

## **Burn ban today**

Modesto Bee, Tuesday, December 13, 2005

Lighting fireplaces is banned today in Stanislaus, Merced and San Joaquin counties. The San Joaquin Valley Air Pollution Control District predicts unhealthy air in all three counties. That means wood-burning fireplaces, fireplace inserts, heating stoves and pellet stoves cannot be used unless they are the only means of heating a house.

## **Wood fires banned today**

Press staff report

Tracy Press, Tuesday, December 13, 2005

Today, the restriction on wood-fueled fires, already banned in the southern part of the valley, has come to San Joaquin County.

Red flags displayed at local schools today are a reminder that cold-weather air pollution has worsened in the San Joaquin Valley.

Until now, the San Joaquin Valley Air Pollution Control District has discouraged wood fires in San Joaquin County and recommended that people opt for clean-burning, EPA-approved heaters. Today, all wood fires are prohibited, and violators can be subject to fines from the air district.

People who violate the ban can be fined \$50.

The flags at the schools are based on the district's "air quality index," which is a compilation of air pollution measurements that include the amount of ozone and particulate matter in the air.

During cold weather, soot from wood smoke is the most common pollutant. A red flag indicates that the amount of smoke in the air could be unhealthy for just about everyone.

Orange flags mean that people with respiratory ailments should avoid outdoor activity, yellow flags mean some people may be affected and green flags indicate healthy air.

## **Valley air district to consider fee for builders**

### **Money to buy cleaner buses, replace dirty diesel engines**

by Mark Grossi - the Fresno Bee

in the Modesto Bee, Tuesday, December 13, 2005

It has been two years since the most frenzied debates ended over air cleanup rules for farmers and fireplace burning bans for city folk, but the interlude is over.

Authorities are scheduled Thursday to possibly approve nationally unprecedented air fees on sprawl - new houses, shopping centers and office space.

This time, it is not just environmentalists vs. an industry, namely, builders. Farmers, who are on the hook for new air cleanup rules, say it's time for builders to do their part.

"I'm changing my farming practices for air quality," said Manuel Cunha, president of the Nisei Farmers League in Fresno. "Why don't they? If they don't do their part, someone will come after more reductions from farmers. Is that fair?"

But the point is that all homeowners - not just new ones - should pay, says Robert J. Keenan, executive vice president of the Building Industry Association of Tulare/Kings Counties Inc.

"It's not fair to make new home buyers responsible for cleaning up the air," he said. "Why not divide the cost among all homeowners? Then it's not a hardship."

Those arguments and others will come to a head Thursday at the San Joaquin Valley Air Pollution Control District, as the governing board votes on new rules.

The rules would force those who build new homes, businesses and commercial buildings to make air-quality-friendly developments or ante up fees for pollution coming from the additional traffic.

Environmentalists say the San Joaquin Valley needs these rules to prepare for big growth, or this area will repeat the mistakes made in Southern California, which sprawled prodigiously in all directions.

The valley's population is expected to expand from 3.7 million people to 7 million in the next 35 years. Modesto, Stockton, Fresno and Bakersfield are expected to spread out with new developments, adding more miles of vehicle travel each day.

### **Drivers No. 1 air polluter**

Valley drivers cover 94 million miles a day, according to the state Air Resources Board. When cars, pickups, sport utility vehicles and diesel trucks are combined, they become the No. 1 source of air pollution in the valley, one of the most polluted places in the country.

In other parts of the state and country, agencies have talked about regulating pollution from sprawl, but no one has passed such far-reaching rules with fees.

National and state building industry lobbies are watching the rule proposals closely because other air districts will be obliged to look at similar strategies if the regulations are adopted in the valley.

The district predicted completion of the new rules by December 2004, but it has taken an additional year because of the complexity and, many believe, builders' opposition.

The fee money is intended to buy clean-burning public buses, replace dirty diesel engines and pave road shoulders. Authorities project \$103 million will be raised in the next three years.

State Sen. Dean Florez, D-Shafter, wrote SB 709 in 2003 to require the rules and fees on large developments at the edges of valley cities.

The fees can be reduced or perhaps eliminated if a developer adds enough clean-air features, such as exterior outlets for electric lawn mowers or energy-efficient water heaters.

