

Master-planned Fancher Creek project underway Southeast Fresno mixed-use development designed to rival River Park

By Adrian Rodriguez, staff writer

The (Fresno) Business Journal, Friday, May 12, 2006

The only master-planned community in southeast Fresno with plans to feature a regional shopping center is about to break ground and is only a few years from becoming reality.

Bulldozers are leveling dirt on the residential portions of the Fancher Creek project, a 500-acre community being designed by developers Tom Richards and Ed Kashian. The project, which has been in the works for years but didn't move forward until the city council approved new zoning for large portions of the land last May, is now undergoing site planning.

Some of the features designed into the project include a 95-acre town center, retail mixed with residential and a 29-acre village center that includes senior housing. Another 107 acres in the northeast section of the project are devoted to a planned business park as well, said Tom Richards, president of Penstar Group. Those plans include 45 parcels of high technology industrial space.

That park will feature a mix of uses including distribution and possibly manufacturing, Richards said. It is likely to be the first part of the entire project to break ground, which should occur in a matter of months, he said.

With park space, a business park and new homes being built, Richards said the hope is that people will have a place to live, work and play in the same area of Fresno.

In total, Richards said the development could generate 17,000 jobs during the first five years, resulting in \$54 million in tax revenue to the city and a total \$2.9 billion impact on the community.

The project is located on large portions of undeveloped, agricultural property roughly from Clovis and Belmont avenues to Kings Canyon Road and Fowler Street. Much of the property in that area, within the city's sphere of influence, already contains homes and shopping centers, and the Local Agency Formation Commission is currently working to annex about 139 acres. LAFCO heard the issue in March.

The project has been both welcomed and criticized by affected residents, and has also been amended due to disputes by advocacy groups. Most residents were concerned about the increased traffic with a shopping center that is expected to rival River Park.

Indeed, the environmental review found three impacts to the environment that it said could not be mitigated: some road segments in the city's general plan for 2025 will be too small; the growth will hurt air quality; and the loss of agricultural land will lead to urbanization.

That last impact is becoming a reality for Anada Vang, who for four years has been growing strawberries, zucchini, sweet peas, onion and garlic on two acres at the future site of the shopping center.

Vang, who was leasing the land, said the flooding has already hurt the yield on crops she sells at a stand on Clovis Avenue south of Belmont Avenue.

"Next month, we're going to find new land to plant on," she said. "They want to do shopping here."

She said she hopes to plant new crops at another location in August. But she isn't sure she will find a new location, since much of the land around Fresno is being converted into homes. "I have to close. This morning, the owner came to talk to the new owners, and they told me I have two weeks," she said.

One important feature of the project is the scenic drive designed to follow near Fancher Creek itself. Fancher Creek Drive is designed as a wide, winding road that is bisected by park space and leads to a roundabout at Fowler Avenue and Fancher Creek Drive. Quad Knopf is the designated engineer for the project. Richards said the roundabout was added to the plans because it reduces congestion and pollution.

Fancher Creek, one of the few portions of Fresno's canal system that still has wildlife, will feature pedestrian-friendly pathways that connect all of the planned park space and will create a comfortable "creekside" lifestyle. The parks will be among the first features to be built in the project, he said.

Nearly 700 units of single-family homes are planned on the southern end of the project, which are being designed by Centex Homes of Visalia. While Fowler Elementary is located near that portion, another school is proposed there as well.

The orchards along Kings Canyon Road have been removed to make room for the homes. But that isn't a welcome sight to Doug Bearden, who lives just north of the property at 465 N. Fowler Dr.

Bearden said he moved into the house before the land was annexed, because he wanted to stay away from the city.

"I don't do neighbors," he said. "But when I moved here it was considered county. I didn't move to the city, but the city moved to us."

Bearden said that now, with the orchards removed, he can see traffic on Kings Canyon Road.

"There was no noise," he said. "You couldn't hear traffic from Kings Canyon. All you heard was crickets. It was beautiful."

