

Plan to scrap air board angers some

Review team may kill Air Resources Board and nearly 120 others.

By Jennifer M. Fitzenberger

Bee Capitol Bureau

The Fresno Bee, Sunday, Aug. 8, 2004

SACRAMENTO -- A plan generated by Gov. Schwarzenegger to eliminate the California Air Resources Board has shaken clean-air advocates who fear standards will slip without the board's oversight.

The California Performance Review team wants to eliminate nearly 120 boards and commissions. Perhaps no recommendation has sparked as much criticism as the one to abolish the Air Resources Board.

Team leaders say folding the board into the California Environmental Protection Agency would save money, create more accountability and intensify the scrutiny of new ideas to clean the state's dirty air.

But air officials say elimination of the board would threaten the stability of California's systematic fight against air pollution at a time when the state harbors some of the grimmest air basins in the country.

"There's no reason to do it," said John White, representing the Sierra Club. "It doesn't accomplish any particular important objective other than save a little bit of salary." Schwarzenegger created the California Performance Review team in February, putting 275 state employees and volunteers to work analyzing nearly every state program and process. Its mission is to find ways to streamline government and save money.

The team presented its 2,500-page report last week to Schwarzenegger, who said he would study the suggestions and get public comment. The governor said he would take ideas he likes to the Legislature and possibly the ballot.

Public hearings on broad categories of recommendations begin Friday in Riverside, where Californians will give their input on ways to make the state's infrastructure more efficient. A hearing in Fresno on Sept. 17 will cover the EPA and conservation, including the proposed elimination of the Air Resources Board.

Dissolving the Air Resources Board would, at a minimum, save about \$250,000 per year on member stipends and travel. That money could be used to boost clean-air efforts such as the Carl Moyer Program, which helps replace and retrofit dirty diesel farm engines, said Chris Reynolds, who headed the team's resource conservation and protection group.

If every recommendation in the report is enacted, the state could save \$32 billion in the next five years, team members project.

The state Legislature created the Air Resources Board in 1967 to combat air pollution that, in some parts of California, was getting out of control. Cities were growing, but motor vehicle pollution was virtually uncontrolled.

"It was getting so bad, especially in Los Angeles, that people couldn't see across the street, the smog was so thick," said Gennet Paauwe, a spokeswoman for the board.

The Air Resources Board has made several landmark clean-air decisions. In 1976, it started limiting lead in gasoline, and phased it out by 1992.

In 1996, the board set rules to reduce toxins in gasoline, cutting emissions equivalent to that produced by 3.5 million cars from the air. In 1998, it listed particulate matter in diesel exhaust as something that can cause cancer, and since has worked to clean up heavy-duty diesel engines that spew the microscopic specks into the air.

The 11-member board now oversees 35 local air districts, including the San Joaquin Valley Air Pollution Control District, and is responsible for protecting public health from the dangers of air pollution. It meets once a month and has a \$150 million budget.

Five board members are experts in fields ranging from medicine to law, and five are elected officials who represent different parts of the state. The chairman, Alan Lloyd, is a scientist with a long resume of environmental work.

But having an independent board, Reynolds said, hinders accountability and efficiency. He said a centralized office would make it easier for the state to consider how proposed air rules would affect water, soil, plants and animals.

Under the plan, the Air Resources Board and five other divisions of the EPA ranging from waste management to pesticide regulation would be rolled into one administrative office.

"We don't want to undermine or harm any program that's working in California," Reynolds said. "Air-quality programs, in many people's [opinions], have been on the cutting edge. The intent is not to slow that progress."

Air-quality advocates, though, say the Air Resources Board structure not only works but is a model system. "The Air Resources Board is the most successful environmental regulatory agency in the world," said White of the Sierra Club.

State Sen. Dean Florez, who pushed through five new clean-air laws last year, said the board is a critical tool in keeping tabs on mobile sources of pollution. Eliminating it, he said, "would be disastrous."

"That would be a step backward," said Florez, D-Shafter, adding that he plans to testify at the California Performance Review hearing in Fresno.

The board's makeup gives it continuity and institutional memory, said Kevin Hall, a Sierra Club member in Fresno. Members are appointed by the governor with the consent of the Senate.

"If we lose any state oversight and delegate that upstream to the EPA or downstream to local air districts, Valley residents lose," Hall said. "Elimination of the [board] or a reduction in its authority would serve private industry and hurt public health."

Bonnie Holmes-Gen, assistant vice president of governmental relations for the American Lung Association of California, said the board structure preserves the public's right to give input.

Public access also is a concern for Manuel Cunha, president of the Nisei Farmers League in Fresno. But, if the alternative allows business interests to have their say, Cunha said he would feel better about the suggestion.

Farmers are clashing with air officials over new rules that affect their industry.

"If [the board was] removed tomorrow, would I have severe heartburn and pains? The answer is no," Cunha said. "But I want to see what they would replace it with."

Reynolds said the reorganization would not eliminate the public hearing process. Most issues that require tough decisions are fully discussed before the board hears them, he said.

Public participation is necessary, but "at the same time accountability is essential to democracy," Reynolds said. "When everyone is in charge, no one is responsible."

Proposal to Eliminate Air Quality Agency Raises an Alarm

NEW YORK TIMES

By JOHN M. BRODER

Buried in a 2,500-page report on improving the performance of California's state government released last week was a recommendation to close down the California Air Resources Board. The board's scientific and regulatory functions would be folded into a huge new state department of environmental protection.

The howls from across the country were immediate, and not just from environmentalists concerned about the possibility of the demise of one of the nation's most influential regulatory agencies.

Air quality experts and regulators in other states and at the federal level expressed alarm that the powerful voice of the path-breaking California air quality board would be silenced. Many have looked to CARB, as it is widely known, to set standards on emissions from automobiles, factories and a wide range of consumer products.

