

State lawmakers to impose new rules on dairy pollution controls

To apply for aid, dairies would have to be in compliance

By Jake Henshaw, Sacramento Bureau

Tulare Advance-Register, Wednesday, May 4, 2005

SACRAMENTO - Lawmakers took the first steps Tuesday to impose new rules on state-financing of dairy pollution control projects.

When dairies and other agencies apply for state aid, they must be in compliance with state environmental rules and they must disclose past rule violations under the terms of Senate Bill 931. The measure by Sen. Dan Florez, D-Shafter, was approved by the Senate Committee on Environmental Quality and next heads to the full Senate.

The bill is the latest chapter in a debate that was prompted by environmentalists' complaints and news reports that at least some dairies may have used special state financing to move from Southern California to the San Joaquin Valley or to expand dairies there, not necessarily with improved air or water quality.

It wasn't clear Tuesday whether the proposed legislation would affect the pending applications of two Tulare County dairies for state pollution control financing.

As approved Tuesday, SB931 doesn't say whether it would apply to existing applications like those from Van Beek Brothers Partnership of Dairyland Farms in Tipton and Joe G. and Diane Airoso of Airoso Dairy in Pixley.

Their applications are before the California Pollution Control Financing Authority, which is accepting public comment through May 13 on proposed changes to their rules for awarding the discounted loans.

A divided board previously refused to delay consideration of new aid until new state air and water pollution control rules are in place. Florez said it's a "big if" whether some dairies could meet the bill's current requirements because of past practices and developing new rules.

As approved by the committee, the bill applies to all applicants for the specialized state financing, not just dairies.

A Florez consultant, however, said the senator still plans to consider other possible revisions to his bill that could affect dairies.

Potentially harmful ash alarms planners, locals

Officials say stockpile of gray substance shouldn't be there in such large quantities

By GRETCHEN WENNER, Californian staff writer

Bakersfield Californian, Thursday, May 5, 2005

An eerie moonscape of stockpiled ash at a sludge site outside Wasco has local and state regulators asking tough questions.

Kern County planners say massive gray piles at a sewage processing facility off Gun Club Road shouldn't be there, at least not in such large quantities. The land is owned by the city of Oxnard, which trucks its residential and industrial sewage there for processing.

Some 72,000 tons of powdery gray mounds believed to be "fly ash," a byproduct of oil refinery operations, have apparently been trucked to the site, said county planning chief Ted James.

The potentially hazardous material was reportedly brought in by trucking firm U.S.A. Transport Inc., the company contracted to run Oxnard's biosolids operations.

In a letter sent Wednesday to Oxnard's wastewater superintendent, Mark Norris, James points out an "apparent zoning violation" on the property.

Not only is there too much ash, the letter says, but someone has apparently been illegally selling it to others who spread it on farmland. Permits are needed for such storage and sales.

"You are requested to immediately contact the Planning Department and provide information relative to the nature and scope of the use of the stockpiled fly ash," James' letter says.

Oxnard's Norris did not return repeated calls seeking comment Wednesday.

Through an aide, the president of U.S.A. Transport, Gary Leslie, declined a telephone interview Wednesday afternoon.

The trucking firm is based in Adelanto, a city in San Bernardino County west of Victorville.

Ash is piled in two locations at the site, about eight miles northwest of Wasco city limits.

One set of ashy hills lines the edge of a small, open-air sludge processing operation. Machinery there mixes the caustic substance with sludge to kill pathogens in the sewage, according to county regulators.

A second major stockpile sits slightly northwest, stretching across barren terrain like a lumpy gray football field studded with 10-foot-high volcanic craters.

"We may have two distinct operations run by the same person," said Steve McCalley, who heads the county environmental department that oversees biosolids facilities.

Fly ash is an alkaline material used by farmers to fix certain soil conditions, McCalley said.

But at certain levels, the corrosive powder is considered a hazardous material, he said. It can sterilize soil and pose a health threat for people, causing burning skin and eyes.

McCalley said he didn't know how many tons of fly ash is legally allowed at Oxnard's sludge site.

Last year, the city trucked in more than 53,000 wet tons of sewage to the Wasco site, he said.

The city of Oxnard bought the land in 1995, according to First American Real Estate Solutions, a company that tracks property sales.

