

Fires targeted in smog fight Agencies will coordinate to control burning in area forests.

By Mark Grossi
The Fresno Bee

(Updated Tuesday, June 15, 2004, 5:36 AM)

Each summer, thunderstorms start dozens of lightning-caused fires that both heal and harm -- thinning out overgrown Sierra Nevada forests but also creating an unhealthy pall of smoke.

The U.S. Environmental Protection Agency announced plans Monday to deal with the problem, protecting public health, especially in mountain communities and the San Joaquin Valley, yet allowing fires to clear out thick underbrush.

The plan calls for several agencies and air districts to confer daily when lightning fires burn in the mountains.

Public health is the top priority, and officials will quell fires that threaten air quality for people.

The news is important in the Valley, one of the country's dirtiest air basins. The Valley is just west of three national parks and three national forests where thousands of acres often burn in summer. Evan Shipp, supervising meteorologist at the San Joaquin Valley Air Pollution Control District, said a shift in the wind last August brought a smoky haze from lightning fires into the 25,000-square-mile basin.

"We had one of these fire episodes last summer, and smoke was getting into the Valley," said Shipp. "We needed a better way to communicate between agencies."

The air district, the National Park Service, the U.S. Forest Service and other agencies talked with one another in the past about such fires, but the communication was not consistent enough, officials said.

An agency and the air district sometimes disagreed about how to manage the smoke or the fires, both sides claiming jurisdiction over some part of the fire.

Officials from various agencies asked the EPA to step into the issue and mediate a plan to open more communication. All sides said they would make good-faith efforts.

Now, air authorities from the Valley, the mountains and Nevada will consult daily with officials from a half dozen government agencies during episodes of lightning fires, deciding which will continue to burn and which won't.

"This plan will ensure air quality is maintained, while we protect the public from ravaging fire danger and restore healthy forests," said Deborah Jordan, the EPA's air division director for the region.

Even though soot, ash and other microscopic particles in smoke can trigger asthma and other lung problems, they are not the only pollutants coming from fires, Shipp said.

All fires send out the two building blocks for ozone, the main ingredient in the warm-weather smog. One building block is called oxides of nitrogen, and the other is hydrocarbons.

Though the two emissions normally are associated with cars, any source of combustion or burning will make them. In the presence of sunlight and heat, they combine to build lung-searing ozone.

"These emissions can be huge," Shipp said. "Small fires can become big ones quickly."

Health, air concerns may snuff out lightning-caused fires

By MATT WEISER, Californian staff writer
Bakersfield Californian, Tuesday, June 15, 2004

Forest managers these days are more likely to let nature run its course when lightning storms

cause fires. But sometimes, these natural fires can cause enough smoke to threaten human health.

To deal with this conundrum, forest and air quality officials on Monday announced a new agreement to contain some natural fires when heavy smoke endangers people.

The new arrangement requires communication between air quality workers and federal land managers. It requires air quality officials to approve management plans for all lightning-caused fires larger than 10 acres. It then requires daily contact between both parties to ensure the fire isn't growing into an air-quality problem.

"Where air quality conditions are generally favorable, then they reach agreement on which of those fires would be allowed to burn," said John Kennedy of the U.S. Environmental Protection Agency. "And when air quality conditions are not favorable, it outlines steps land managers will take to minimize smoke from these fires, or put them out if necessary."

Kennedy manages the technical support office in the EPA's California region, which brokered the deal between the Forest Service, National Park Service and local air pollution control districts. It affects all forests in the Sierra Nevada.

Federal policy now encourages forest managers to let lightning fires burn, as long as they do not threaten people or structures. This follows widespread recognition that 100 years of fire suppression has not been good for forest health.

Discussion on the new procedures began last year after a number of lightning fires caused smoke that drifted into the San Joaquin Valley.

Evan Shipp, meteorologist with the San Joaquin Valley Air Pollution Control District, said it is not uncommon for prevailing winds to reverse in late summer, pushing smoke from the mountains into the valley. That's what happened last year, when many lightning fires were allowed to burn.

"When the fires are going, they can get so extensive that they become a large part of the entire emissions inventory in the valley," Shipp said.

The valley already has some of the nation's worst air quality, and does not meet federal standards for particulate pollution or the chemicals that form smog. Both are released when forests burn.

The new agreement also requires land managers to notify the valley air district about all naturally caused forest fires within 24 hours. The district is required to provide land managers with air quality forecasts. All parties must remain in communication during a fire to ensure that changing conditions don't endanger public health.

"The district recognizes the need to do this kind of burning," Shipp said. "Our main issue is the health effects of it."

Assembly debates air cleanup bond

Bond would help pay for programs to clean Valley

By Jake Henshaw

Sacramento Bureau

Visalia Times-Delta, Tuesday, June 15, 2004

SACRAMENTO -- Lawmakers renewed a debate Monday over an expanded multibillion dollar bond to help pay for programs approved last year to clean up the air in the San Joaquin Valley.