"CARB has been the most credible and effective environmental agency in the world, bar none," said Frank O'Donnell, executive director of the Clean Air Trust, a non-profit watchdog group based in Bethesda, Md. He said that in virtually every field of air quality, from auto emissions to clean-burning gasoline to regulation of smokestack particulates, the California board has been in the vanguard. "California is the leader," he said. "In many cases, the federal government simply followed."

The air resources board was established in 1967, when Ronald Reagan was governor. It has extended its reach under a succession of Republican and Democratic administrations in Sacramento, in part because its membership of scientists and local air quality officials has remained apart from the partisan fray.

The board's list of achievements over the years is long. And its impact on the design and performance of today's automobiles is matched perhaps only by the National Highway Traffic Safety Administration.

California was the first state in the nation to adopt limits on nitrogen oxide emissions from cars, to require that cars be checked regularly for tailpipe pollutants, to require that all cars have onboard monitors for pollution control equipment and to mandate the sale of cleaner-burning gasoline.

Today's new cars emit 90 percent fewer pollutants than they did in 1970, largely because of the air board's requirements. Although the auto industry fought the California board on nearly every pollution-control advance, these changes are now accepted industry practice around the nation. The agency is a leader in encouraging the development of fuel-cell cars; California has begun to build the nation's first network of filling stations to provide the hydrogen that these cars use.

Chris Reynolds, a spokesman for the California Performance Review, whose report this week recommended merging the air board into a new mega-agency, said that the goal was to bring greater accountability and efficiency to government bodies. He said there are numerous agencies, boards and departments in California that address environmental issues, and the state could save millions of dollars a year by merging them into a single department accountable to the governor.

But critics contend that such a move would silence the state's most effective regulatory agency and reduce the opportunity for the public's voice to be heard.

Environmental groups vowed to fight the proposed change, to ensure the continued independence of the air resources board.

"We will strenuously oppose elimination of CARB," said Bill Magavern, senior legislative representative for the Sierra Club of California. "Since the governor has not yet embraced these recommendations, we're hoping to persuade him to reject some of the more radical proposals."

Pollution-control plan revealed

Regulators hope to lower greenhouse gas emissions of cars.

By Andrea Almond

Associated Press

In The Fresno Bee, Sunday, Aug. 8, 2004; Also in the S.F. Chronicle

LOS ANGELES -- California air regulators Friday unveiled a final proposal for a regulation limiting greenhouse gas emissions from passenger cars and light trucks beginning in 2009.

The proposal by the California Air Resources Board staff contained a series of technology packages that regulators said could result in reduced emissions and more efficient vehicle operation when used together.

The technology packages would result in emissions reductions of about 25% for cars and light trucks and about 18% for larger trucks and sport utility vehicles during the initial phase, the staff report said.

But while the proposed regulation sets the emissions level for new cars, there is no requirement for automakers to comply with any of the suggested changes, said Russell Long, executive director of Bluewater Network, a San Francisco-based environmental group.

While it's obviously a historic moment and a reasonable start, it's very disappointing that the air board did not go further," Long said. "While new cars will be cleaner, that will be offset by more cars on the road and drivers driving further. We think they could have done better." Among the technologies the board staff cited as providing "significant reductions in emissions at favorable costs" were improvements in air-conditioning systems, more efficient transmissions and smaller engines.

"All automakers use these technologies today in Japan and in Europe," said Jerry Martin, a spokesman for the Air Resources Board.

"All we're asking is for them to make these available for California."

The board is scheduled to vote on the recommendations Sept. 23 at a public hearing in Los Angeles.

The proposal stems from a law signed by former Gov. Gray Davis in 2002 that requires the board to set emission standards limiting carbon dioxide and other greenhouse gases.

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

California is the only state able to set its own vehicle pollution standards because it 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.

"These new standards will accelerate the drive to put the latest pollution-control technologies on the road," said Roland Hwang, a senior analyst for the Natural Resources Defense Counsel.

"Any automaker that attempts to convince Californians that they can't have cleaner cars runs a big risk of alienating customers in the world's most valuable car market."

California regulators estimated the new regulation would add about \$292 to the costs of cars and small trucks and \$308 to the cost of a large pickup or SUV.

For later model years, stricter regulations will add even more to the costs, the resources board said.

The Alliance of Automobile Manufacturers has threatened to challenge the 2002 law in federal court, saying consumers would balk at the added price.

But a recent poll showed most Californians, worried about air pollution and related health problems, supported requiring automakers to reduce greenhouse gas emissions. Eighty-one percent supported the limits, according to a July poll by the Public Policy Institute of California.

About 66% backed a \$6 increase in vehicle license fees to pay for cleaner engines on older diesel vehicles.

"Californians have made it clear that air quality improvements are a high priority with them," said Assembly Member Fran Pavley, D-Agoura Hills, in a statement. Pavley wrote the 2002 law.

Regulators must impose fines on air polluters

Article Last Updated: Monday, August 09, 2004

Oakland Tribune

CALIFORNIA, and the Bay Area in particular, has repeatedly failed to clamp down on major industrial facilities that foul the air we breathe. That finding was released recently by the Oakland-based Environmental Working Group, which said major corporations guilty of air-quality violations were hit with trifling slap-on-the-wrist penalties.

Half the fines, the environmental group reported, were settled for

\$2,000 or less; in the Bay Area the median fine was \$1,450. And, just one in 52 fines exceeded \$30,000. Yet some large industrial complexes, such as ChevronTexaco's refinery in Richmond and Shell Oil's refinery in Martinez, averaged more than two violations a month during the past five years.

The pattern of frequent violations and low fines has continued seven years after federal authorities chided California regulators such as the Bay Area Air Quality Management District and the Environmental Protection Agency's regional office for fail-

ing to deter repeat offenders. Similar conclusions were reached by differ-

ent groups in 1997, 1999 and 2001.

