

Air board requests EPA extension to clean up dirty Valley air

In the Modesto and Sacramento Bee, and the Contra Costa Times, Tuesday, Nov. 20, 2007

FRESNO, Calif. - State air regulators are asking the federal government to grant them an 11-year extension to bring the San Joaquin Valley's smoggy air in line with current federal ozone standards.

If approved, California's farm belt will be the first region in the country to be granted the extra time by the U.S. Environmental Protection Agency.

Pollutants from tailpipes, smokestacks and livestock waste all contribute to smog in the valley, which is one of the nation's dirtiest air basins.

The California Air Resources Board requested the extension from 2012 until 2023 on Friday. They say under their proposed plan 90 percent of valley towns would have clean air by 2018.

State, auto industry face off in court over greenhouse gas law

By Dale Kasler

Sacramento Bee, Tuesday, Nov. 20, 2007

FRESNO - California's epic battle with the world's automakers over global warming neared a climax in a courtroom here Monday.

Lawyers for the state and the auto industry clashed over the fine points of a California law that would force manufacturers to significantly reduce vehicles' greenhouse gas emissions, starting with next year's models. The auto industry, arguing that the technological obstacles would explode the prices of new vehicles - harming sales and erasing tens of thousands of jobs at America's auto plants - is suing to have the law tossed out.

State lawyers pressed for a ruling Monday that would dismiss the suit outright. The automakers' lawyers sought a ruling that would award them victory without a trial. U.S. District Judge Anthony Ishii said he will rule at a later date.

The law, AB 1493, takes aim at tailpipe emissions, which account for about 40 percent of California's greenhouse gases. It requires a 30 percent reduction in those emissions by 2016.

Even if the law survives the challenge in Fresno, the state still needs a ruling from the U.S. Environmental Protection Agency before it can take effect. Two weeks ago California sued the Bush administration, saying that the EPA is dragging its feet over the state's request for the ruling.

The flood of litigation shows how California has struggled to turn its lofty ideas on global warming into something with teeth. It has been fighting the automakers for three years over AB 1493, which passed in 2002. The fight with the EPA could mean considerable delays in implementation of the law.

The law's fate has an impact well beyond California's borders. Eleven other states have adopted copycat laws, and five others are considering doing so, but they can take effect only if California is allowed to implement its law.

Monday's tussle turned on a key argument by the automakers: that the California law would require a huge leap in fuel-economy standards, an issue they say is exclusively under the authority of the National Highway Traffic Safety Administration. The automakers contend mileage standards would have to improve to 43 mpg from the current 27.5 mpg for passenger cars by 2016.

"They call it a greenhouse gas regulation. ... At its core, this is a fuel-economy standard,' attorney Andrew Clubok, representing the world's automakers, told the judge. He said California regulators' internal documents refer to "the dreaded two words: 'fuel economy.' "

Clubok said California is doing something that is fundamentally unfair. It is seeking a "free license" to impose its will on Michigan, Ohio and other states where car manufacturing is a big part of the economy.

"This regulation will lead to job losses - the only question is the magnitude," he said.

Automakers have calculated that AB 1493, which was signed into law by then-Gov. Gray Davis, could raise vehicle prices by as much as \$6,000 per vehicle. "There's no free lunch," Clubok said in an interview during a break, adding that job losses in auto plants would total at least 65,000 as vehicle sales plunge.

California officials dismiss those projections, saying automakers already have developed, or are working on, most of the technological improvements needed to meet the law. They believe the additional cost per vehicle is no more than \$1,800.

They also said that if the California standards are too burdensome or costly for the automakers to meet, that's for the EPA to decide.

"The forum for that is the EPA waiver proceeding," attorney David Doniger, representing the Natural Resources Defense Council, said in an interview. The environmental organization is working with the state to defend against the automakers' lawsuit.

During Monday's two-hour hearing, Doniger and Marc Melnick, a deputy state attorney general, told the judge that three big legal decisions this year give added weight to California's arguments.

First, the U.S. Supreme Court ruled that the EPA has a duty to clamp down on greenhouse gas emissions just as it regulates other forms of air pollution.

Second, a federal judge in Vermont - one of the 11 states to adopt a law identical to California's - recently ruled against a similar suit by the automakers. A lawsuit by the automakers against Rhode Island, which also has passed an identical law, is pending.

Finally, last week a federal appeals court in San Francisco ordered the Bush administration to toughen the fuel economy standards for sport-utility vehicles, minivans and pickup trucks. The court said the administration had overlooked, among other things, the impact those vehicles have on global warming.

State officials believe the three cases will create a domino effect that will tip the Fresno case their way. But they also acknowledge that a huge battle still looms at the EPA.

Federal law says only the U.S. government can regulate air pollution. There's one exception: California can impose its own standards if it gets a waiver from the EPA. Other states can then copy California's standards.

California has received more than 40 such waivers on issues ranging from catalytic converters to smog restrictions. But state officials anticipate problems with AB 1493 and have already threatened another suit against the Bush administration if the waiver request is denied.