The Assembly Natural Resources Committee approved a \$5.15 billion bond primarily intended to reduce pollution by farm equipment, fund biomass facilities to convert agricultural waste into energy and to control dairy and other animal waste.

But the bill also includes money for statewide programs to retrofit buses with clean engines and to combat respiratory illnesses, particularly asthma, which is a major problem in the San Joaquin Valley.

The bill prompted suggestions by committee members to expand the measure to address air pollution problems elsewhere in the state.

Committee members also questioned whether the state can afford another bond.

Sen. Dean Florez, D-Shafter, the bill's author, readily agreed to expand the measure to meet urban, port and other air-pollution problems.

"We are saying very straight and upfront, this is a very agricultural-friendly proposal today," Florez said. "I think if we could broaden it, that is our goal."

Bond market

He also argued that there would be a market for the bonds at the right time and noted that the measure, Senate Bill 403, doesn't yet include a date for it to go to voters for a vote.

The bond already is an expanded version of the \$4.5 billion one that Florez unsuccessfully proposed last year as part of a sweeping legislative package that was enacted to clean up the Valley's air, which is the dirtiest in the nation outside of the Los Angeles basin.

That package, which provoked agriculture opposition and compromises, included an end to the industry's 56-year exemption from federal air rules requiring permits.

Air bill clears early hurdle But Florez is told it emphasizes agriculture too much.

By Jennifer M. Fitzenberger
Bee Capitol Bureau

(Updated Tuesday, June 15, 2004, 5:36 AM)

SACRAMENTO -- A \$5.2 billion clean-air bond measure survived its first legislative battle Monday after Sen. Dean Florez agreed to open it to the interests of urban lawmakers.

Florez, a Shafter Democrat, told the Assembly Natural Resources Committee he would arrange meetings with legislative leaders to fine-tune Senate Bill 403, which, in part, would help the agriculture industry comply with a series of new clean-air laws.

Committee members said the bill is too focused on agriculture, but they approved it with a 6-2 vote after Florez pledged to rework it with his colleagues. The measure now heads to the Assembly Agriculture Committee.

"This is the first air bond in California history, and it's alive and moving," Florez said after the vote. "I think that's historic."

The bill splits the bond proceeds between a series of programs that seek to clean the San Joaquin Valley's air, which is the dirtiest in the nation. It provides \$400 million for the Carl Moyer program, which helps farmers buy cleaner engines, and \$1.2 billion for technology that reduces the amount of pollution-forming chemicals spewed by agricultural equipment.

The bill also provides \$300 million to renovate or replace old buses, \$500 million for asthma screening and prevention, and \$300 million to boost woodchipping and biomass industries.

Last year, five of Florez's clean-air bills put significant restrictions on the agriculture industry. One bill eliminated the industry's exemption from air operating permits, and another will phase out field burning by 2010.

Many farmers worry their businesses won't survive the strict new regulations.

Buying cleaner equipment isn't cheap, and they don't have affordable alternatives to burning their prunings and uprooted orchards.

Agriculture leaders say Florez's bond is a step in the right direction. Representatives from cotton, dairy and biomass industries spoke Monday in support of the bill.

Bond money would "go a long way in helping the agriculture industry in its pursuit to clean the air," said Louie Brown, representing the California Cotton Ginners and Growers Associations.

Committee members were reluctant at first to support the bill, questioning whether general obligation bond money should be used for nontangible things such as asthma treatment programs.

They also wondered whether the bill would benefit all Californians. SB 403 would put the bond proposal before voters, but it doesn't specify in which year.

"This bill is not anywhere near close [to being finished], but it's an important set of issues," said committee Chairwoman Hannah-Beth Jackson, a Santa Barbara Democrat.

"It is extraordinarily ag-heavy, and of course that's an area that you represent, and there are real problems there."

Florez said he would narrow the current version of the bill, then work with other lawmakers to include funding for programs that benefit more Californians outside the Valley.

"This is a very ag-friendly proposal at this time. If we can balance it, that would be our goal," Florez said.

Members also questioned whether the state could afford \$5.2 billion in new bond obligations.

Assembly Member Judy Chu, a Monterey Park Democrat who chairs the Appropriations Committee, said her committee would look closely at Florez's bill.

Chu, who is not on the Natural Resources Committee, said: "We will hear it when it comes to us and give it fair consideration."

California considers 30 percent auto emissions cut by 2015

DON THOMPSON, Associated Press Writer

Published in the S.F. Chronicle and the Orange County Register

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California consumers would pay several hundred dollars more for every vehicle they buy under proposed regulations that would cut greenhouse gas emissions nearly 30 percent over the next decade.