Supervisor Ray Watson, whose district includes the Wasco area, said he toured the site several weeks ago and noticed "a large accumulation of material there."

"We've already gotten some information," Watson said, adding staffers from U.S.A. Transport claim the material is not fly ash, but so-called "byproduct gypsum," which is also a refinery byproduct.

"Either way, there are things we need to determine," Watson said.

Samples have been collected by county scientists and are now being analyzed.

"We should know in a week or so what exactly it consists of," Watson said.

Lonnie Wass, supervising engineer with the state Regional Water Quality Control Board, said his agency also is aware of the piles and is looking into them.

Questions about the ash stockpiles are not new. A previous bout of correspondence in 1998 between county planners and U.S.A. Transport shows the company was warned not to stockpile fly ash or byproduct gypsum at the site.

In Wasco, city officials are concerned. City Councilman Larry Pearson said he's heard complaints about the ash piles from duck hunters, who worry about possible harm to watery lairs surrounding the biosolids plant.

Tuesday night, the Wasco City Council voted to set up a committee to find out what the stuff is, what it's used for and who's going to clean it up.

The questions are especially troubling, Pearson said, because the biosolids plant falls under county jurisdiction -- not Wasco's. Yet county regulators haven't policed facilities they've permitted, he said.

"There has to be some kind of checks on these activities," Pearson said, wondering: "Now that we've got it, what are we going to do with it?"

Big development gets OK

By David Chircop
Merced Sun-Star
May 5, 2005

One of the largest housing developments by a single developer in Merced's history cleared a significant hurdle late Wednesday night.

Over the objections of two school districts and several neighbors of the project, the Merced Planning Commission voted 6-0 to approve a tentative subdivision map for a 520-home gated community on a sweeping swath of farmland in northeast Merced.

Commissioner Carl Pollard, a real estate agent, was absent from the meeting.

The 117 acre project near the University of California, Merced, campus, has been the source of considerable debate and rancor since the Hunt Farms property, south of Yosemite Avenue between McKee and Lake roads, was annexed into the city in August 2003.

The Merced City Council ultimately scuttled an earlier plan to squeeze 585 homes into the development, which would have required shrinking some lot sizes smaller than current zoning rules allow.

The developer, Roseville-based Lakemont Communities, agreed to carry out several conditions on the project, including establishing a homeowners association to enforce street parking and a list of street improvements on Yosemite Avenue.

Before casting his vote in favor of the project, Commissioner Larry Shankland applauded input from neighbors and concessions made by the developer. "It has been a good process (with) a lot of give and take and compromise," he said.

Vice Chairman Henry Fisher also said he was pleased with the amount of public input and scrutiny that the project has undergone.

Commissioners Gary Conte, Wayne Eisenhart and Bob Acheson expressed frustration over a mountain of documents they received Monday night, but had no time to review.

Casey Steed, who owns land adjacent to the proposed project, asked commissioners to hold off on a vote to give the public more time to comment.

He claims the developers have not lived up to promises made in previous meetings with regard to the size of a frontage road next to his property. John Ford, a vice president of Lakemont Communities, told commissioners no promise was ever made on a specific road size.

"That field back there has planted a lot of crops in its lifetime," he said before the meeting. "Whatever's planted out there, we're going to have to reap the fruits that are produced. If we're not careful, the fruits are going to be very bitter and we're not going to have a second chance."

Michael Belluomini, director of facilities and planning for the Merced Union High School District, said the project's impact on schools requires further study. Under current impact fee requirements, the project would create a \$2.5 million deficit for the school district to build adequate facilities for new high school students.

Steven Shields, assistant superintendent of administrative services for the Merced City School District, also requested further studies of the project, saying it would create a \$6.4 million shortfall for K-8 facilities needed to accommodate new residents.

He acknowledged the developer's willingness to work with schools, but requested the project be held until an agreement is reached between the schools and the developer.

"The question is, in what amount are they willing to contribute," he said during a break in the meeting.

Before ground can be broken on the project, the council still will have to approve subdivision maps and site-use permits.

Campus carts under same regulations as regular vehicles

By Sandra Vicuna, Staff Writer
CSUB - The Runner, May 4, 2005

Any day of the week, students and faculty are bound to encounter CSUB's electric carts.

