

Advocates look for changes

Some wonder if governor will act on extension that led him to fire board chairman

BY STACEY SHEPARD, Californian staff writer
Bakersfield Californian, Tuesday, July 17, 2007

When it comes to cleaning up our filthy air, valley advocates want to know if Gov. Arnold Schwarzenegger has the muscle to make a difference.

A few weeks ago the governor fired Robert Sawyer, chairman of the California Air Resources Board, in part because the board OK'd an 11-year extension for cleaning up the valley's air from 2013 to 2023.

Local advocates were elated, believing their concerns had finally found a powerful ear.

"We're going to be asking for him to follow through on that statement with some action," said Nidia Bautista, of the Coalition for Clean Air.

Now that the dust is settling over Sawyer's firing, it remains to be seen if the extension will be changed.

"They didn't commit to anything but they didn't not commit to anything, either," said Paul Cort, a lawyer for EarthJustice, after a meeting last week with Schwarzenegger's people.

On Monday, Sawyer's replacement, noted environmentalist Mary Nichols, called the smog plan "unacceptable" and said she would aggressively pursue more measures to clean the valley's air sooner.

She said the Air Resource Board under Sawyer did what was legally required. If regulators can't show how to reach attainment by the given deadline, they must ask for the 2023 extension, she said.

"But that doesn't mean you just rest on your laurels," she said. "If we can push up the deadline any more than where it's at today, we will."

For Sawyer's part, he said he's glad the governor raised awareness about air pollution and climate change, but the science simply doesn't support a faster cleanup pace for valley air than 2023.

"I think the governor is surrounded by a staff which is notable for their lack of scientific training or expertise," Sawyer said, adding Schwarzenegger never personally spoke with him about air pollution or climate change during Sawyer's 18-month tenure on the air board.

In a letter after his resignation, Sawyer urged Schwarzenegger to hire a science adviser.

Smog plan timeline

April 30: The San Joaquin Valley Air Pollution Control District's governing board approves a smog plan that includes a delay in meeting federal smog standards, from 2013 to 2023. Nearly 100 clean air advocates, wearing black, attend, urging the board not to approve the plan.

June 14: The California Air Resources Board approves the delay.

June 22: Gov. Schwarzenegger publicly chides the Air Resources Board for approving the delay and later fires Robert Sawyer, chairman of the Air Resources Board.

July 3: The governor appoints Mary Nichols to replace Sawyer.

July 6: In a hearing by the Assembly Natural Resources Committee, the California Air Resources Board's executive director Catherine Witherspoon and Sawyer testify that Schwarzenegger was publicly tough on greenhouse gas issues, but privately he urged the board to be soft on industry.

Schwarzenegger's top official declines to testify at the hearing.

July 12: Valley advocates meet with a Schwarzenegger official to discuss ways to create a smog plan that meets federal standards before 2023 but leave with no commitments.

Q&A with former Air Resources Board chairman

Bakersfield Californian, Tuesday, July 17, 2007

Q&A: The following questions were posed to Robert Sawyer, former chairman of the Air Resources Board, during an interview Monday. Some responses have been edited for length.

QUESTION: Did the smog plan passed by the Air Resources Board include everything possible that could be done to clean the valley's air?

ANSWER: "No, in fact the instructions from the board... were to look for more opportunities to find more ways to make reductions."

Q: Then why did the board pass that plan?

A: "I think what the governor's people wanted was a plan ... which required compliance by 2013. That simply isn't possible. The technology required is not available in time to do that ... It's not in the realm of reality to have that happen."

Q: Do you think people have false hope that the valley's air can be clean by 2013?

A: "Yes. It's the role of the environmental community to be out there to push form more and more, which is a useful role. But it eventually comes down to reality. If the district doesn't adopt a plan that's attainable, then the EPA rejects it."

Q: What do you predict will happen to the valley's smog plan under Mary Nichols' leadership?

A: "I think she'll face the same constraints we did and we'll have to see what she says. But I'd be surprised if she comes up with a plan that meets it by 2013. In fact, I think she's already made a statement to that effect."

Q: Why did you urge the governor to hire a personal science adviser?

A: "I think the governor is surrounded by a staff which is notable for their lack of scientific training or expertise. And I think the fact that he never discussed any of these issues with me in person over 18 months might suggest he's a bit isolated from the science side of it."

"It's good that he has this vision, this environmental vision, and that's why I took the job. He's really changed the whole landscape of this issue with his aggressive espousal of these issues. But now it's time to deliver. And the people who deliver are the regulatory agencies, like the Air Resource Board and the industry."

"I would love for the San Joaquin Valley to come into compliance by 2013. That would be a wonderful thing to happen, but it's not possible."

S.J. air officials aim to calm residents' fears over bombs

Public meeting will further explain lab's plan

By Jake Armstrong - Record Staff Writer

Tuesday, July 17, 2007

TRACY - Air pollution regulators Wednesday will explain Lawrence Livermore National Laboratory's request to more than triple the amount of explosives used in test blasts in the hills southwest of Tracy and outline how the public can get involved.

The lab is asking permission to detonate as much as 350 pounds of high explosives a day and up to 8,000 pounds per year - with the potential to release up to 453 pounds of depleted uranium into the air yearly at its test range, known as Site 300.

This is the second round for the request, which San Joaquin Valley Air Pollution Control District officials revoked in March after learning the blasts would contain depleted uranium, a less-radioactive version of the element. After public confusion during the first application, district officials will try to remove the obfuscation by explaining the district's review process and opportunities for members of the public to make known their thoughts on the permit, which would allow for the largest detonations in the much of the San Joaquin Valley.