Though builders two years ago said they would cooperate in the rule process, they now campaign intensely against the idea.

Representatives say the district's proposal could amass \$225 million in fees from homes by 2010, but they say there are not enough specifics on plans to spend it.

They say the rules, which also apply to shopping centers and many other businesses, might inhibit job creation by driving companies away from the valley.

Builders say the fees could amount to \$450 million in the next five years from commercial and industrial development.

The industry also criticizes the mathematical model used to estimate traffic-based pollution from homes, shopping centers and other businesses.

"It overestimates the emissions by as much as 70 percent," Keenan said. "The science does not work."

Using statistics and criticisms, builders signed up a list of organizations, associations and government officials to oppose the rules. The effort is called "Stop the air board tax: We'll all pay."

### **Clean-air options to lower fees**

The criticisms are overstated, said Tom Jordan, air district special projects administrator. The district believes the cost will be about \$780 per house until 2008, when the estimate rises to \$1,770.

Jordan said the district's financial study of the rules indicated an extra \$1,770 would not be a deal-breaker on homes.

The district would much rather have air-friendly developments than the cash, he said. That is why there is a list of clean-air options developers can install and get credit to lower the fees.

"The developments are permanent, and so are the pollution reductions when you build them into the project," Jordan said. "There are already some good projects going on in the valley, and a

certain momentum is building. You can mitigate these fees with good projects. You can get them down to zero."

Jordan and environmentalists say the science used in estimating pollution has been tested in court and used for environmental study over many years in California.

### **Unfair to low-income groups?**

The air district will have to watch closely so developers do not manipulate the system to underestimate new emissions, said Kathryn Phillips of the Environmental Defense.

Tracking new emissions is vital, she said, because the valley cannot afford to backtrack and allow new pollution to overwhelm previous reductions. That is why new developments, not existing homes and businesses, are the focus, she said.

"It is very easy for any industrial sector to say, 'Why me?'" Phillips said. "This attack from the building industry is very common. A powerful industry typically goes after the science and says the rules aren't fair."

Clovis Mayor Nathan Magsig says the rules are unfair for people of low or moderate income. Magsig is executive director of the Coalition for Urban Renewal Excellence, a nonprofit group that builds and sells discounted homes to people who otherwise couldn't afford them.

He says many of his customers can barely afford a loan of more than \$100,000, sometimes leaving them stuck in a two-bedroom, one-bathroom apartment with five or six children.

"A few hundred dollars of extra cost can put a house out of reach for them," he says. "Less than 20 percent of the population can afford the median-priced home. These rules just make it that much harder on many, many people."

The proposed rules would not apply to developments of fewer than 50 housing units, and environmentalist Phillips said the majority of builders should be able to cut down the fee quite a bit just by putting in already-accepted features - sidewalks, insulation, turnouts for bus stops, shade trees and walking trails.

### **Brief**

S.F. Chronicle, Tuesday, December 12, 2005

FRESNO, Calif. (AP) - Regional air regulators will consider new rules Thursday that may force builders to pay fees for air pollution caused by new developments.

San Joaquin Valley Air Pollution Control District officials said the region needs to prepare for growth or risk uncontrollable sprawl and the pollution that comes with it.

The region's population is expected to increase from 3.7 million to 7 million in the next 35 years, with Fresno, Bakersfield, Stockton and Modesto adding new developments to their fringes. With population growth concentrating in the suburbs, the number of miles driven a day in the Valley will increase, worsening the region's persistent air pollution, air officials said.

Under the proposed rules, builders would be able to reduce the fees paid to the air district by adding air-friendly features to their developments such as bicycle parking at businesses or energy-efficient lighting and air conditioning in homes.

### **Fat's in the fire over tallow plan**

**Any bid to move plant to site near Westley will be fought, activist says**

Modesto Bee, Tuesday, December 13, 2005

If Stanislaus County wants to put a tallow plant near Westley, it had better "suit up and show up," because it would have a fight on its hands, community activist John Mataka said Monday.

Supervisor Jim DeMartini said Friday that he had discussed moving the Modesto Tallow plant to a site near the tire-burning plant in the Westley area.