Zooming back and forth from different locations, the electric carts, housed by Facilities Management, provide support to various projects on campus.

Patrick Jacobs, Director of Facilities Planning, Development and Operations, says the carts have hit objects such as light standards and a landscaping rock, but have never been involved in a vehicle or pedestrian accident.

According to Jacobs, drivers of the electric carts are required to take a defensive driving course and pass a state mandated test.

The rules of the road also remain the same for carts as driving a motor vehicle. "Carts cannot go above 26 miles per hour. If they go over, the governor kicks into neutral," says Jacobs.

According to Bob Martinez, automotive mechanic for Facilities Management, the Ford motor company donated approximately six Think Carts to CSUB.

Jacobs said that because CSUB liked the carts that were donated, they invested in more carts. The carts used currently are from Dodge and Ford.

Several vehicles have been modified to carry out different functions. One cart had the back seat taken out so that it could carry toolboxes.

The campus has had carts in the past, but many are old and outdated. Those carts are being phased out gradually with the newer models.

According to Jacobs, each cart can be charged overnight or can charge four to five hours and regain full working capabilities depending on how low the battery was before charging.

CSUB's trucks are also receiving facelifts. Many of the older models have been traded for new electric models. Currently there are only two gas vehicles left on campus Jacobs said.

CSUB also rents Work Horse EZ-GO carts for graduation and special events held on campus. According to Jacobs, the carts can carry several people and have been helpful in transporting materials to and from events.

Environmentally conscious individuals should be glad CSUB is taking strides in promoting a pollutant-free education zone.

News briefs from Southern California

By The Associated Press
In the S.F. Chronicle, Wednesday, May 4, 2005

Long Beach, Calif. (AP) -- Smoking is now banned on city beaches.

The City Council voted unanimously Tuesday to join the growing number of California coastal communities to prohibit shoreline smoking. Long Beach also extended the ban to beach bike paths and boat launch ramps.

The law is designed to eliminate cigarette butt litter and reduce the risk of secondhand smoke exposure.

"It may not be the only solution for beach clean up, but it's an absolutely positive step in that direction," Councilman Dan Baker said.

Other area cities with smoke-free beaches include Los Angeles, Huntington Beach, Laguna Beach, Malibu, Manhattan Beach, Newport Beach, San Clemente and Santa Monica.

The Long Beach ban doesn't include beach parking lots, grassy areas near the beaches or the Belmont Veterans Memorial Pier. It also excludes outdoor dining areas of beach concessions.

City special events director David Ashman said event planners and movie location managers will be required to have a plan to dispose of cigarettes.

[Modesto Bee, Letters to the Editor, Thursday, May 5, 2005](#)

Clearing the air about ozone

The San Joaquin Valley Air Pollution Control District would like to clear up some confusion about ozone and whether it is harmful or helpful.

Ozone that occurs naturally in the upper atmosphere protects humans, animals and plants from the sun's ultraviolet rays. Ground-level ozone, on the other hand, is the primary ingredient of smog. It is a corrosive gas that forms when the sun cooks various pollutants, mostly man-made, and is harmful to living things.

High concentrations of ground-level ozone are responsible for many emergency trips to the hospital for those with respiratory problems, slowing the development of children's lungs, other serious health threats and reducing crop production.

The valley air district urges residents to reduce their exposure to high ozone concentrations, and to reduce air pollution by changing everyday habits that produce harmful emissions and contribute to ground-level ozone formation.

Summer is Spare the Air season, and with high temperatures come higher concentrations of ground-level ozone. With cooperation, we can clean the air and improve the quality of life in the valley.

JAIME HOLT

Public education administrator, San Joaquin Valley Air Pollution Control District
Fresno

[Letter to the Fresno Bee, Thursday, May 5, 2005:](#)

Leaf blowers are a hazard to the unsuspecting

The letter of Steven Aaron (May 2) is very informative about the pollution caused by leaf blowers.

A few years ago I saw a young teenage girl on a bicycle who got covered from head to foot by dirt and trash from a leaf blower just as the gardener turned, not seeing her riding behind him.

She had to get off of her bicycle, trying to catch her breath and coughing. No doubt she had to get home as soon as she could to get into the shower.

It seems as though most trash is blown into the streets and not picked up until cars drive over it to scatter it further.

Mary Jane Cove, Fresno