

\$2b at stake as air plan deadline nears

Valley board must submit cleanup plan by June 15 or risk losing federal road funds, but debate still lingers.

By Mark Grossi / The Fresno Bee
Sunday, March 18, 2007

While a debate festers over how many years it will take to clear smog from the San Joaquin Valley, the first federal deadline is only three months away.

The cleanup plan is due June 15.

If the San Joaquin Valley Air Pollution Control District doesn't produce it, this region runs the risk of temporarily losing up to \$2 billion in federal road-building funds.

The public may not be aware of the stakes if the cleanup plan is late or rejected, district officials said.

Last week, district staffers submitted the 1,200-page proposed plan to the air governing board.

The board will hold a public hearing on the plan at 11 a.m. April 30 at district headquarters. Board members then will decide if they will accept it.

District staffers warned that the plan must meet many federal requirements or be rejected. A rejection would trigger an 18-month countdown to either fix the plan or face federal sanctions.

"We have to show how we will achieve clean air in this plan," said Seyed Sadredin, district executive director. "The plan is not valid if we rely on reductions from technology or something else that does not exist yet. It will be rejected or not even accepted, and sanctions could begin 18 months later."

The sanctions would include higher fees on new or expanding businesses, which Sadredin said would chill economic expansion. Federal road-building funds of up to \$2 billion later could be frozen, at least temporarily scuttling many road projects.

Those consequences haven't been widely discussed because the district and clean-air activists have clashed over the 2013 cleanup deadline, officials said. Staffers see no way to achieve the federal health standard until 2024 and advise seeking an extension.

An independent study done by a respected Southern California research firm disagreed, saying the earlier deadline could be achieved. The study invigorated arguments from activists, who fear residents will suffer many extra years of dirty air. Research has connected smog with lung disease and early mortality.

The district's analysis of the independent study showed it was flawed and still fell short of the reductions needed, officials said.

"Close isn't going to be good enough for the EPA," Sadredin said. "Bottom line, we don't have enough reductions to make 2013. We really belong in the classification with the later deadline."

Sadredin added that the district a few years ago lobbied the EPA to put the Valley in the worst smog-offender classification, thus allowing more cleanup time.

But federal officials would not deviate from a standard formula for classifying smog offenders. The formula relies on smog concentrations, excluding the number of annual violations. The violations are a better indication of the Valley's problem with smog, district officials said.

The Valley tied the Los Angeles area last year with the highest number of violations in the country -- 86. But the Valley does not have smog concentrations as high as the Los Angeles area, which was given more time to clean up.

EPA officials said they have no choice in the way smog offenders are classified. They said they simply follow federal law. But federal officials agree the Valley needs a deadline extension.

"We are not at all surprised by the district's conclusion," said Matt Haber, deputy director of EPA's regional air division in San Francisco. "We think the Valley has to bump up in classification."

Calendar of Events

Visalia Times-Delta, Monday, March 19, 2007

League of Women Voters meeting - Lunch 'N' issues this month will be on air pollution from stationary sources with guest speaker Maricela Velasquez representing the San Joaquin Valley Air Pollution Control Board noon today at Café 225, 225 W. Main St., Visalia. No reservations needed. Order from menu. Information: 734 -6501.

Local Briefs

The Fresno Bee
Monday, March 19, 2007

Tulare Co. to consider dairy near historic park

Tulare County supervisors will consider giving final approval Tuesday to a controversial dairy project that has attracted opponents from across the state who say the proposal will threaten Colonel Allensworth State Historic Park.

The Board of Supervisors tentatively approved the plan for two 160 -acre dairies that would house more than 16,000 cows during a Dec. 19 meeting. Supervisors said applicant Sam Etchegaray had met all county requirements for a special-use permit.

Hundreds of opponents have packed nine public hearings in the last year. Many said they feared flies and odor would keep visitors from the park, dedicated to the first and only California town founded and operated by blacks.

Etchegaray and the Trust for Public Land, a private nonprofit, are negotiating a deal for the trust to possibly buy a portion of the dairyman's property or buy dairy development rights for the land -- creating a buffer zone between the park and his land.

Several agencies, including the California Department of Parks and Recreation, have asked the Board of Supervisors to delay a final decision until the trust and Etchegaray reach an agreement. But the board said it would only consider a delay if requested by the applicant.

The board meets at 9 a.m. at 2800 W. Burrel Ave., Visalia.

MUSD seeks grant for hybrid buses

By June Woods, Tribune Writer, The Madera Tribune
March 16, 2007

Madera Unified School District board of trustees approved the district's involvement in an effort to seek \$3.25 million to acquire clean-burning buses.

The district will join Clovis Unified, Fresno Unified, Kings Canyon Unified, Visalia Unified and Southwest Transportation in seeking the grant from California Air Resource Board, San Joaquin Valley Air Pollution Control District, PG&E SoCal Gas and other entities.

As a group, these would become the first fleet operators to deploy the CNG Plug-In Hybrid School Bus. If funded, each district would get two of the Blue Bird buses.

The board approved \$10,000 of yearly funding for staff time and resources for testing, training, vehicle maintenance support and data collection for the duration of the project.

Vote on dairies set for Tuesday

Some concerned about effect on Allensworth Park

By Jed Chernabaeff, Staff writer

Tulare Advance-Register, Saturday, March 17, 2007

To the Tulare County Board of Supervisors, it's just a vote to approve a special -use permit for dairies, but some state legislators and supporters of Col. Allensworth State Historic Park are calling it one step closer to the destruction of a historic landmark.

A final vote for the approval of Special Use Permit No. PSP 96-072, which would grant rancher Sam Etchegaray permission to build two dairies within two miles of the park, is scheduled for 9 a.m. Tuesday at the Tulare County Board of Supervisors meeting.

The park preserves the site of the first African -American community established in California.

The issue has prompted statewide interest from its supporters, a state agency that wants to stop the dairies from being built, and the Legislative Black Caucus.

Park supporters - mainly from the Bay Area and Los Angeles - and some nearby residents are concerned about the proximity of the dairies to the park and the environmental effects of odors, flies, air and water quality on the future of the park.

Assemblywoman Wilmer Amina Carter, D -Rialto, a member of the Legislative Black Caucus, said she has an idea that would solve the concerns: AB576 would make it illegal to operate animal feeding operations

within five miles of the park. Sen. Dean Florez, D -Shafter and Assemblywoman Nicole Parra, D - Hanford are co-authors of the bill. Their districts incorporate Allensworth.

"AB576 was introduced to save a very historic landmark in America," Carter said. "Tulare County has a diamond in the rough in their own back yard."

Supervisors from Tulare and Kings counties have said AB576 would undermine the local -use decision process.

Assemblyman Bill Maze, R -Visalia agrees.

"I'm opposed to AB576 and a strong defender of local land -use policies," Maze said.

AB576 has been referred for a hearing to the State Assembly Committee on Water, Parks and Wildlife; its members include Maze and Parra. The hearing will be either Apr. 10 or Apr. 24. If AB576 is approved, it would be sent to the Assembly floor. A two -thirds vote is required to pass the bill.

In the meantime, talks between a state agency and Etchegaray's attorney continue.

Etchegaray's attorney, David Albers, and the Trust for Public Lands, California, a land conservation organization, confirmed that both parties recently agreed to the appraisal process to determine the value of 2,961 acres of the land.

The next step could be negotiations between Etchegaray and the state for outright purchase or development rights. If both sides agree, the two dairies will no longer be an issue.

"It's just like any other typical real estate transaction," said Reed Holderman, executive director of Trust for Public Land, California. "We are optimistic that we will reach a deal."

Hardball

John Upton

Tracy Press and Lodi News Sentinel, March 15, 2007

Attorneys for the Tracy Press have demanded the city provide e-mails sent and received by Tracy Vice Mayor Suzanne Tucker relating to Lawrence Livermore National Laboratory's proposed biological laboratory and an increase in open-air explosions.

Attorney Mark Connolly told city attorneys Bill Sartor and Debra Corbett in a nine-page letter Tuesday that he and San Francisco-based First Amendment lawyer Karl Olson would file a lawsuit if the city fails to hand over the e-mails by the end of next week.

Tucker and city lawyers have argued that the e-mails between Tucker and the lab are exempt from California open government laws because Tucker sent and received the e-mails as a private citizen using a personal e-mail address and a personal computer. Tucker, like other council members, does not have a city e-mail address.

Speaking on Wednesday through city spokesman Matt Robinson, Tucker and city attorneys declined to discuss Connolly's letter. Robinson said the attorneys were still reviewing it.

The March 13 letter included summaries of 77 related e-mails to and from Tucker that were obtained by the Tracy Press and activist Carole Dominguez through public records requests.

Connolly said in the letter that the e-mails showed Tucker "was clearly acting in her capacity as a member of the City Council on city business."

Californian Newspaper Publishers Association attorney Jim Ewert said Tucker's claim that her e-mails are exempt from public records laws because she used personal equipment has never before been tested in court.