DeMartini said he had discussed the idea with tallow plant managers and property owners near the tire-burning plant, but was unable to get the tallow plant owners interested.

"They never really wanted to spend another \$10 million to build another plant," DeMartini said.

Mataka said the Westley and Grayson areas will fight any attempt to put a rendering plant there.

"That's not a viable option for us out here. I'm going to make sure we fight this," Mataka said.

"They would take it from one poor Mexican community to another poor Mexican community," he said.

DeMartini said the point was moot, since Modesto Tallow isn't interested. A tallow plant is likely to draw a "not-in-my-back-yard" reaction wherever it is proposed, DeMartini said. "I was looking for a remote site," he said of the area west of Interstate 5 he had proposed.

The idea of building a new tallow plant in the county came because DeMartini felt the agricultural community needed one to handle all the dairy cattle, poultry and other livestock that die in the county.

That might not be as critical a need as he first thought, DeMartini said Monday. Modesto Tallow officials told him Saturday that the firm had sold its "routes" to two other tallow plants.

The routes charge dairies to pick up dead animals. The new services will likely cost dairies more because the animals will be trucked farther, DeMartini said, but "it looks like everything will be covered."

In other developments:

A Modesto Tallow official declined to comment Monday, but DeMartini said the plant has reduced its work force from 65 to 3. The plant still is processing restaurant grease, but is no longer processing cattle or poultry carcasses, he said.

Bill Bassitt, chief executive officer of the Stanislaus Economic Development Workforce Alliance, said the group would have staff at the tallow plant in the next day or two to offer help to the laid-off employees.

The tallow plant owes Stanislaus County \$314,364 in property taxes, according to the tax collector's office. The business also owes \$23,880 for the first installment of the current tax bill.

Modesto city officials refused Monday to reveal what, if anything, Modesto Tallow owes the city. The plant had a delinquent sewer bill of more than \$148,000 as of early November.

## **Plans For Visalia Ethanol Plant Filed**

Valley Voice Newspaper (Visalia)

Tuesday, December 13, 2005

*Visalia* - Pacific Ethanol, headed up by former Secretary of State Bill Jones, last week filed a permit request for a 50-million-gallon ethanol plant across Highway 99 from the Visalia airport. The news comes only weeks after the Fresno-based ethanol company announced an influx of \$85 million from Microsoft's Bill Gates having invested in the company, enabling it to build 5 ethanol plants on the West Coast.

The Visalia plant would employ about 40 people working 3 shifts, 7 days a week.

"We filed our permits and we are moving forward on the site," says Pacific Ethanol's president, Neil Koehler.

The project is located along the Union Pacific tracks at the southwest intersection of 99 and 198 on 89 acres owned by Kent Kaulfuss - the site of a composting facility run by Kaulfuss' Wood Industries Co.

With the filing of the special use permit for the site, consulting firm Quad Knopf is beginning the environmental impact report process, which could take 6 months to a year to complete.

The site already has special use permits that allow the use for commercial biomass fuels manufacturing as a future land use. That permit has been in place since 1994.

Kaulfuss has been working with Pacific Ethanol for several years to do what he calls "phase 2" of his vision for the site. Biofuel facilities that use ag products to make fuel are allowed in the county ag zones.

The permit lists the building and storage facilities that will be built on the site visible from Highway 99 - not unlike several other grain and milk plants along Highway 99 in Tulare County. The largest building would be a 165-ft. steel distillation, drying and evaporation tower next to a 44-ft. processing building at the site, including two 40-ft. corn silos and two 35-ft. ethanol storage tanks.

According to the permit request, the ethanol plant will be served by a new 7000- ft-in-length rail loop connected to the main line that will accept a unit train (110 cars) once every two weeks. About 20% of the corn will arrive from local farms delivered by trucks - about 40 a day. In addition trucks leaving the facility will include trucks carrying the wet distillers grain - a feed byproduct of making ethanol destined for local dairies - 75 trips a day. The plant will ship ethanol out by truck as well - 20 trips a day and CO2 - another byproduct of the process - will be shipped out at 12 trips a day. The site will be accessed from 198 west of 99 where there is a frontage road to the property.