Representatives of the San Joaquin Valley Air Pollution Control District will hold an informational meeting on Lawrence Livermore National Laboratory's request to increase the amount of explosives used in blasts at Site 300, a high-explosives test range southwest of Tracy.

The meeting will be 7:30 p.m. Wednesday in the council chambers at Tracy City Hall, 333 Civic Center Plaza.

Bob Sarvey, a Tracy business owner who opposes radioactive elements being used in the blasts, said the public should know what amount of those elements could be carried to Tracy on gusts from the Altamont Pass.

"There's a sort of confusion about how much is going to get blown out up there," Sarvey said.

The blasts also might contain tritium, a radioactive form of hydrogen, according to lab officials.

The lab maintains the bigger blasts will not put the public at risk. Lab spokeswoman Susan Houghton said the lab wants the public to know how the review process will work.

"I think anytime we can provide more information on how a public agency is going to make a decision, that is always a good thing," Houghton said.

Small local refinery examining sale

by VANESSA GREGORY, Californian staff writer
Bakersfield Californian, Tuesday, July 17, 2007

Kern Oil & Refining Co. has hired an investment firm to evaluate business opportunities, including selling the privately owned company, director and Chief Financial Officer Steve Christovich said Monday.

"It's still an exploratory process," Christovich said.

"Our operations are fine here," he said. "We're running business as usual."

The Bakersfield refinery is one of the state's smallest, with the capacity to process 25,000 barrels of crude oil per day. About half of that becomes gasoline, according to the California Energy Commission.

The largest refineries, BP West Coast Products LLC in Carson and Chevron U.S.A. Inc. in El Segundo, each process 260,000 barrels a day.

Kern Oil & Refining Co. has hired Houston-based investment bank, Simmons & Co., to represent the refinery in any possible sale.

"They've had a long survival over there as a very small refinery, which is to their credit," said Joe Sparano, president of the Western States Petroleum Association, a trade organization.

California regulations calling for cleaner-burning, MTBE-free gasoline have required refiners to invest heavily over the past two decades in technology and equipment upgrades, Sparano said.

Much of the gasoline produced at the Kern Oil & Refining Co. likely stays in Kern County, said California Energy Commission spokeswoman Susanne Garfield.

Garfield could not comment on what impact a sale might have on consumers, but said that every barrel of gasoline that meets California's air quality standards is important to the state's supply.

Kern Oil & Refining Co. is one of 14 producers of gasoline and diesel that meet California Air Resources Board standards, according to the commission. In the early '80s there were 32, Sparano said.

The dwindling supply means refiners who have stayed in business "make a great deal of money," said Dallas-based energy consultant Malcolm Turner. Turner, chairman of Turner, Mason and Co., helped Shell Oil sell its aged Bakersfield refinery to Utah-based Flying J in 2005.

Purchase offers might come from entrepreneurial individuals or small companies, he said.

"Yes, they will find a buyer and there will be some interest in it," Turner said.

It's unlikely that a refinery the size of Kern Oil & Refining Co. would attract a buyer as large as Flying J, he said.

Located on Panama Lane, the Kern Oil & Refining Co. employs 110 people. In 2005, an explosion at the plant killed 49-year-old Duane Herdt and injured two others.

The refinery has been operating since 1934. Christovich said the owners' identities are confidential.

Black smoke clouds air around Bakersfield refinery

The Bakersfield Californian, Tuesday, July 17 2007

Huge plumes of black smoke filled the air around a Rosedale Highway refinery shortly before 8 a.m. today.

The smoke came on top of a flame from one of the stacks at the Big West of California refinery at 6451 Rosedale Highway.

The Kern County Fire Department was on scene.

By 8:20 a.m., the volume of black smoke had thinned substantially, but the sky appeared to have smoke stretching for miles, witnesses said.

A *Californian* reporter went to the scene to try to determine the cause of the smoke.

Conservationists' efforts net \$125K in leadership awards

Bee staff reports

Modesto Bee, Tuesday, July 17, 2007

Six recipients of the 2007 James Irvine Foundation Leadership Awards were announced Monday, including three people with projects in the Northern San Joaquin Valley.

The recipients were awarded \$125,000 per organization for successfully tackling pressing state issues, such as flood control, global warming and air quality.

John Carlon and Tom Griggs of Chico-based River Partners, which also has offices in Modesto, were recognized for their work in flood control.

River Partners restores native species and wildlife habitats along river banks, including projects along the San Joaquin, Tuolumne and Stanislaus rivers.

Carlon is co-founder of the organization and a blueberry farmer; Griggs is its senior ecologist.

Ashley Boren of San Francisco-based Sustainable Conservation received a leadership award for her work with agriculture businesses in promoting conservation efforts.

Boren works with valley dairy farms, including Zylstra Dairy in Turlock and J&B Dairy in Modesto, to adopt farming practices that are environmentally sustainable.

Boren helps farmers install methane digesters that reduce greenhouse gases from cow manure while creating a source of renewable energy.

She also assists them in preparing the soil with fewer tractor passes, reducing pollution from dust and diesel emissions while saving fuel.

The other three recipients are: Cesar Calderon, Soledad Enrichment Action in Los Angeles; Yvonne Chan, Vaughn Next Century Learning Center in Pacoima; and Sheldon Epps, Pasadena Playhouse in Pasadena.

Dems, governor spar over road to clean air Resources board's beefed-up staff at center of tug-of-war

Matthew Yi, Chronicle Sacramento Bureau

S.F. Chronicle, Tuesday, July 17, 2007

Sacramento -- The rift between Gov. Arnold Schwarzenegger and Democratic lawmakers over how the state should fight global warming can be summed up in two numbers: 24 and two.

