

[Fresno Bee editorial, Saturday, June 30, 2007:](#)

## **Thumbs up, thumbs down**

Thumbs up to the San Joaquin Air Pollution Control District's governing board for voting to join the state's lawsuit against the federal Environmental Protection Agency over the EPA's tardiness in granting California a waiver it needs to continue the aggressive assault on greenhouse gases begun by Gov. Arnold Schwarzenegger. The Valley district is the first such district in the state to join the lawsuit, which is crucial in the state's -- and the Valley's -- effort to reduce deadly emissions. For that precedent-setting action, the district and its board deserve praise.

## **Valley air officials will state case to governor**

By E.J. SCHULTZ - THE FRESNO BEE

in the Fresno Bee and Modesto Bee, Saturday, June 30, 2007

SACRAMENTO — Suddenly thrown under a statewide spotlight, valley air district officials plan to go to Gov. Schwarzenegger's office Monday to defend a smog plan the governor has criticized as weak.

The trip comes in the wake of a tumultuous week for the San Joaquin valley Air Pollution Control District. Long the target of valley environmentalists, the district now finds itself in the cross hairs of the popular governor.

Schwarzenegger launched the first salvo last week, saying he was "deeply disappointed" in the district's plan to extend a smog cleanup deadline by more than a decade, to 2024. Then, this week, the governor fired Robert Sawyer, the chairman of the state Air Resources Board, which rubber-stamped the valley plan.

But questions remain on what, if anything, will change.

Environmentalists say the governor should have spoken out sooner, before the state board approved the deadline extension.

"This is not like everybody didn't know what was coming down," said V. John White, an environmental lobbyist in Sacramento.

Now the governor is calling for the valley and state air boards to revisit the smog plan and put out a tougher version in a month.

That seems doubtful, according to state board members and valley air officials. Some changes might be made in the future, but probably nothing to significantly alter what will soon be reviewed by the Environmental Protection Agency. EPA approval would remove the threat of federal sanctions for the valley, such as the delay of \$2 billion in road-building funds.

"I think we've done all we can in the context of the legal plan," said valley air district Executive Director Seyed Sadredin.

State board member Jerry Hill, of San Mateo County, also stood by the plan, saying it would produce significantly cleaner air in coming years.

"I don't know if there is anything else that could have been done to add to the plan," he said.

At the meeting Monday, Sadredin and valley air board member Judy Case are expected to defend their long-held view that technology does not exist to fully clean the air by 2013, the original deadline set by the federal government.

Environmentalists say an earlier deadline would force companies to develop clean-air technology.

Air district officials sought the meeting after the governor issued his critique last week. As a standard practice, Schwarzenegger administration officials do not confirm private meetings.

District officials hope to educate the governor's staff on the complexities of reducing smog in the bowl-shaped valley. They will also push for state bond money to replace pollution-spewing trucks and lobby for tougher regulations on vehicle emissions — pollution-fighting assets out of the district's control.

"This is an opportune moment to basically ask the governor to put his money where his mouth is," Sadredin said.

Case, who was recently appointed to the state board by the governor, said: "I'm not sure he has a full view of what the (valley) plan does."

Schwarzenegger doesn't appear to be budging.

"The governor has a full understanding of the actions taken by the [valley] board, and that is evidenced by the statement he put out [last week] that clearly laid out his thoughts on the San Joaquin plan," said spokesman Aaron McLearn.

Few question Schwarzenegger's sincerity. But White and other environmentalists say the governor's staff is sending mixed signals.

"His administration has often not been able to execute in support of his rhetoric, and now they may have to on the San Joaquin Valley," White said.

Some observers are still trying to discern what the dismissal of Sawyer might ultimately mean — and if there are more changes to come.

Sawyer, a 72-year-old former university professor, voted in favor of the valley smog plan extension, but in general he was respected by environmentalists.

Current board member Barbara Riordan, a former San Bernardino County supervisor, was named interim chairwoman Friday. The governor is expected to name a permanent leader soon.

"It's hard to know what the signals are," said Bonnie Holmes-Gen, a lobbyist for the American Lung Association of California. "Honestly, I don't want to say if (the changes are) a good sign or bad sign. We are waiting to see what happens."

### **Air board officials blame Schwarzenegger for weakening smog regs**

The Associated Press

in the Sacramento Bee, Fresno Bee, Contra Costa Times and Tri-Valley Herald,  
Saturday, June 30, 2007

SACRAMENTO, Calif. -- California Gov. Arnold Schwarzenegger has traveled the world in recent months touting the state's leadership role in battling global warming.

But two of California's top air pollution regulators, both targeted for firing by Schwarzenegger, are accusing the governor of undermining greenhouse gas regulations behind the scenes.

Former Air Resources Board chairman Robert Sawyer and Catherine Witherspoon, the board's longtime executive officer, allege the governor is interfering with the board's independence and working to slow aggressive action on climate change.

The controversy surfaced after the air board voted June 14 to ask the federal government for an 11-year extension to bring the San Joaquin Valley in line with clean air requirements.

Schwarzenegger said publicly that he was displeased by the vote and privately rescinded Sawyer's 2005 appointment to the board.

Schwarzenegger said he is asking legislative leaders and air regulators to meet with him to work out how the state should implement its landmark global warming law, which requires reduction of emissions by 25 percent by 2020.

"We have to get together, because I know that everyone wants to reduce (greenhouse gases) but we have different ideas. So let's bring everyone together," Schwarzenegger said Friday.

But Sawyer, 72, a professor emeritus in air quality science at the University of California, Berkeley, has alleged that he was fired because he refused to follow orders from top Schwarzenegger aides to approve no more than three clean air policy changes.

The three new regulations require the use of cleaner gasoline by 2010, ban consumer sales of vehicle air conditioner refrigerant and stiffen rules on methane emissions from landfills.

Sawyer said he voted against all three proposed changes because they don't go far enough, and proposed a fourth change himself. His proposal would require the use of highly reflective paints on automobiles to keep the interiors cooler.