The permit says the company plans to make about 100,000 gallons of ethanol a day hauled to blenders who will mix the renewable fuel with gasoline for motor fuel. Ethanol is blended in the state at 5.7%, but plans are underway to increase that to 10% in California. Blends at 85% ethanol are being promoted as well because ethanol produces far less greenhouse gases than gasoline.

The by-product - wet distillers grain - will help the project turn a profit providing 1500 tons daily for area dairy cows.

The facility will have its own natural gas-fired power source cogen plant to make electricity and produce steam. The co-gen will be equipped with ultra low Nox burners, notes the application. Pacific Ethanol has worked with the Valley Air Board on their air permit for the project similar to their permit in place in Madera.

Pacific Ethanol will need an approval from the Airport Land Use Commission to move forward. The site, located just outside the city limits of Visalia, will nevertheless be of some interest to the city, and Kaulfuss says preparations are being made to brief city officials about plans for the property located near the city's waste water treatment plant.

A few years ago, an industrial task force suggested the city look at the acreage west of the airport and 99 for ag-based industries with high water requirements to be located near the city sewer treatment plant. The idea didn't go anywhere then. But the fact that this big ag-related use and a nearly mile-and-a-half rail loop and cogen plant could make the site attractive for other ag industries could see a new look at the idea that would not require miles of new sewer laid to accommodate food processing companies.

The Visalia ethanol plant could be one of three new ethanol plants at the doorsteps of Visalia with the opening last month of the Goshen ethanol plant - the first major plant in the state - and plans are underway for a Calgren ethanol plant south on 99 near Tipton. Visalia could bolster its claim as "Biofuel Capital of California" once all the plants were running, adding it to our claim to fame based on proximity to Sequoia Park, distribution hub for the state and county seat for the nation's number one milk producing county. California requires nearly a million gallons a year of ethanol, shipped mostly from the Midwest. Now the Visalia area plants will produce at least 115 million gallons to be used by California motorists.

The investment announced by Bill Gates a few weeks ago means that Pacific Ethanol now has the financing to build all five of their planned facilities by 2008, including Madera and Visalia, one in Washington and two elsewhere in California.

Although the plan in Visalia begins with using corn to make ethanol, the long-range plan calls for cellulose-based ethanol manufacturing making the fuel from ag waste products.

Koehler says ethanol is important in California because it extends the fuel supply that is very tight otherwise. As a renewable fuel it helps fight climate change because it is far lower than oil-based products when it comes to CO2 emissions. Recently, the California Energy Commission embraced higher use of ethanol in California fuel blends - upholding a standard of 10% ethanol being used by refiners - a blend used in other states.

Most recently, the California Energy Commission surveyed most of the state's refineries on the use of ethanol. Since restrictions were removed on the amount of ethanol that can be blended, about one third of the refineries surveyed by the CEC said they were blending about 7.7% ethanol. The survey took up the question of banning ethanol use in California in the summer months - a proposal favored in some quarters. But refineries told the CEC that during summer the supply of gasoline would fall 10% in the state and one refinery reported they would close their refinery if that happened. On the other hand, the survey asked the benefits of increasing ethanol in gasoline and the survey showed our state's gasoline supply could go up 4% - helping to satisfy increased demand here. If refiners did use more ethanol long term, the CEC report said many infrastructure hurdles will need to be addressed to allow for greater movement of more ethanol.

## **Farm Groups Say Builders Should Pay New Air Fee**

Valley Voice Newspaper (Visalia)  
Tuesday, December 13, 2005

*San Joaquin Valley* - Farms have been in the bullseye over air quality in the central valley. In the past few years ag has had to dig deep in its pocketbook, vow to carry on best practices and ban field burning to reduce emissions. So it may not come as a surprise that when home builders step up rhetoric against a new air board fee that would affect the homebuilding industry - a number of farm groups are less than sympathetic.

Already suffering from labor shortage caused in part by the boom in demand for workers in the red hot real estate market here, farmers are worried that if the builders' heavy lobbying pays off and if there is no fee put on new development, regulators will be back looking at farms, the oil industry or household fireplaces again to meet near and long term air quality goals.