Bearden said he plans to either buy the property from his landlord or move farther out into the county.

While the housing is coming into focus early in the process, not as much has been settled about the regional shopping center, the only one designated for southeast Fresno in the Vision 2025 general plan.

Richards said that an anchor for the shopping center, and other tenants, wouldn't be announced for another 12 months.

But a major obstacle apparently has been removed. Brian Haughton, an environmental attorney at Barg Coffin Lewis & Trapp, LLP in San Francisco, represented the owners of the MEGG parcel, a 52-acre portion of what is planned to be the community's regional shopping center. A 75 percent interest in the parcel was owned by a group of three doctors and their wives.

"They were bought out by the folks that were developing the adjacent property," he said. "That happened last summer."

Public records show that Arnold and Dianne Gazarian as well as Armen and Phyllis Michaelian transferred deeds for the property to Fancher Creek Properties, LLC, the corporation set up for the project.

Company plans to build ethanol plant in Keyes

Staff reports

Modesto Bee, Wednesday, May 17, 2006

An ethanol plant will be built in Keyes, with construction scheduled to begin in the fall.

Western Milling and Ethanol West LLC plan to build six plants in California and Arizona.

Western Milling is headquartered in Goshen, near Fresno. It is the majority owner and creator of Ethanol West LLC. Calls to the companies were not returned.

The Keyes plant is the first of the six to be built, with a plant in Bakersfield to follow later in the year.

The Keyes plant will produce 55 million gallons per year and is planned to double capacity within a year of production. The plant will cost \$60.5 million to \$66 million to build, according to a statement from the company.

The plant will be on Jessup Road in Keyes, said Ron Freitas, director of the Stanislaus County Planning and Community Development Department.

The Keyes ethanol plant would provide 40 full-time jobs and generate \$1 million a year in tax revenue, Freitas said.

Ethanol is an additive primarily used to produce cleaner burning fuels. It is typically produced with a fermentation process using corn or grain. The Keyes plant will ferment corn, Freitas said.

Western Milling will provide 19 million bushels of corn for each plant. The company formulates, produces and delivers animal feeds for livestock in California, Arizona, Nevada and the Pacific Rim.

Ethanol West will own and operate the ethanol facilities.

Air district seeks student artwork

Stockton Record, Monday, May 15, 2006

MODESTO - The San Joaquin Valley Air Pollution Control District is soliciting student artwork to be featured in its 2007 calendar.

Elementary, middle and high school students from throughout the San Joaquin Valley are eligible to submit color drawings that contain a message about how to help clean the air. Fourteen drawings will be published in the calendar, along with the artists' photos.

Entries are due Sept. 30 and must include the child's name address, phone number, age, grade and school. They should be mailed in a flat envelope, not folded, to: 2007 Calendar Contest, Valley Air District, 1990 E. Gettysburg Ave., Fresno, CA 93726.

Information: public.education@valleyair.org or (209) 557-6472.

High court weighs forced pollution control

By John Heilprin, Associated Press

In the Sacramento Bee, Monday, May 15, 2006

WASHINGTON (AP) - The Supreme Court agreed Monday to decide how tough the government can be on 17,000 industrial plants and when it can force improvements in unhealthy air breathed by 160 million Americans.

The closely watched case will test the Bush and Clinton administrations' competing legal approaches for cutting air pollution. Federal appeals courts have issued contradictory rulings on the issue.

The case involves the Bush administration's attempts in 2002 and 2003 to rewrite the Environmental Protection Agency's "new source review" regulations under 1977 amendments to the Clean Air Act.

Those regulations said that older industrial facilities - such as aging coal-fired power plants, refineries, smelters, and chemical and manufacturing plants - must install state-of-the-art equipment if they expand or modernize in a way that results in significantly more air pollution.

For more than two decades, the debate has been mired over how to measure pollution and just what constitutes routine repairs, which do not require the best anti-pollution equipment, and facility upgrades, which do.

