, he added, there is still a fear that many Mexican vehicles would use bad fuel or run poorly due to lack of maintenance. "We're not going to catch every truck."

## **Pollution altering rainfall patterns**

### **Population boom in the last 50 years has created a 'brown cloud' that forces rain to fall outside the state, scientist says.**

Associated Press in The Fresno Bee, June 11, 2004

SACRAMENTO -- As he flew high above the snowy Sierra Nevada this spring, atmospheric scientist Veerabhadran Ramanathan saw confirmation of what he'd both hoped and feared to see: Big, dark storm clouds that weren't producing any rain.

Air pollution appears to be altering rainfall patterns in the Sierra and around the world, said Ramanathan of the Scripps Institution of Oceanography in La Jolla.

It's the latest fallout from an exploding human population that over the last half-century has pushed untold tons of smog, soot and ash into the atmosphere, he said Thursday at the nation's first state-sponsored global warming research program.

The vast sprawl of Los Angeles, with its millions of cars pumping greenhouse gases into the air, is in effect driving away the very rainfall its population needs to survive as pollution forces rain to fall outside the state. Instead of accumulating as snow in California's Sierra, a smaller amount lands in neighboring Nevada.

Ramanathan co-led a 1999 study that reported the existence of a vast "brown cloud" of pollution, dust and chemicals he believes is slowing solar evaporation from the oceans and leading to a net reduction in world rainfall. It's part of a band of pollution encircling the globe, helping produce a 10% to 20% reduction in the amount of sunlight reaching the earth over the last 50 years. The phenomenon cools the earth's surface, but heats the middle atmosphere.

Minuscule flecks of black carbon make up perhaps only 10% of the pollution cloud but play a dominant role in altering the way the atmosphere behaves, Ramanathan said.

The dark particles absorb solar radiation and scatter sunlight, helping produce that characteristic haze that today coats not only such cities as Los Angeles but once-pristine areas such as Yosemite National Park downwind.

They also form the nucleus that attracts cloud moisture into water droplets. Clouds are getting thicker and darker because they retain more moisture, adding to the darkening effect on the earth below.

When enough moisture accumulates around natural dust particles -- clouds of which have been circling the globe for eons -- the droplets fall as rain. But Ramanathan said the carbon specks are often too small to produce drops big enough to hit the ground.

He was among scientists reporting the first results from the California Energy Commission's Climate Change Center. Researchers affiliated with the center are only beginning to develop computer models that can predict trends down to the regional level, a scale small enough to help state policy-makers.

Levels of carbon dioxide will double from historical levels by midcentury, pushing up temperatures across the state but particularly inland. The greatest increase will be at the highest altitudes -- the mountains that hold the snowpack containing more than a third of California's drinking and irrigation water.

Warmer water spilling into the ocean and more intense wind-driven waves pounding the Northern California coast could alter the nutrient-rich coastal waters and affect the area's sea life, said Lisa C. Sloan of the Climate Change and Impacts Laboratory at the University of California at Santa Cruz.

Precipitation is likely to increase in the northern third of the state, her models show, transforming grasslands to scrubland and oak woodlands to conifer forests.

But rainfall is likely to decrease in Southern California, where it's needed most, Sloan said: "This is where the population is, and this is where the giant sucking sound for the water is."

The number of annual heat waves -- three consecutive days of high temperatures -- doubled for Los Angeles and quadrupled for San Francisco under her models, with accompanying health problems from heat, disease, ozone and asthma.

An even more pessimistic model by Norm Miller of the Lawrence Berkeley National Laboratory predicts Los Angeles heat waves could increase three- to sixfold, and double in Sacramento. His modeling shows an even greater loss in crucial Sierra snow.

### **Wasco may get a *lot* more cows**

By GRETCHEN WENNER, Californian staff writer  
Bakersfield Californian, Sunday, June 13, 2004

Up to 104,000 cows could settle near Wasco, increasing the county's milk-cow population by more than a third, if eight proposed dairy-related projects become a reality.