Tracy Press publisher Bob Matthews said Wednesday it was a "cut-and-dried" decision to take legal action against the city. Matthews described government openness on the relationship between Tucker and the Department of Energy's \$1.7 billion a year weapons lab as "an important public issue."

"It wasn't a question of if we would do it," Matthews said. "It's just something we have to do."

Matthews said he asked Connolly to represent the newspaper because Connolly had previously represented the Tracy Press and because Connolly has experience fighting — and winning — against the city in court.

Connolly's high political profile as leader of the Tracy Regional Alliance for a Quality Community and husband of fellow TRAQC leader Celeste Garamendi, who ran for mayor in 2006, would not affect the Press' political coverage, Matthews said.

"I don't see the two as being connected at all — he's our attorney in a professional capacity, and that's why we hired him," he said, adding that the newspaper has frequently editorialized against TRAQC.

Matthews described Olson, of Levy, Ram & Olson, as "one of the leading experts on open records laws and open government" who was recommended by the Californian Newspaper Publishers Association.

Tucker is the only member of the council to support the proposed Department of Homeland Security bio-lab, and she is the council's liaison on the Tracy Tomorrow and Beyond Committee, which, after a three-month investigation, recommended in January that the council take no action on the bio-lab. That recommendation was ignored by a majority of the council members, who voted to oppose the bio-lab.

Tucker also supports lab plans to increase the size and power of explosions at the lab's Site 300 test site, which were last week put on hold when the San Joaquin Valley Air Pollution Control District demanded the lab analyze health impacts from radioactive dust from the test explosions, pointing to community concerns regarding the blasts.

Councilman Steve Abercrombie and Councilwoman Evelyn Tolbert joined Tucker in voting to support the blasts.

Tucker sits as mayor when the council discusses Lawrence Livermore issues because Mayor Brent Ives works for the lab and is required to step down because of conflict-of-interest laws.

The Tracy Press requested, beginning in December, e-mails relating to the bio-lab and Site 300 explosions that were sent between Tucker and Lawrence Livermore National Laboratory; other members of the council; senior city employees; and members of Tracy Tomorrow and Beyond.

Lodi residents leave mark on blueprint project

By Chris Nichols - News-Sentinel Staff Writer
Lodi News Sentinel, March 16, 2007

"Good produce."

"Great place to raise your children."

"Balance of urban and farmland."

"Friendly people."

"It's home."

These and dozens of similar comments about Lodi were sketched onto large sheets of paper last night and taped to the walls inside Hutchins Street Square.

They're the qualities Lodi residents like about their city, and want to maintain.

And while they're just words on paper, the 60 or so residents who attended last night's San Joaquin Valley Blueprint meeting hope they're a step toward preserving quality of life for future generations.

The blueprint is intended to be a guide to growth, transportation and environmental challenges through 2050.

Eight Valley counties are participating in the project. Each plans to complete its own blueprint through community input and an eventual vote by city and county leaders.

Quotes from attendees at the blueprint meeting

- "You sort of see so much ag land slipping away. I see it as a problem."

— *Sarah Rose Wentling, a freshman at the University of the Pacific, enrolled in a seminar on city planning*

- "I think our biggest issue is maintaining a small community, and not overcrowding. ... Everyone should care (about planning for Lodi's future). Everyone should be a part of this."

— *Steve Barrington, another UOP freshman enrolled in the seminar*

• "The need is for people to offer houses for the low-income. There's a big need."
— *Paula Soto, a Lodi resident and community social services assistant for San Joaquin County*

• "We know there needs to be change. We don't want to see urban growth taking place on agricultural land."
— *Lodi Planning Commissioner Doug Kuehne*

• "If you don't (begin planning) now, it's likely going to be too late down the road."
— *Mike Swearingen, senior regional planner for the San Joaquin Council of Governments*
— *News-Sentinel Staff.*

Controlling regional sprawl and its symptoms — air pollution, congested roadways and a loss of open space — are keys to keeping Lodi, and the Valley, livable, several residents said.

San Joaquin County's population alone is expected to double by 2030 and grow by more than a million people by 2050, according to regional planners.

"The bottom line is the status quo is not acceptable, especially when we look at protecting the Valley for future generations," said Lorinda Jonard, a nurse who lives in Lodi, speaking during the meeting.

Maintaining Lodi's agriculture industry was among the top priorities for nearly all attendees, from farmers to politicians to business leaders to several college students at the meeting.

"To lose that (industry), we lose what our economy is built on and what our society is built on," said Vanessa McDonald, a freshman at the University of the Pacific, who attended the meeting with several classmates.

They each are enrolled in a city planning seminar.

While agricultural was cited throughout the meeting, deciding how to preserve it wasn't clear.

"The people who are in agricultural and who are in urban areas see this totally differently," noted Lodi Chamber of Commerce President Pat Patrick.

Some residents and city leaders see imposing a barrier or greenbelt between growth and agricultural as the answer. Yet many farmers want city leaders to take a "hands-off" approach to the issue, Patrick said.

The blueprints won't be legally binding documents. But they will represent the numerous residents throughout the Valley counties, said Mike Swearingen, senior regional planner for the San Joaquin Council of Governments, which is coordinating the blueprint project.

Ann Cerney, a longtime Lodi resident and activist, said she was encouraged so many people showed up last night.

A second blueprint meeting will be held in Lodi this fall.

"It's very seldom that you would do something like this and see this kind of participation," Cerney said.

Wetlands' loss is power plant's gain

Tracy Press Friday, 16 March 2007

Tracy may give away treated sewage to a company that will use it to cool a power plant, diverting polluted water dumped into Old River, but adding to air pollution. By John Upton

Half of the treated sewage from Tracy households could in the future be diverted from a wetlands project and given for free to a proposed Alameda County power plant to avoid dumping the wastewater in Old River.

Construction of the Tesla Power Plant near Mountain House was supposed to begin in late 2002, but it was delayed by a November application that would allow the plant to increase the amount of air pollution created by using treated wastewater instead of freshwater for cooling purposes.

Dissolved compounds in the treated sewage will be released as air pollution when the recycled water evaporates in the plant's cooling system.

The California Energy Commission in 2004 accepted Tesla's application to build a power plant but instructed Tesla to use recycled water instead of freshwater.

The commission will consider that application once Tesla's operators provide additional information, according to spokeswoman Susanne Garfield.

Tesla spokesman Steve Stengel, communications manager for parent company Florida Power and Light, said Wednesday that the original environmental studies, which were completed in 2001, assumed freshwater would be used for cooling.

In January 2003, Tracy's Public Works Department told the City Council that it had negotiated to provide recycled wastewater to Tesla for free. The council has never voted to authorize the deal, and negotiations are ongoing.

San Diego-based consultant and engineer Bill Powers said Tuesday the price of recycled water is "through the roof," especially in dry Southern California, and he criticized Tracy's decision to give away 5,000 acre-feet annually of treated water to Tesla.

The city of Escondido, about 15 miles north of San Diego, sells recycled water to Rincon del Diablo Municipal Water District at a rate equivalent to \$2.7 million for 5,000 acre-feet annually, according to information provided by Utilities Manager Mary Ann Mann. Rincon sells the water to the Palomar Energy Plant.

Powers suggested Tracy charge Tesla for the water or offer untreated sewage instead of treated water, which is expensive to recycle. He said this might force the power plant to use more expensive but less environmentally harmful dry-cooling methods.

Tesla's Stengel said Thursday that "air cooled is a much more expensive and less efficient process that would seriously impact the economics of the proposed project."

Tracy's public works director, Patrick Wiemiller, said there is no local market for the water, and he said sending the water to Tesla would reduce the amount of salt and other pollution flowing into Old River.

"There would have to be someone who has a specific need for that type of water," Wiemiller said. "We eventually want to reuse our water as well, like for irrigating our median islands, but there's some expense involved in laying purple pipe."

Purple pipe is the name given to piping that carries recycled wastewater.

Wiemiller said the city could not charge as much for the water as other cities because it does not own purple pipe with which to deliver the water.

Under terms negotiated in 2003, Tesla would be responsible for building a purple pipeline between the water treatment plant in northern Tracy and the 1,120-megawatt natural gas-powered plant.

Tesla is expected to power as many as 700,000 homes and employ 50 people, according to Stengel.

Wiemiller said it would be impractical to export raw sewage to Tesla because it would take "a lot of time and a lot of money" for the power plant to obtain permits and build a water treatment plant. He said, "I imagine they'd go looking somewhere else," if they were offered untreated sewage.

Under new state laws, Tracy must begin cooling its treated wastewater before pumping it into Old River.

Wiemiller's team plans to cool the water by snaking it through 500 acres or more of artificial wetlands built on the old Holly Sugar site before it's funneled into the river.

Those wetlands could be halved in size or made shallower if half of Tracy's treated water is exported to Tesla.

The planned wetlands will provide a sanctuary for endangered birds and may be linked to a 200-acre San Joaquin County park tentatively planned for north of the Holly Sugar factory.

County Supervisor Leroy Ornellas said he expects to receive environmental and financial reports on the potential parkland, which is currently owned by the city of Tracy, by the end of summer. That information will help determine whether the county park project proceeds.