Those figures represent new jobs proposed at the California Air Resources Board to carry out the governor's preferred strategy for meeting the state's ambitious goals for curbing greenhouse gas emissions.

Under Schwarzenegger's budget plan, the state would commit 24 positions to the task of creating systems such as allowing high-polluting companies to buy credits from low-polluting ones for their greenhouse gas emissions. But the Democrat-controlled Legislature has stripped that number down

to two, moving the other 22 positions to focus on regulations aimed at cutting emissions, which is what Assembly Speaker Fabian Núñez favors.

The tug-of-war over how the state will implement its landmark law played into Schwarzenegger's firing this month of air board Chairman Robert Sawyer and the resignation of the agency's executive director. The governor has appointed former air board Chairwoman Mary Nichols, who served under former Gov. Jerry Brown, to head the board.

Nichols is scheduled to appear today before the state Senate Rules Committee for a preliminary hearing on her confirmation.

Adding staff to serve the 11-member air board is key to the state's commitment to fight global warming because the state agency has been charged with coming up with ideas to meet the goals of AB32, landmark legislation passed last year that requires California to cut its greenhouse gas emissions by 25 percent by 2020.

The impact of AB32 probably will be felt by Californians and businesses for years to come, potentially changing the vehicles motorists drive and the kind of fuel that powers those vehicles, as well as forcing companies to make their operations greener or pay money for emitting carbon dioxide into the atmosphere.

The 24 new jobs in question are part of an overall proposed increase of 123 jobs at the air board. That represents a fraction of the state's roughly \$140 billion budget for the current year, which Legislative leaders of both parties and the administration are haggling over.

But how some of those positions should be allocated represents a philosophical rift between Núñez, the Los Angeles Democrat who co-authored AB32, and the governor, who signed the measure with much fanfare last year.

While both agree the state should use a variety of means to curb greenhouse gas emissions, Núñez has focused on meeting the goals of AB32 first through regulation while the administration has put an emphasis on market-based approaches such as tax incentives and, in particular, the system known as "cap-and-trade."

Cap-and-trade first puts a limit on how much carbon companies can emit into the atmosphere, then creates a market where firms can buy or sell carbon credits depending on whether each business can stay under the stated cap.

Núñez has characterized the governor's emphasis on cap-and-trade as putting the "cart before the horse" in fighting global warming.

"I believe there is a fundamental difference in opinion on how we should implement AB32," he said.

An official representing the governor's administration insisted that using market mechanisms is just one of the means Schwarzenegger believes will help California achieve the goals of cutting emissions. But the official said the governor "likes market programs, and in particular, cap-and-trade."

"From the administration's standpoint, the gap (between Schwarzenegger and Núñez) is actually quite narrow," said Eileen Tutt, deputy secretary of the California Environmental Protection Agency. "Most of the legislative members are not opposed to ... cap-and-trade programs. They just want us to meet the criteria of the law and there's no one in the administration who disagrees with that."

Still, the administration is troubled by the Democrat-controlled Legislature's move to strip the number of positions on the air board that the governor has proposed to investigate market mechanisms, she said.

"There is a high degree of concern on how the Air Resources Board will be restricted by (the Legislature dictating) how to use those positions," Tutt said.

One energy expert who is closely watching the debate around the measure said political pressure on how to meet goals set by AB32 will only intensify.

"AB32 is like a marriage certificate. It may take you a while to get married, but that's not the hard part," said Daniel Kammen, a professor at UC Berkeley's Energy and Resources Group. "It's staying married that's tougher.

Now, the state has to make this all work."

Catherine Witherspoon, the former executive officer of the air board who resigned two weeks ago, agreed, adding that AB32 has already ratcheted up pressure on the agency "into the stratosphere."

Much of that pressure is coming from business and environmental groups.

"It's not the fault of the industry to make their best case to go forward," said Dorothy Rothrock, chief lobbyist for the California Manufacturers and Technology Association. "It would be a disservice to the California Air Resources Board if they weren't hearing from us."

Rothrock said AB32 could end up being a colossal failure unless "we grow the economy at the same time we're getting the emission reductions."

"If companies find it's difficult to do business here, they'll just move their operations and make their emissions elsewhere," she said.

That's why market-based mechanisms such as the cap-and-trade system make more sense because they give companies the flexibility to find their own ways to cut emissions and to buy carbon credits if they can't stay under the limit allowed, she said.

A firm's ability to reduce emissions could be used as a competitive advantage in the marketplace, resulting in a greater incentive for companies to become even greener, Rothrock said.

But Jane Williams, executive director of California Communities Against Toxics, said cap-and-trade may fail to improve the environment. The idea would be even more troubling if the carbon trading market is global, meaning California companies can buy carbon credits for environment-saving projects elsewhere in the world, she said.

"Cap-and-trade will not get us into a different world; it'll get us planting more eucalyptus trees in Brazil," Williams said.

Comment on budget, reducing emissions

To contact Gov. Arnold Schwarzenegger and Democrat legislative leaders, call or e-mail them at:

-- Gov. Arnold Schwarzenegger: (415) 703-2218 or (916) 445-2841; or e-mail the governor by visiting his Web site at gov.ca.gov/interact <<http://gov.ca.gov/interact>>

-- Assembly Speaker Fabian Núñez, D-Los Angeles: (916) 319-2046 or Fabian.Nunez@asm.ca.gov <<mailto:Fabian.Nunez@asm.ca.gov>>

-- Senate President Pro Tem Don Perata, D-Oakland: (510) 286-1333 or (916) 651-4009; or Senator.Perata@sen.ca.gov <<mailto:Senator.Perata@sen.ca.gov>>

Traffic Pollution Could Raise Heart Risks

By Ed Edelson, HealthDay Reporter

Washington Post, July 17, 2007

(HealthDay News) -- People who regularly breathe in fumes from heavy traffic are more likely to get the hardening of the arteries that boosts heart attack risk, a German study finds.