ChevronTexaco paid an average of \$5,386 for 123 violations and Shell \$4,906. The top 11 violators totaled 650 violations during that 60-month period.

The fines are minuscule when compared with the amount of money that ChevronTexaco, Exxon Mobil, Shell, Conoco, BP, Tesoro, Valero and Unocal make. Indeed, it may very well be cheaper for them to pay the fines than fix the core problem that results in the pollution. If that's the case, perhaps we need to give them more economic incentive -- through larger fines -- to invest in system upgrades, thus avoiding such chronic pollution problems.

Burned by the report, Air Quality and EPA officials said it doesn't reflect proactive efforts to "prevent the initial release" of pollutants, which a former federal and now regional official said has made it "a rare instance when we see facilities violating our rules."

It's time for real action to ensure refineries, power plants and other industrial facilities get the message that polluting must be curtailed. It is up to California's regulators to implement penalties that will genuinely deter repeat offenders.

Imposing monetary penalties must be used as a deterrent, not a slap on the wrist. Fining multimillion-dollar industrial giants such as ChevronTexaco and Exxon Mobil these paltry sums is an affront to the global efforts to stem air pollution. It also begs the question about California's commitment to air quality.

It is time for California and the Bay Area to get tougher with refineries, power plants and other large industrial facilities that find it cheaper to factor minor fines into their cost of doing business rather than spend the money to fix the problems.

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Air board plan would cut gases and hike car prices
By Mike Taugher, CONTRA COSTA TIMES
Posted on Sat, Aug. 07, 2004

Californians would pay hundreds of dollars more for new cars, but would save more than that at the gas pump, under proposed rules to reduce greenhouse gas emissions released Friday.

The California Air Resources Board could adopt the groundbreaking and hotly contested measure when it meets next month in Los Angeles.

The plan, developed by air board staff members, would require automakers to reduce greenhouse gas emissions from new car fleets beginning in 2009. Those standards would grow increasingly stringent for each model year through 2016.

The auto industry, which won a court fight over similar rules two years ago, maintains that the rules would infringe on federal authority to set fuel efficiency standards.

The air board estimates that under its proposed rules, sticker prices would go up less than \$100 in the early years. However, by 2016 the average passenger car purchased in California would cost \$626 more, according to estimates in the report.

Large SUVs would cost nearly \$1,000 more in 2016.

But those SUVs would release one-fourth less of the gases that contribute to global climate change, while new passenger cars and smaller SUVs would release one-third less of those gases by 2016.

The rules don't directly set fuel economy standards, but since the most effective way to reduce emissions of carbon dioxide and other greenhouse gases is to burn less gasoline, cars and SUVs would have to become far more efficient to meet those standards. And that efficiency will save motorists money at the pump, according to the report.

"This is a situation where you can have your cake and eat it too," said Roland Hwang, a vehicle policy director at the Natural Resources Defense Council, who dismissed objections from automakers.

"Every time a new standard is proposed, the automakers cry economic calamity. In fact, we have cleaner air, a strong economy and the cleanest cars in the country," Hwang said.

The air board thinks the new rules will withstand a court challenge because they don't directly address fuel economy. The final recommendations are similar to an air board proposal floated in June, with the biggest change from the earlier draft being a delay in fully phasing in the plan from 2014 to 2016.

Jerry Martin, an air board spokesman, said the auto industry did not participate in the rule development until this summer.

"The car companies were not talking to us. They were basically stonewalling us," Martin said.

A spokesman for an automotive industry trade group in Sacramento did not respond Friday to a request for comment.

State lawmakers two years ago required the air board to issue rules to reduce greenhouse gases in 2004. The proposed rules have been vigorously opposed by the automotive industry since.

The industry and business groups say the rules are really a backdoor attempt to regulate fuel efficiency, and the power to change fuel economy standards -- which have changed relatively little since the 1980s -- is reserved solely for the federal government.

Marlo Lewis, a senior fellow at the pro-business Competitive Enterprise Institute, said emissions reductions in California's motor vehicle fleet will be negligible compared to global emissions.

But, he added, "It will save on gas consumption, once again leading to the conclusion that this is a fuel economy regulation, which seems to be poaching on federal policy-making territory."

The Legislature will have 2005 to review the rules, before the plan becomes final in January 2006.

"It's a historic opportunity for California to continue to lead the way on air quality and environmental protection," said Mark DeSaulnier, a member of the state air board and a Contra Costa County supervisor. "I think there is something we can do, at least for some of the car companies, that will work for the environment and for their business plans."

California's passenger cars and SUVs account for about 2 percent of all greenhouse gas emissions in the nation, according to the report. The rules, if implemented, would reduce global greenhouse gas emissions by less than 1 percent, nationally.

But supporters of the rule say by putting it in place, other states will follow suit, and that could make a significant dent in emissions.

Those supporters point to rules first passed in California, like the requirements for catalytic converters and cleaner-burning gasoline, that have since spread to other states.

"California can't solve the problem alone," said Hwang, of the NRDC. "But without California's leadership, the problem won't be solved."

Production capacity can't keep up with demand for hybrid vehicles

Friday, Aug. 6, Modesto Bee, Cars

By JOHN PORRETTO - THE ASSOCIATED PRESS

TRAVERSE CITY, Mich. -- Toyota Motor Corp. has set a goal of selling 300,000 gas-electric hybrid vehicles worldwide by the end of 2005, but production capacity may be a factor, Toyota president Fujio Cho said Wednesday.

Speaking at a recent automotive seminar, Cho said Japan's No. 1 automaker remained bullish on prospects for hybrids even as Toyota and others invest billions on technology for hydrogen fuel cell cars and trucks. But experts say road-ready hydrogen-powered vehicles are at least a decade away.