Proponents hope the first-in-the-nation global warming regulations will encourage similar steps in other states, though automakers have promised to sue over standards they say should be set only by the federal government.

California already has the nation's most stringent standards for other vehicle pollutants. A law signed by former Gov. Gray Davis in 2002 requires the California Air Resources Board to set emission standards this year for carbon dioxide and other greenhouse gases.

The board's staff concluded automakers have the technology to cut emissions 23 percent by 2011 and nearly 30 percent by 2014.

The staff estimated the average cost of meeting the first phase of the new emissions requirements, for model years 2009 through 2011, would add \$241 to the cost of a light-duty passenger cars and \$326 to the sticker price of a large pickup or sport utility vehicle.

Stricter regulations for model years 2012 through 2014 would add an average \$539 and \$851, respectively, the board said. Monday's estimates are lower than costs previewed last week by board chairman Alan C. Lloyd, and were subject to last-minute revisions by the board's staff, said spokesman Jerry Martin.

The Alliance of Automobile Manufacturers has promised to challenge the law in federal court, and a spokesman worried consumers will balk at the added price. Much of the technology already is available, the alliance noted, but consumers haven't bought it.

The proposed regulations are "performance based," Lloyd said, leaving it to manufacturers to determine how to comply rather than dictating specific measures they must take. The air board staff concluded there would be no significant impact on the state's economy or on consumers' buying habits.

The draft recommendations will be open to public comment through July 7, with final recommendations out in August for a board decision in September.

Automakers can trim greenhouse gas emissions by improving the performance of car engines, transmissions and drive trains using existing or pending technology, the board's staff concluded after hearing from experts in automotive design, emissions control systems, and global climate change over the last several months.

The report lumps that technology into various packages the staff says automakers could use to take advantage of complementary advances that together lower emissions even more than individual upgrades.

California is the only state that has been able to set its own vehicle pollution standards, because California began regulating pollution before the federal government did.

Other states can adopt either federal vehicle pollution standards or California's. Several states in the Northeast, including New York, generally use California's standards, which could bring even more pressure on automakers to build more fuel-efficient vehicles.

Carbon dioxide and other greenhouse gases are the product of combustion, so they can't be controlled like vehicle emissions that cause smog and pollution. To limit the greenhouse gases, automakers would have to make vehicle engines that burn less fuel.

The author of the California law, Assemblywoman Fran Pavley, D-Agoura Hills, lauded the proposed regulations for staying true to the intent of her bill: "to provide cost-effective, technologically feasible regulations to reduce greenhouse gas emissions across all classes of vehicles."

Though consumers will pay more, they will continue to have the same choices in vehicles while making a substantial difference to the environment, economy and people's health, she said.

American Lung Association spokesman Dr. John Balmes, an environmental and occupational specialist at San Francisco General Hospital, called the staff recommendations "a well-researched and solid scientific proposal."

The Natural Resources Defense Council called on automakers to adopt the new technology instead of fighting pending regulations it said could have a ripple effect across the country.

Gov. Arnold Schwarzenegger has expressed support for the law, and promised to fight any challenges by automakers or the federal government.

B+ grade in industrial toxic waste improves Bakersfield's GPA

By MATT WEISER, Californian staff writer
Bakersfield Californian, Tuesday, June 15, 2004

Most of the time, when we hear that Bakersfield is part of some national "best cities" ranking, the first response is "uh-oh."

But not this time.

Men's Health magazine, in its June issue now on newsstands, grades the 101 largest American cities based on their toxic industrial pollution. Surprisingly, Bakersfield earns a B-plus, one of the best grades in the survey.

Matt Marion, the magazine's health editor, said the grades are based on toxic pollution in the air, water and soil caused by industrial activities.

The magazine relied on data from the U.S. Environmental Protection Agency as reported on the Web site www.scorecard.org, managed by a nonprofit environmental group.

"In this case, we were just looking at the industrial toxicity to see how each city stacked up," Marion said. "Bakersfield came out pretty close to the top."

This is because, compared to the other cities, the survey found no federal Superfund toxic contamination sites in Bakersfield. The city also had fewer hazardous waste sites than others, and fewer pounds of industrial toxins released into the environment by industry.

As a result, Bakersfield ranked better than many cities that usually clean out the prize vault in these magazine "lifestyle wars." For example, Bakersfield beat San Francisco, Portland, Seattle, Denver and Miami on toxic industrial pollution.

We also rank better than Fresno, which got a C-plus.

"I'll be darned," said Bakersfield resident David Morton. "I'm certainly pleased with the results, and I think it shows what the people who live here know, and that is that it's a very livable, enjoyable community."

Morton, vice president of an electrical contracting firm, said he has a friend in Los Angeles, a physician, who used to give him a hard time about Bakersfield.