With California gaining an additional half million residents a year and many of them streaming into the central valley - its no wonder regulators are looking at new subdivisions, malls and big distribution centers to help them meet tough EPA standards.

A new Valley Air Board rule that would require home builders pay a fee on new homes to help fight air pollution will be debated at a closely watched December 15 meeting. Area building industry representatives have been carrying on a full court press to get support for the position that the proposed fee - under so-called indirect source rule - is unfair and an "economy buster." They've been making the rounds of cities, counties and area chambers where they have been gaining at least some traction. "There are poorly written draft rules that need to be thrown out," says the BIA Chief Bob Keenan.

But a growing number of area farm leaders feel that ag has "stepped up the plate" on the air emissions issue in the past few years - and now it's the building industry's turn "to do their fair share." That's what Kings County farmer Tony Oliveira, a member of the County's Board of Supervisors, says about the issue.

Nisei Farmer's League president Manuel Cunha is even more vocal. "This rule has to pass" in part because the state legislature has passed a law to mandate it and the district has been sued and must comply by December 30 or face a new suit.

"The enviro groups would win and the EPA would come in" with the likelihood of local control over our air pollution issues out the door, he says.

Exeter's Citrus Mutual spokesperson Shirley Batchman says unlike ag producers that have to pay yearly fees to fight air pollution, builders are facing a modest one time fee. "When you think about it, the houses are generating air pollution not just when they build them but when they have cars

parked in front and trucks bring all the goods to the stores needed to service those homes; the pollution goes on year after year.”

Tulare-Kings BIA executive officer Bob Keenan says the Air District has “no budget for how they are going to use the money” and that it makes more sense to show the needs first. In addition, he says a fair way to spread the burden of air pollution out is to put a fee on all development - existing homes for example and “not just new homes.” Furthermore, he said it doesn’t make good sense to make bad laws just because there are lawsuits hanging over their heads. “They are doing it because they were sued by Earth Justice.”

But Cunha counters that what the Air Board wants to target is the 10 tons of emissions that are being added because of “new growth” and that the building industry is the only major part of the local economy that isn’t doing something to help clean the Valley’s air.

Indirect sources are land uses that attract or generate motor vehicle trips - the main reason our valley air has not improved more than it has. The rule affects not just homes but malls, commercial projects and industrial buildings, hospitals and schools.

Cunha says charges made by builders that the fee will shut out low-income buyers out of the chance to buy a new home ring hollow considering builders’ high profit in recent years and the skyrocketing price of homes. Cunha noted that smaller subdivisions of 50 units and under are exempt, as are businesses that are already regulated by the Air District, like gas stations.

The idea of a fee on homes, malls and industrial buildings as a way to get to what the district can’t regulate - mobile sources - seems to be the heart of the issue for some. “I think the builders will be asked to contribute because the Air Board can’t touch mobile sources that are 60% of the problem,” says Tulare County Farm Bureau president Craig Knudsen. “It was unfair for the Air Board to hit ag so hard on emissions and it is unfair for them to hit the builders, too,” he figures.

Early estimates that builders would have to pay \$5,000 a home have been whittled down to about \$700 a home in the first year. The Air Board believes that amount won’t cause too much of a burden on the home buyer. But Keenan notes that a few dollars can knock some buyers out of the market.

Cunha seems to agree that while home builders - in principle - should “be part of the solution,” the exact fee should be negotiable. He notes home builders can pay zero fee if they agree to mitigate emissions with some smart growth in the designs, like electric outlets to charge electric cars or siting a subdivision close to the shopping center or adding walking or biking trails to the project.

Cunha says if the fee is not adopted, the clean up of our air demanded by EPA will fall on others, including farmers who have already agreed to generate lower emissions. “We’ve agreed to stop burning - you don’t think that has cost us plenty, too.”

Cunha says arguments that the Air District needed to budget first does not make sense to him. “We have a budget of \$33 million at the district but it’s all spoken for in coming projects” that will help clean the air. He notes that farmers must pay fees on a regular basis. “My dehydrator pays a fee every year. Builders are being asked to pay only a one-time fee.”

Although the BIA was successful in getting support for their position from a number of groups, they failed to get the support of the Kings County Farm Bureau, the Kings Board of Supervisors or the Tulare County Board of Supervisors.