Port's air a growing concern

Labor organizers say 'broken' transportation system needs to be fixed

By Erik N. Nelson, STAFF WRITER
Tri-Valley Herald, March 17, 2007

Lorenzo Fernandez understands that West Oakland neighborhoods near the Port of Oakland have the highest asthma rates in the state and he knows that the old truck he drives around the port contributes to that.

"We realize already about the pollution that is contaminating our air," the 36-year-old independent trucker said Friday. "We wish we could stop that, but we can't, because there is no money.... We barely make enough money to earn a living."

Independent truckers who haul containers from trains to ships across the port for a piece rate say they want to help. At a town hall meeting today, they plan to air their concerns about smog, low pay and a chaotic system of loading containers that forces them to wait for hours in line, wasting fuel at their expense and fouling the air around the port.

The 10 a.m. meeting at Taylor Memorial Church on 12th Street at Adeline Street in Oakland also will allow new port Executive Director Omar Benjamin to tell the community what the port is working on to cut back on smog from trucks, ships and locomotives, as well as assess a new labor-inspired plan to weed out higher-polluting trucks.

The port is lobbying to get some of its smog-control programs funded by a \$1 billion program within the \$20 billion transportation bond voters approved in November. Its most ambitious project would electrify and automate its rail yard for \$125 million, creating the nation's first electrified freight yard, able to operate smog-free with electric locomotives. The port is also seeking money to buy

2,000 cleaner trucks, two cleaner switching locomotives and buy a portable natural gas generating set so ships can get electricity in port without running their engines.

While the anti-pollution programs will prove popular in a community that has long fought for such controls, the port is still evaluating a smog-reduction proposal by labor, environmental and community groups.

Under that proposal, the port would prohibit the use of independent truckers, who get paid by smaller trucking companies that contract with shippers.

Instead, truckers hauling containers around the port would become employees of companies that meet certain standards for truck emissions, maintenance and working standards.

"The point is, let's make sure that the jobs that are there are good quality jobs," said Beth Trimarco of the Coalition for Clean & Safe Ports, which is backing the idea. "These are sweatshop conditions. They're sitting in lines for up to four hours with no pay."

"This system is broken," said independent trucker Kulwinder Singh, 50. "It should be changed; it should work for everybody."

Exeter company gets \$3.4 million for solar installation Panels will help company save on its energy bills

By Jed Chernabaeff, Staff writer
Tulare Advance-Register, Saturday, March 17, 2007

At the Peninsula Packaging Co. in Exeter, dozens of workers and machines turn out thousands of plastic containers each day - creating an energy bill in the millions each year.

Owner Ed Byrne said he has found a way to cut it by at least \$480,000 a year.

He's installed a 10-acre solar farm.

The 4,000-panel solar farm, the largest in the San Joaquin Valley, supplies the packaging plant with at least 30 percent of its power, resulting in savings around \$40,000 a month.

Byrne said he and his out-of-state investor partners have been working on the solar idea since 2002, when the cost of electricity was at an all-time high.

The solar farm cost \$8 million to construct, but some of that was recovered Friday when officials from the Southern California Gas Company presented Byrne with a \$3.4 million incentive check.

Colby Wells, a spokesman with the Southern California Gas Company, said it is the largest incentive check presented to a private industry business.

The system, which can generate about 1 megawatt of power at any given time, has been in operation since late last year.

"Something like this is totally unique," Wells said.

Byrne said the company is looking to expand the solar farm and seek other sources of alternative energy in the future. One of those alternative energies would be fuel cells, which convert hydrogen and oxygen into water, in the process producing electricity.

The check presentation gave Assemblyman Bill Maze, R-Visalia, a supporter of alternative energy, the opportunity to check out the solar farm.

"This is a great asset to the community," Maze said. "The significance here is that they are innovating and on the cutting edge."

Maze said that he hopes that the Exeter packaging plant prompts other industries in the San Joaquin Valley to follow suit.

The solar farm is manufactured by PowerLight of Berkeley, and the 1 megawatt of power it produces is the maximum amount of energy a plant can produce, said Rick Whisman, a spokesman with PowerLight.

Whisman said large, commercial-scale solar power systems are now being looked at by the agricultural industry and others.

"It's the desire to have a clean power solution to augment what you otherwise take from the power grid," Whisman said. "It also stabilizes your utility bill."

Council to hear building plan

Staff reports

Visalia Times-Delta, Monday, March 19, 2007

Neighborhoods now being built in northwest Visalia are in need of services, such as shopping, along with lower-cost rental housing such as apartments, residents and city planners say.

However, a major planned development south of Houston Avenue and west of Demaree Street intending to combine those two needs has been rejected by both Visalia city planners and the Visalia Planning Commission.

Next up is the Visalia City Council, which will hear an appeal of the Planning Commission rejection at the regular council meeting starting at 7 p.m. at City Hall West.

This 4.08-acre parcel faces the following challenges:

- It does not follow guidelines within Visalia's general plan.
- Roads need to be improved in that area for such a development to proceed.
- Zoning has to be changed from low-density residential to shopping and medium-density residential. Such zoning changes are rare.

Granted, the project would supply some badly needed retail service, a Rite-Aid drugstore, and a 32-unit apartment complex in that area.

Pollution is a concern. If the 4.08-acre parcel were simply used as space for single-family homes for which it is currently zoned, an estimated 300 vehicle trips would result daily.

However, conversion into retail space and a high-density apartment complex would result in nearly six times that amount of vehicle trips, Visalia planners say.

Projected traffic problems have been an issue for many west Visalia development plans.

Fresno Pacific University wants to build a 25,000-square-foot building as part of an industrial-park complex off Plaza Drive near the Visalia Municipal Airport - but is facing criticism from at least one council member, Greg Collins, for prematurely wanting to fill in commercial space well outside the Visalia core area, without first considering a central location. A central location would lessen vehicle trips and [air pollution](#), according to Collins.

In other business tonight, the council will:

- Consider forming a council subcommittee to oversee development of a plan to replace the current Visalia Police Department dispatch center and its equipment.
- Consider extension of a current ordinance that forbids certain types of land use for some locations within the East Downtown Strategic Plan.
- Consider adopting a fee schedule for reserved parking spaces in the newly constructed West Acequia parking structure.

EPA: Owens Valley didn't meet federal air quality standards

By GARANCE BURKE, Associated Press Writer

S.F. Chronicle, Thursday, March 15, 2007

Fresno, Calif. (AP) -- The Owens Valley area has failed to meet a federal deadline to clean up airborne dust particles, according to a preliminary finding Thursday by the U.S. Environmental Protection Agency.

If the proposed finding becomes final after a 30 -day public comment period, local regulators would be required to submit a plan to the EPA to lower airborne dust emissions by five percent each year until the area meets requirements mandated by the Clean Air Act.

If they fail to produce a plan, they would be subject to federal sanctions, said Matt Haber, deputy director of the EPA's air division in San Francisco.

Tiny dust particles have plagued the eastern Sierra area since Los Angeles sucked Owens Lake dry nearly 100 years ago, turning much of the region into a desert.

The agency said Thursday it found that the area did not meet federal standards for PM-10 — airborne specks of dust just 10 microns wide that are linked to asthma and chronic lung disease — by a federal deadline of Dec. 31, 2006.

"We need a new plan and a new approach," said Larry Biland, Owens Valley project manager for the EPA. "The best minds in the world have convened to provide some guidance on what to do and sometimes it worked and sometimes it didn't."

Ted Schade, a manager at the Great Basin Unified Air Pollution Control District, which regulates the area, did not immediately return calls Thursday seeking comment.

Dust storms have been prevalent in the sparsely populated region since 1913 when Los Angeles began shipping water 175 miles south to rapidly growing Southern California. Water, plants and gravel have been used since then to control windblown dust.

In 1993, the EPA ranked Owens Valley as being in "serious non -attainment" with the federal Clean Air Act's standard for dust particles. It required the area to meet standards by December 2001, but subsequently granted the district a five -year extension to come into federal compliance.

In December, the Los Angeles Department of Water and Power and air district authorities agreed to work cooperatively to control dust pollution at the dry lakebed, an effort Haber said will likely be included in the district's official plan.

Developer sued over Hunters Point toxics

Executives say their firm retaliated against them for questioning construction dust

Lance Williams, Robert Selna, Chronicle Staff Writers
S.F. Chronicle, Sunday, March 18, 2007

A development firm building 1,600 new homes at the old Hunters Point Naval Shipyard has allowed clouds of toxic construction dust to escape from the site, exposing neighbors and schoolchildren to potentially harmful, airborne asbestos, two company executives say.

Lennar Corp., which is Mayor Gavin Newsom's choice to take over the environmental cleanup of the entire former San Francisco naval base as part of a plan to build a new 49ers football stadium, imposed a "code of silence" last year to prevent workers from reporting violations of state and city clean-air rules, contended Gary McIntyre, Lennar's project manager, and Clementine Clarke, the company's community liaison.