"It's not limited to freeways," said lead researcher Barbara Hoffmann, head of the unit of environmental epidemiology at the University of Duisburg-Essen. "We see it in inner-city dwellings on heavily traveled streets as well."

Her team published the findings in the July 17 issue of *Circulation*.

The damage to the arteries seen in such people is similar to that produced by inhaling secondhand tobacco smoke, "although the effect we see here in this study is even larger than that caused by secondhand smoke," Hoffmann said.

Most of the blood vessel damage is due to high levels of particulate pollutants in vehicle exhaust fumes, Hoffmann speculated, although there might be other contributing factors, such as the constant noise of heavy traffic "which can contribute to high blood pressure."

The journal report is based on data from a continuing study done in three cities in the industrialized Ruhr area of Germany. Hoffmann and her colleagues got the home addresses of almost 4,500 adults to determine the distance of their living quarters from heavy traffic. They were also assessed for cardiovascular risk factors such as diabetes and smoking.

A technology called electron-beam automated tomography was then used to measure the degree of vessel calcification -- the buildup of calcium deposits that cause arteries to harden and become more vulnerable to blockages.

The amount of calcification was found to be related directly to the distance of living quarters from heavy traffic. Compared to participants living more than 200 meters (642 feet) from heavy traffic, calcification was 63 percent higher for those living less than 50 meters (160 feet) from heavy traffic, 34 percent higher for those whose distance was 51 to 100 meters (164 to 328 feet) and 8 percent higher for those whose distance was 100 to 200 meters (328 to 642 feet).

This is the first study to show such a relationship between traffic-based air pollution and damage to the arteries, Hoffmann said. The participants will be followed to see whether the traffic-related damage worsens and whether it is associated with a higher incidence of heart attack and other cardiovascular problems.

"The follow-up data will be important to have," said Dr. Sidney Smith, professor of medicine at the University of North Carolina and a former president of the American Heart Association.

Smith was a member of a committee of experts assembled by the association in 2004 to review the literature on air pollution and cardiovascular disease. Among the committee's recommendations was that people at high risk of cardiovascular disease limit outdoor activities when air pollution is high.

However, Smith said, "this current study is incomplete, because it just looks at calcification." He added, "The follow-up, which will look at the incidence of [cardiovascular] events, will provide important information."

The only immediate protective action that can be taken by people living close to heavy traffic is increased attention to known cardiac risk factors, such as obesity and high blood pressure, Hoffmann said. Over the longer run, community action is needed, she and Smith agreed.

For example, "When they build roads, communities should consider the location of residential buildings and schools," Hoffmann said.

"There is increased concern about environmental pollutants worldwide, and I don't think we should neglect opportunities to reduce this as a global risk factor," Smith said. "Communities need to look at how to reduce ambient pollution levels."

More information

There is more on air pollution at the U.S. National Library of Medicine.

SOURCES: Barbara Hoffmann, M.P.H., head, unit of environmental epidemiology, University of Duisburg-Essen, Germany; Sidney Smith, M.D., professor, medicine, University of North Carolina, Chapel Hill; July 17, 2007, *Circulation*

Bloomberg's Traffic Plan Sputters, but Still Alive

By THE ASSOCIATED PRESS

In the N.Y. Times, Tuesday, July 17, 2007

ALBANY, N.Y. (AP) -- New York City Mayor Michael Bloomberg's last-minute lobbying for his ambitious toll plan to clear Manhattan traffic congestion failed to get necessary legislative approval Monday.

Assembly Speaker Sheldon Silver didn't return his chamber to Albany to vote on the plan, as the proposal's supporters said was necessary. But Silver said from Manhattan that he would sign a letter with Senate Majority Leader Joseph Bruno and Gov. Eliot Spitzer that says the state will create a commission to consider the Democrats' concerns over the "congestion pricing" toll plan.

Silver said that should be enough to keep New York City in the running to be chosen for a federal pilot program and to receive as much as \$500 million in federal funds.

But Bruno spokesman John McArdle said no such letter was being considered because the letter would have to guarantee Assembly passage of the same proposal, not a call for more study by a commission.

Bruno said the federal government would have accepted a letter days ago if Silver would have committed to passing the latest Senate bill, but "the (Assembly Democrats) elected not to." The

Republican, however, said he would still sign such a letter if it would work, but he doesn't think it will meet the federal government's requirement.

"I'm not going to try and speculate," Bruno said when asked if the proposal was dead. "From what I heard, it won't happen due to failure by the Assembly ... I don't see it. I don't believe the mayor sees it happening."

Bruno blamed Spitzer for a "failure in leadership" in getting Silver and Senate Democratic leader Malcolm Smith to support the proposal. Spitzer supported the measure.

"The governor elected to fold his arms," Bruno said.

The Assembly Democrats' are concerned about how much of Manhattan would be subject to entry tolls, the amount of the tolls, creating exemptions, how parking permits will be issued outside the zone for mass transit commuters, and other major aspects of Bloomberg's proposal.

"The federal guidelines are very clear: they require a plan that implements congestion pricing, and not one that simply studies it," said Michael O'Loughlin, director of the Campaign for New York's Future, that supported Bloomberg's proposal.

He said Los Angeles lost in its bid to become a finalist for proposing a commission to study the issue further.

"The best way to study congestion pricing is to implement the pilot program," O'Loughlin said. "We urge the Assembly to join the Senate and the governor to make that specific commitment in the letter sent to the United States Department of Transportation, and to make it in a timely manner. Anything less will cost New York City \$500 million for transit enhancements we need right away."