"I'd received instructions from the governor's office not to add anything," Sawyer told the San Francisco Chronicle. "I felt that was not appropriate and that the integrity of the board was in jeopardy, so I pushed pretty hard on that."

Schwarzenegger spokesman Adam Mendelsohn disputed Sawyer's account. He said the governor had encouraged the board to be more aggressive in controlling greenhouse gases.

But air board executive officer Witherspoon backed Sawyer's story.

In memos to her board and in a statement after Sawyer's firing, Witherspoon accused Schwarzenegger's chief of staff, Susan Kennedy, and cabinet secretary Dan Dunmoyer of stalling or weakening air regulations for fear the board will go too far. The administration then publicly blamed the board for not doing more.

"We don't make a single move without pre-approval from the governor's office," Witherspoon said in an internal memo she provided to the Los Angeles Times. "I believe Susan Kennedy has an unreasonable fear that the air resources board is going to drive the Schwarzenegger administration off the cliff."

Schwarzenegger's Environmental Protection Agency secretary, Linda Adams, denied the administration is interfering inappropriately in the board's efforts to slow global warming.

"Of course the governor's office is going to monitor it. This is the governor's legacy," Adams said.

Schwarzenegger said he has asked air board and Democratic legislative leaders to meet with him to work out their differences on controlling climate change and air pollution.

"We will straighten out the trouble," he told the Times in an interview. "We just want to make sure ... that we are all going in the same direction."

Schwarzenegger said he is asking legislative leaders and air regulators to meet with him to work out how the state should implement its landmark global warming law, which requires reduction of emissions by 25 percent by 2020.

Meanwhile, San Joaquin Valley Air Pollution Control District officials said they will meet privately with Schwarzenegger aides Monday to defend their efforts to extend their smog cleanup deadline until 2024.

The district says the technology does not exist to fully meet the original 2013 deadline set by the federal government.

## **Air board official rips aides to Schwarzenegger**

**After her boss is fired, Catherine Witherspoon says the agency is at risk in the political dust-up.**

By Janet Wilson, Times Staff Writer  
L.A. Times, Saturday, June 30, 2007

The top staffer at the California Air Resources Board said Friday that the state's landmark Global Warming Solutions Act is being derailed — and that the board itself is in jeopardy — because of mismanagement and deceit by Gov. Schwarzenegger's top aides and "squabbling" between the governor's office and the Legislature.

Air Resources Board Executive Officer Catherine Witherspoon made the accusations the day after her boss, air board Chairman William Sawyer, announced he had been fired by Schwarzenegger for refusing to follow orders to limit the number of immediate greenhouse gas regulations, and refusing to fire her. The governor's office, which denied Sawyer's charges, on Friday named board member Barbara Riordan acting chair.

In an interview, Schwarzenegger responded to Witherspoon's claims by saying that it was crucial for everybody to "march in the same direction" on climate change and air quality, and that some actions taken by air board officials had disturbed him.

Saying there had been natural differences of opinion between him and the Legislature on how to implement greenhouse gas policies, he said he had asked Assembly Speaker Fabian Nuñez (D-Los Angeles) and Senate President Pro Tem Don Perata (D-Oakland), the authors of the Global Warming Act, to sit down with him and air board representatives to reach an agreement on what to do.

"We have to get together, because I know that everyone wants to reduce [greenhouse gases] but we have different ideas. So let's bring everyone together," Schwarzenegger said. "

As for Witherspoon's charges and Sawyer's firing, he said, "We will straighten out the trouble.... We just want to make sure ... that we are all going in the same direction."

The governor said one action by state air board officials that disturbed him was the decision to join San Joaquin regional officials in requesting an 11-year delay from the federal government in meeting ozone standards.

Schwarzenegger said it put the state in an awkward position when he was threatening to sue the Bush administration if it didn't promptly grant a waiver for the state to implement a companion greenhouse gas law to slash tailpipe emissions.

In internal memos to her board from earlier this month, which Witherspoon gave to The Times on Friday, and in a separate statement she wrote after Sawyer's firing, she painted a different picture.

She accused the governor's chief of staff, Susan Kennedy, and cabinet secretary Dan Dunmoyer of lying about their behind-the-scenes attempts to stall or weaken regulations to combat global warming and air pollution, then publicly blaming her and her staff for not doing more on those issues.

Kennedy declined to comment and Dunmoyer could not be reached.

In the memos, Witherspoon accused the governor's office of "extraordinary and unprecedented micromanagement" on the landmark global warming act, and said, "We don't make a single move without pre-approval from the governor's office.... I believe Susan Kennedy has an unreasonable fear that the air resources board is going to drive the Schwarzenegger administration off the cliff as it implements AB 32 and is taking that anxiety out on me."

In the separate statement, Witherspoon said she and her staff were "caught in the crossfire"

between the governor's office and the Legislature on how climate change policy should be implemented, with the agency's operating budget, personnel and managerial discretion all at risk as a result. Cal-EPA Secretary Linda Adams reviewed the documents and said Witherspoon's charges were untrue.

"AB 32 is the most significant piece of legislation affecting California," she said. "Of course the governor's office is going to monitor it. This is the governor's legacy."

## **Hill weighs in on air chair fallout**

Tri-Valley Herald, Saturday, June 30, 2007

AFTER Robert Sawyer, the chairman of the California Air Resources Board, was fired by Gov. Arnold Schwarzenegger Thursday, the Insider asked San Mateo County Supervisor Jerry Hill, who was appointed to the board earlier this year, to weigh in on the fallout.

The board's 11 members serve at the pleasure of the governor and are charged with setting and enforcing air pollution rules and regulations for the state. Sawyer, a professor emeritus of energy at the University of California, Berkeley, had been at the helm full-time for 18 months.

"He's probably the most credible man that I've ever met," Hill said. "I find him to be extremely intelligent, courageous, with the highest integrity and with a tremendous knowledge of air quality."