McIntyre, Clarke and Ceola Richardson, an administrative assistant for the company, filed a lawsuit in San Francisco Superior Court on Friday claiming Lennar violated state law by retaliating against them for raising questions about the dust problems at the construction site. They also claim that they were victims of racial discrimination in the workplace. They are seeking unspecified financial damages.

McIntyre said Lennar demoted him because he complained about the company's failure to control dust during earth -moving at a 40-acre base site. Clarke, a San Francisco fire commissioner, said

that when she expressed concern about asbestos dust, Lennar retaliated by giving her a poor job-performance review.

Lennar spokesman Sam Singer called the allegations in the lawsuit untrue, saying the company has gone to "great lengths" to protect public health. An official with the city health department said construction dust at Hunters Point doesn't pose a risk to nearby residents because proper safeguards are in place.

Miami-based Lennar is a Fortune 500 company that has won public contracts to redevelop shuttered military bases at Hunters Point, Treasure Island in San Francisco and Mare Island in Vallejo. In February, the mayor proposed putting Lennar in charge of the multimillion dollar cleanup of the whole shipyard to expedite building a new football stadium there.

The former shipyard is prime real estate, but is listed as a Superfund site because of massive toxic contamination, a legacy of its long history as a Navy base. Asbestos is an additional concern because veins of the fibrous mineral are naturally present in the bedrock at the site. Inhaling dust-borne asbestos fibers can cause lung cancer and other medical problems.

In their lawsuit, the executives said that after heavy grading of the site began in the spring of 2006, Lennar refused to shut down work, even when monitoring devices showed the asbestos content of construction dust was more than triple the state allowance.

At other times, monitoring equipment wasn't functioning properly, and the company had no idea whether it was in compliance or not, the lawsuit said.

Often the dust descended upon nearby homes and a small private school, the Muhammad University of Islam, operated by the Nation of Islam, the lawsuit said.

The executives' lawyer, Angela Alioto, a former president of the Board of Supervisors, accused Lennar of "environmental racism," saying the firm thought it would escape responsibility for pollution problems because the neighbors included poor people and members of racial minorities.

McIntyre is a veteran construction executive who says he was hired in 2004 to supervise Lennar's Hunters Point project. Clarke is a public relations specialist and political fundraiser whom Newsom appointed to the Fire Commission in 2004. She went to work as Lennar's community benefits manager at Hunters Point last year.

Racial insensitivity alleged

McIntyre, Clarke and Richardson are African American, and they also accused Lennar officials of insensitivity in their dealings with black employees, subcontractors and community residents.

In November, when Nation of Islam minister Christopher Muhammad complained to the Redevelopment Agency about dust problems at the school, Lennar Vice President Paul Menaker privately dismissed the concerns, calling Muhammad a "shakedown artist," the lawsuit says.

The following month, the suit says, Menaker sought to fire several African American workers assigned to monitor dust levels.

Amy Brownell, an environmental engineer with the city health department, said Lennar was cited three times by the city in 2006 for dust problems. The Bay Area Air Quality Management District cited Lennar last year because of a breakdown of the site's asbestos monitoring equipment, city records show.

Neighbors, including the school, have repeatedly complained to the city about dust and asbestos, Brownell said, but the city does not believe there is a health risk.

Lennar's "asbestos dust mitigation plans are adequate, and do protect the health of everyone, including the students, even given the problem they have with their dust control," she said.

The Navy closed Hunters Point shipyard in 1974. Converting the base to civilian use was delayed because the land was contaminated with everything from lead paint to radioactive material. In 1999, Lennar won a contract from the Redevelopment Agency to build on the 500-acre base once the environmental cleanup was complete.

Although the Navy has spent more than \$500 million on the effort, so far only one parcel -- the 40-acre site where the 1,600 homes are under construction -- has been certified as clean enough to build on. The Navy said the cleanup is likely to take another 10 years and cost \$500 million more.

Stadium proposed

In December, in an effort to dissuade the 49ers from moving from Monster Park to a proposed new stadium in Santa Clara, Newsom and Lennar invited the team to build a stadium at the shipyard instead.

Last month the mayor's office told the Navy that it wanted to speed the cleanup of the shipyard by turning the job over to Lennar, partly in hopes of expediting the football stadium plan.

Before homebuilding began in 2005, Lennar hired a subcontractor, Gordon N. Ball Inc., to grade the hillside site, and the environmental firm CH2M Hill to monitor asbestos levels in the dust. Lennar is supposed to spray the site with water to cut dust. If asbestos reached unsafe levels, Lennar was supposed to shut down excavation until dust subsided.

According to the lawsuit, dust problems -- and community complaints -- began when heavy grading work got under way last spring. Lennar failed to water the construction site adequately or sweep the roads to cut down on dust, the suit says.

On at least 15 occasions, the company halted work because of dust, the suit says, but there were many other days when work continued despite serious dust problems, the suit says.

At a meeting in August, Menaker, the Lennar vice president, told McIntyre and Clarke that the project's asbestos monitoring equipment had been malfunctioning for months, the suit says. When McIntyre and Clarke expressed concern about the risk of asbestos contamination, Menaker allegedly admonished them to maintain a "code of silence" about the issue.

NATION IN BRIEF | ARIZONA Dust clouds the air in Phoenix area

From Times Wire Reports

L.A. Times, Friday, March 16, 2007

The federal government said the Phoenix area's air violated a clean-air standard because of unhealthy levels of dust, an expected step that gives Arizona until the end of the year to adopt a plan that could impose new mandates on builders, farmers and drivers.

"The clock is ticking," said Steve Owens, the state's top environmental regulator.

High levels of the particles pose a health threat because they affect the respiratory system and can damage lung tissue and cause premature death.

Using smoke, mirrors and faux trees to tackle global warming

By SETH BORENSTEIN, AP Science Writer

S.F. Chronicle, Thursday, March 15, 2007

WASHINGTON, (AP) -- Crazy-sounding ideas for saving the planet are getting a serious look from top scientists, a sign of their fears about global warming and the desire for an insurance policy in case things get worse.

How crazy?

There's the man-made "volcano" that shoots gigatons of sulfur high into the air. The space "sun shade" made of trillions of little reflectors between Earth and sun, slightly lowering the planet's temperature. The forest of ugly artificial "trees" that suck carbon dioxide out of the air. And the "Geritol solution" in which iron dust is dumped into the ocean.

"Of course it's desperation," said Stanford University professor Stephen Schneider. "It's planetary methadone for our planetary heroin addiction. It does come out of the pessimism of any realist that says this planet can't be trusted to do the right thing."

NASA is putting the finishing touches on a report summing up some of these ideas and has spent \$75,000 to map out rough details of the sun shade concept. One of the premier climate modeling centers in the United States, the National Center for Atmospheric Research, has spent the last six weeks running computer simulations of the man-made volcano scenario and will soon turn its attention to the space umbrella idea.

And last month, billionaire Richard Branson offered a \$25 million prize to the first feasible technology to reduce carbon dioxide levels in the air.

Simon "Pete" Worden, who heads NASA's Ames Research Center in Moffett Field, Calif., says some of these proposals, which represent a field called geoengineering, have been characterized as anywhere from "great" to "idiotic." As if to distance NASA from the issue a bit, Worden said the agency's report won't do much more than explain the range of possibilities.

Scientists in the recent past have been reluctant to consider such concepts. Many fear there will be unintended side effects; others worry such schemes might prevent the type of reduction in greenhouse gas emissions that scientists say are the only real way to fight global warming. These approaches are not an alternative to cutting pollution, said University of Calgary professor David Keith, a top geoengineering researcher.

Last month, Ralph Cicerone, president of the National Academy of Sciences, told the nation's largest science conference that more research must be done in this field, but no action should be taken yet.

Here is a look at some of the ideas:

The Geritol solution

A private company is already carrying out this plan. Some scientists call it promising while others worry about the ecological fallout.

Planktos Inc. of Foster City, Calif., last week launched its ship, the Weatherbird II, on a trip to the Pacific Ocean to dump 50 tons of iron dust. The iron should grow plankton, part of an algae bloom that will drink up carbon dioxide from the atmosphere.

The idea of seeding the ocean with iron to beef up a natural plankton and algae system has been tried on a small scale several times since 1990. It has both succeeded and failed.

Planktos chief executive officer Russ George said his ship will try it on a larger scale, dumping a slurry of water and red iron dust from a hose into the sea.

"It makes a 25-foot swath of bright red for a very short period of time," George said.

The concept gained some credibility when it was mentioned in the 2001 report by the authoritative Intergovernmental Panel on Climate Change, which cited it as a possible way to attack carbon emissions.

Small experiments "showed unequivocally that there was a biological response to the addition of the iron," the climate report said. Plankton used the iron to photosynthesize, extract greenhouse gases from the air, and grow rapidly. It forms a thick green soup of all sorts of carbon dioxide - sucking algae, which sea life feast on, and the carbon drops into the ocean.

However, the international climate report also cautioned about "the ecological consequences of large-scale fertilization of the ocean."