Spitzer, Bloomberg and a spokesman for the U.S. Department of Transportation handling the congestion pricing project didn't immediately respond to a request for comment.

The mayor said his measure would reduce Manhattan's traffic gridlock while cleaning the air for kids and reducing greenhouse gases blamed for global warming. Bloomberg's plan includes an \$8 toll for cars and a \$21 toll for trucks to enter Manhattan's most heavily traveled business district during workdays, with the money going toward transportation improvements.

"It's regressive, it's unfair to the outer boroughs, it does not necessarily do much for the air," said Democratic Assemblyman Richard Brodsky. Brodsky said the billionaire mayor has resorted to "threats and bullying" to get his way.

In Albany Monday, Bloomberg tried to build a coalition of Republican and Democratic lawmakers.

"We just can't have a 24-hour rush hour and we're heading toward that," Bloomberg said. "We're going to get ourselves into a position pretty quickly where we will either have to raise the fares or cut service." That, he said, would encourage more automobiles to enter the city and that would be "really disastrous."

The city has been among nine municipal finalists for five U.S. Department of Transportation pilot programs to combat urban traffic congestion and pollution, part of a \$1.2 billion outlay for new programs to ease U.S. gridlock.

In May, a climatic study found that cities covering less than 1 percent of the Earth's surface generate 80 percent of its heat-trapping greenhouse gases.

NY speaker says Manhattan traffic fee plan alive

By Edith Honan, Reuters

Washington Post, July 17, 2007

NEW YORK (Reuters) - New York's State Assembly speaker said on Monday he reached an agreement with Gov. Eliot Spitzer and the State Senate to study New York City Mayor Michael Bloomberg's traffic fee plan, saying this would keep the city in the running to get \$500 million of federal aid.

If Bloomberg's plan is enacted, New York would become the first U.S. city to impose traffic congestion fees on drivers, a plan the mayor has championed as key to improving air quality in the largest U.S. city.

Similar plans are already in place in London and Singapore, but Bloomberg's plan to charge drivers entering a large area of Manhattan at certain hours has met stiff opposition from lawmakers and citizens who say it would unfairly burden lower-income drivers.

The U.S. transportation agency could decide which cities' traffic-fighting plans to fund as soon as August. In addition to New York, eight others were short-listed: Atlanta, Dallas, Denver, Minneapolis-St. Paul, Miami, San Diego, San Francisco and Seattle.

Bloomberg had said that to qualify for the aid, lawmakers needed to enact a bill by July 16 to satisfy the federal government that his plan would go ahead.

But the Assembly speaker, Sheldon Silver, said he was assured that the federal government will accept the new study instead of a new law.

The State Assembly could have killed the traffic plan even though Spitzer and the State Senate had agreed to support it.

Silver said at a news conference that lawmakers now expected to approve a bill by March 31, 2008, aimed at easing traffic jams.

But Silver, a Democrat, said it might not include the mayor's proposed \$8 fees on cars driving south of 86th Street in Manhattan between 6 a.m. and 6 p.m. on weekdays. Trucks would be charged \$21.

Bloomberg, now an independent who was elected mayor as a Republican, says the fees would discourage commuters from driving. He says his plan would raise \$30 billion over 30 years for new buses, subways and trains.

The plan was a centerpiece of his Earth Day initiatives and he hoped to win legislators over by agreeing to spend the fee revenue on both urban and suburban mass transit links.

The mayor wants to spend half of the federal aid to improve bus service in underserved areas before charging the new fees, and on Monday he stressed the risk he believed the Assembly would take if it missed the federal deadline.

"Anytime they want to take \$500 million of their own money and put it on the table and have a bet when they roll the dice, they are welcome to do it," he told WROW radio in Albany

Spokesmen for Spitzer, a Democrat, and Senate Majority Leader Joseph Bruno, a Republican, had no immediate comment, though Bruno already has insisted on some changes, including requiring Bloomberg to share control of the fee revenues.

But Silver on Monday was still skeptical, saying: "People keep talking like this is the panacea, that it pays for everything, but it doesn't pay for everything."

His members have questioned whether the fees were justified if they are expected to cut the number of cars enough to speed driving by only 0.6 miles per hour.

Bloomberg modeled much of his plan on London's, and the Assembly also is wary of London's experience, because it had to sharply hike its fees shortly after its program began.

Bloomberg says traffic is one of the main reasons that city children in the poorest areas have some of the worst asthma rates in the nation. Silver wants the health impact studied.

(Additional reporting by Elizabeth Flood Morrow in Albany and Joan Gralla in New York)

China faces rising costs from pollution

By ALEXA OLESEN

In the Fresno Bee, S.F. Chronicle, L.A. Times and other papers, Tuesday, July 17, 2007

China's smog-choked cities and contaminated waterways are leaving many people sick and unable to work, in turn fomenting unrest and threatening the country's economic growth, an international think-tank said Tuesday in a government-requested report.

Concluding an 18-month review, the Organization for Economic Co-operation and Development said China's severely polluted environment has caused "significant damage to human health," hurting the country's prospects for continued economic expansion.

"Clearly a healthy economy needs a healthy environment," said Mario Amano, deputy secretary-general of the Paris-based OECD, which groups 30 industrialized countries.

Amano said he had no specific figure for the cost of China's pollution. But the Chinese government said last year that pollution cost the country \$64 billion in economic losses in 2004, about 3 percent of its economy that year. It has not given updated figures.

China's rapid urbanization, industrialization and economic growth over the last nearly two decades has resulted in some of the world's filthiest air, soil and water.