"He said whenever you want to see all the wild, environmentally related health problems, you go up to Bakersfield," said Morton, a Men's Health subscriber. "He's an old fraternity brother. We like to give each other a hard time."

Morton can now tell his friend that Los Angeles got a big fat D in the "toxic towns" survey.

The grades might be just a little misleading, because they don't consider air pollution from automobiles, the largest cause of Bakersfield's notorious smog.

Last year, in its November issue, Men's Health did consider overall air pollution in a larger ranking of America's best and worst cities. Bakersfield dropped in that ranking. A lot. We ranked 86th out of the 101 cities.

But we still beat Fresno, which ranked 97th.

Madison, Wis., was the No. 1 city in that larger ranking. But Bakersfield got its revenge, besting Madison in the "toxic towns" grades. Apparently, the best city in America has more toxic industrial pollution than Bakersfield.

"I think it's good to hear that maybe we're doing something in the right direction," said Christian Beck, a mortgage consultant and president of the Bakersfield Active 20-30 Club. The club is for young adults who want to make a difference in their communities.

"Having children of my own who have asthma problems, I'm not a huge supporter of our air quality. It seems like we're having a hard time controlling our air pollution. But at least we're controlling our other pollution," Beck said.

The ranking of toxic towns is part of a new "MetroGrades" feature in Men's Health, in which the same 101 cities are graded on different criteria each month. The feature started in March, and Bakersfield has ranked fairly well so far, earning a C for its public drinking water, and a B for its divorce rate.

The July-August issue, due out this week, grades the cities on stress levels. Bakersfield earns a B.

"Bakersfield is a great place to live and work. If you live here, you know that," said Debbie Moreno, president of the Bakersfield Chamber of Commerce. "If you don't, it helps us to have reports like the one in this magazine to show the rest of the world that."

Heading to Work on Two Wheels

By Carol Reiter

Merced Sun-Star

Last Updated: June 15, 2004, 06:05:22 AM PDT

While Merced commuters grumble and complain about rising gas prices, some people fly right past gas stations with a smile on their face and a helmet on their head.

Riding bicycles has become more popular in the past few months, according to local bike shop owners. With gas prices edging past \$2 a gallon, some people are looking for alternatives to gas-guzzling vehicles -- and bikes fit the bill.

Bill Goldfoos, whose family has been in the bike-selling business for 43 years, said he has seen more bikes going out the door of his downtown Merced store lately. And the buyers of those bikes are a different group than before.

"It's the working person who is buying bicycles now," said the owner of Bike Haus. "People who can ride their bike to work."

Across town, at Kevin's Bikes, owner Kevin McCarthy has also seen a boom in bike sales.

"Sales are definitely up this summer," he said.

But in McCarthy's case, it's not just the commuter who is buying bicycles. Because of the high price of gas, McCarthy said a lot of customers aren't going on vacation this year, and are looking for something the family can do together.

"The whole family comes in, and they want something to ride around the block, have fun with," McCarthy said.

The hot seller in bikes this year seems to be the cruiser type, according to both Goldfoos and McCarthy. A throwback to the bikes of the 1950s, cruisers have big fat whitewall tires, fenders, and a retro look that everyone seems to like.

"They're pretty easy to ride, and they come in everything from one speed up to a bunch of speeds," Goldfoos said.

Although the cruisers are popular with all ages, a lot of baby boomers are looking for comfort. The recumbent bicycles offer just that to people worried about their aching backs.

McCarthy said riding a recumbent bike is like sitting in a recliner and pedaling.

"A lot of people who have ridden bikes all their lives are getting back pain now, and these bikes solve that," McCarthy said.

Recumbent bikes tend to be expensive, and go out the doors of bike shops pretty fast. But for people who are looking for commuter bikes, there are many options available.

John Hofmann, a planner for the city of Merced, rides a bike back and forth from his workplace to home every day at lunchtime. A bike commuter since 1973, Hofmann said he isn't too particular about what he rides, as long as it gets him around.

"Right now, I'm riding an old mountain bike my daughter used to ride. I got it fixed up, and it works great," he said.

Hofmann said he started riding a bike to work when he was only 13 years old, working as a golf caddy in Chicago.

"I rode 10 or 12 miles, round trip, six days a week," he said.

Although he doesn't ride his bike all the time now, he likes the fact that he's not contributing to air pollution, and he's getting exercise at the same time.

For Anne Kelley, her bike is her "ride." The University of California, Merced, professor rides her bicycle every day back and forth to work. Her commute takes about 25 minutes, "20 with a tailwind," and she enjoys the ride.

"It's faster to drive, but not so much faster that I feel like I'm wasting my time," Kelley said.

Even when she's not riding to work, Kelley likes to bike with her husband, a bike racer. But "he rides a lot more than I do, and a lot faster," she said.