Initial reports were unclear as to whether Sawyer had resigned or been fired, but he cleared the air (no pun intended) on that one in the Los Angeles Times Friday.

"I was fired, I did not resign. The entire issue is the independence of the board and that's why I got fired," Sawyer told the Times. "I have board members going all the way back to (Gov. Pete) Wilson's time and they tell me they have never seen such a level of interference as is occurring at this time."

"I have not felt political pressure from anyone, directly," Hill said in response. "But I don't disagree with Dr. Sawyer's comments."

Sawyer's firing comes after the board approved a request by the San Joaquin Valley Air Pollution Control District on July 14 to seek an 11-year extension of a federal deadline to comply with air quality standards set by the Clean Air Act. The extension will give the region until 2024 — instead of 2013 — to bring its air pollution levels down to meet tougher standards.

"I was deeply disappointed," Schwarzenegger said in a statement issued Thursday. "The air board let the federal government off the hook by seeking delay."

The vote was 7-1; Hill said the board really had no choice.

"If you were to ban all automobiles, all diesel trucks, all farm equipment, you still would not meet the standard by 2013," Hill said. "You could ban everything, and you ain't solving the problem."

According to the Union of Concerned Scientists, more than 2,200 people in the region have died prematurely in the past two years because of dirty air. Fresno and Kings counties have the highest rates of childhood asthma in the state.

The air district is doing everything it can under current law and technology, Hill said, but it still won't be enough to meet regulations by 2013, given the extreme levels of air pollution there. It will have to bank on the development of future technology, Hill said.

"I'd change my vote in a minute if I could see the opportunities for emissions reductions that are not here today," Hill said.

Still, San Joaquin Valley has already decreased its emissions by 50 percent, Hill said, and will increase it an additional 70 percent by 2013.

Hill also hinted that the governor may have been irked after the board voted June 21 to approve three early-action measures to slow global warming.

"Sawyer, (UC Davis Institute of Transportation Studies Director Daniel) Sperling and I voted against the motion," Hill said. "The three of us wanted more early-action items, and we listed a few. We didn't prevail. "That was a very significant vote," Hill added. "I know there was a lot of pressure over that vote."

Sawyer told the L.A. Times that a Cabinet secretary "ordered him to limit to three" the number of early-action measures. Environmentalists, according to the Times, complained that the three measures were not enough, and Sawyer ignored the Cabinet secretary's order.

'This smells as bad as 80,000

dead salmon'

U.S. Rep Anna Eshoo,

D-Palo Alto, thinks Vice President Dick Cheney is up to something mighty fishy.

Eshoo is one of three dozen members of Congress from California and Oregon who signed a letter Wednesday calling for a congressional investigation into Cheney's role in the 2002 diversion of water from the Klamath River Basin. The diversion preceded the largest commercial salmon fishing disaster in U.S. history and devastated commercial and recreational fishing in San Mateo and Santa Cruz counties.

U.S. Rep Tom Lantos, D-San Mateo, also signed the letter.

The members made the request for hearings to U.S. Rep. Nick Rahall, D-W.Va., the chairman of the House Committee on Natural Resources, after the Washington Post reported Wednesday that Cheney pressured midlevel bureaucrats in the U.S. Department of the Interior to divert water from the Klamath River Basin to benefit Republican political prospects among Oregon farmers.

"This smells as bad as

80,000 dead salmon," Eshoo said in a statement. "Those who depend on salmon for their livelihood, including many of my constituents, deserve to know exactly what the vice president did to implement a water policy that circumvented the Endangered Species Act and devastated commercial, sport and tribal fishing in California and Oregon."

The diversion led to the death of about 80,000 salmon and still contributes to low returns of salmon to the Klamath. In 2006, low returns forced the closure of most commercial and recreational salmon fishing along the Pacific Coast, devastating fishermen at Pillar Point Harbor in Half Moon Bay.

"The Vice President is not above the law or immune from Congressional oversight," Eshoo said. "It's time for the vice president to come clean."

## **Port Truck Tracker keeps taps on Oakland deliveries**

### **GPS system will also assist in smog reduction**

By Erik N. Nelson, STAFF WRITER

Tri-Valley Herald, Saturday, June 30, 2007

While Apple fans may soon have cell phones that can play music, videos and surf the Internet, a growing number of truckers delivering containers from the Port of Oakland already have cell phones that may help fight smog.

Port officials announced Thursday that a new program with wireless phone company Sprint/Nextel allows shipping companies to keep much closer track of containers trucked out of the port.

The new system, called Port Truck Tracker, installs specialized software in cell phones carried by truckers that can track them to within 30 feet using a global positioning system. It will also allow truckers to report events such as the delivery of a container by pressing a single button on the phone.

Technology more commonly used by shipping companies requires truck drivers to call into a voice-activated reporting system and recite the number of their container, which often doesn't register properly, according to shipping executives familiar with the old system.

The new system can be environmentally helpful in that it allows trucking companies, shipping companies and the port to identify bottlenecks where idling trucks generate emissions and direct traffic to alternate routes.

The special cell phones would also allow shipping companies to track trucks that sit idling in West Oakland neighborhoods that are off-limits to trucks to limit residents' exposure to diesel exhaust.

When a resident calls to complain, a shipping company can instantly find the offending truck and call the driver, said Jose Duenas, president of the Bay Area World Trade Center, a partner in the new program.

"It lets us know where a trucker is in a certain area," Duenas explained, "and we can call and tell them to leave."

The system is now being used by about 10 percent of the 3,000 or so trucks that deliver containers directly from the port to destinations in California or other western states. Duenas said the system should be available to all truckers within a year. So far, an estimated \$600,000 has been spent on developing the system, much of it from companies that set it up, such as Sprint, which provided its wireless network through local partner Walsh Wireless, and Mountain View-based Xora, which provided GPS tracking software for both phones and computers.

The new system appears to be useful for redirecting trucks to reduce exhaust exposure to Oakland neighborhoods, but that will depend upon how accessible its data will be, said Brian Beveridge, an environmental activist who attended Thursday's announcement.