Tim Barnett, a marine physicist at the Scripps Institution of Oceanography, said large-scale ocean seeding could change the crucial temperature difference between the sea surface and deeper waters and have a dramatic effect on marine life.

Cicerone, a climate scientist who is president of the National Academy of Sciences and advocate for more geoengineering research, called the Geritol solution promising. However, he noted that such actions by a company, or country, can have worldwide effects.

George, Planktos' CEO, said his company consulted with governments around the world and is only following previous scientific research. He said his firm will be dropping the iron in open international seas so he needs no permits. Most important, he said, is that it's such a small amount of iron compared to the ocean volume that it poses no threat.

He said it's unfair to lump his plan in with geoengineering, saying his company is just trying to restore the ocean to "a more ecologically normal and balanced state."

"We're a green solution," George said.

Planktos officials say that for every ton of iron used, 100,000 tons of carbon will be pulled into the ocean. Eventually, if this first large-scale test works, George hopes to remove 3 billion tons of carbon from the Earth's atmosphere, half of what's needed. Some scientists say that's overstated.

Planktos' efforts are financed by companies and individuals who buy carbon credits to offset their use of fossil fuels.

Man-made volcano

When Mount Pinatubo erupted 16 years ago in the Philippines it cooled the Earth for about a year because the sulfate particles in the upper atmosphere reflected some sunlight.

Several leading scientists, from Nobel Laureate Paul Crutzen to the late nuclear cold warrior Edward Teller, have proposed doing the same artificially to offset global warming.

Using jet engines, cannons or balloons to get sulfates in the air, humans could reduce the solar heat, and only increase current sulfur pollution by a small percentage, said Tom Wigley of the National Center for Atmospheric Research.

"It's an issue of the lesser of two evils," he said.

Scientists at the Center for Atmospheric Research put the idea into a computer climate model. The results aren't particularly cheap or promising, said NCAR scientist Caspar Ammann. It would take tens of thousands of tons of sulfate to be injected into the air each month, he said.

"From a practical point of view, it's completely ridiculous," Amman said. "Instead of investing so much into this, it would be much easier to cut down on the initial problem."

Both this technique and the solar umbrella while reducing heating, wouldn't reduce carbon dioxide. So they wouldn't counter a dramatic increase in the acidity of the world's oceans, which happens with global warming, scientists said. It harms sea life, especially coral reefs.

Despite that, Calgary's David Keith is working on tweaking the concept. He wants to find a more efficient chemical to inject into the atmosphere in case of emergency.

Solar umbrella

For far-out concepts, it's hard to beat Roger Angel's. Last fall, the University of Arizona astronomer proposed what he called a "sun shade." It would be a cloud of small Frisbee-like spaceships that go between Earth and the sun and act as an umbrella, reducing heat from the sun.

"It really is just like turning down the knob by 2 percent of what's coming from the sun," he said.

The science for the ships, the rocketry to launch them, and the materials to make the shade are all doable, Angel said.

These nearly flat discs would each weigh less than an ounce and measure about a yard wide with three tab-like "ears" that are controllers sticking out just a few inches.

About 800,000 of these would be stacked into each rocket launch. It would take 16 trillion of them — that's million million — so there would be 20 million launches of rockets. All told, Angel figures 20 million tons of material to make the discs that together form the solar umbrella.

And then there's the cost: at least \$4 trillion over 30 years, probably more.

"I compare it with sending men to Mars. I think they're both projects on the same scale," Angel said. "Given the danger to Earth, I think this project might warrant some fraction of the consideration of sending people to Mars."

Artificial trees

Scientifically, it's known as "air capture." But the instruments being used have been dubbed "artificial trees" — even though these devices are about as tree-like as a radiator on a stick. They are designed to mimic the role of trees in using carbon dioxide, but early renderings show them looking more like the creation of a tinkering engineer with lots of steel.

Nearly a decade ago, Columbia University professor Klaus Lackner, hit on an idea for his then - middle school daughter's science fair project: Create air filters that grab carbon dioxide from the air using chemical absorbers and then compress the carbon dioxide into a liquid or compressed gas that can be shipped elsewhere. When his daughter was able to do it on a tiny scale, Lackner decided to look at doing it globally.

Newly inspired by the \$25 million prize offered by Richard Branson, Lackner has fine -tuned the idea. He wants to develop a large filter that would absorb carbon dioxide from the air. Another chemical reaction would take the carbon from the absorbent material, and then a third process would change that greenhouse gas into a form that could be disposed of.

It would take wind and a lot of energy to power the air capture devices. They would stand tall like cell phone towers on steroids, reaching about 200 feet high with various-sized square filters at the top. Lackner envisions perhaps placing 100,000 of them near wind energy turbines.

Even if each filter was only the size of a television, it could remove about 25 tons of carbon dioxide a year, which is about how much one American produces annually, Lackner said. The captured carbon dioxide would be changed into a liquid or gas that can be piped away from the air capture devices.

Disposal might be the biggest cost, Lackner said.

Disposal of carbon dioxide, including that from fossil fuel plant emissions, is a major issue of scientific and technological research called sequestration. The idea is to bury it underground, often in old oil wells or deep below the sea floor. The Bush Administration, which doesn't like many geoengineering ideas is spending hundreds of millions of dollars on carbon sequestration, but mostly for power plant emissions.

Veggie oil-driven cars on the rise

A growing number of enthusiasts seek to dodge gasoline costs – and reduce pollution – by converting diesel cars to run on vegetable oil.

By PAT BRENNAN, The Orange County Register
March 19, 2007

Now your car can be a vegetarian, too.

Instead of driving autos that slurp up fossil fuels – the liquefied remains of ancient plants and animals – a small but growing cadre of enthusiasts are converting their cars and trucks to let them gulp vegetable oil.

What comes out of the tailpipe smells like french fries, or maybe Chinese takeout, but produces far lower levels of some types of air pollution.

The number of such enthusiasts in Orange County and the rest of Southern California likely remains low. But diesel mechanics here, in Los Angeles County and elsewhere are busy converting cars and trucks to run on vegetable oil, which only works with diesel engines. And they say the popularity of these conversions is increasing.

"Some people want to save the Earth," said Mike Nott, owner of Beach Benz in Huntington Beach, who regularly installs vegetable-oil conversion kits in cars for his customers. "They don't want to drive with fossil fuels."

Fresh vegetable oil can be purchased in stores and poured into the tank. But some veggie car owners collect used cooking oil from restaurants and filter it for use as fuel – many for their own vegetable-oil cars, and a few who have turned it into a small business, selling the processed oil to other enthusiasts.

That, in essence, yields fuel that is nearly free or at least low cost, a major incentive for those who are tired of high gas prices and willing to take the risk.

"We're going to the river for free this year," said Kelly Boshman, a San Juan Capistrano chiropractor, who processes used oil for fuel, owns one 1987 Mercedes Benz that runs on vegetable oil and will soon convert his wife's 1991 diesel Ford Excursion.

"We'll see how it is towing a trailer," he said.

While air-quality regulators say the number of converted cars is still too small to make much of a dent in the thousands of tons of automobile pollution pumped into the air over Southern California every day, they, too, are studying the growing phenomenon – and already warning of potential ill effects.

The main one: while veggie cars do cut down on fine particle pollution and greenhouse gases, they could increase emissions of nitrogen oxides, which help form smog.

"If folks are taking these old Mercedeses, and putting in 100 percent vegetable oil, chances are they're getting a 10 to 15 percent increase in NOX (nitrogen oxide) emissions," said Matt Miyasato, a technology demonstrations manager at the South Coast Air Quality Management District in Diamond Bar. "Just because you can't see it doesn't mean it's not harmful."

Bob McCormick, a scientist at the National Renewable Energy Laboratory in Golden, Colo., said that's true as far as it goes. But while some studies have been done of vegetable oil, fuels, engines and conversion systems are so variable that what comes out of the tailpipe can be highly variable as well.

Certain blends of vegetable oil-derived fuel and diesel, for example, may show no increase in nitrogen oxides.

And one veggie car-converter in Los Angeles said his own tests showed no increase in nitrogen oxide emissions.

"The NOX was slightly less than the average for diesel," said Brian Friedman, system designer at Lovecraft Biofuels.

Another caution: while Internal Revenue Service officials say they have no requirements for consumers who use vegetable oil for fuel, state Board of Equalization rules say they should be paying a state excise tax of 18 cents a gallon. Failing to pay it could result in an audit and even a penalty.

Converting a car to run on vegetable oil is a surprisingly simple process, and topping the list of favorites are Mercedes Benz cars built in the mid 1980s.

Nott says he began doing the conversions about a year ago, and has completed about 30. But word of mouth spreads so rapidly, he neither sought interested customers at the beginning nor has any need to advertise his service now.

One of Nott's most frequent customers is Spencer Brown, who tries to run his business, Earth Friendly Moving of Huntington Beach, without producing any pollution whatever.

He begins by collecting waste plastic from landfills, then turning it into packing material for moving. The material is delivered to customers with his fleet of veggie -oil vehicles – several 1980s Mercedes Benz cars and recent-model diesel trucks, which run mainly on vegetable oil.