For some people, bikes are more than just a way to get around, or a fuel-efficient commuter vehicle. For Dick Whittington, riding a bike may have helped save his life.

Whittington rides three or four days a week, 12 to 20 miles at a time, and he enjoys riding. But in 1997, two heart attacks struck the Merced man.

"My cardiologist told me the heart attacks should have killed me, but they didn't because I have a young heart," Whittington said.

Bike-riding was the only physical activity that Whittington was doing at the time, and he believes it made a difference.

"I think it saved my life," he said.

Spare the air, open the gates **Free BART rides set for 5 smoggy days**

Michael Cabanatuan, Chronicle Staff Writer
S.F. Chronicle, Tuesday, June 15, 2004

Morning commuters will get free rides on BART on particularly smoggy days this summer under a unique program that aims to clean the skies by getting people to abandon their cars and ride public transportation.

The free-ride program is the Bay Area's first attempt at a regional incentive program to use mass transit and reduce air pollution. Although other cities have tried something similar -- with mixed results -- local officials say it is the biggest free-ride experiment yet.

"This has never been done at this kind of level before anywhere in the United States," said Teresa Lee, a spokeswoman for the Bay Area Air Quality Management District, which is under pressure to improve the region's air quality.

The Metropolitan Transportation Commission will pay BART to throw open its fare gates and let everyone ride free during the morning commute for the first five weekday "Spare the Air" days of the year -- when the Bay Area is in danger of violating federal air quality standards.

Those days typically occur during the summer and early fall when meteorologists forecast a high pressure system bringing hot weather, long hours of sunshine and few breezes -- prime conditions for a buildup of polluting ozone.

"Anyone who gets to a BART station between the start of service (about 4: 30 a.m., varying by station) and 9 a.m., they can ride for free," said Linton Johnson, a BART spokesman.

That could save riders anywhere from BART's minimum fare of \$1.25 for a short hop to \$6.05 for a journey from Pittsburg/Bay Point to Millbrae. The average BART ride is 13 miles, and the average fare is \$2.65. BART riders who take advantage of the free ride to work will have to pay for their ride home.

The program, which is expected to cost \$2 million, is an effort to avoid violating clean-air standards set by the U.S. Environmental Protection Agency -- an offense that could cause the region to lose billions in federal transportation funds.

"No one's making money off of this (program)," said Johnson, "but we're trying to prevent the Bay Area from losing money."

The money to pay for the free rides comes from the Metropolitan Transportation Commission, which had set the cash aside to defend itself against a pair of lawsuits that contended the regional transportation planning agency's spending plans failed to adequately reduce air pollution.

When the commission prevailed in those lawsuits without spending the defense money, officials chose to use it for the free-ride program, said spokesman Randy Rentschler.

"We could have done nothing, or we could have done something unique and different," he said. "We chose to try something different."

The program is the first region-wide attempt to clean the air by getting motorists out of their cars and onto mass transit.

The Livermore-Amador Valley Transit Authority offered free bus rides in the Tri-Valley area last summer on Spare the Air days. Officials said they saw ridership increases of 15 percent to 17 percent. The transit agency, which operates Wheels buses, will offer free rides on Spare the Air days again this summer.

Free ride programs have also been offered in conjunction with bad air days in Vancouver, Portland, Kansas City, St. Louis, Dallas and New Jersey, with mixed results, said Rentschler. But with 100,000 commuters riding BART in the morning, the Bay Area program would be the most ambitious, Lee said.

In another first, BART will wrap seven of its distinctive silver aluminum cars in a colorful sky blue sign that reads "Spare the Air, Ride BART." The cars will most likely ride the rails on the Pittsburg/Bay Point and Dublin/Pleasanton lines, Johnson said. BART has steadfastly rejected offers from companies to pay to wrap its trains in commercial advertising, Johnson said, but the Spare the Air campaign is a cooperative effort between public agencies.

Spare the Air days are called when the air quality district's meteorologists determine, shortly after noon, that the next day's weather conditions are likely to produce a bad air day. That gives transit and air quality officials little time to promote the free rides, said Rentschler, so there is no way of predicting whether the experimental program will be a success.

Transit and anti-pollution officials have long wondered how significant a jump in ridership they could produce by eliminating or sharply reducing fares, and how much that would reduce traffic.

"A lot of this is (an experiment) to see if people can adjust," Rentschler said. "Hopefully, we can get people to change their habits."

A promotional effort by the online bank ING offered free BART rides during the morning commute on Dec. 4, and transit agency officials estimated that they saw a 5 percent increase in ridership through the Transbay Tube.

But that free ride was a commercial gimmick -- not a public effort to cut pollution -- and came during a month in which BART ridership traditionally sags. BART carries an average of 310,000 riders each weekday with about 100,000 entering the system between its opening and 9 a.m.