Toyota sold 53,293 hybrid vehicles worldwide in 2003 and is boosting monthly production of its hybrid sedan, the Prius, from 10,000 to 15,000 in 2005 to meet global demand. Toyota also plans to introduce two hybrid sport utility vehicles early next year -- the Toyota Highlander and Lexus RX400H.

Toyota also has raised its global vehicle sales target for the fiscal year ending March 31, 2005, to 7.2 million vehicles, an increase of 180,000 vehicles from an earlier forecast. Toyota sold 6.7 million vehicles around the world last fiscal year.

Cho acknowledged that a possible obstacle to reaching 300,000 hybrid sales is capacity. For now, all production takes place in Japan, but Cho said the company was studying the possibility of building hybrids in the United States.

Hybrids draw power from two sources, typically a gas or diesel engine combined with an electric motor. The only versions available in the United States are Toyota's Prius and two small cars made by Honda Motor Co., but nearly every automaker is investing in hybrid technology.

Ford Motor Co. is scheduled to begin selling a hybrid version of its Escape SUV this summer. Ford has said the hybrid system in the front-wheel-drive Escape allows the vehicle to get 35 to 40 miles per gallon in city driving, compared with 20 miles per gallon in a 2005 Escape with a V-6 engine. It plans another hybrid SUV and midsize sedan in the next few years.

Also, Honda is set to introduce a hybrid version of its popular Accord sedan this fall.

U.S. registrations for hybrid vehicles rose to 43,435 last year, a 25.8 percent increase from 2002, according to recent figures from R.L. Polk & Co.

Since 2000, hybrid sales in the United States have grown at an average annual rate of 88.6 percent, Polk said, but they account for only a fraction of total vehicles sold. Full-year U.S. sales for 2003 were 16.7 million.

County transportation plan to be adopted Plan must be approved every three years

By Staff reports

Visalia Times-Delta, Monday, Aug. 9, 2004

Tulare County's growing population is putting greater demands on the county's roads. But a 20-year document called the Regional Transportation Plan, which outlines what the county will do to address those issues, could help.

It is expected to be adopted today by the Tulare County Association of Governments.

The plan, which outlines transportation issues in the county's future, must be adopted every three years.

Traffic increases such as the 15,000 daily trips made daily on Mooney Boulevard, which are expected to double in the next 20 years, and increases like the tripling of traffic on roadways like Road 204 in Exeter in the same amount of time are addressed in it.

It also covers things such as road improvements, bus transit, mass transportation, railways, bicycle and pedestrian use and aviation facilities within the county.

The plan must be adopted for the county to receive transportation funding.

Additionally, the board is expected to adopt the Federal Transportation Improvement Program and the Environmental Impact Report that accompany the RTP.

The board will discuss recommended criteria for funding local projects through the Congestion Mitigation and Air Quality program.

Projects that have been funded in the past through CMAQ, a federally funded program that allows for projects to improve air quality have been bike paths in Visalia, Tulare and Porterville. Also, there have been purchases of cleaner-burning buses and sidewalks to reduce dust.

The board will also discuss a cooperative effort between TCAG and the Indian Gaming Local Community Benefit Committee to improve reservation roads. The project will be funded in part by portions of a \$25 million statewide Indian gaming fund that was distributed to agencies affected by tribal gaming in Tulare County.

'Reform' Imperils a Force for Clean Air Schwarzenegger's plan could kill a board responsible for giant strides.

[Commentary by Marc B. Haefele, news editor of the Los Angeles Alternative Press, is heard on KPCC-FM \(89.3\) on Fridays.](#)

Published in the L.A. Times, August 8, 2004

L.A. Times, The worn 1981 coupe in my driveway emits more pollution — in the form of oil drips, vapors and gas fumes — while parked under its tarp than a new Honda Accord going 70 mph. OK, only under certain, limited conditions. But there's no denying the astonishing technological advances in less than a generation that have made cars run cleaner. And a good deal of the credit goes to the California Air Resources Board, which has just turned 35. The board is not just the national but the global leader in the arcane science of saving air quality from automotive civilization.

The air board's pioneering regulations and findings — including the catalytic converter and unleaded gas of the 1970s and diesel anti-pollution software approved last month — are imitated by the federal Environmental Protection Agency and populous states such as New York, New Jersey and Texas. The European Union and Japan are also avid followers. That's because California is the largest auto market in America, and the air board has learned, through cajoling, regulation and the threat of regulation, how to get what it wants from automakers seeking access to that market.

The board has inspired air-clearing devices and rules too numerous to name. And although we may not have the best air quality in the nation, California would certainly be a lot worse without the agency.

But the air board as we know it may soon be history. The agency is a major target in the gun sights of Gov. Arnold Schwarzenegger's California Performance Review panel, whose bureaucracy-slashing recommendations were released last month. The panel concluded that the state's more than 300-agency maze of departments and commissions was unaccountable and "fails the people of California." The review panel promised that its recommended reforms, if implemented, would save \$32 billion in five years.

Many agencies mentioned in the report should be revised, reorganized or even eliminated. But if the commission really had carried out a "performance review," the air board should have received a gold star, not the lowly status of a division in a proposed Department of the Environment.

Some environmentalists and legislators suspect this recommendation aims to neuter an agency whose regulations have long been the bane of automakers, fuel refiners and other big industries. Gail Ruderman Feuer of the Natural Resources Defense Council says that, before making its findings, the review panel interviewed many business figures but no one from her group or other leading environmental organizations. "This looks like a gubernatorial power grab," she charged.

The California Performance Review's official line by no means dispels this suspicion. In describing the need for a super-agency, Chris Reynolds, a panel member, deplored the air board's "independence."

"The governor is elected by the people," he said, "and in order to be accountable to the people, the air board should be directly accountable, through the new environment secretary, to the governor."