Regulators, industry groups and environmentalists have their eyes on how the case will affect 600 aging coal-fired power plants, mainly in the East and Midwest, that are among the biggest sources of air pollution.

"It will be pivotal in deciding how the new source review program applies," said Vickie Patton, an attorney for Environmental Defense, which asked the Supreme Court to intervene. "The program has protected millions of Americans from industrial air pollution for a quarter-century."

The 600 generating plants are major sources of nitrogen oxides and sulfur dioxide, which contribute to smog, acid rain, soot and other fine particles that lodge in people's lungs and cause asthma and other respiratory ailments.

In 2004, EPA told 31 governors that areas of their states didn't meet the new federal health standards for smog caused largely by power plants and other industrial facilities, along with cars and trucks. About 160 million people live in those areas.

From the start, the new source review program was criticized as too bureaucratic and complex. In 1999, President Clinton used it to sue owners of 51 aging, coal-burning power plants, primarily in the Ohio Valley and the South.

The Bush administration continued those cases, with some success, while also trying to rewrite the underlying regulations to let more older power plants continue operating without new pollution controls.

One of the Clinton-era enforcement cases, involving Duke Energy Corp., based in Charlotte, N.C., is now before the Supreme Court. The 4th Circuit Court of Appeals in Richmond, Va., ruled last year that power plants can spew more pollutants into the air when they modernize to operate for longer hours.

After Duke won, the Justice Department asked the 4th U.S. Circuit Court of Appeals to reconsider. But the Bush administration then asked the Supreme Court not to overturn the favorable ruling for Duke. Solicitor General Paul Clement explained that EPA had responded by issuing new regulations.

Those regulations were struck in March by the U.S. Court of Appeals for the District of Columbia, which said the Bush administration had resorted to "a Humpty Dumpty" interpretation of the law that contradicted Congress' intent.

It's only the third time the high court has agreed to review a case solely at the request of an environmental group.

Duke spokesman Pete Sheffield said the high court's review "will help to eliminate the confusion that exists in other courts on these issues." Other industry observers agreed.

"This is an opportunity for the Supreme Court to take a good decision in the 4th Circuit and make it the law of the land," said Scott Segal, director of the Electric Reliability Coordinating Council, which represents electric utilities.

EPA said the new regulations - most of which have been put on hold - would encourage more technology advances. Environmentalists said they would compromise public health. The case is Environmental Defense v. Duke Energy Corp., 05-848.

New station has great deal — for natural gas cars

By Paul Rosynsky, staff writer
Tri-Valley Herald, Wednesday, May 17, 2006

OAKLAND — A new gas station soon will be built in West Oakland, and the going rate for its gas will be no more than \$2.29 a gallon.

But not everyone will be able to access its low prices. Only owners of natural gas vehicles.

The station, to be built on the southern end of Brush Street near Jack London Square, will be the city's third such station.

It's being built as part of a joint project between the Port of Oakland and the city, both of which have fleets of natural gas vehicles.

But the port and the city will not be the only ones using the two pumps, which should be in place by year's end.

The station will be open to the public. The port and the city hope its construction will lead to more natural gas vehicles on city streets.

"In order to have (natural gas) be a viable fuel, the (number) of stations must be high," said Councilmember Nancy Nadel. "This enhances that network of stations."

The port and city have been working to get the station near Jack London Square for more than a year. It was made possible after the state awarded Oakland a \$350,000 grant and the port agreed to donate 2,264 square feet of land toward the project.

The rest of \$500,000 to \$750,000 cost will be borne by Clean Energy Fuels Corp., which will construct and operate the station.

In return for their contributions, both the city and the port will get 2.5 cents for every gallon of natural gas sold at the station. Both will pay reduced rates for the gas they pump.

More importantly, representatives from both organizations said, is the convenience of having a natural gas station downtown.

The city has a fleet of 183 natural gas vehicles, all of which must be driven to Oakland International Airport to fill up. The port has a fleet of about 21 vehicles but plans to expand in the near future.