BART has shortened many of its trains as it copes with a budget crisis and slumping ridership. But Johnson said the agency will add cars to trains on Spare the Air days to handle the crowds that may take advantage of the free ride.

"We're going to throw everything we have out there on Spare the Air days," he said.

BART will offer free morning rides Program to run in conjunction with summer 'Spare the Air' days

By FROM STAFF REPORTS
Tri Valley Herald, June 14, 2004

Summer's here, heralding smoggy "Spare the Air" days and a new campaign to induce people to ride BART.

After June 21, BART will let morning commuters ride free the first five times the region's smog-watchers declare a "Spare the Air" day. The Bay Area Air Quality Management District makes that call, urging people to limit driving, barbecues and lawnmower use whenever temperatures and air pollution levels climb too high.

The free rides would end at 9 a.m.

The air quality district and the Metropolitan Transportation Commission are compensating BART for the free rides. The Bay Area could lose billions of federal transportation dollars if the region records too many polluted days.

To promote the offer and to encourage people to favor trains over cars, BART is breaking a 32-year tradition. On Wednesday it will unveil so-called wrap-around advertisements, similar to those

that are commonly seen on city buses. BART has resisted the temptation to make a little cash on the side by selling ads on the sides of trains. But on Wednesday seven cars will replace the familiar silver-and-blue look with the message "Spare the Air, Ride BART."

Limiting new buys of SUVs Official says county should stock up on fuel-saving vehicles

Erin Hallissy, Chronicle Staff Writer
S.F. Chronicle, Tuesday, June 15, 2004

Saying they guzzle gas and spew pollution, Contra Costa Supervisor Mark DeSaulnier wants the county to limit the purchase of SUVs and instead buy as many fuel-efficient, low-emission vehicles as possible.

"I think public agencies should be the first ones to say we're going to do something voluntarily about fuel consumption," DeSaulnier said Monday. "It's not that we're going to eliminate SUVs, we're just going to be more analytical about why we get them."

Contra Costa supervisors will vote on DeSaulnier's proposal today, and DeSaulnier -- who drives his own BMW sedan and serves on the state Air Resources Board and the Bay Area Air Quality Management District -- plans to take the idea to other local governments in the Bay Area.

The policy would not eliminate SUVs altogether in the county's fleet; it would allow sheriff's deputies or fire officials who can show they need an off-road vehicle to have one.

A similar policy is being developed in San Diego County.

State, county and city governments have long tried to save fuel costs and help the environment by purchasing cleaner vehicles.

Last year, state lawmakers approved a bill by Senate President Pro Tem John Burton, D-San Francisco, calling for greater fuel efficiency in the state's fleet of 73,000 vehicles and for agencies to prove they need an SUV or four-wheel drive truck before buying one.

Contra Costa County has 44 SUVs -- including Ford Explorers and Expeditions and Chevrolet Blazers and Tahoes -- in its fleet of about 2,000 cars, which includes fire district, school and sanitation vehicles, fleet manager Frank Morgan said. Most are used by the sheriff or fire departments.

"If you're replacing a SUV, there aren't very many questions asked," Morgan said. "If they're trying to purchase a new one, that's a different story."

One department wanted an SUV to pick people up at a camp, Morgan said, but "they were denied. We said you could use a station wagon."

The county also has 42 hybrid Toyota Priuses and six hybrid Honda Civics as well as 59 compressed natural gas vehicles, which are the cleanest-burning vehicles available. Morgan called the proposed new anti-SUV policy "more glitter than glamour."

"It's not like we had people running amok," he said. "Whenever a department requests a vehicle from the fleet they have to fill out a vehicle request form which asks if they can use an alternative fuel vehicle. If they say no, they have to justify it."

Alameda County's fleet manager, Tom Gannon, said he has 33 SUVs, mostly Dodge Durangos or Jeep Cherokees.

Employees can ask for an SUV, he said, but "I usually try to talk them out of it. I try to recommend a pickup with a shell. I don't have enough money to buy a \$25,000 SUV."

Santa Clara County's 2,400 vehicles include about 145 SUVs used mainly by sheriff's deputies and park rangers patrolling rugged hills, fleet manager Richard Simon said. The go-anywhere vehicles proved invaluable during floods and the Loma Prieta earthquake, he said.

If a county department requests a new SUV, it must be justified, he said. The county is buying more clean vehicles, with 80 hybrid cars and 100 small electric vehicles similar to golf carts.

"Sport utility vehicles are scrutinized now a lot more than they have been in the past, mainly because of fuel efficiency," Simon said. "We want to reduce fuel use and clean up the air and all of that good stuff for the citizens."

Marin and Sonoma counties also have purchased more clean-fuel vehicles. The county's assistant garage manager, Paul Makinson, said the county is testing bio-diesel fuel -- which is made from recycled vegetable and other oils -- for dump trucks. Eight gas-electric hybrid vehicles and five compressed natural gas cars are already in the motor pool. The county's fleet of nearly 800 vehicles includes fewer than 20 SUVs.