Yet the 11 current air board members, chosen for various areas of expertise, are all appointees (six, in fact, were appointed by Republican Gov. Pete Wilson) who serve at the governor's pleasure. If Schwarzenegger thinks the air board isn't channeling the popular will, he can replace its members. In actuality, board firings have been rare. That the board's clean-air progress has been constant through administrations as diverse as Ronald Reagan's and Jerry Brown's reflects its relative independence and its popularity with most Californians.

Feuer says public input would decrease grievously if the air board were abolished. She says the board creates a forum in which anyone — elected officials, Detroit executives, electric-car fanatics — can testify on air-quality concerns. "One of the board's major expenses is its public record-keeping function," Feuer said. And if the history of 20th century air pollution control is ever

written, much of it will come from the board's meeting archives.

State Sen. Sheila Kuehl (D-Santa Monica) said the proposed Department of the Environment "would lack the transparency and accountability of CARB." For instance, she wondered, would even the media be admitted to its decision-making sessions? And with "this cutoff of public participation," would the air board be as effective an agency?

The board has had its failures. One was to require the clean-air additive MTBE in gasoline. In the late 1990s, the additive's leakage from underground storage tanks was found in drinking water.

Reynolds, the review panel member, claimed this was an example of the need for "cross-media accountability": Had the MTBE decision been made along with water-quality officials, as would be the case in the new department, the costly mistake might have been avoided.

To Sierra Club officials, the proposal's timing is questionable. The club just released its Highway Health Hazards report, a compendium of several dozen major medical studies suggesting that automotive air pollution causes 100,000 deaths a year nationally — twice as many as those who die in car accidents. Tucking the world's leading agency in air pollution reduction into a big bureaucracy hardly seems a step toward addressing this problem. "We want to see CARB continue as the leading protector of air quality with all its traditional public participation and independence," said California Sierra Club legislative spokesman Bill Magavem.

Kuehl thinks that the proposed deletion of the air board's independence would face a tough fight in the state Assembly and Senate.

"We would have to think it's a good idea," Kuehl said. And so far, it's not clear that the Democratic-dominated Legislature can be persuaded that it is.

Choose reforms carefully

Effectiveness more important than efficiency in government changes.

[Fresno Bee editorial, Sunday, Aug. 8, 2004](#)

Gov. Arnold Schwarzenegger's proposed overhaul of state bureaucracies broadly reflects why the voters last year sent him to Sacramento. They wanted change. They wanted a more responsive government. If the governor and Legislature actually implement the best of this vast array of proposals, the voters will get what they wanted out of Schwarzenegger.

The problem -- a very real one -- is that this effort could very well collapse under its own weight and the policy weakness of some ideas.

This overhaul hardly shrinks state government. It reorganizes it, largely in the name of efficiency. In the cold world of corporate productivity, efficiency is the holy grail. In government, however, there can be value in independence, in checks and balances.

The governor's task force that worked valiantly to create this proposal seemed to view its job as realigning the state's many necessary functions into a smaller array of boxes. If this proposal turns out to have the political shelf life necessary to drive reforms, the next step would be to tease out those functions that actually serve the state better, even if they are in a separate box that isn't under the direct control of whoever happens to be governor.

Under this overhaul, for example, it is questionable whether California would have become the world leader in cleaning up the air. Policies and regulations would be under the direct command and control of a new Environmental Protection Department. The quasi-independence of the California Air Resources Board, whose leaders are appointed on a staggered basis by governors, and its independent staff mustered the expertise to show how to affordably reduce auto emissions and defy Detroit. Is something broken here?

Another example: The voice for community colleges, their system's chancellor, would become an expendable position. A new higher education czar in the education department would assume the responsibilities. The community colleges are overshadowed as it is by the University of California and California State University systems. What does defrocking the community college system actually accomplish?

The pursuit of efficiency could have large payoffs elsewhere. The state doesn't need a highly paid board of political retreats to decide on unemployment insurance or workers' compensation appeals. Countless commissions have exhausted their useful lifespan.

Certain functions that are delegated to counties could be better performed by entities (perhaps the private sector) that ignore these artificial political boundaries. Counties are failing to enroll millions of Californians who qualify for subsidized health care and other social services. This bleak track record begs for improvement.

Schwarzenegger is wisely keeping some political distance from his commission as it hits the road for a series of summer public hearings. He needs the summer and fall to advance a reform agenda that has a chance of success, either before the Legislature or before the public as initiatives. This report will either prove to be the start, or the end, of the reform debate.

Stop the spread of asthma by cleaning up our air

By Dr. Douglas S. Stanley

[Fresno Bee commentary, Saturday, Aug. 7, 2004](#)

It should come as no surprise to anyone from the San Joaquin Valley that the region has the unfortunate distinction of having some of the worst air quality in the nation.

I was born in Tulare and raised primarily in Fresno. I remember many a night huddled under a blanket with a humidifier and my mother by my side, hoping that we didn't need to make a trip to the emergency room.

I'm now a practicing physician specializing in adult medicine. My story is all too familiar to those who still call the Valley home.

Adults suffer too

Fortunately, asthma does not afflict me now unless I overexert myself on bad air days playing sports as if I was 18, although my body tells me otherwise. Unfortunately, many individuals battle this disease throughout their adult lives as well. I see this on a daily basis in my practice. Asthma is not limited to childhood and can be a fatal disease in adulthood.

One of the main triggers is that of increased air pollution and high ozone levels, problems across the country and particularly in California.

It is important for individuals to realize that asthma is more than just wheezing or occasional shortness of breath. If uncontrolled -- i.e. requiring use of a meter dosed rescue inhaler more than two times a week or two nights a month-- you need to contact your physician to help you with improving your management.

It was once not uncommon for my patients to tell me that they do much better when they are vacationing at the coast or in the mountains. But the latter is not the case anymore.