Port officials hope the new station will convince more taxi companies to change over to the cleaner burning fuel.

"We already have a successful operation at the airport with our (natural gas) station and this just represents forward thinking," said port spokesman Harold Jones. "Every little bit that we can do to improve air quality is significant."

Advocates for natural gas vehicles also cheered construction of a new station.

"We need to grow the infrastructure," said Michael Eaves, president of the California Natural Gas Vehicle Coalition. "This is exactly what we are looking for."

Clean Energy already runs the natural gas station at the airport and plans to open a second in a few weeks on San Leandro Street near the Oakland Coliseum.

The West Oakland station will be its third in Oakland. Company officials said they hope to have it open by the end of the year.

Madera schools to add more natural-gas buses

The Fresno Bee, Wednesday, May 17, 2006

The Madera Unified School District announced Tuesday that it expects to add seven more buses fueled by natural gas to its fleet by the end of June.

In February, the district put six natural-gas fueled buses in its fleet, replacing older diesel-burning buses. At that time, Madera Unified trustees committed to seeking grant funding for natural-gas buses.

District spokesman Jake Bragonier noted that much of the funding for the buses has come through the San Joaquin Valley Air Pollution Control District.

Earlier, Bragonier said the natural-gas vehicles help the district ease the budget crunch of escalating diesel and gasoline prices.

[Washington Post commentary, In the Loop, Wednesday, May 17, 2006:](#)

By Al Kamen

[Excerpt]

Dirty Air? Ration Breathing

This is Air Quality Awareness Week, and the Environmental Protection Agency and the National Oceanic and Atmospheric Administration are reminding everyone to check daily air quality forecasts and, if there's "dangerous air quality," to "take steps to reduce their exposure to pollution," such as cutting back on outdoor exercise.

"Americans are breathing easier under the leadership of President Bush," boasts EPA Administrator *Stephen L. Johnson*. Yes, indeed, the "EPA is working to bring our nation better health and a brighter future through the passage of the President's Clear Skies initiative."

Of course, that legislation has been stalled by bipartisan opposition in Congress, American Lung Association spokesman *Paul G. Billings* says, "because it weakens the Clean Air Act." There has been improvement in air quality recently, he said, but that's "principally because of the Clinton administration's initiatives and state and local environmental law enforcement."

[L.A. Times editorial, Wednesday, May 17, 2006:](#)

No drilling off our coast

The House should reject needless calls to lift the ban on offshore gas drilling.

Lifting the 25-year-old ban on new offshore drilling for natural gas is a bad enough idea on its own. But a proposal scheduled to be debated Thursday by the House is as devious as it is dreadful. Because natural gas is rarely found by itself — it's usually found in the same place as oil — the provision could increase the possibility of oil drilling off California and other coastal states.

But the first point against this proposal is that it's simply unnecessary. About 75% of estimated offshore gas reserves are in areas where drilling already is allowed, mostly in the Gulf of Mexico and off Alaska. Nearly 4,000 gas leases in the Gulf of Mexico remain unused.

Even so, the energy industry wants to expand operations along the coasts, and it has found a friend in Rep. John E. Peterson (R-Pa.), who inserted an amendment in the Interior Department appropriations bill that would allow gas exploration in federally controlled waters three miles from shore. That's not a happy prospect for California's tourism industry; gas rigs would be visible from the beach, not to mention the pipelines and other industrial infrastructure onshore. And though drilling for gas doesn't carry the same potential for environmental catastrophe as drilling for oil, it produces significant water and air pollution. Yet the gain in energy resources would be minimal.

Just last year, the energy industry was making many of its opponents' arguments. Arguing for the right to drill for oil as well as gas, the industry said that companies would be unwilling to invest the money in exploration for gas alone because no one can know in advance whether a site will yield gas, oil or both. In fact, Johnnie Burton, director of the Interior Department's Minerals Management Service, expressed doubts about whether drilling for gas alone could succeed. "Natural gas seldom comes totally by itself," he said, noting that it is usually accompanied by oil. If oil is found with the gas, he asked, "What do you do? Do you plug it?"