Sonoma County fleet manager Dave Head said there are 15 SUVs among the 1,200 county vehicles.

The county has nine hybrid vehicles in the fleet and another 12 on order, Head said, adding that he is always looking at clean fuel options.

County faces more lawsuits

By Cal Tatum and Glenna Jarvis

The Madera Tribune

Friday, June 11, 2004

County supervisors and the developers of the Central Green project in the Rio Mesa area were hit with two more lawsuits on Thursday.

The Chowchilla Water District, Madera County Farm Bureau and Madera Irrigation district filed a legal challenge to the approval of the River Ranch Estates project. The San Joaquin River Parkway and Conservation Trust also filed a legal action in the superior court.

The challenges question the county's approval of the massive development involving 1,646 homes, 92,500 square feet of commercial development and open space on 793 acres adjacent to the San Joaquin River while so many questions remain unanswered, according to those filing the suits.

The MID lawsuit claims five different laws were violated by approving the project: The recently enacted law requiring that the county determine there is an adequate supply of water, the California Environmental Quality Act, the State Planning and Zoning Law, the Subdivision Map Act and the county's own subdivision ordinance.

Representatives of the groups said there have been several defects in the county's decision-making process, including, "the county's refusal to take a hard look at the proposed use of the San Joaquin River water that the development proposes to use in obvious violation of California water rights law as well as the Bureau of Reclamation holding contract."

They also believe that approval of the project violates the county's own General Plan and the Rio Mesa Area Plan because it cannot fulfill the jobs-to-housing balance requirements.

The lawsuit also questions the county's approval of the project even though it cannot say how or where the wastewater from the project will be handled.

"We are not trying to be unreasonable. We have worked with other groups to define their holding contracts, to modify them so the development can continue while protecting water supplies for farmers and keeping the river healthy," Steve Ottemoeller, general manager for MID said. "We have tried to work with the developers of River Ranch Estates to establish some limits and I thought we were being very flexible, but they refused to talk with us. They even resisted the notion of reporting how much water they would be using by metering the water so the county

would be aware of the usage.”

Another point of contention, according to MID, is that the county failed to recirculate the EIR for public comment after inserting significant new information.

According to the lawsuit filed, a new water analysis was inserted into the Draft Environmental Impact Report that showed a higher level of water usage than previously reported. Initially, the report claimed the project would use less water than what is currently being used for agricultural purposes. MID claims that the Final Environmental Impact Report contains a major change in the water supply and demand analysis. These changes are that the project will likely result in a net increase of 109 acre-feet per annum in diversions of water from the river.

The lawsuit claims that because the county failed to recirculate the draft EIR report for public comment after the change in the water supply and demand analysis, they have violated CEQA Public Resource Code and abused its discretion by failing to follow the law.

The San Joaquin River Parkway and Conservation Trust also filed its lawsuit on Thursday. They agree with MID and others that water issues haven't been fully addressed but they are also voicing concerns over access to the river.

Waren Felger, attorney for the project said that the holding contracts were not a water right, or an entitlement, but they were a commitment and he considered that a right.

“That won't hold up in court. This is an obvious violation of the holding contract. The contracts were specifically between the owner of the property and the government to provide water for their crops and their own use. The contracts state the water is to be used for irrigation and domestic use. Interpreting the word 'domestic' is the key issue,” said Ottemoeller.

Felger also stated that water contracts that Fresno uses are similar to holding contracts except that they aren't area specific.

“The two contracts are completely different. The contracts Fresno uses clearly define commercial usage, residential and industrial uses. Holding contracts are completely different,” Ottemoeller said.

“The Board felt it was necessary to take this action to defend the San Joaquin River Parkway Plan and related land use policies that protect wildlife, open space and public access, and to protect the investment the community and the state have made in establishing the San Joaquin River Parkway,” Dave Koehler of the conservation trust said.

The conservation trust feels the project is too close to the river and does not provide a river protection zone, setbacks from the bluff, and a public trail system called for in the parkway plan.

Koehler also said the group feels the project will permanently alter wildlife along the river, have a negative affect on the air and water quality, does not demonstrate an assured long-term water supply and sets a bad precedent for many development projects that will be proposed along the river.

Ottemoeller, in response to a bad precedence possibly being set, said, “When the board approved the project, there were other developers in that room. I have been told by Fresno county that there have already been a number of inquiries about using holding contracts for development.”

“This project is a threat to the river and to our quality of life. It threatens the river we can leave to our children,” Koehler said.