There's no escape

To my surprise, when I would recommend a patient to get away from this bad air with either trips to the coast or the mountains, I was not aware that the air in our national parks and recreation areas in the mountains was just as bad, if not worse, than here in the Valley due to the increased oxygen requirements at higher elevations.

When we think of the Sequoia, Kings Canyon and Yosemite national parks, we think of giant redwoods, beautiful waterfalls and wonderful wildlife.

Never did I think that smog, ozone levels and "bad air days" would be a part of this beautiful land's descriptive vocabulary. Nor did I think that we would see a time when park visitors would need to be warned when unhealthy air quality affects our treasured national parks.

We used to plan trips to these beautiful national parks based on peak seasons and availability. But now, for those afflicted with asthma or other lung diseases, we need to throw "bad air days" into the planning.

According to a recent report by three conservation groups, Sequoia-Kings Canyon is the nation's smoggiest park. And this summer, the American Lung Association gave Fresno County failing grades for both ozone levels and particle pollution. The pollution that hangs in our Valley skies is the same that pollutes the very parks we could once turn to as clean, clear places in which to breathe.

Prevention is preferred

We need to stop referring to asthma as an acquired disease and treat it as a preventable one. Residents of the San Joaquin Valley have been slowly convinced that if you plan to live in the region, asthma is one of the tradeoffs. This should not be the case.

All of us know at least one family member, and in all likelihood more than one, who has developed asthma. This was not the case 20 or 30 years ago. It is time to take an active role in preventing the further spread of this disease.

One of the best ways to do this is to decrease the amount of air pollution -- a task not just for our federal and state governments, but also for all of us.

We can all make a difference in the amount of pollution in our neighborhoods and national parks, and make the Valley and our cherished parks cleaner places in which to breathe.

Helpful actions are simple, from turning off lights when leaving a room to writing letters to our elected leaders.

Please do your part in decreasing pollution and helping to preserve and protect our national parks.

Call groups such as the National Parks Conservation Association as well as your local politicians to develop and support legislation that will keep our national parks preserved and safe for future generations.

When less pollution crowds our skies, we'll all breathe easier.

State performance review is a starting point on the path to reforming government

[Friday, Aug. 6, Modesto Bee, editorial](#)

Gov. Schwarzenegger said he would blow up boxes, which is one of the reasons voters sent him to Sacramento last year. They want change; they want a more responsive government.

In his long-awaited California Performance Review, a 2,500-page proposal for reform of state government, Schwarzenegger tries to deliver. The review is unprecedented because no one before has tried to reform so many of our government's functions at one time.

The performance review demonstrates why such efforts are necessary by offering some good ideas -- such as online driver's license renewal, streamlining agencies and cutting travel costs.

The review also demonstrates why reform should be bitten off in smaller portions. Many of its proposals could leave us worse off than we are now.

No matter how well intended, this effort could collapse under its own weight. And there's a lot of weight in those 2,500 pages. Any report, once released, begins to develop inertia. That is especially true when some of the ideas are weak and some are even contradictory.

For instance, the plan would hardly shrink government. It would reorganize it, largely in the name of efficiency. In the world of corporate productivity, efficiency is the Holy Grail. In government,

there is value in independence and in checks and balances. The governor's task force viewed its job as realigning the state's many necessary functions into a smaller array of boxes. If the proposal has the political shelf life necessary to drive reforms, the next step will be to tease out those functions that actually would serve the state better, even if they are in a separate box that isn't under the direct control of the governor.

For example, it is questionable whether California would have become the world leader in cleaning up air pollution under this proposal. All policies and regulations would be under the direct control of a new Environmental Protection Department. The quasi-independent California Air Resources Board, whose leaders are appointed by governors on a staggered basis, in the past mustered the expertise to show how auto emissions could affordably be reduced. That defied Detroit, but produced real change. Is something broken here?

Another example: The community colleges chancellor is the voice of that system, but the governor's plan considers the chancellor expendable. A new higher education czar would assume those responsibilities, along with looking after the University of California and California State University systems. Our community colleges are considered the best in the nation. What would removing the community college system's advocate actually accomplish? Again, is it broken?

There also are some conflicting ideas in the vast proposal. There is a plan for simplifying collection of court-ordered fines. That's a good idea, because under the current system only about half the fines are ever collected. The performance review suggests turning over collection of delinquent debt to the Franchise Tax Board. Yet, another portion of the review recommends elimination of the Franchise Tax Board.

The pursuit of efficiency could have payoffs. The state doesn't need a highly paid board of political retreats to decide unemployment insurance and workers compensation appeals. Countless commissions have exhausted their useful life span.

Schwarzenegger is keeping some political distance from his commission as it hits the road for a series of public hearings. He needs the summer and fall to advance a reform agenda that has a chance of success, either before the Legislature or before the public as initiatives.

At best, the report gives us a starting point for a long-overdue debate. Now it's time to review its recommendations, decide what is worth keeping, what is worth tinkering with and what needs to be discarded. Let everyone have their say.

That's the way real reform should take place.

Push coal industry to clean up

[Monday, Aug. 9, Modesto Bee, editorial](#)

California has a proven way to get a polluting industry to clean up its act: Force it.

It worked with the auto industry. It can work with power plants, too. Unfortunately, the biggest power plant polluters aren't actually within our borders. These massive coal-burning generators are in Midwestern and Eastern states. Their emissions are the nation's largest contributors to global warming.

California Attorney General Bill Lockyer was right to join seven other states and the city of New York in suing the nation's largest coal-burning polluters. A lawsuit is a distant second choice to leadership at the federal level. But the Bush administration refuses to provide any, which isn't surprising since it behaves as if it were a wholly owned subsidiary of the coal industry.

The coal-burning utilities fear the short-term costs of cleanup. But these costs are a tiny fraction of the long-term costs of global warming. The scientific evidence that global warming is real is overwhelming; those who refute it base their claims on junk science and irrelevant data. Many of the world's insurance companies have taken notice and so has the Pentagon.