It's a whopping number that dwarfs even the so-called Borba family "mega-dairies" southwest of Bakersfield. Those twin operations house 28,000 animals.

Currently, close to 297,000 cows live on 58 dairies around the county.

Ted James, head of the county Planning Department, doesn't know if it's a coincidence that seven dairies and a single calving operation all have been proposed northwest of Wasco.

"To have so many go through at one time is a little unusual," he said.

Regardless, the cumulative impact of so many hooves within about eight miles of each other means planners will view the sites as one unit when considering smells, flies, air pollution and groundwater threats.

In May, James sent a letter to applicants saying some or all of the projects should be grouped together when preparing environmental documents.

Each dairy will require an environmental impact report, which is an expensive, massive document, so it would make sense to lump the proposed operations under a single report or several grouped reports, he said.

The proposed operations also will be considered in relation to existing dairies in the area.

Currently, plans for all eight projects are in the earliest stage of bureaucratic existence.

Whether any or all get built will almost certainly become a test of perseverance and cash.

That's because Central Valley dairies have been the target of aggressive environmental lawsuits in recent years as well as the focus of buffer zones by cities.

"I have no idea where this may end up," said Supervisor Ray Watson, whose district would be home to the dairies. "It may be something that could eventually be approved in some form and may not. We just don't know at this point."

Both Wasco and Shafter city officials have been working on customized buffers to keep cows away from town.

Wasco City Councilman Larry Pearson isn't sure where the eight proposed projects lie in relation to the city's buffer zone.

If they do go up, Pearson wants to be certain there won't be problems like flies and stinky air.

"I grew up in Wasco and never smelled a dairy, never had a fly from a dairy," Pearson said.

He wants it to stay that way. He's concerned decisions county supervisors make will impact quality of life in his town.

"People in Bakersfield look at Wasco as being a million miles away," Pearson said.

But 22,000 people there could be affected by decisions made in downtown Bakersfield, he said.

Along with buffer zones, environmental concerns usually keep dairy projects from going up quickly.

The twin dairies of cousins George and James Borba, for example, took more than four years of wrangling, much of it in court with environmental groups, to win final approvals. The project, southwest of Taft Highway and Buena Vista Road, went up last year.

Another proposed project, the 2,800-cow Vanderham dairy west of Shafter, won county supervisors' approval in 2002, but is still working through lawsuits. The latest environmental report will likely be released for public comment this week.

Brent Newell, a lawyer in Delano with the Center on Race, Poverty and the Environment, the San Francisco-based group that spearheaded tough environmental rules for dairies, said the organization "definitely will monitor the situation."

"If the residents of Wasco want the center's assistance, that would be something we would consider," Newell said.

The center already works with a group of Shafter residents, dubbed "Save Our Shafter," who oppose the Vanderham project.

And a lawsuit filed last month in Fresno will keep the center smack in the middle of dairy permit politics in the Central Valley.

The environmental group won approval to help defend the San Joaquin Valley Air Pollution Control District against two dairy-industry groups over air pollution permits.

The industry groups say they want to stop the air district from requiring air permits for dairies starting next month.

The permit rule springs from an air quality package authored by state Sen. Dean Florez, D-Shafter, that passed last year. The bills ended the California farming industry's long-standing exemption from air permits.

Michael Marsh, chief executive of Western United Dairymen, which filed the suit along with the Alliance of Western Milk Producers, said it's two years too early to start permitting dairies because air pollution studies aren't yet finished.

"They have absolutely no scientific data," Marsh said of the air district. Studies are under way at universities in Fresno and Davis, he said, that are supposed to determine permitting guidelines.

The western dairymen's trade group represents more than half of California's nearly 2,000 dairies.

The air district is planning on implementing the rules July 1. The suit will be heard June 28.

## **Liquid Gas Continues to Fuel Debate**

**Officials argue over where in the state an import terminal would be built, its safety and who has the authority to approve such a project.**

By Deborah Schoch  
Times Staff Writer  
June 14, 2004

Southern California has become a key testing ground for the future of liquefied natural gas in the United States, as the state grapples with political and environmental disputes over what would be the nation's first West Coast import terminal.