The OECD report, citing an earlier World Bank report, said that by 2020 China will have 600,000 premature deaths a year in urban areas and 20 million cases of respiratory illness a year because of pollution. The overall cost of health damage will be equal 13 percent of gross domestic product.

Some 190 million people are estimated to be suffering from illnesses related to dirty drinking water and more than 30,000 children die every year from diarrhea due to polluted water, it said.

Lorents Lorentsen, OECD's environmental director, said pollution-related illnesses have hurt productivity, driven up health care costs and spurred social unrest.

That is "not good for the economy," he said.

Amano and Lorentsen spoke at a news conference attended by Zhou Jian, vice director of China's State Environmental Protection Administration or SEPA. Zhou said China would try to implement the report's suggestions.

China is not an OECD member, but the report was prepared at its request.

Farmers across the country have protested tainted water supplies and ruined farmland. SEPA director Zhou Shengxian acknowledged the unrest last week, saying the agency was receiving more environment-related petitions.

Lorentsen said China's poor record on environmental issues threatens to damage its reputation as an exporter.

"If you have a reputation for being a polluted country, then you have a bad trademark abroad. It's very hard to sell pharmaceuticals, to sell food and feed from a country that has a reputation for being polluted," Lorentsen said.

Last month, the Food and Drug Administration placed restrictions on imports of Chinese farmed seafood, including shrimp, catfish, eel, basa and dace, after finding residues of drugs the U.S. does not allow in fish.

The FDA said sampling of fish found traces of the antibiotics nitrofurans and fluoroquinolones, as well as the antifungals malachite green and gentian violet.

But the toxic substances were not linked to pollution and all the restricted imports were farmed - not wild. More than half of China's global seafood exports are farmed.

The report said China's environmental efforts have "lacked effectiveness and efficiency," mainly because existing regulations were not being implemented, particularly at the local level.

"Economic priorities have overridden environmental concerns," it said.

The OECD recommended that China make the State Environmental Protection Administration a ministry-level body to give it more say in monitoring and enforcing environmental regulations.

It also said the government should be more transparent about the health impacts of pollution and allow greater "environmental democracy," or participation from civil society, such as nongovernment groups, in cleaning up the country.

The limited availability of information on environmental health "limits the capacity of Chinese authorities and citizens to act in preventative or curative ways," it said.

[Capital Press Ag Weekly Editorial Fri., July 13, 2007:](#)

Air board mess reveals clash of politics, science and economics

The air got a little hotter over Sacramento last week, but it had nothing to do with the temperature.

Gov. Arnold Schwarzenegger fired his top air quality officer, Robert Sawyer, from his position as chair of the California Air Resources Board. His dismissal came after the board voted to support a waiver for the San Joaquin Valley Air Pollution Control District.

Following Sawyer's canning, Catherine Witherspoon, the Air Resources Board executive officer, resigned. That left two vacancies at the top of the lead agency in charge of implementing Schwarzenegger's landmark greenhouse gas law, Assembly Bill 32.

The controversy that ensued cast some doubt on the governor's plan on global warming. But Schwarzenegger, in naming former state environmental regulator Mary Nichols to replace Sawyer, has left no doubt that he will press ahead to enforce AB 32 and cut greenhouse gas emissions by 25 percent by 2020.

"We must clean our air, we must protect our environment, we must fight global warming. And I am committed to do that and that's what we are going to do," Schwarzenegger told reporters July 2. "We are going to be extremely sensitive toward businesses, but we are going to march forward."

The governor has called on the valley and state air boards to go back and revise smog plans to make them tougher.

The dilemma facing smog fighters illustrates the clash of politics, science and economics. It exposes the realities of cleaning the air in the San Joaquin Valley.

Sayed Sadredin, the executive officer of the San Joaquin Valley Air Pollution Control District, has defended the waiver. It would give air officials some breathing room to bring the remaining areas of the valley into attainment with federal smog standards by 2023. Sadredin said the valley has made great gains in cutting smog by 80 percent since the 1980s and it is in attainment for tiny particles known as PM10. But additional time, money and technology are needed to address the remaining smog in a valley where geography, weather and population are powerful opposing forces.

Noting that 80 percent of the smog-causing pollutants come from vehicles, which the district has no jurisdiction over, Sadredin has appealed for help.

"More than ever, we need the state and federal government to do their fair share by providing funding and regulatory assistance to reduce emissions from cars, trucks and locomotives," Sadredin stated in a Sacramento Bee opinion piece published June 24.

Economics will also play a role in the matter. There are tradeoffs involved in clearing the skies over the valley. Cleaner air comes at a cost that Sadredin has estimated at \$20 billion to businesses.

Many valley businesses, including farms, have stepped up to change out older internal combustion engines. Some have installed solar systems. Dairy farmers have adopted nutrient management programs. Others have employed conservation tillage and pest management practices, which have helped clear the air.

Installing Mary Nichols as the new Air Resources Board chair doesn't change the fact that technology needs to catch up to strict government mandates on air emissions.

The governor must realize that the high bar he has set for businesses to comply with federal air rules will impose new constraints and higher costs on farmers and other businesses long after he has left Sacramento.

Schwarzenegger has led the charge on global warming in the state and nationally. He must show leadership now to direct more money and assistance that air officials need if he is going to have any chance to meet his lofty air quality goals and satisfy the original federal air rule deadline of 2013.

Otherwise the efforts will add up to a lot of very expensive hot air blowing out of Sacramento.

[In the Modesto Bee, Commentary, Tuesday, July 17, 2007](#)

Got complaints? These are the people you should tell

By JIM BOREN - FRESNO BEE

Two recent news stories involving the California Legislature tell us a lot about the selfishness of the state's political leadership.