This week, the City of Visalia agreed to send a letter of concern to the Air Board regarding the economic impact of the rule on schools, hospitals and other public facilities. The city suggests exempting critical public facilities. Regarding housing, the city suggests exempting “affordable housing” projects.

Builders are coming to the December 15 meeting with their own ammunition. They say they have research that shows the Air District’s model overestimated residential project emissions by 70% because the district’s modeling is flawed.

"These proposed regulations will end up costing small and large businesses, retail, industrial and commercial developments hundreds of millions of dollars in new taxes - hurting the region's economy," says the BIA.

Cities are worried that the high fee for large shopping centers - important to the tax base of all valley cities - will be big enough to discourage their development. According to a "worse case estate" by the Air Board a super regional shopping center would pay a \$2.7 million fee when the builders took out their permit. Likewise for big industrial plants where the valley is competing against other regions for jobs, the fee could scare some away.

## **Ag News**

Valley Voice Newspaper (Visalia)

Tuesday, December 13, 2005

**Soybean 'cover crops' may reduce dust.** To cut down on dust and improve air quality, California farmers will experiment with growing soybeans for air credits. The California Grain Foundation plans a study next year on the feasibility of planting soybeans after wheat harvest. Under current practices, wheat fields stand fallow until the following spring. The study seeks to learn whether planting soybeans will slow dust erosion. The soybeans would not be harvested, but be left to melt into the fields.

## **Gas Drilling Raises Dust Clouds in the West**

By Bob Moen, The Associated Press

Published in the Washington Post

Monday, December 12, 2005

SHERIDAN, Wyo. -- When Jack Cooper looks out the window of his saddle shop in rural Sheridan County, he sees the jagged Bighorn Mountains to the west and a tree-lined creek winding its way through a wide valley to the east.

Only the dust, which hangs in the air like ground fog among the trees and rolling hills, gets in the way of the scenic view.

"We don't dare leave a window open in the daytime," Cooper said.

Cooper lives along a gravel road that has become a major artery for trucks and workers in one of the many coal-bed methane gas fields in northeast Wyoming. The traffic kicks up clouds of dust that have drawn complaints from residents who say it's not only unsightly, but potentially dangerous to asthma sufferers and even livestock.

While oil and gas development creates other problems \_ housing shortages, noise, water pollution and increased crime \_ dust is just about universal in the booming methane fields of Wyoming and other states rich in natural gas.

"Anywhere there's a producing oil and gas well, it's an issue," said Gwen Lachelt, director of the Durango, Colo.-based Oil and Gas Accountability Project, reeling off problem areas in parts of Alabama, Colorado, Illinois, Kentucky, Montana, New Mexico, West Virginia, Wyoming and Canada.

Most rural county roads were designed to handle the occasional cattle and grain trucks, but they quickly break down under the weight of hundreds of heavy trucks hauling drilling rigs, water, and other equipment and materials, said Bj Kristiansen, coordinator of the Wyoming Coalbed Methane Coordination Coalition.

"We have a lot of road breakdown, and that produces dust," Kristiansen said.

A resurgence in oil production and a vibrant coal mining industry add still more truck traffic to rural roads in Wyoming, he said.

Cooper said traffic passing outside his home has increased from perhaps 75 to 100 vehicles a day just five years ago to 800 a day last year.

About five years ago, Campbell County in northeast Wyoming came close to violating federal air standards because of dust and other pollutants from coal-bed methane and coal operations. Dan Olson, administrator of the state's Air Quality Division, said those problems are under control now, and the division is installing additional air monitors around the state to make sure the dust problem doesn't get out of hand.

But people living near the dusty roads say it's already a huge issue.

Bernadette Barlow, who has ranched in western Campbell County for 42 years, said the dust aggravated her allergies, forcing her to wear a surgical mask.

"I take a walk every day," the 65-year-old Barlow said. "And when I take a walk and I see dust in the air I just have to put on my dust mask."

Dr. Kamlesh Shah, an allergy and asthma specialist in nearby Gillette, said dust aggravates the conditions of allergy and asthma sufferers \_ even those miles away from where the dust originates.