Four companies are looking at potential sites along the coast — Long Beach, Camp Pendleton and two offshore locations near Ventura County — where massive tankers could dock and deliver LNG from gas fields in Australia, Southeast Asia and other gas-producing nations. Competition is keen: The first company to start operating an import terminal could control a sizable share of California's lucrative natural gas market.

An order issued last week by the Federal Energy Regulatory Commission in Washington paves the way for a legal battle between federal and state regulators over who has the final say on whether one or more of the terminals is built.

Both energy firms and environmental groups are waiting to see how California deals with the competing LNG projects and mounting safety fears in communities where the projects are proposed.

Gov. Arnold Schwarzenegger has not taken a public position on the projects, although his secretary of resources, Mike Chrisman, said in an interview last week that he believes the state needs at least one LNG import terminal.

"I would say we need more natural gas, because the predominance of our electricity generation is through gas-fired plants," Chrisman said, adding that the state Resources Agency will carefully study safety and environmental questions. The agency includes several state panels and departments with key roles in environmental reviews, such as the Lands Commission, the Coastal Commission and the Energy Commission.

Chrisman said he plans to visit Australia in July to examine their gas fields: how gas is extracted, and how it is chilled and condensed so that it can be shipped overseas in the form of LNG. He also will visit the South Korean port city of Incheon to see how LNG is unloaded from ships.

Some scientists and environmentalists believe that too little is known about LNG's flammability to build facilities in populated areas. Such concerns prompted the recent cancellations of two planned LNG terminals in the state, in Vallejo in the Bay Area and in Eureka on the north coast.

Representatives of 25 environmental groups with a range of views about LNG will meet in Santa Monica today to discuss strategies.

"There does seem to be strong consensus on one point, that FERC is wrong in exerting exclusive jurisdiction," said Joel Reynolds, senior attorney with the Natural Resources Defense Council.

The strongly worded June 9 FERC order reasserts the agency's earlier contention that it holds the power to approve LNG terminals, rather than the state's own regulatory panel, the California Public Utilities Commission.

The order denies the requests of several state agencies that it hold a new hearing to review who has final authority over Mitsubishi Corp.'s plan to build a \$400-million LNG terminal in the Port of Long Beach to open in early 2008.

The tussle over that authority is attracting attention from other coastal states. Four LNG terminals operate in the United States, and only one, in the Boston suburb of Everett, Mass., is in a populated area. But more than 30 proposals for projects are pending nationwide as rising natural gas prices and a dwindling domestic supply spark interest in importing gas in liquid form.

In its order, FERC maintains that such imports are subject to federal rather than state control, because

LNG is a matter of foreign commerce.

"This order serves the public interest by providing uniform federal oversight of siting, construction, operation and safety of facilities to be used to import foreign LNG to meet the nation's critical energy needs," it states.

That view troubles some state officials, including Peter Douglas, executive director of the California Coastal Commission, which has the authority under federal law to review projects along the coast.

"I do not think this latest order is helpful," Douglas said Friday. "They seem to be sending a signal that they are going to trump states' rights and the states' ability to protect coastal resources."

PUC staff attorney Harvey Y. Morris said his office has 60 days after the order was issued to file a petition for judicial review with the U.S. District Court of Appeals in Washington.

"We are considering our options," Morris said. "We have to study this order and confer with the commissioners, so we have no official position at this time."

State regulators initially tried to persuade Mitsubishi to apply to them for a permit to build its proposed Long Beach terminal, but the company instead filed an application with regulators in Washington.

"We've got a dispute between two agencies, and we'll be glad when it's over with," said Tom Giles, executive vice president of Mitsubishi subsidiary Sound Energy Solutions. "What we can't have is uncertainty. We're anxious for it to be resolved."

**Big break for 'hybrid' car use?  
State bill would let lone person in gas-and-electric vehicle use the car pool lanes  
By Douglas Fischer  
Oakland Tribune  
Monday, June 14, 2004**

A measure granting drivers of hybrid vehicles access to freeway carpool lanes -- even when alone -- is cruising through the Legislature, despite calls from opponents who say such drivers could gum up the lanes for those in carpools and buses.