Good question. The industry naturally will press to pump it, and with the economics of oil being what they are — and likely to remain — someone will. But then the U.S. would have the offshore oil drilling that caused environmental disasters such as the 1969 Santa Barbara spill from an offshore oil platform. Or the ruptured pipelines and oil structures damaged by Hurricane Katrina last year, spilling 191,000 barrels of oil into the Gulf of Mexico.

The House is scheduled to consider a new amendment that would restore the drilling moratorium, nullifying the Peterson amendment. It would halt, for a while, one more damaging proposal by lawmakers who appear to favor the short-term interests of the industry over the long-term interests of the nation.

[Bakersfield Californian commentary, Wednesday, May 17, 2006:](#)

Price: This town's ready for commuters on bikes

By Robert Price, Californian Columnist

The three best ways to keep traffic moving through California's fastest-growing city should be obvious enough.

We've got to build better, wider roads. We've got to convince people to voluntarily use public transportation (and convince the government to invest in making it better). And we've got to make the idea of bicycle commuting less daunting.

There's momentum afoot in that last regard thanks to Bike Bakersfield, a not-for-profit organization founded in March 2005 to promote bikes as a realistic daily alternative to automobiles. Among its programs: this Friday's Bike to Work Day, intended to challenge people to give self-propelled transportation a try.

I assumed the people behind the organization were low-level rabble-rousers harboring revolutionary ideas about the overthrow of our car-centric society.

They are not. At least not that they're admitting. They're committed to working with, not against, local transportation officials in their quest to change our collective commuting habits.

"There are things the city can do" to make bicycle commuting easier and safer, says Brian Keegan, Bike Bakersfield's executive director. "But they've done a lot already." He says the organization's board intends to work with what's available rather than asking for much in the way of new infrastructure.

Armed with an understanding of traffic laws as they pertain to bicycles, a feel for relevant safety considerations and a healthy shot of attitude, almost anybody can pull off a crosstown commute using existing bike paths and, gulp, roadside bike lanes.

A few spots in metro Bakersfield are worthy of attention by the people in position to make urban cycling a little safer.

The top five, according to Bike Bakersfield organizers:

? Canal right-of-ways. Let's use them, says Mat Barton, Bike Bakersfield's communications director. The flat-topped, mini-levees alongside the city's many canals would make ideal bike paths with just a few safety accommodations.

? A few wider bike lanes. Most lanes are adequate, but isolated places, such as Coffee Road between Brimhall Road and Rosedale Highway, are unnecessarily challenging. Better shoulders or wider striping would do wonders.

? California at the Highway 99 interchange. There's a lot going on here, with four on- and off-ramps, the Real Road intersection and split eastbound lanes on California, but with some improved lane striping and better signage, it's a survivable bottleneck.

? Changing bike-lane widths. You'll see this especially in northwest Bakersfield, where new housing developments abound: The bike lane is fairly wide, then it shrinks to down to mere inches, then it's wide again. Developers tend to leave plenty of room for bikes, but the lanes sometimes shrink in the undeveloped spots in between.

? Mine fields. Chester Avenue between the Ice House and Kern River bridge is the poster child for gravelly, pothole-riddled shoulders. Ride this stretch of road at night without an extra-bright headlight at your own peril.

But none of those concerns, Keegan and Barton stress, should keep reasonably healthy people from biking.

"It's a confidence thing, more than anything," says Barton. Knowledge breeds confidence, he says, which is why the organization hopes to get into local schools to teach cycling techniques.

DMV-like training in motorist/cyclist cohabitation skills is another of the organization's down-the-road priorities.

First things first, however: Cycling advocates need to increase their numbers.

"The main thing is, you can't get any of this done if you only have 1.5 percent of the population biking," Barton says. "We need to pump that up."

Fortunately, he and his colleagues own several -- and they know how to use them.