"When you have dust and wind together, it covers a lot of area; people not near the activity can get into trouble," Shah said.

The dust has affected livestock, too.

Campbell County rancher Don Spellman said he had to vaccinate 70 to 80 calves for dust pneumonia \_ a condition that causes running noses, coughing and wheezing in the animals \_ a few years ago.

"I never had to doctor like I had here two or three years ago," Spellman said, adding that he's fared better the last couple years because the heaviest truck traffic moved elsewhere and more rain and snow kept the dust down.

Cooper and others have complained to their county commissioners, who say they do not have the money to fully douse the dust, repair the roads and deal with other problems, such as increased crime, that result from the energy boom.

Although methane development does enrich counties, most of the money doesn't start flowing to county government until after the wells have been producing at least six months.

Gov. Dave Freudenthal has proposed that the state give \$100 million back to the eight Wyoming counties most affected by natural gas development to deal with dust and other issues.

The quickest and cheapest solution is to apply magnesium chloride, which adheres to the road surface and prevents dust particles from escaping.

Bruce Yates, the Sheridan County engineer, said the county has applied magnesium chloride to about 75 miles of roads so far at a cost of about \$4,000 per mile. But magnesium chloride wears off in a couple of years and is corrosive to metal on cars.

And the dust, like the development itself, is transitory. Once the wells are drilled in one area, the heavy truck traffic moves on to a new place.

Yates said his department tries to stay ahead of the problem, but development can happen so quickly that it's difficult to keep up.

"They're kind of a moving target," he said, "and that's difficult to plan around."

[Fresno Bee columnist, Tuesday, December 13, 2005:](#)

## **Builders get into the act over air regulations**

Bill McEwen

If James Lipton runs out of guests for his "Inside the Actors Studio" interviews, he should head for Fresno.

We've got people acting circles around Hoffman, Pacino and Streep.

I remember farm lobbyist Manuel Cunha a couple of years ago.

He stood in the Fresno County Board of Supervisors chambers and said that if a state package of clean-air bills passed, it'd be the end of Future Farmers of America and 4-H.

The only thing missing was a little kid crying, "Shane!"

Fortunately for 4-H and FFA, his script wasn't — let's be polite here — grounded in reality. As anyone who attended a fair this year could tell you, these groups didn't vanish into our particulate-laden air with the legislation's passage.

Now, with air-pollution regulators turning their attention from farming to municipal sprawl, many fine actors among our home builders and shopping-center developers are going to get a chance to shine.

Some of them will take center stage Thursday at a San Joaquin Valley Air Pollution Control District hearing. The topic: cutting-edge rules imposing air fees on new development.

Before talking a little bit about the regulations, I want to announce that everyone who speaks during the hearing is eligible for the 2005 Manuel Awards.

Film has the Oscars, stage has the Tonys and television has the Emmys. It's time we honor outstanding local thespians whose acting shapes and dictates public policy.

What better way to recognize Cunha's longstanding ability to convince folks that up is down and down is up than with an award bearing his name?

Based on belly-aching and fuzzy math from the building industry, I've got a feeling several Manuel nominees will emerge Thursday.

In fact, I'm ready to award a Manuel on the spot to the first person who says adding a \$780 clean-air fee to the cost of a new home will price thousands and thousands of potential home-buyers out of the market.

Know how much \$780 is?

Less than the cost of carpeting a typical family room.

The air fee, according to the district, will rise to \$1,770 in 2008.

Say you're lucky enough to find a new home for \$350,000. (To get the full effect of my next line, imagine I'm Robert De Niro.)

Are you telling me someone who can afford a \$350,000 house can't make the strokes on a \$351,770 house?

Of course not.

What's more, home builders can reduce the fee by giving people what they want anyway: energy-efficient designs, pedestrian paths and outdoor gas hookups.

Suppose builders do take a hit. They could give up a month's vacation in a European villa, but that won't happen.

Especially when they can avoid regulation with a well-acted bit under the bright lights of a public building.

A warning to the lobbyists: The pressure's on. Because the rules would be the first of their kind in the nation, developers everywhere are counting on you to deliver a riveting turn that persuades the air board to soften the blow.

There's not much else to say except "Break a leg."

I mean that sincerely.