"The real bottom line is who controls this data, and how accessible is it," Beveridge said. "I'd like to log on and see a map and see all the little red dots moving around."

## **Power plant campaign irks residents**

### **San Leandro chamber's push for Hayward site blasted as 'outrageous'**

By Matt O'Brien , STAFF WRITER  
Tri-Valley Herald, Saturday, June 30, 2007

HAYWARD — An effort by the San Leandro Chamber of Commerce to drum up support for a controversial Hayward power plant project was received poorly by some Hayward leaders Friday.

"That's outrageous," said Hayward Councilman Kevin Dowling, shortly after the message arrived in his e-mail inbox on Friday afternoon. "These people don't live in Hayward. ... If it's such a great deal, why don't you bring it to your own city?"

The San Leandro business network e-mailed 1,100 people on its membership and e-mail lists, asking them to "join chamber leaders in showing support for the proposed Eastshore Energy Center."

The e-mail urged members to print out and mail a form letter to the California Energy Commission in support of the 115-megawatt gas-burning plant. It also warned that "a group of individuals is trying to kill" the project.

Dowling said he objected to the tone of the letter, a nearly identical version of which went out to members of the Hayward Chamber of Commerce last week.

The Hayward City Council voted unanimously to oppose the power plant in March, although the state has ultimate authority on whether it is built. The state Energy Commission has also reported receiving more than 1,300 letters against the plant so far.

"The council's against it, and most of the community is against it," Dowling said. "Everybody but the chamber is against it."

San Leandro Chamber CEO Diana Gentry said her organization decided to lend its support to the plant after receiving a request from Gordon Galvan, a local consultant for Texas-based plant developer Tierra Energy, and after talking to Tom Guarino, a community affairs representative for Pacific Gas & Electric.

Galvan is also a former San Leandro councilman who serves on the San Leandro Chamber's government relations committee. Guarino is a former CEO of the San Leandro Chamber who also serves on the government relations committee. Neither participated when the board voted last week to support the plant, Galvan said.

"We asked for their support," Galvan said. "We're going to ask a lot of people for their support. It's not just a Hayward issue, it's a regional issue."

Since the plans became known to the public late last year, proponents have argued that Eastshore's 14 internal combustion engines will help ensure safe, reliable electricity in the Hayward area. The facility would be a "peaker" plant, meant to generate energy for PG&E's power grid during periods of peak demand.

"As a chamber, we feel the project is good business," said Heidi Finberg, a former San Leandro Chamber CEO who said she brought the issue to the chamber's government affairs board on Galvan's behalf. "I don't know of any business, any real organized group, that is opposed to it."

Finberg said Galvan gave a presentation last week, and Guarino "spoke about it from an energy perspective."

Guarino did not return a call or e-mail for comment Friday, but PG&E spokesman David Eisenhauer called Guarino and was told that Guarino "abstained from voting" on the issue.

PG&E signed a contract more than a year ago to buy electricity from Tierra's future plant on Clawiter Road in west Hayward. But the investor-owned utility company has mostly avoided attending public meetings on the project, arguing that it is a third party to the proceedings and not directly involved.

"There's not a whole lot of information we can provide beyond what our contract is with (Tierra), to buy electricity from them," Eisenhauer said.

The e-mail sent to chamber members Friday indicates in the subject line that it is a paid advertisement for Tierra. It criticizes opponents who "ignore crucial facts" about the project's environmental impacts and its community benefits.

"Among the facts that they ignore is that California has a host of public agencies such as the California Energy Commission and the Bay Area Air Quality Management District that have scrutinized this project," the letter states. "Those who oppose the project prefer to utilize scare tactics and misinformation to create fear in individuals."

The air district has reviewed the project and determined it will comply with district standards as long as Tierra buys credits to reduce excess pollution elsewhere. The commission has not yet released its preliminary assessment of the project.

Gentry said chamber leaders voted to support the project because they believe it will help prevent rolling blackouts and brownouts.

"It has an effect on all businesses in Alameda County," Gentry said.

Andrew Wilson, a Hayward resident who has been one of the plant's most active opponents, said he believes the chamber's letter itself misinforms by overstating the specific local benefits to energy reliability.

"It's like a scatter network, it's not like a highway," Wilson said of the energy grid. "If you lose a line one place, they'll bring it in another way."

Critics have said they don't believe Clawiter Road is an appropriate place for the plant because it would be emitting pollutants less than a mile away from homes and schools. There is also another power plant, the 600-megawatt Russell City Energy Center, being proposed farther west in the same general area.

Gentry said the chamber has not taken a position on the Russell City Energy Center, or other power plant proposals, because it has not been asked to do so.

Galvan said the businesses represented by local chambers should be concerned about reliable power.

"You could generate in Tracy, you could generate in Reno, but then you have to build transmission lines," Galvan said. "It's needed here because this is where we have people living and working and businesses."

The Energy Commission's preliminary assessment of the Eastshore project, looking at environmental and other impacts, is scheduled to be completed by the end of July. The same assessment for the Russell City project was due Friday, and an official said it should be uploaded on the commission's Web site by this morning.

[Letter to Editor, Merced Sun-Star, July 2, 2007](#)

### **State should care more about cleaning air**

Editor: I am extremely outraged! This is my response to the article which was placed on the very back page of the A-section of the Merced Sun Star titled (in very tiny, light gray, type) "POLLUTION," with absolutely no reference to this article on the front page.

The headline went on to say in much larger, bold type, "State OKs plan to delay Valley air cleanup — (but added, in even smaller type than the previous headline word "pollution") "Protesters criticize the move wanted by the Valley air board." Let me add this little note: I AM A NATIVE CALIFORNIAN AND I SAY THAT IT IS NOT OK! OK?

The article written by Associated Press writer Garance Burke, with a Fresno dateline, in its very first paragraph states, "State air regulators voted Thursday to approve a plan asking the government for an 11-year extension to bring the San Joaquin Valley's smog laden air in line with current, tougher federal ozone standards."