One was about legislative staff members lining up at the state Capitol to get interest-free loans because their bosses didn't pass a state budget on time. The other story was about state senators manipulating the legislative schedule to get their \$162-per-day expense payments over the Fourth of July recess.

The legislators then went back to their districts and told their constituents how much they've accomplished in Sacramento. At least they are working together. This was a bipartisan scam. Both the Democrats and Republicans are ripping off the taxpayers while not doing their jobs.

But we deserve it because we're enablers. Californians don't pay attention to their legislators ducking their duties, and that only encourages them. They get away with not passing a budget on time, and then they make sure they get their expense payments even when they don't deserve them.

This isn't just a complaint about lazy politicians taking advantage of the system. The inadequacy of the Legislature and Gov. Arnold Schwarzenegger in solving the state's biggest problems is felt daily by Californians in a diminished quality of life.

Every public institution is strained, and the folks leading us find reasons not to act. Can anyone look at our public schools, our transportation system, our criminal justice system, health care or our air quality and say that they are happy with the direction the state is going? The last time I criticized government officials, a reader complained that I lumped them all together, essentially letting them off the hook because I didn't name names. You can't write to a "bunch of politicians" to complain about their performance, he said.

He's right, so here are the people you should complain to about California no longer being the Golden State: Schwarzenegger; Democratic Assembly Speaker Fabian Nunez of Los Angeles; Assembly Republican leader Mike Villines of Clovis; Democratic Senate Pro Tem Don Perata of Oakland; and Senate GOP leader Dick Ackerman of Irvine. They are referred to as "The Big Five" in state government.

If anyone is responsible for gridlock, it's these five. Write to them, and tell them you aren't happy. The interesting thing is they think they are doing a good job. Give them a taste of reality.

This is a sample letter I would suggest sending:

Dear Big Five Member:

As a California resident concerned about the lack of action on the state's most serious problems, I'm asking you to put aside your coziness with special interests and your loyalty to your political party. The problems in this state are not Democratic problems or Republican problems. They are problems that citizens must deal with every day, and things don't seem to be getting better in California.

Our public schools are crowded, our children aren't performing well and their teachers complain about spending more time testing than teaching.

When I drive to Los Angeles, the freeways are like parking lots and they are so beat up that I'm sure I will need an alignment on my car when I finally get there.

My children have asthma, and it is especially bad during the summer. The air district just delayed cleaning up the air for another decade. They'll be adults before government helps them breathe clean air.

My daughter had an asthma attack and we went to the emergency room.

We sat there for hours behind dozens of others needing medical attention. The nurse said it was because the state won't solve the health-care crisis.

A police officer told me that prison overcrowding will force the state to release felons back into my neighborhoods because the Legislature won't deal with the prison crisis.

The parks we used to go to aren't being maintained anymore. I was told it's because government has to make cuts to pay for the pension increases and other goodies you've given public-employee unions.

Then I hear you folks figured out how to get your expense checks even when you're on holiday. I don't have an expense account and the two jobs I'm working barely pay all my bills.

I wish you were in my shoes just once. Then maybe you'd see how playing politician does not help those of us who actually must deal with the problems you ignore.

I have to go back to work now. Thanks for listening.

Sincerely,

Your loyal constituent.

I couldn't have said it better myself.

[Sacramento Bee Editorial, Tuesday, July 17, 2007:](#)

Editorial: Hold the line on diesel

Yes, link bond funds to cleaner equipment

Legislative leaders are struggling to resolve several sticking points in this year's state budget, but there's one issue that shouldn't be in contention: the need to direct bond funding to contractors that meet minimal standards for limiting diesel pollution from their construction equipment.

Democratic leaders have so far stood firm on a budget proposal that would award bond funds to construction firms that have installed filters on their equipment to reduce diesel particulates. Contractors and state transportation officials oppose the requirement, and for several weeks Republican legislators have urged Democrats to drop it as a condition of reaching a budget deal.

Sure, the state could more easily disperse \$68 billion in bond funds if it imposed no environmental standards on contractors, but the tradeoffs would be unacceptable. Diesel soot contains more than 40 substances proven to cause or suspected of causing cancer. Contractors who continue to use old, unretrofitted equipment expose the public to harmful diesel soot. Their own workers face even higher risks. The bulk of the \$68 billion in bond funding will be spent on Proposition 1B highway and transit projects. As noted here before, voters were told in official ballot arguments that these transportation bonds would both reduce congestion and cut air pollution. If Proposition 1B ends up increasing particulate pollution near these projects, the state will have broken its promise with voters and could face lawsuits as a result.

To level the playing field between small contractors and large contractors, the budget proposal provides an extra \$20 million a year to help contractors retrofit their equipment with air pollution filters.

This isn't the type of money or goal that should bring budget negotiations to a deadlock. Schwarzenegger, we've heard, is supportive of the clean diesel proposal, but hasn't sent that message with much force.

He should. Republicans might then clear it from the table and move on to other issues more deserving of an extended budget delay.

[Sacramento Bee, Commentary, Tuesday, July 17, 2007:](#)

Daniel Weintraub: How cool paints became hot topic in the Capitol

By Daniel Weintraub -

Cool paints, it turns out, are not only those psychedelic colors that hippies used to paint their Volkswagen vans. They are also at the heart of a nasty dispute over whether Gov. Arnold Schwarzenegger is a serious environmentalist or just wants you to think he is one.

Until a couple of weeks ago, few people in the Capitol had probably ever heard of cool paints. Now they've suddenly become a symbol of Schwarzenegger's commitment to saving the Earth, or lack thereof. How did that happen?

Assembly Bill 32, the global warming law Schwarzenegger signed last year, requires the state to reduce its greenhouse gas emissions to 1990 levels by 2020.