California's water system is based on the Sierra snowpack. If all that snow turns to rain, the system is profoundly changed. If the coal companies don't want to pay for smokestack scrubbers, perhaps they would prefer to replumb California.

Half the nation's electricity is produced from burning coal, and the companies that run these power plants say the technology isn't available at a reasonable cost. But as long as the coal companies push off pollution control mandates, there is no financial incentive to finding cost-effective solutions. California has shown that phasing in controls and phasing out pollutants works.

This is a daunting global problem. But we have to start somewhere.

Coal-fired neglect

Bush administration won't act to clean up emissions, so states must.

[Fresno Bee editorial, Saturday, Aug. 7, 2004](#)

California has a proven way to get a polluting industry to clean up its act: force it to, within a reasonable time. It worked with the automobile industry. It can work with power plants as well.

Unfortunately, the biggest environmental problems facing California from the power plants don't concern those that are actually located in the state. The problem is the massive coal-burning generators located elsewhere. They are the nation's largest contributors to global warming. And it is being left to concerned states such as California to try to tackle the challenge.

California Attorney General Bill Lockyer was right to join seven other states and the city of New York in a suit against the nation's largest coal-burning polluters. The lawsuit is a distant second choice to leadership at the federal level. But there has been none from the Bush administration. That isn't surprising, since it behaves like a wholly owned subsidiary of the industry.

The coal companies and the utilities that burn their coal fear the short-term cost of emissions controls. Those costs, however, are a tiny fraction of the long-term economic cost of global warming.

The body of scientific evidence is overwhelming that global warming is real, that carbon dioxide emissions are the major human cause and that climate patterns will dramatically change. The California water system is largely based on a Sierra snowpack. If much of that snow instead falls as rain, the system is profoundly changed. If the coal companies don't want to pay for some smokestack scrubbers, perhaps they would like to replumb California's water system instead. Half of the nation's electricity is produced by burning coal. The companies that run these plants say that the technology isn't available at a reasonable cost to curb the carbon dioxide pollution. This technology is not as advanced as it needs to be, so this becomes the proverbial chicken/egg dilemma. As long as the coal companies push off mandates, there isn't the necessary financial incentive to find cost-effective solutions. In California, mandates to phase in controls and phase out pollutants have worked.

The costs of an ineffective global warming strategy are far greater than the short-term costs of cleaning up problems such as coal. That's not only true in the United States. It's even more so in countries such as China, whose red-hot economy is being electrified by the country's vast coal reserves.

Tackling the problem on a global scale is a daunting undertaking. With some prodding from the states, perhaps the federal government can warm up to the task by beginning here at home.

Growth is inevitable; ruin is not

[Visalia Times-Delta, Editorial, Monday, Aug. 9, 2004](#)

Growth in the Central Valley is widely perceived as a negative thing, according to a survey of Californians by the Public Policy Institute of California.

Nearly 80 percent of those surveyed believe that growth will bring with it the problems of air pollution, crowding, traffic and less affordable housing.

On the face of it, that pessimism is deserved. The effects of growth are negative, at least the way we have allowed them to occur in California. But growth itself need not be. The key is the way we manage that growth.

That is what people must continue to remind themselves about coping with growth in our communities. We also must change our thinking and our lifestyles, because if we continue to do things the same ways we have always done them, the pessimists will be right: growth will bring the Valley and California nothing but misery.

As the most open area in California, the Valley has the most to gain and to lose from the sharp increase in numbers of people that is about to occur. State population is expected to expand from the current 36 million to 50 million by 2025.

The one thing we in the Valley must accept is that we cannot stop that growth. Look at the current building boom in Visalia, which will set another record for housings starts this year.

Even amidst that, there are already signs that the region is coping with some of the negative effects of growth. Our air is actually cleaner. The Valley has added more farm acreage. The area continues to be the most affordable in California.

The area can't maintain that trend with the same strategies, however. If the Valley is to withstand the pressure of growth about to descend on it, it must change some things. It must build a much more efficient public transportation structure. It must institute smart-growth rules in urban development. It must enact strict controls to preserve natural resources.

The residents of the Valley need to change, too -- to alternative transportation, to more efficient use of land and to greater attention to the resources we have.

The priority will also have to be that continuing to squander our open space will lead only to ruin.

Growth can be a real benefit for this area, though, bringing in diversity, more energy, more opportunity and more production of all kinds of things. If this area manages it correctly, it could have the best of both worlds -- the creativity and dynamics of urban centers with the comfort of open space.

That can only happen with a change of attitude, by considering growth as an opportunity, an opportunity for change.

Smog-check plan should go on rolling rolling

[Saturday, Aug. 7, Stockton Record, Editorial](#)

For those who love classic cars -- and for those who drive older cars -- California Assembly Bill 2683 is a terrible blow.

I'm amazed I haven't seen anything about it in the news, as it affects so many people and automobiles.

Many classic car owners have no idea this bill is so close to being passed into law.

In 1998, Senate Bill 42 removed 1966-1973 vehicles from the California smog-check program and implemented "the rolling 30."

The program was to take effect in 2004 and would start dropping all vehicles out of the smog-check program as they turned 30 years old.

This year, 1974 models dropped out of the smog-check program. That's as far as it got. Assembly Bill 2683 is intended to stop SB42.

I'm all for clean air. There are times the air in California is unfit to breathe. We need laws to prevent people from making it worse.

There also has to be some common sense. You don't go after a fly with a 12-gauge shotgun. They're spending millions of tax dollars to do it.

Assembly Bill 2683 would stop "the rolling 30" after 2005. All 1976 and newer vehicles would stay in the smog-check program.

They would have to be smog- checked every other year when the registration renewal comes due or whenever they're sold to a new owner in California.