"This is one option, not the solution," Brown said recently as he stopped by Nott's business to check on a new vegetable -oil fuel tank for his truck. "It's a starting point."

In Los Angeles, Lovecraft Biofuels has converted 1,000 cars in five years – 800 of those in the past year, said system designer Friedman. Beach Benz and Lovecraft install somewhat different types of systems. Nott orders conversion kits from manufacturers in other states that require a second fuel tank to be installed, allowing both vegetable oil and diesel fuel to be used. Lovecraft relies on a simpler, single tank system of its own design.

Entrepreneurs, meanwhile, are finding other lucrative business opportunities in the growing popularity of veggie cars.

An outfit called Extreme Biodiesel, in Orange, sells processors that strip impurities from used vegetable oil so that it is less likely to clog fuel filters. Some users of vegetable -oil fuel call it biodiesel, although McCormick, the energy laboratory scientist, reserves that term for fuel that begins as vegetable oil but undergoes a specific set of chemical reactions. He and some other experts do not place fuel that consists solely of vegetable oil in that category.

Whatever names are used, Bob Neuberger, president of Extreme Biodiesel, says, he's done a steady business since he opened his doors about eight months ago, selling a total of about 80 units so far. He sells the processing units mostly to enthusiasts who filter used vegetable oil at home, and takes pride in helping foster the use of an alternative to gasoline.

"Talk's cheap," he said. "We've got to start doing these things."

Boshman, the San Juan Capistrano chiropractor, does his own fuel processing with a system he ordered from a Missouri company, and sells some of the fuel on the side.

He's pleased so far with his veggie car and the tight network of believers who share his sentiments.

"It's sort of fun to think it's good for the environment," Boshman said. "If more people did it we'd be less dependent on foreign oil sources. It's a renewable energy source. We're not going to run out of it."

Port of Oakland seeks ways to clear the air

Truckers, executives to sit down at town hall meeting Saturday to address pollution issues

By Erik N. Nelson, MEDIANEWS STAFF

Contra Costa Times, Sunday, March 18, 2007

Lorenzo Fernandez understands that West Oakland neighborhoods near the Port of Oakland have the highest asthma rates in the state, and he knows that the old truck he drives around the port contributes to that.

"We realize already about the pollution that is contaminating our air," the 36-year-old independent trucker said Friday. "We wish we could stop that, but we can't, because there is no money. ... We barely make enough money to earn a living."

Independent truckers who haul containers from trains to ships across the port for a piece rate say they want to help. At a town hall meeting Saturday, they expected to air their concerns about smog, low pay and a chaotic system of loading containers that forces them to wait for hours in line, wasting fuel at their expense and fouling the air around the port.

The meeting also gave new port Executive Director Omar Benjamin a chance to tell the community what the port is working on to cut back on smog from trucks, ships and locomotives, as well as assess a new labor-inspired plan to weed out higher-polluting trucks.

The port is lobbying to get some of its smog-control programs funded by a \$1 billion program within the \$20 billion transportation bond measure voters approved in November. Its most ambitious project would electrify and automate its rail yard for \$125 million, creating the nation's first electrified freight yard, able to operate smog-free with electric locomotives.

The port is also seeking money to buy 2,000 cleaner trucks, two cleaner switching locomotives and buy a portable natural gas generating set so ships can get electricity in port without running their engines.

Although the anti-pollution programs will prove popular in a community that has long fought for such controls, the port is still evaluating a smog-reduction proposal by labor, environmental and community groups.

Under that proposal, the port would prohibit the use of independent truckers, who get paid by smaller trucking companies that contract with shippers.

Instead, truckers hauling containers around the port would become employees of companies that meet certain standards for truck emissions, maintenance and working standards.

"The point is, let's make sure that the jobs that are there are good quality jobs," said Beth Trimarco of the Coalition for Clean & Safe Ports, which is backing the idea. "These are sweatshop conditions. They're sitting in lines for up to four hours with no pay."

"This system is broken," said independent trucker Kulwinder Singh, 50. "It should be changed; it should work for everybody."

Port is launching 'green' campaign

Executive director says he wants to develop clean air quality plan and work with the local

community

By Quynh Tran, STAFF WRITER

Contra Costa Times, March 16, 2007

From the latest issue of its magazine to developing a clean air health plan, the Port of Oakland has launched a new "green" outreach campaign to show the public its commitment to environmental initiatives .

"We want to operate in a right way," said Harold Jones, deputy executive director of external affairs for the Port of Oakland at its quarterly community breakfast March 7 at the Middle Harbor Shoreline Park.

Omar Benjamin, the port's new executive director, said he wants the site to become a world -class leader and create jobs but also wants the port to grow responsibly by developing a clean air quality plan and working with the local community.

As an independent department of the city of Oakland, the port oversees the nation's fourth busiest seaport, the Oakland International Airport and 19 miles of waterfront.

The port and its ships, containers, trains, and trucks have a symbiotic relationship. The port leases land to terminal operators who run the ships and trains. The thousands of diesel trucks that carry goods daily are mostly independent contractors. The result leaves the port with little environmental enforcement authority.

The port's announcement comes a few months before the California Air Resources Board releases its study that estimate the lifetime cancer risk and other health impacts from diesel particulate matter in the West Oakland community. A 2003 report by the nonprofit advocacy group Pacific Institute said the area receives seven times more the amount of diesel particulate matter per person each year than the rest of Alameda County.

From noise to water to air pollution abatement, port administrators extolled their initiatives.

Steve Grossman, the port's director of aviation, said the airport complies to state and federal noise regulations by moving air travel patterns away from residential neighborhoods. The agency has also spent \$20 million to insulate 600 residences in Alameda and 200 in San Leandro from noise.

Environmental scientist Doug Herman said storm water runoff is the largest source of water pollution in San Francisco Bay. Three of 25 seaport berths have been installed with permeable pavers above sand infused with microbes that can break down pollutants before they are washed down a storm drain.

Another small initiative is the port's \$3 million trucking replacement program. It has funded the replacement of 40 old, heavy-duty diesel trucks with newer, cleaner models and plans to fund another 40, said Roberta Reinstein, the port's manager of environmental programs and safety.

Critics such as Margaret Gordon, co-chairwoman of the West Oakland Environmental Indicators Project, a nonprofit group that advocates for public health and environmental justice, said the measures are not enough.

"It's very small based on the impact in the community," said Gordon, who lives less than a mile from the port. "We are paying for it with our health."

Ten years ago, a group of West Oakland residents sued the port for civil rights and environmental law violations. The port agreed to settle and spend \$9 million on air quality programs.

Councilwoman Nancy Nadel said she has seen improvement in the past 10 years and said the community provided the extra push needed for the port to improve environmentally. She encouraged everyone to minimize their "footprint on the earth."

Capital faces onslaught of rail traffic following trestle fire

AARON C. DAVIS, Associated Press

Contra Costa Times, March 16, 2007

SACRAMENTO - The fire that destroyed a railroad trestle on a key east-west link through Sacramento forced Union Pacific and Amtrak to create a 125-mile detour across Northern California on Friday.

The detour will add hours to interstate passenger trips and reroute rail traffic through downtown Sacramento, a move that is expected to clog the state capital with freight trains day and night.

Nearly twice as many freight trains are expected to slice through midtown Sacramento each day, bringing traffic on city streets to a standstill.

Amtrak passengers bound for Sacramento from Nevada, and other points east of California, also will face three- to four-hour delays because those trains will be detoured to the north before coming back to Sacramento, said George Elsmore, railroad operations and safety program manager for the California Public Utilities Commission.

"It's going to be nonstop trains and a lot of congestion," Elsmore said. "We are going to increase inspections to make sure it's done as safely as possible."

Union Pacific officials said crews will work around the clock to replace the tracks and elevated trestle. They hope to have the section rebuilt in two weeks.

In the meantime, the detour will route east-west trains through Marysville, to the north of the capital, or Stockton to the south. The plan was announced Friday as Union Pacific began demolishing a quarter-mile-long stretch of an elevated trestle just north of downtown, parts of which were still burning a day after the blaze that began Thursday evening.

The fire sent a wall of thick, black smoke over the capital and raised air-quality concerns.

"We still don't know what caused it, but if anybody saw something, we'd like to know," Sacramento Fire Capt. Jim Doucette said.

Sacramento firefighters were able to stop the blaze from spreading to a nearby railroad bridge. The wooden trestle that crosses over a local bike trail and wetlands just north of the American River was expected to burn and smolder for a few more days.

Elsmore said Union Pacific told the state they hope to reopen one of the two destroyed tracks within 12 to 14 days, and the second line 14 days after that.

Union Pacific spokesman James Barnes said the company hoped to complete demolition by Sunday but declined to comment on how quickly the track might reopen.

"That's still being assessed," he said.

Barnes did say that the new trestle will be even stronger - and more fire-resistant - than the one that was destroyed.

"We're planning to have concrete pylons and steel," Barnes said. "As bad as this incident was, it did create an opportunity to make it stronger. That structure was 60 years old."