This extension would be added to the already planned cleanup by the year 2012! Clean up the air by 2023? That simply means that we will have babies born today dying before their 16th birthday of any number of respiratory diseases!

A very poignant response in this article to this proposal by an obviously concerned parent, Melissa Kelly-Ortega, 36, of Merced stated, "My 3-year old was just given medication for asthma

last month!" Her seemingly adamant complaint continued with, "I'm very angry that they want to postpone cleaning up the air for the health of all in the Valley."

I am in total agreement with this very concerned mother! I am very angry!

I believe that every resident in the San Joaquin Valley should be angry! I think it's time to demand that the president declare both the San Joaquin Valley and our so-called leadership in Sacramento, total disaster areas.

Dying or suffering hideously in a semi-death state from toxic air in California is no different than drowning or becoming permanently homeless from a levee break in Louisiana!

RON ARAGON

Merced

[Fresno Bee editorial, Sunday, July 1, 2007:](#)

### **Flurry of action on air quality**

**Local, state agencies launch barrage of activity for cleaner Valley air.**

There have been several bits of good news emerging on the Valley's air quality front recently:

#### **Fresno County lowers emissions**

Fresno County now has a vehicle fleet that is 95% low-emission or better, and it has a plan in place to boost that figure to 100% by 2015. That performance makes the county a leader among government agencies and private institutions in the Valley in the clean-air effort.

The county is purchasing only vehicles that meet low-emission or ultra-low emission standards as its fleet ages and needs replacement.

Supervisor Judy Case, who awaits confirmation as the newest member of the California Air Resources Board, said, "This is great movement forward in our effort to improve the air quality of our Valley. We must take every operative step possible to make our air safe for generations to come, any way the county can be of service to that end is our goal." Bravo.

#### **A burning exception revisited**

The San Joaquin Valley Air Pollution Control District has revised a plan that would have given a blanket exemption to all farms to burn up to 20 acres worth of orchard pruning and removed trees each year, in favor of a case-by-case system that would require establishing an economic justification before issuing a permit to any farm that is larger than 100 acres. Those farms would still be subject to the annual 20-acre burn limit.

The air district also must track such burning and report to CARB within one year on any permits issued under the rule.

The Valley air district landed in hot water when it adopted the original plan without concurrence from CARB, as required by law. The argument advanced for the exemptions was that smaller farms might face an economic hardship, because they can't afford to employ alternatives to burning, such as chipping.

Sen. Dean Flores, D-Shafter, author of the original open-field burning ban, said he is working on ways to use funds from sources such as the Carl Moyer program -- which funds the replacement and retrofitting of older, dirtier diesel engines used on farms -- to help pay the costs of the expensive chipping equipment.

#### **Governor takes a swipe at CARB**

Robert Sawyer, the head of the California Air Resources Board, resigned Thursday, an apparent bureaucratic victim of his board's approval of the Valley air district's plan to delay the full clean-up of the Valley's dirty air. CARB's action provoked a stinging rebuke from Gov. Arnold Schwarzenegger.

"There are few environmental issues facing Californians that are more important to our children's health, our quality of life and our economic security than air quality," Schwarzenegger said in his June 22 statement. "When one out of six residents in the San Joaquin Valley has been diagnosed with asthma and one in five children carry an inhaler to school, it is a call to action."

The governors' next step should be to signal his support for Senate Bill 719, which would add two representatives from the Valley's largest cities, as well as two medical and scientific experts, to the governing board of the Valley air district. The board is currently dominated by county supervisors, who have often been more protective of the economic status quo than of the health of Valley residents.

### **Valley air district joins lawsuit**

And lest we be accused of forever bashing the Valley air district's board, here's a bit of well-deserved praise. The board voted to join the state's lawsuit against the federal Environmental Protection Agency over a long-delayed waiver for California in setting greenhouse gas emission standards.

The Valley district is the first in the state to join the suit, which is part of an aggressive effort by Gov. Schwarzenegger to reduce greenhouse gas emissions by passenger cars, light-duty trucks and medium-duty passenger vehicles beginning with the 2009 model year.

California has the right, under the Federal Clean Air Act, to set its own vehicle-emission standards, because it already had stricter standards in place when the federal legislation was first enacted. But EPA must grant a waiver for such actions, and it has dawdled for months without acting. Other states have a right to adopt California's standards as their own, but only after the EPA grants a waiver, and that has been strongly opposed by the automobile and oil industries.

The Valley air district is handcuffed by the fact that it has no authority to regulate vehicle emissions, but more than half of our smog comes from such sources.

Joining the lawsuit is a strong message to the federal government that we're tired of powerful economic interests calling the shots on the health of Valley residents. Well done.

[Letter to the Editor in O.C. Register, July 1, 2007](#)

### **Letter: No global environmental theory is infallible**

By GREG BLAIR

The current debate over global warming, the "climate crisis" and the effect that automobile emissions, industry, and personal consumption have on fluctuations in the Earth's temperature has overtaken political action at every level of government. Federal offices and, especially in California, state and local agencies are all in the midst of drafting and enacting environmental legislation aimed at reducing mankind's impact on the Earth's condition as we know it.

The line on this issue is drawn as one might expect in the political forum. The political left, led by Al Gore and major environmental groups, relentlessly clutches global warming as it aims to draw environmental issues to the forefront of the American consciousness. The Bush White House does little more than pay lip service to the subject, only saying enough to ward off more criticism about its reluctance to embrace an issue that is, at this point, far more political than it is scientific.

While there are clear divisions in the national political culture, there is very little educated discourse on the topic. Those who embrace the pro-environment cause leave no room for discussion on the matter – if one is not a believer, one is simply ignorant of indisputable scientific evidence. Moving away from this side of the spectrum, there is a sector of the political class and the American public that is being deprived of fair political and scientific debate. This sector encompasses everyone from reasonable skeptics to the staunchest opposition. These voices are rarely heard. Instead, they are muffled by those who embrace global warming as their foremost political cause and are quickly discredited in the public's eye by those that claim to have science on their side. In a fundraising letter distributed by the Democratic Congressional Campaign Committee on June 25, Gore claimed that the solution to the global climate crisis continues to stall because the "Republican political environment [is] rigidly hostile to reason, knowledge, and the facts."