A large percentage of these vehicles won't pass the smog check. Many of them would have to be checked at a test-only station, which isn't allowed to make even the simplest changes to help the vehicle pass the smog check.

If they don't pass, it opens up a whole new set of problems that makes crushing the vehicle look a lot more appealing than fixing it.

Many times there are programs that pay owners more to scrap it than the vehicle is worth.

So, a percentage of them will be repaired. Some will be parked, and some will be scrapped.

Because the vehicle is destroyed, the hobbyist loses the parts -- all because the engine might only have needed a minor tune-up.

Senate Bill 42 acknowledged these older vehicles were essential to hobbyists to provide parts for repairs and restorations, as well as being restoration projects themselves.

It also acknowledged that many of these parts could be used on other models -- not just the model they were on.

It also took into account that many businesses survive on vehicles that can't pass smog checks.

These businesses buy them and sell the parts to people who have a passion for cars.

Hobbyists even took a 1968 Camaro to the state capitol with signs on it ("They want to destroy this car"). It worked. TV news picked the story up, and that helped get SB42 signed into law.

"The rolling 30" originally was a "rolling 25" to take effect as soon as the bill was signed. The hobbyists agreed to make it a "rolling 30" that would start in 2004.

Five years later, they're trying to take away "the rolling 30."

I now live in an area where I can be fined if I'm caught with a fire in my fireplace on the wrong night, thanks to the same people who support this bill.

Unless car clubs and automobile enthusiasts in California get together and show support, we'll wake up one morning and find out everything with a carburetor on it is illegal.

That's no joke.

Ron Bramlett
Stockton

Building a greener car

By Russell Long

[S.F. Gate commentary, Monday, Aug. 9, 2004](#)

California has long had a love-hate relationship with the automobile. While cars provide unparalleled personal mobility, their downside is worsening traffic, noise pollution and smog. Adding to that list, passenger vehicles are now the state's largest source of greenhouse-gas pollution.

So it was fitting that California announced last week the world's first regulations to control global-warming emissions from passenger vehicles. Developed over the past year by the state Air Resources Board, the regulations -- a precedent being considered by other states, including New York, Connecticut and New Jersey -- will reduce dangerous emissions of greenhouse gases that are heating the earth. They'll also generate fuel savings that reduce costs over the life of a vehicle. Even our Canadian neighbors may follow our lead, as they realize it may help them meet their responsibilities under the Kyoto Global Warming Treaty.

For more than 40 years, Detroit automakers have argued that seat belts, air bags and emissions controls on new cars would bankrupt their industry. Like whiney children, their refrain has been, "We can't do it, and you can't make us!" Well, we have, and with great results. Around the globe, catalytic converters, hybrid cars and cleaner fuels are the ultimate result of California's farsighted approach to tackling runaway pollution from automobiles. The latest rules, the product of legislation initiated by the environmental group Bluewater Network and introduced by Assemblywoman Fran Pavley, D-Agoura Hills, allow the state to expand its leadership role on smog to tackle the most challenging environmental problem of the 21st century -- global warming. Not surprisingly, Detroit automakers have threatened to litigate.

What will the regulations do? Global-warming pollution from the average new passenger vehicle will be cut by about 22 percent by 2012, and 29 percent by 2016, without any sacrifice in vehicle choice, performance or other features. The rules -- which only affect new cars -- could nominally raise new vehicle sticker costs, but these increases will be more than offset by fuel savings or even use of less expensive alternative fuels.

Despite the good start, the bad news is that this regulation could have been much stronger -- in fact an earlier version called for more rapid cuts. The consequence is the rule won't lead to any absolute reduction in pollution from the state's fleet of passenger cars. Why? Because even though vehicles will be cleaner, by 2030 there will be even more cars on the road, annually driving more miles. Which raises the question, why didn't the state stay with the earlier proposal, or better yet, go further? After all, the legislation's text calls for "maximum feasible, cost-effective reductions," a far cry from the zero net reductions that are now being proposed. Deeper cuts would also be more in line with the vision of the hundreds of environmental and public health groups, unions, businesses, cities, water and air districts, religious organizations and dozens of political leaders who fought so valiantly to pass this legislation in 2002 -- not to mention with the bill language itself. Plus, a poll conducted last month by the nonpartisan Public Policy Institute of California shows that 8 in 10 Californians support state actions to require automakers to reduce greenhouse gases from new cars.

This issue is critical to our planet's future. Left unchecked, global warming will worsen air quality, increasing lung cancer, asthma and other respiratory disease. Rising temperatures will threaten the state's largest water reservoir, the Sierra snowpack, which is projected to shrink by two-thirds by 2090, endangering farmers, fishers, residential and commercial water customers, the ski industry and anyone else who depends on inexpensive and plentiful water or snow. Catastrophic wildfires are also expected to increase. Our beautiful coasts, delta and beaches are threatened by bigger storms and rising waters, too.

Naturally, California can't solve the global-warming problem by itself. But with other states and nations again following our lead, our actions could go far in protecting our children's future. As President Bush continues to bury his head in the oil-producing sands of the Mideast, California has the opportunity to show the world that we can sustain a strong economy while generating less greenhouse gas pollution from our cars.

Russell Long, executive director of Bluewater Network in San Francisco, conceived and drafted the original legislation requiring the new greenhouse-gas standards for cars.

Paying a price for pollution

[Thursday, Aug. 5, Stockton Record, letter to the editor](#)

Can anyone explain why people who say they like fireworks, concerts, the Fourth of July, baseball games -- and even farmers burning their fields and polluting our air -- also think the public should pay more for emission devices on motor vehicles and be required to put out hard-earned money for smog tests?

Why do we sacrifice for these polluters? Seems like someone had better put controls on these polluters, too.

By Richard G. Pardini
Stockton