The trestle that caught fire was built mostly of timber soaked in creosote, an oily, tar-based preservative that is designed to be toxic to insects and rodents. It fueled a blaze that could be seen more than 50 miles away.

The burning creosote raised contamination concerns for the American River, which flows through Sacramento. Agents from the California Department of Fish and Game on Friday tested water in the area as a precaution.

A team of air quality monitors from the University of California, Davis also warned that the creosote smoke could contain arsenic and carcinogens.

For most residents in the capital, however, the biggest impact in coming weeks may be traffic.

Doucette said the additional trains through Sacramento - 20 or more a day - could affect not only traffic but also fire and police operations.

"It definitely has the potential to slow us down," Doucette said. "Unfortunately, we deal with that issue all the time in Sacramento. If we get caught behind a train, we let everyone know and decide if other crews should be dispatched."

Union Pacific runs more than 20 trains a day through Sacramento, according to a survey conducted last summer. Some of the trains are nearly 80 cars long.

Bumpy ride for ferry proposal

Potential terminal sites in Albany draw strong opposition; competition expected from alternatives

By Erik N. Nelson, MEDIANEWS STAFF
Contra Costa Times, Friday, March 16, 2007

By 2010, the Bay Area Water Transit Authority expects that a knot of commuters will be walking up the gangplank of a ferry terminal in Berkeley. The question is, will people embrace the alternative while BART, bus and the Bay Bridge all compete for their attention?

And even then, is it a good idea?

So far, the authority is trying to figure out where to dock the service and what environmental impacts each of its four locations would cause.

Last week, a small collection of Berkeley residents gathered at the North Berkeley Senior Center, many of them to voice their displeasure with two sites near Golden Gate Fields in Albany because of their impact on wildlife and lack of existing public transit connections that already exist at the proposed Berkeley Marina site. And earlier this year, the Albany City Council asked the Water Transit Authority to withdraw the two sites from consideration.

The Berkeley service is part of the authority's plan to expand ferry ridership from the current 3.5 million per year on an existing 10 routes to 12 million with the addition of five new routes serving San Francisco from Antioch and Martinez, Hercules, Redwood City, Richmond and Treasure Island, as well as an Oakland to South San Francisco route.

Whichever site comes out on top after the \$1 million environmental impact study is complete, it appears that ferry service enjoys plenty of support among Bay Area residents, despite some glaring contrasts with other forms of public transit.

A survey of 600 Berkeley voters in 2005 showed three-fourths thought the service was a good idea. The Sierra Club supports service from the Berkeley Marina at the end of University Avenue. The Bay Area Air Quality Management District supports free ferry service on "Spare the Air" days, intended to keep cars off the road and reduce smog.

But the idea that ferries stave off smog is not true, according to a Water Transit Authority study. With lax regulation of ferry emissions and major improvements in automobile engines over the past few decades, most ferries pollute more.

"Ferries as they exist today really aren't that great as far as emissions go," said Steve Castleberry, the authority's chief executive officer. The authority has worked to change that, however, and requires that its new ferries use a catalytic converter that makes them 10 times cleaner than their older fleetmates.

Even then, he said, the comparison is a mixed bag, with some pollutants better than the cars that a full load of ferry commuters would otherwise be driving, and some worse. And it could be 20 years before the rest of the fleet needs replacement with the cleaner vessels, he said.

Even if it isn't the answer to the area's smoggy summer days, ferry service is attractive to commuters for a number of other reasons.

It provides a bright, open-air alternative to the confines of BART's dark Transbay Tube. It's a relaxing communal alternative, complete with snacks, Wi-Fi, alcoholic beverages and bathrooms, to the solitary frustrations of driving across the Bay Bridge.

And then there's the bike issue.

"I have some members who are not real crazy about more power boats on the Bay, spewing exhaust and possibly churning up wildlife, but there is a limited capacity on many of the systems, or just outright barriers to us," said Robert Raburn, executive director of the East Bay Bicycle Coalition.

It's the "outright barriers" that are particularly frustrating, because they exist on the most popular alternative to driving across the Bay: BART. During rush hour, BART doesn't allow normal bicycles on its crowded transbay trains.

Buses do allow bicycles, but most of them only accommodate two at a time on the racks. AC Transit recently started permitting drivers to put two additional bikes in luggage compartments, but it's a far cry from the wide-open spaces that ferries can provide bicyclists.

"We're going to put racks for 25 bikes on these things," Castleberry said of the new Berkeley boats, which are already being built to serve as backups for the Bay's existing 10 routes until the Berkeley service begins.

Antarctic Glaciers' Sloughing Of Ice Has Scientists at a Loss

By Marc Kaufman, Washington Post Staff Writer, Washington Post
March 16, 2007

Some of the largest glaciers in Antarctica and Greenland are moving in unusual ways and are losing increased amounts of ice to the sea, researchers said yesterday.

Although the changes in Greenland appear to be related to global warming, it remains unclear what is causing the glaciers of frigid Antarctica and their "ice streams" to lose ice to the ocean in recent years, the researchers said. In Greenland we know there is melting associated with the ice loss, but in Antarctica we don't really know why it's happening," said Duncan Wingham, an author of the review released today in Science magazine. "With so much of the world's ice captured in Antarctica, just the fact that we don't know why this is happening is a cause of some concern."

The Antarctic ice loss, which Wingham said is not caused by melting but rather by the pushing of ice streams into the ocean by several glaciers in the west of the continent, has picked up speed in recent years. But Wingham said that because researchers did not have good measures of the depth of the Antarctic ice shelf until about 10 years ago, scientists do not know whether this is a natural variation or a result of human activity.

Complicating the situation for those studying Antarctica, some parts of the continent are gaining ice depth through snowfall while temperatures on the tip of the Antarctic peninsula, the continent's closest point to South America, are rising faster than almost anywhere else on the planet. The surprisingly fast-moving glaciers are largely on the West Antarctic ice sheet.

Wingham, of University College London, and Andrew Shepherd of the University of Edinburgh said satellite radar readings show that overall, each year the ice loss from Greenland and Antarctica amounts to about 10 percent of the rise in the global sea level, which totals about one-tenth of an inch per year. The net loss of Antarctic ice is estimated to be 25 billion metric tons a year, despite the growth of the ice sheet in East Antarctica.

Because such a large percentage of the world's ice is found in those two locations, scientists are carefully watching for signs of increased ice loss. If that process accelerates, researchers say, it could result in a substantial, and highly disruptive, increase in sea levels worldwide.

In Greenland, glaciers appear to be moving more quickly to sea because melting ice has allowed the sheet to slide more easily over the rock and dirt below. In Antarctica, the loss is believed to be

associated with the breaking off into seawater of ice deep under the ice sheet with little - understood internal dynamics that put increased pressure on the massive ice streams.

Wingham said he thinks the final paper of the Intergovernmental Panel on Climate Change will say much the same about the Antarctic. "I believe it will be along the lines of 'Something is happening beneath the ice sheets, but we don't really know what it is yet.' "

The panel, sponsored by the United Nations, concluded last month with more than 90 percent certainty that the burning of fossil fuels and other human activities are causing the planet to warm significantly.

In the same issue of Science, other researchers report that air pollution from industrialized areas is collecting over the Arctic and creating "Arctic haze." The pollution comes from industrial and natural sources -- aerosols, chemicals that can form into ozone and black carbon, which is produced by incomplete burning of fossil fuels. The gradual warming of the large forests below the Arctic has resulted in an increase in forest fires, which produce air pollutants that can increase warming further.

[Hanford Sentinel, Commentary, Sunday, March 18, 2007:](#)

Guest Commentary: EPA missed point on toxic dump

By Maricela Mares Alatorre

The People for Clean Air and Water

As a Kettleman City resident, I was looking forward to reading the U.S. Environmental Protection Agency's Draft Environmental Justice Assessment for the Chemical Waste Management toxic waste landfill in Kettleman City. I was disappointed to find that they had completely missed the point.

The EPA claims that they could find no evidence that Kettleman City and Avenal residents experienced any ill-effects of living near a toxic waste landfill. We think they didn't look very hard.

For example, instead of basing their conclusion on data coming primarily from Kettleman City and Avenal, they use data too broad to draw specific conclusions on our communities, and even use the self-serving data provided by Chem Waste as alleged proof that there is no problem living near one of the largest toxic waste facilities in the country.

So instead of using this Environmental Justice Assessment as an opportunity to investigate the health and quality of life reality Kettleman City and Avenal residents actually experience, they use mostly broad-ranged, incomplete, and some biased data to draw conclusions about our lives and our health that are painfully inaccurate.

I am glad the U.S. EPA is starting to think about environmental justice. The term environmental justice is in response to what is known as environmental racism. Environmental racism describes a real condition in our society in which people because of their race are more likely to live near a polluting facility and in highly polluted environments.