Sponsored by Assemblywoman Fran Pavley, D-Agoura Hills, the fast-moving bill would let up to 75,000 drivers of vehicles with gas-and-electric-powered "hybrid" engines use the lanes as an incentive to buy the new technology and improve overall air quality.

Republican Gov. Arnold Schwarzenegger supports the bill, as does Treasurer Phil Angelides, one of Schwarzenegger's leading Democratic critics. The California Air Resources Board also supports it, and it has cleared two committees with 19-1 and 12-1 votes.

Pavley says her proposal, AB 2628, will give consumers a "strong incentive to purchase the least polluting and most fuel efficient" hybrids, resulting in an increase in demand for the cleanest hybrid technology.

But opponents say letting 75,000 hybrids into High Occupancy Vehicle, or HOV, lanes would quickly fill those lanes, discouraging others from using carpools, vanpools and express buses.

In the Bay Area, that congestion could prove fatal to a regional express bus service set to launch in 2006, said Stuart Cohen of the Transportation and Land Use Coalition, which opposes Pavley's measure.

"It basically means those buses we had anticipated going 30 to 60 mph will be going 5 to 10 mph," he said.

Cohen also sees problems with enforcement.

There are an estimated 20,000 hybrids in California today -- chiefly the Toyota Prius, Honda Civic and

Honda Insight. The Prius and Insight have distinct looks, but new hybrids coming to market -- the Honda Accord, for example, or the Ford Escape, an SUV -- look nearly identical to conventional gasoline-powered counterparts.

Over the years lawmakers have floated proposals to open HOV lanes to one type of driver or another -- from doctors to seniors and the disabled. All except one -- a measure extending the privilege to "clean fuel" vehicles -- have died.

Last year a nearly identical measure to Pavley's never got a hearing. But this year, with trendy hybrids selling briskly in Hollywood and the Bay Area, the bill has found a new set of wheels.

"It's a perfect example of feel-good legislation that looks good as long as you don't think too hard about it," said Bob Poole, director of transportation studies at Reason Foundation, a public policy watchdog.

"The longer and harder you think, the more you see big problems."

Among them, according to Poole, is a federal HOV-lane requirement that all vehicles with less than two occupants must be certified as a so-called "inherently low-emission vehicle."

No hybrid vehicle for sale today meets that standard, according to the Federal Highway Administration, and the state would need a waiver from the Bush administration to let hybrids into the diamond lanes at rush hour.

There's also a matter of fairness, critics note. Pavley's AB 2628 states the hybrids must meet a 45-mile-per-gallon standard to enter the carpool lanes. But conventional gasoline- and diesel-fueled cars meeting that standard would be excluded.

So, too, would be so-called "super ultra low emissions vehicles" which, in some cases, have better emissions than their hybrid counterparts.

Cohen and Poole also note the Prius' lengthy waiting list for new cars and wonder whether more incentive is needed.

"I live in Berkeley," Cohen said. "Those neighbors of mine who don't yet have a Prius are on the waiting list for one."

"With the Prius having an eight-month waiting list, every manufacturer is saying, 'We've got to get this to production quickly.' They just don't need HOV lanes as incentive."

### **New sweetheart deal**

Bakersfield Californian, Letters to the Editor, Monday, June 14, 2004

Suppose the government wants to study how people break the speed limit during their daily commutes. They ask for volunteers to have monitors placed in their vehicles to record speed. The volunteers are exempt from any prosecution for speeding during the study. Even though only 30 people would be

randomly chosen for the study, anyone who signs up will be exempt from speeding violations for the length of the study.

Sound fair? That is exactly what the EPA is proposing for a five-year study of the pollution emitted from factory dairies and feedlots. All industrial-size manure producing animal operations can sign up for the study. Although only 30 will be chosen, all signers will be exempt from pollution rules and prosecution for the length of the study.