There is a good deal of evidence to suggest that Gore and the environmentalists are correct about global warming. Since the Industrial Revolution, and particularly in the past century, the average global temperature has risen a moderate amount. Environmental advocates attribute this to increased carbon levels in the Earth's atmosphere, an increase for which humans are directly responsible. This explanation is a plausible one and should be considered by all who hold an interest in reaching a reasonable conclusion through educated political and scientific dialogue.

The evidence behind this explanation, however, is not as infallible as Gore implies. Those who fall on the other side of this debate can point to equally compelling data that suggests that the recent global warming trend is a mere coincidence, that temperatures can be expected to continually rise and fall over the extensive course of the planet's history, and that the environmental revolution that the political left is attempting to spark is based far too heavily upon observations made in a time frame that represents only a small fraction of Earth's 4.5 billion-year existence.

What should be clear is that the jury is still out on this topic. Each side can make convincing arguments that rely on indisputable facts, but truthfully, neither can conclude with full certainty that their stance on global warming is correct. Unfortunately, this debate is entirely one-sided in the public forum. Gore has become today's Joseph McCarthy, calling his adversaries' honor and intelligence into question without so much as allowing a legitimate and well-defended opposition to exist.

While it is impressive that Congress, state legislatures, and local bureaucracies are all able to act with such expediency to prevent further global deterioration, they are doing so with haste. Their solutions, ranging from costly to absurd, include alternative fuel sources and a [ban on wood-burning fireplaces in Los Angeles County](#) homes. This is undoubtedly a result of the environmental lobby and prominent politicians claiming the higher ground on the issue without careful consideration and debate taking place amongst themselves and the public. Instead of enacting costly, long-term and rash environmental policies, these governmental bodies should consider short-term answers – in this case, it probably is better to be safe than sorry – while the scientific community continues to gather more conclusive evidence that can either prove or disprove the notion of harmful, manmade global warming.

In accusing Republicans and other nonbelievers of subverting a solution to the climate crisis by refusing to adhere to science and reason, Gore demonstrates that he is, in fact, responsible for the notable lack of responsible dialogue surrounding global warming. This presents a danger to both the scientific and political communities that take this matter under consideration by removing reasonable arguments and demanding rigid action in a predetermined direction. Ultimately, this robs voters and legislators of the opportunity to engage in sensible discussion before determining and consenting to feasible and prudent solutions.

Greg Blair has a BA in government from Claremont McKenna College in Claremont. This fall he will begin the M.A. program in American Government at Georgetown University

[Fresno Bee commentary, Saturday, June 30, 2007:](#)

## **HAYLEY MINICK: California can't afford to miss this train**

California's downright dangerous air pollution problem hits close to home for Fresno residents; it takes only a glance out the window to spot the familiar haze that hangs over our home.

The knowledge that Fresno -- with the third-worst air quality in the nation -- has the chance to take part in a statewide step toward cleaner air is incredibly hopeful. In the true spirit of California's history of preeminent technology and forward thinking, the proposal for a high-speed state rail system offers a realistic and exciting way to combat pollution.

Could the plan be frozen in its tracks without Valley action?

Considering Fresno's shared concerns with California at large -- exploding population, gridlock traffic and pollution-induced health and agricultural problems -- the eco-friendly innovation emerges as a powerful, 220 mph weapon against Valley smog.

Today, the proposal hangs in state government limbo despite the promise of major social and environmental advances. In the wake of surprising recent support from Gov. Arnold Schwarzenegger, Fresno residents and local government must hold state leaders accountable for promises that deeply affect the Valley.

California's high-speed rail has been in the planning stages for more than a decade, shoved onto the back burner by state government mired in demands to expand highways and airports. Schwarzenegger's bonds designed to raise infrastructure revenue max out California's borrowing capacity for the next decade, possibly spelling death for progressive rail plans. A \$9.9 billion high-speed rail bond has recently been secured on the 2008 ballot, leaving proponents of the high-speed rail hopeful despite the state's long-running dismissive attitude. If the plan is axed, Valley residents stand to miss a wave of impressive improvements.

The project brings the state together -- connecting San Diego and Los Angeles with Sacramento and the Bay Area through the Valley. High speeds and affordable prices transform a trip from San Francisco to Los Angeles into 2 1/2 hours of comfortable conditions. Opponents of the rail say airports and highways come first, and insist Californians will never give up driving. Yet project planners don't expect the vast majority of citizens to sell their cars; in fact, the California High Speed Rail Authority reports that beefing up highways and airports may cost more than double the \$33 billion for the rail system. Enormous emissions reductions are still predicted without the expectation of empty highways.

Funding remains Schwarzenegger's key concern for future of California's rail plan, and a point of intervention for local leaders and investors. By 2030, a consulting firm estimates potential annual rail-use at almost 117 million passengers. That level of ridership could generate up to \$3.9 billion in annual revenue. With proper planning and private fundraising, money can still go toward fixing neglected highways in a reasonable manner.

The authority's preliminary report attributes more than 30% of funding to private sources, and a detailed financial plan that promises not to overburden state budget. Fresno residents, bogged down by abysmal air quality and unemployment, cannot deny the need for decreased traffic, cleaner air and a generation's worth of well-paying jobs in many industries (including local light rails) that help maintain the system.

With countless benefits, the California high-speed rail proposal is a golden plan for a state with great environmental aspirations; that is, if Fresno works together with state government to turn ideas into action, and make funding a tangible reality. Coupled with California's climate policy aiming to bring state emissions down 29% to 1990 levels, the high-speed rail can reinforce our

position as an environmentally aware state that relishes 21st century innovation with a conscience.