Environmental racism is well studied and documented. If you are Latino, African-American, Native American or Asian, you are much more likely to live near a landfill, toxic dump, incinerator, sewage treatment plant than someone who is white. In California, all three licensed hazardous waste landfills are in low-income, Latino communities (Kettleman City, Buttonwillow and Westmorland). Environmental justice simply means that everyone has the right to live, work, play and worship in an environment that is not going to make us sick. This also implies that people have the right to have significant participation in the decision making processes that effect what happens to our environment.

The EPA's report misses this point completely. If the EPA bothered to actually go door-to-door in the community, perhaps even with scientifically and socially sound survey in hand, they might have gotten a realistic sense of what it's like to live in a community that for the last 30 years has lived in the shadow of a toxic waste landfill.

If the EPA took the time to talk with the families who live in Kettleman City, they might have learned about the extent to which our community has experienced cancers, fertility disorders, endometriosis, birth defects, a variety of respiratory ailments, and valley fever with frightening frequency.

The EPA's report touches on a variety of environmental indicators, but what they were unable to put into their computer models was that we have already been dealing with chronic toxic exposure for the last 30 years.

What they don't analyze in their scientific assessment is the effects of immediately pending projects such as the major expansions of Chem Waste's municipal landfill and their 140 percent increase expansion of the hazardous waste landfill. And of course what their model doesn't take into consideration is that Kettleman City residents had no say in deciding 30 years ago to live near toxic waste in the first place.

What they did put in their computer models was that for any unknown information on the toxicity of a particular chemical be it pesticides we breathe in from the air or toxic waste disposed of at Chem Waste, that a zero gets plugged into that model, incorrectly assuming that what is unknown is safe.

To sum it up, what is important is to make sure the EPA and most importantly the public understand that the very essence of environmental justice is making sure communities who are excluded from the decision-making processes have meaningful access to making decisions that lead to cleaner and healthier environments for everyone.

The role of the EPA should be to help find ways to take toxics out of communities. The EPA as an arm of the United States government should be able to enlist our society's vast technological abilities to reduce and neutralize harmful waste instead of using the language of environmental justice as a way to protect dangerous, polluting facilities and funnel toxic waste into communities like Kettleman City. If this were your community, would you want to live near toxic waste?

[Bakersfield Californian, Commentary, Friday, March 16, 2007:](#)

Community Voices: Ignorance aids child-killer asthma

There has been a lot of discussion lately about the tragic events surrounding the death of baby Kayden during an auto accident that happened as her grandmother rushed her daughter to the emergency room during an asthma attack.

I won't presume to know what it is like for this mother and grandmother to endure the death of their baby. But, as the program director for the American Lung Association, I do know one thing. Asthma takes its toll on a family one way or another. In this case, the price was just too high to pay.

I want to shed some light on a disease that most people misunderstand. Most people do not realize the severity of an asthma attack. People with asthma have hyper-sensitive bronchial airways. When irritants, such as air pollution, dust, pollen or mold enter and irritate the airways, the muscle that surrounds the bronchial tubes constricts.

If constricted enough, free airflow can be cut off and the person cannot breathe. This is a typical asthma "attack."

There are approximately 34,000 children, newborn to 14 years of age, with asthma in Kern County. That is a staggering statistic. And, approximately 23 percent of these children visited the emergency room in the past year.

Approximately 54 percent of all children with asthma had a severe attack within the past year and 27 percent had an attack so bad they thought their life was in danger.

Asthma is a chronic disease. It stays with you as an adult. In Kern County, 16.8 percent of all people in Kern County have asthma and 85 percent were hospitalized in 2003 alone. With our dirty air, this number will only increase until we are in crises mode.

The American Lung Association has on staff two community health educators who will go into the home of an asthmatic child and educate the parents on recognizing when an asthma attack is imminent, show them proper medicine delivery, and can help secure nebulizers and spacers for the child's metered dose inhaler. We also have a staff member who will do the same asthma education for adults.

Another staff member heads up the Kern County Asthma Coalition.

One of the coalition's duties is to implement a uniform asthma treatment policy within all Kern County schools and provide training to all staff, teachers and nurses just for the asking.

On April 14, the local American Lung Association will hold its annual Blow the Whistle on Asthma walk to bring education and awareness to this deadly illness.

My heart goes out to this family and all people in Kern County who have endured the death of a child or adult because of asthma. Could we have helped them? We'll never know.

But, I want people to be aware that these services are available to them free of charge.

The Californian's editorial noted: "It only takes a careless moment for a child to die." I would like to add that it only takes an uneducated moment for a child to die. And no child or adult should die from asthma.

Sharon Borradori of Bakersfield is program director of the American Lung Association of California.

[Editorial, Contra Costa Times, Friday, March 16, 2007:](#)

Little engine that can

WE HAVE ALL HEARD the child's story about the little engine that could. To its credit, the Richmond Pacific Railroad has created the little engine that can -- operate with greatly lowered emissions into the air, that is.

The rail line unveiled its retrofitted 43-year-old locomotive to much public fanfare Wednesday.

According to an account of that event from Times reporter John Geluardi, the \$200,000 retrofit equipped locomotive No. 2285 with devices that will prevent an estimated 10 tons of nitrogen oxide emissions in the next 20 years.

Nitrogen oxides have a variety of negative effects on human health and are particularly harmful to the respiratory system, especially for the young and the elderly.

The Bay Area Air Quality Management District helped the railroad fund the retrofit with a \$148,000 grant.

Readers who have never heard of the Richmond Pacific Railroad can be excused. It is not exactly a high-profile outfit. The railroad operates over 11 miles of track within Richmond and has only 17 customers.

According to Geluardi's report, in 2006, the railroad moved 7,600 rail cars loaded with a cargo including bulk ores, petroleum products, ethanol, scrap metal lumber, vegetable oil and frozen food between its industrial clients and the Union Pacific and Burlington Northern Santa Fe railroads.

"We like to think of ourselves as Richmond's hometown railroad, and we are very aware of community concerns about emission," said Richmond Pacific superintendent John Cockle. "This was something positive we could do that will have a social benefit."

And that really is the point here: positive action for social benefit. The railroad's contribution to society is much more about leadership than it is about total emission reductions.

Richmond Pacific already has begun the process of retrofitting its other three locomotives. They have shown us that if their little engine can, maybe we all can.

[Fresno Bee editorial, Monday, March 19, 2007:](#)

Action needed, not just talk

State must hold itself to same emission standards as industry.

The California Air Resources Board greatly expanded its portfolio when the state enacted its global warming law last year. The law gave CARB wide latitude to establish regulations and trading programs so the state can cut greenhouse gas pollution 25% by 2020, with an additional 80% cut by 2050.

But other state agencies must do their part if this ambitious law is to succeed.

The Public Utilities Commission and California Energy Commission will play key roles in reducing greenhouse gases from power plants and promoting energy efficiency. We will be saying more about this in future editorials.

The Resources Agency must ensure that forests are managed in ways that help absorb carbon dioxide. The Integrated Waste Management Board must work to capture more methane from landfills that otherwise would go airborne.

All the while, California's state agencies must take a hard look at their own operations. What kind of vehicles are they driving? What type of buildings are they leasing? Is the state holding itself to the same standards it imposes on private industries?

We were expecting some solid answers when the Climate Action Team, made up of the governor's Cabinet secretaries, met in Sacramento on Monday. The meeting featured lots of group hugs, but few specifics on how these agencies, in a mere three years, will meet tough targets mandated by Assembly Bill 32.

How tough? Consider the Department of Business, Transportation and Housing. Over the next three years, this agency must reduce 5.5 million tons of greenhouse gases from vehicles through better land-use planning and transportation design. How? Caltrans now administers about \$5 million each year in grants to help local government develop "blueprints" -- plans aimed at cutting vehicle trips by placing housing closer to jobs.

Yet \$5 million is a blip compared to the billions Caltrans is spending on highways, potentially encouraging more vehicle trips.

Then consider the Department of Food and Agriculture. The department doesn't have regulatory authority over farmers, yet it could be actively involved with the task of capturing methane from dairies -- a major source of greenhouse pollution. What is the department's strategy on this? We await answers.

To ensure more clarity, all state agencies should immediately join the California Climate Registry and provide a public benchmark of their emissions. To their credit, Cal-EPA, the Energy Commission and PUC and DGS have all signed up.

The governor may also need to apply some personal pressure. Right now, the Climate Action Team is chaired by Cal-EPA Secretary Linda Adams, who is highly capable but lacks authority to police other agencies. Only the governor can do that. If he doesn't, the Legislature will need to exercise its oversight role.

[Sacramento Bee, Editorial, Sunday, March 18, 2007](#)

**Editorial: State agencies need to step up on warming law
State must hold itself to same emissions standards that now apply to industries**

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The list goes on. The Department of Water Resources, which moves water over mountain ranges, didn't specify how it will transition to cleaner sources of power. The Department of General Services was fuzzy on plans for reducing emissions through greener state office buildings and cleaner vehicle fleets (although it later provided more details).

To ensure more clarity, all state agencies should immediately join the California Climate Registry and provide a public benchmark of their emissions. To their credit, Cal-EPA, the Energy Commission and PUC and DGS have all signed up.

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