This sounds like a backroom, sweetheart deal between a huge, polluting industry and government. What else is new?

-- TOM FRANTZ, Shafter

### **Seeing red too often**

Bakersfield Californian, Letters to the Editor, Saturday, June 12, 2004

Everyone wants ice cream. No one wants the air pollution from cow dung.

Some recommend we not use the drive-up window at the hamburger stand because the idling car makes pollution. At least that's a start, but let's look at Stockdale Highway.

From Highway 99 to the city limits west is a little over six miles. There are 20 traffic signals in that short distance -- 40 signals round trip. Only two of those lights control a major cross street. On average a driver is stopped 18 times on this little drive.

Sometimes we can't get past the signal when it turns green and we must wait for it to turn green again. That screws up my math but it also screws up the pollution and gas consumption.

If anyone in this valley were really interested in reducing air pollution and saving expensive gas, they would insist on the Stockdale Highway lights, at least, be synchronized to a reasonable speed.

-- JACK BOYD, Bakersfield

### **Spare the Air had wide support**

Visalia Times Delta, Letter to the Editor, Monday, June 14, 2004

Thumbs up to participants and sponsors of the first annual Dare to Spare Day May 21. This Sequoia Regional Leadership (SRL) project encouraged use of alternative transportation to reduce pollution and improve health. We commend the Visalia City Council and Tulare County Board of Supervisors for keeping the event alive by proclaiming the third Friday of each May as Dare to Spare Day. Thank you to employers and their employees who participated by carpooling, biking or walking to work.

CARLA D. CALHOUN

Sequoia Regional Leadership Class of 2004

### **Striving to be smoke free**

Published Saturday, June 12, 2004, Stockton Record, Letters

Last year, California made smoking within 25 feet of children's play areas in parks illegal. A bill is being considered in the California Legislature to make smoking in cars, when children are present, illegal.

This is the way it ought to be. It's all about protecting the public.

Californians understand second-hand smoke is a health hazard. We're lucky to be protected in the places we work and stores, restaurants and businesses we visit.

In 1992, the U.S. Environmental Protection Agency classified second-hand smoke as a Class A carcinogen, a substance known to cause cancer in humans. There is no safe level of exposure to a Class A carcinogen.

Despite what people think, there are many places where nonsmokers are exposed to second-hand smoke, even in California.

One place is the entryways of buildings. Smoking around buildings affects the air quality of workers inside.

Smoke can drift or be pulled into a building through doors, windows and ventilation systems. Entryway smoke can affect those visiting the building for work or pleasure.

Twenty-two communities in California have laws limiting smoking around buildings. Last year, the California Legislature recognized outdoor second-hand smoke and passed AB846. This new law prohibits smoking within 20 feet of entryways, operable windows and ventilation systems in all city-, county- or state-owned or leased buildings.

It's time for all workers -- not just government workers -- to have this protection around their workplaces.

The American Cancer Society, American Heart Association, the American Lung Association, Evergreen Hypnotherapy, Coalition United for Families, the San Joaquin Medical Society and other health advocates are working to pass an ordinance in Stockton that would extend the 20-foot smoke-free entryway protection to workers at all buildings.

This is an essential public-health protection. It is especially important for children and the elderly because second-hand smoke affects them the most.

Besides long-term health effects, second-hand smoke can trigger asthmatic attacks and breathing difficulties for those with chronic respiratory diseases. It also causes eye, nose and throat irritation.

A poll of Stockton voters in August showed 66 percent were in support of prohibiting smoking within 20 feet of entryways. This crossed all spectrums -- men, women, Democrats, Republicans, Latinos, Asians, Blacks, whites, young and old.

Most importantly, the poll found one in three households includes someone who has a chronic illness made worse by exposure to second-hand smoke or someone with that condition in their family.

The Stockton City Council is considering this ordinance. It is very supportive and we urge council members to move forward as quickly as possible.

We urge everyone to support the council in this decision. Let's not leave Stockton in a cloud of smoke.

Carol L. Thomas  
American Cancer Society  
Stockton