Pushing local leaders to embrace "greener" community ideals and encouraging private fundraising has already sparked an unprecedented response from Schwarzenegger. Fresno shouldn't miss an opportunity to show its heart and deep ties to the rest of California by trumpeting a genuine investment in the future.

Surely a state government with a history of visionary politics wouldn't withhold the chance for a brighter, cleaner future from its citizens; stifling the high-speed rail proposal by offering unreasonable funding is such an action.

My hopes and dreams for the Valley are entwined with the beautiful land I want my family to enjoy, without smog-induced asthma, for generations to come. The possibility of a high-speed rail looms on the horizon, and requires the support of Californians -- especially in the heart of the Valley -- to build it with community awareness and careful planning. Share in a hopeful vision for your home and future, and let local and state leaders know what Fresno residents deserve.

*Hayley Minick, a student at Stanford University, is a graduate of Clovis West High School.*

[Visalia Times-Delta, Editorial, Monday, July 2, 2007:](#)

### **Expansion of bus routes good use of Measure R money**

Thumbs up to the Tulare County Board of Supervisors, which this week voted to dedicate more than \$375,000 in Measure R transportation money to expand bus service to specific rural routes served by the county transit service.

Specifically, service will expand to Woodlake, Lindsay, Porterville, Earlimart and Cutler-Orosi, among others. The upgrades will include earlier and later bus service on weekdays and Saturday service on four routes to outlying communities that previously had no weekend service.

We hope the expanded routes are a success and will prompt even more expansion of public transit.

The move impressed us for a couple of reasons. First, these rural communities deserve to have transportation opportunities to the major population centers, including opportunity for shopping, recreation, business and worship, just as others do.

Many of these communities contain populations that do not have access to private transportation.

We have reported in the past that those people are often victimized by the lack of public transit: They end up paying exorbitant prices for a simple ride to town.

In short, this was the right thing to do, and the supervisors showed some class in taking this action.

The decision also showed the willingness of supervisors to make public transportation and alternative transportation when dedicating Measure R transportation funds.

We're realistic: We understand that the lion's share of Measure R funds will go toward roads and other projects that continue to serve private, single-passenger vehicles. Public and alternative transportation will probably have to continue to scrape for its share of the funding.

But last week's action showed that the supervisors are not going to ignore public transportation, and they recognize they can make a significant contribution with a small amount of money immediately.

The fact is that money invested in public and alternative transportation saves us money in the long run -in funds spent on road maintenance and [cleaning our polluted air](#).

The supervisors' action didn't cost that much and was a win all the way around.

[Bakersfield Californian, Editorial, Monday, July 2, 2007:](#)

### **Muzzle guzzlers**

House Majority Leader Nancy Pelosi must take steps to ensure that the Senate's passage of higher fuel-efficiency standards does not run out of gas in her chamber.

By a vote of 65-27, the Senate passed an increase in the corporate average fuel economy standards for cars and light trucks from 25 miles per gallon to 35 miles per gallon by the year 2020.

The vote was a realization of the impacts of global warming, high fuel prices and pressure from states like California to reduce greenhouse gas emissions.

The problem for the bill is in the House of Representatives.

There, Rep. John Dingell, chairman of the Energy and Commerce Committee wants to make the Senate measure a part of a much larger bill emphasizing alternative energy and using such things as pollution offsets, incentives for energy-efficient "green buildings" and the like.

It is no coincidence that Dingell wants jurisdiction over the bill. He represents Detroit and has long protected the auto industry. He promises "grand, good bare-knuckle fight" on the fuel economy measure.

Pelosi has the authority as Speaker to bring the Senate bill to a vote on its own, without being buried and amended to nothing as part of a much larger and more complex bill.

We hope she does that, even if it risks the ire of Dingell, who has been an ally of Pelosi's more often than not.

[S.F. Chronicle commentary, Monday, July 2, 2007:](#)

### **Open Forum**

#### **Abandon your car and help spare the air**

By Mark Ross

Now, more than ever, Bay Area residents can help "spare the air."

If the catch phrase, "now, more than ever," is familiar, then you're old enough to remember President Richard Nixon's 1972 re-election campaign slogan -- an updated version of the 1968 "Nixon. Now" missive.

What's less remembered is the Republican president's creation of the Environmental Protection Agency in 1970, which set in motion the passage of the Clean Air Act and implementation of federal air-quality standards. Regional levels of smog were to be limited to .080 parts per million of ozone averaged over an 8-hour period. Ozone, the primary constituent of smog, brewed in sunlight from nitrogen oxides from cars and trucks, as well as volatile organic compounds from paints, hairspray and lighter fluid, was not to exceed prescribed limits, lest the federal government withhold federal highway funds to regions failing to attain the standard and thus exposing the public to the harmful effects of ozone at ground level.

Meeting these public health goals of reducing ozone in the air is a formidable challenge for the Bay Area and will require even greater participation from residents on "spare the air" days.

The harmful effects of ozone include breathing impairment for the young, the elderly, people with asthma and active adults. Prolonged exposure to ozone can lead to permanent lung damage and possible cardio-pulmonary effects. Severe exposure episodes, such as last year's hot summer in the Bay Area, may induce premature death rates as well.

The body of health and epidemiological evidence cataloguing the impacts of ozone (and particulate matter) has grown so much that the EPA announced earlier this month a proposed downward revision in the ozone standard to a range of .070-.075 parts per million, to be implemented in 2013 if adopted.

The Bay Area is already subject to the California EPA standard of .070 ppm and has already exceeded the state benchmark four times. Last year, the Bay Area breached the federal level of .080 ppm 12 times during a memorably hot summer.

In the last few years, an estimated 12 percent of Bay Area residents have responded to "spare the air" days by taking mass transit, reducing or eliminating car trips and other activities that help reduce the formation of smog. Free rides on BART, buses and ferries have been added on particularly smoggy days to reduce driving because 60 percent of the smog precursors are emitted by vehicles.

While a marked increase in transit ridership speaks well to the legendary concern Bay Area residents have shown toward matters environmental, these efforts will continue to fall short of meeting the air standard goals without a wider -- much wider -- involvement by individuals.