As a first step, the law required the Air Resources Board to list a set of "early actions" that were considered the low-hanging fruit in the global warming fight. These new rules had to be enforceable by Jan. 1, 2010, just 2 1/2 years from now. That's the blink of an eye in regulatory time.

After reviewing more than 70 suggestions from the public, the air board this spring winnowed the list to three that the board's staff said met the law's definition.

One was a low-carbon fuel standard requiring the oil industry to reduce the carbon emissions from the fuel it sells by 10 percent. Another was a proposal to require car owners to use licensed mechanics to maintain their automobile air conditioning units. A third was a requirement that garbage dump operators do more to capture the methane gas that leaks from their landfills as the trash decomposes.

The air board also looked at 23 other items that the staff said were not quite ready for prime time but might be developed into regulations on the heels of the three "early action" items. One of those was cool paints.

As anyone who has ever left their car in the sun on a hot summer day can tell you, sunlight can heat the surface of a vehicle to a temperature that can burn your hand if you touch it. That heat also bakes the inside of a car and forces up the temperature of the interior. The result: more air conditioning.

Automobile air conditioning puts a strain on the engine, causing it to burn more fuel. And as it burns more fuel, the engine produces more carbon dioxide, a "greenhouse gas" that has been fingered as a major contributor to global warming.

White cars tend to reflect more of the sun's rays than darker cars, and that's why they stay cooler. But scientists have discovered that any color of paint can be formulated to reduce the amount of energy it absorbs. Thus: cool paints.

After the air board's staff recommended only three items for early action, Robert Sawyer, then the board's chairman and a University of California, Berkeley, energy and environmental scientist, asked for more information about vehicle paints. The staff responded with a memo on research suggesting that a 5-degree reduction in vehicle temperature from cool paints could reduce greenhouse gas emissions by about 2 million metric tons per year. That's the equivalent of shutting down three gas-powered electricity plants, or taking about 440,000 cars off the road.

Sawyer decided to add that item to the list for the fast-tracked regulations. The governor's office, however, disagreed. Although two major automobile industry associations that represent manufacturers told me they were barely tracking the issue and hadn't lobbied anyone on it, Schwarzenegger's top staff decided the proposal was a distraction that might cause more problems than it was worth.

They doubted that the regulation could really be adopted and enforced by 2010, and they feared it might complicate enforcement of another law that requires carmakers to reduce the greenhouse gas emissions from vehicles they sell in California.

The companies are suing the state over that rule, arguing that California has overstepped its authority. In response, the state claims that it is not telling the car companies how to make their cars but only ordering them to reduce the emissions, which California has the power to do. The cool paints rule, though, would clearly be micromanaging the manufacturing process rather than simply setting a standard for what comes out of the tailpipe.

Schwarzenegger believes that, in general, industry should be given as much flexibility as possible in deciding how to reduce emissions, as long as they do it. The Legislature has been pushing for more top-down regulations that order companies to take specific actions. The cool paints rule fits more with the Legislature's view of the world than with Schwarzenegger's.

When Dan Dunmoyer, the governor's cabinet secretary and the aide who rides herd on the regulatory agencies, called Sawyer, the air board's chairman, and left a message telling him to drop the idea, Sawyer, already chafing at what he saw as heavy-handed meddling from the governor's office, refused to back down. Although the board later rejected the proposal, Sawyer's defiance got him fired, and the firing prompted environmentalists to accuse Schwarzenegger of going soft on global warming, his signature issue.

And that's how cool paints got the governor in hot water.

[Letter to the Fresno Bee, Tuesday, July 17, 2007:](#)

Let them howl

It seems we have the usual "global (now Gorebal) warming" folk who claim it's all foolishness, with the bulk of scientists and mankind feeling otherwise. When does plain old common sense get considered? Why, some people said there's nothing wrong with a little smog, cigarette smoke, industrial fumes, DDT -- the list goes on. I think we know better now.

Common sense tells us that putting billions of tons of nonsoluble particulate matter into the atmosphere, every day, years on end, causes some unnatural effect. Is global warming the result of only a natural weather trend as Rush Limbaugh and his apologists actively assert? I take the side of common sense.

After all, what does the common sense argument have to lose? If we reduce emissions, increase vehicle efficiency, reduce American dependence on foreign oil and it turns out that Rush was right after all, what have we lost? We'll have cleaner air, better mileage, less argument. Oh -- the oil companies and others would howl. I say let 'em.

Roger Duncan, Coarsegold

[Letters to the L.A. Times, Tuesday, July 17, 2007:](#)

Get this idea on track

Re "County offers 'inland port' plan," July 12

Rail is a cleaner alternative than trucks for moving cargo great distances. The industry should be applauded for replacing its polluting older locomotives with cleaner, but not clean, ones. But a far larger step toward a clean environment would be to start purchasing products made in America. Currently, Americans do not pay the full cost when they buy an item made overseas. It comes with a hidden cost to the planet that will eventually have to be paid. The hidden cost is the pollution emitted from cargo ships.

Air pollution does not recognize a national border, and it is estimated that 25% to 50% of the air pollution on this planet comes from cargo ships burning bunker fuel as they move their goods through international waters.

Richard Dickinson, Glendale

This is a no-brainer. There is no need to move containers by truck from L.A. to another terminal to be reloaded on a train to go east. Every single container that is destined for any place outside the L.A. area needs to go by rail to the inland port for redistribution.

The rail link between the port and the inland port could also be electrified to save on oil use and pollution. With less L.A. truck traffic and more containers on trains, local roadways, such as Highway 14, would actually have less traffic. Everything necessary for an inland port is doable. Let's get this going to make life more livable in all of Southern California.

Alan Fishel, Long Beach