The development covers a one and a half mile stretch of river frontage and the developers have proposed allowing the public to use their roads to access a public kiosk overlooking the river. But the conservation trust says that according to the Subdivision Map Act, they must provide public access along the river. There should be trail but that the steep bluffs along the river make it difficult and could create issues with wildlife.

Koehler said the county has said that sometime in the future the conservancy could define a trail and pay for an environmental study.

The conservancy feels the study should have been done prior to approving the project and that the project should be redesigned further from the river.

"I've never seen a project approved with this many unanswered questions. It's kind of alarming. It's abnormal to move ahead without more information. Madera hasn't done that before," said Koehler.

Court ruling good news for commerce

Editorial, The Porterville Recorder
June 15, 2004

Last Monday's Supreme Court ruling paving the way for Mexican trucks to operate inside the United States was a long time in coming.

In a unanimous decision, the justices declared that President Bush has the authority to open the U.S. border to Mexican trucks without waiting for a court-ordered environmental study (although the study will probably still be completed).

The court's ruling arrived after years of delay that angered Mexican politicians, who felt the ban on Mexican rigs was protectionist and bigoted. Officials in that country had been pushing to get their trucks on U.S. highways, as stipulated more than 10 years ago under the North American Free Trade Agreement.

Under the current rules, Mexican trucks are allowed to travel no farther than 20 miles past the border. As the Associated Press described it, a great deal of freight trailers are handed off from one tractor rig to another at the international boundary: "Mexican trucks unhook their trailers at the border, another cab pulls the freight box through inspection patios, and then an American truck picks up the load on the U.S. side."

This inefficient method adds an unnecessary extra step to international shipping, making it more expensive to transport goods across the border. NAFTA was designed to eliminate artificial trade barriers like this.

Now that Mexico's trucks have a green light to travel farther than 20 miles into this country, companies on both sides of the border should start to see savings as their operating costs go down. This, in turn, will mean lower prices for consumers.

There have been legitimate concerns about whether Mexican trucks, some of which are older or poorly maintained, can operate safely on American highways. However, that same worry applies to American trucks.

According to 2002 statistics from the Federal Motor Carriers Safety Administration, 11.4 percent of Canadian trucks that were inspected were taken off the road, compared to 20.8 percent of U.S. vehicles and 26 percent of Mexican rigs. However, compare last year's numbers with those from 1999, when 13.8 percent of Canadian vehicles inspected were taken off the road, compared with 39.2 percent of Mexican trucks and 22.1 percent of U.S. rigs. Clearly, the number of rigs passing inspection is on the rise.

Granted, safety of these vehicles will remain a primary concern - especially in Southern California, which serves as a gateway between the two countries. But by reducing this artificial trade barrier that keeps prices high, the U.S. government will enable Mexican shipping companies to afford to maintain their trucks.

Mexico claims the ban on its vehicles has cost the country more than \$2 billion, The Associated Press reported. Opening U.S. highways to Mexican trucks will benefit our neighbor to the south - and that will make life better on this side of the border as well.

Our views:

Improving air is war we must win

Visalia Times-Delta, Editorial, Tuesday, June 15, 2004

Two alarming developments collided as if in a freeway pileup last week.

In the first report, the chairman of the state Air Resources Board said regulations would help cut auto emissions by up to 30 percent over the next decade, but adjustments would cost consumers more than \$300 per vehicle.

In the second report, scientists say that pollution in the Los Angeles basin is interfering with rainfall patterns in California, contributing to reduced precipitation in the Sierra Nevada and worsening drought.

Taken together, the two reports indicate just how seriously damaged air quality has become in California. The consequences for repairing this damaged ecosystem are costly and lifestyle-changing. The consequences for failing to take the steps to repair them are worse.

The bottom line is that vehicle pollution in California is on the verge of the kind of planet-altering damage that are usually only depicted in science fiction movies. As Californians blithely log hundreds of miles a week in commuting and regularly fill their sport-utility vehicles with gas over and over again, the atmosphere around them is becoming as fouled as the lungs of a lifelong cigarette smoker. If we continue on the reckless course we're following, our fate will be not much different than that cigarette smoker. Except in this case, we will have done the damage to an entire region.

When we look at the solutions to our dirty air, they seem repugnant to us: Who wants to pay hundreds of dollars more for a vehicle? Or sacrifice any of our precious mobility or independence?

As a society, we must accept that those adjustments to the sacred California lifestyle are actually less repugnant than living in a state where everyone must wear breathing apparatus outdoors. Where exposure to the sun for even minutes would be lethal. Where plants no longer flourish and water is rationed. Those odious visions are our future if we continue to ignore the state of the air around us.

We have often noted that part of the solution to improving air quality is individual responsibility and adjustment of lifestyle.

But it is more than that: It is an acknowledgment that Californians are in a battle that we must win to preserve a livable environment. We are on the verging of losing the viability of the very air we breathe. There are no consequences worse or more expensive than that.