These individual actions, along with a large menu of source reductions resulting from commercial, industrial and governmental regulation, will determine the success of keeping air quality within the realm of the tolerable for many during summer heat waves.

With the proposed new ozone standard, it may require one-quarter to one-third of Bay Area residents -- not 12 percent -- to engage in some form of a "spare the air" activity if the new federal (and current state) goals are to be met.

This fixation on making the numbers isn't just some bean-counting concern, although failure to meet the air quality standards may result in the federal government withholding \$600 million to \$800 million in highway funds for federal projects. It is a serious public health concern affecting life in the Bay Area.

And, as we become increasingly aware of global warming concerns, just think of participating in "spare the air" efforts this way: Take the bus and reduce your carbon footprint.

Free transit is an experimental strategy that will last as long as Bay Area residents avail themselves of the option in numbers sufficient to reduce pollution. More of us must get on the bus.

In Nixon's campaign parlance, now, more than ever, Bay Area residents should consider their options when a "spare the air" day is called, as the quest for cleaner air is growing more challenging.

*Mark Ross is the chairman of the Bay Area Air Quality Management District Board and a member of the Martinez City Council.*

[Fresno Bee editorial, Monday, July 2, 2007:](#)

### **Senate should pass solar bill**

**AB 1470 to cut install cost of solar water heaters.**

Anyone who has visited Hawaii with any frequency has probably taken a shower with water warmed by a solar-powered water heater. Because of its combination of plentiful sunshine and high energy prices, Hawaii promotes and subsidizes this clean form of water heating more than any other state.

Most of California -- and especially the San Joaquin Valley -- has more sunny days than Hawaii, but as yet the state hasn't seen the light of solar water heaters. Only about 1,000 of them are installed statewide.

That could change dramatically if lawmakers approve Assembly Bill 1470, which would help homeowners reduce the costs of heating water with the rays of the sun.

AB 1470, by Assemblyman Jared Huffman, D-San Rafael, would set a small surcharge on gas bills to generate \$250 million over 10 years. Combined with a federal tax credit, this pool of funding would help homeowners halve the cost of installing solar water heaters.

Such installations now cost roughly \$4,000 to \$6,000 per home and pay for themselves, in reduced utility bills, in about 20 years. If Huffman's bill were to be enacted, homeowners could install solar water heaters at a cost of \$2,000 to \$3,000 per home and have the units pay for themselves in as little as 10 years.

Huffman's legislation deserves passage for the same reason lawmakers and Gov. Arnold Schwarzenegger last year enacted Senate Bill 1, which created a subsidy for solar electric technologies.

Not only do these subsidies help individual homeowners, but they create economies of scale that encourage mass production of solar technologies, making these technologies more viable and self-sustaining compared to other forms of energy.

More solar means less air pollution, fewer greenhouse gases and more protection against gyrations in wholesale energy prices.

Of course, making solar more viable also means that gas producers and some utilities may lose some business.

This appears to be a main reason that Sempra Energy, parent of the Southern California Gas Company, is opposing Huffman's bill. (To its credit, Pacific Gas and Electric is supportive).

AB 1470 has passed the Assembly, but could face a tough ride in the Senate Energy Committee on Tuesday. We'll be watching to which senators warm up to this worthy legislation, and which ones are carrying Sempra's cold water.

[Letter to the Fresno Bee, Sunday, July 1, 2007:](#)

### **'An ongoing problem'**

Is Gov. Arnold Schwarzenegger considering running for re-election? Or has the Valley's air pollution problem finally grown large enough to gain the attention of political leaders outside of the San Joaquin Valley?

In The Bee's article, "Valley smog timeline knocked" [June 26], Gov. Schwarzenegger called on Valley air regulators to set an earlier deadline for air pollution recovery. The governor referred to the San Joaquin Valley as one of California's "areas with significant air quality issues."

As one of the many children of the Valley who struggled with asthma, I must ask, what defines "significant air quality issues"? By moving the air cleanup deadline to a later date, California

would get to keep about \$2 billion in road-building money. Could this be the incentive behind the governor's new agenda?

Although a move for cleaner air has Valley residents breathing an audible sigh of relief, Fresno County Supervisor Judy Case makes a good point, noting that instituting a deadline isn't a solution to an ongoing problem.

*Sarah Curtis, Selma*

[Tracy Press, Letter to the Editor, Friday, June 29, 2007](#)

## **Community's health at risk**

EDITOR,

Lawrence Livermore National Laboratory has been conducting experiments since 1955 that contaminate the soil, air and groundwater, and they put our community's health at risk. Concerned members of our community must seize this opportunity to improve health prospects for future generations.

The lab's bomb component testing ground, Site 300, is southwest of Tracy. Many contaminants are cancer-causing substances left from radioactive explosions. The Livermore lab is expanding these polluting experiments.

Tri-Valley Communities Against a Radioactive Environment is the watchdog organization for the lab, and, while interning there, I quickly became alert to the harmful repercussions these experiments have. This might seem like just another item on the cancer-causing list, but Americans can actively prevent this contamination from continuing, and achieve proper cleanup of the toxic materials already in our soil and water.

The lab's 2008 cleanup proposal is inadequate and under review. This plan will be the deciding factor in determining "how clean is clean" for final standards. Under the current design, the lab will "clean up" many of its contaminants, but leave in the environment as much as it can get away with. As a health-conscious college student, this is not good enough for me — and it should be equally unacceptable for every family in the area.

I urge your readers to express their concern and recommendations for a comprehensive cleanup by submitting written comments to the Department of Energy. Each recommendation will be taken into account for the revision of the cleanup plan. Comments are accepted until July 25. Refer to <http://www.trivalleycares.org/> for details.

Sheyda Sabetan, Pleasanton

[Sacramento Bee Editorial, Monday, July 2, 2007](#)

## **Editorial: Warming up to solar Bill on water heaters deserves passage**

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