"We can't do anything until we get an EPA waiver," Melnick said.

Yellowstone Gets New Snowmobiling Limit

By Ben Neary, Associated Press Writer

In the N.Y. Times, S.F. Chronicle and other papers, Tuesday, Nov. 20, 2007

Cheyenne, Wyo. (AP) -- Snowmobile travel in Yellowstone National Park will be restricted to 540 trips per day starting in the winter of 2008-09, the National Park Service decided Tuesday.

Conservationists had wanted a ban on snowmobiling in the park, saying it causes noise and air pollution. In a recent letter, 86 members of Congress - none from states surrounding Yellowstone - asked the National Park Service to phase out snowmobiles due to pollution concerns.

Snowmobiling enthusiasts and some local business owners had wanted the daily limit increased, saying the activity brought income to local economies.

"This decision is fully supported by the science, and I believe it's the best professional judgment of the managers at Yellowstone as well as this region as a way to go forward," said the park service's regional director, Mike Snyder.

Snowmobiling limits this season will remain the same as last year, when 720 commercially guided snowmobiles were allowed in the park per day.

Yellowstone had as many as 1,400 snowmobiles daily during the 1990s, when louder, more polluting two-stroke engines were the norm.

Bill Wade of the Coalition of National Park Service Retirees said the decision ignored science and was not good for the park, the park system and the American people.

"It circumvents the conservation emphasis that has guided management of the national parks since the establishment of the National Park Service in 1916," Wade said.

Franz Camenzind, executive director of the Jackson Hole Conservation Alliance, said he could not comment on what options may be available to snowmobile opponents in fighting the decision.

"Ultimately, we would like to see individual snowmobiles phased out of the park," Camenzind said.

[Contra Costa Times, Opinion, Wednesday, Nov. 21, 2007:](#)

Editorial roundup

By The Associated Press

Excerpts from recent editorials in newspapers in the United States and abroad:

Originally appeared in the (Melbourne) Florida Today, Tuesday, Nov. 20, 2007

Our view: Pollution in port

Congress should pass bill making ships in U.S. waters clean up their act

While America has for years fought the pollution created by cars, factories and power plants, another type of pollution has been pouring into the air with little public note.

It's the residue from the stacks of countless oceangoing ships, some of which burn the dirtiest fuel on the planet.

The results of a new study by the University of Delaware and others show the pollution calls for investigation, for the health of those living near ports, including Port Canaveral.

On entering a harbor, one ship can make as much smog-generating pollution as 350,000 cars.

That's because the fuel has nearly 2,000 times the sulfur content as diesel fuel used on our highways -- and ships' emissions are largely unregulated. The result, the study estimates, is that 64,000 people worldwide die annually from pollution-connected heart and lung disease.

The study also found Florida, home to almost half the world's cruise market, is among the most heavily impacted areas.

Some industry officials call the claims exaggerated. But the Cruise Lines International Association says it's on board with pending proposals to significantly cut pollution, and we hope they aren't just blowing smoke.

The economic impact of Port Canaveral is \$1.5 billion a year, but it must be balanced with attention to the well-being of local residents.

Congress should pass a bill now under consideration to require ships to burn cleaner fuels in U.S. waters, and also put more pressure on foreign-flagged ships that profit from visiting our ports.

Clean air is everyone's concern.

[Modesto Bee, Letter to the Editor, Wednesday, Nov. 21, 2007:](#)

Lack of political will keeps valley air dirty

Regarding "Public bares concerns at Air Board meeting" (Nov. 9, Page B-3): The task force announced that only 90 percent of clean air goals can be met by 2017, 100 percent by 2024. This is only the opinion of California Air Resources Board staff; many task force members disagreed.

Research supports the goal of 100 percent cleanup of ozone by 2017, which means the 90 percent goal could be reached years earlier. This is not a statistic to be lightly tossed around, as each year of bad air

causes thousands of people to suffer needlessly. Health effects of air pollution cost the valley more than \$3 billion each year. Ozone also reduces yields of some crops up to 20 percent.

Experts insist that feasible technologies exist to clean the valley's ozone by 2017. The problem is not lack of technology, it is lack of political will. Once the responsible agencies put the health concerns at least on par with the financial considerations of the pollution sources, then we can expect to see the energy, resources, and imagination brought to bear that are needed to resolve this crisis before another generation of children has to grow up with reduced lung capacity.

LISA KAYSER-GRANT, Merced

[Note: The following clip in Spanish discusses the call to amend the dairy ordinance in Fresno County until it is determined what will be the environmental impact on air quality and water. For more information, contact Claudia Encinas at \(559\) 230-5851.](#)

Frenan permiso ganadero en California por impacto ambiental

Noticiero Latino

Radio Bilingüe, Wednesday, Nov. 21, 2007

Una comisión de California pidió al condado de Fresno detener un permiso a ganaderos para revisar el impacto que tendrán proyectos, denominados mega-establos, en la calidad del aire en la región, una de las más contaminadas en el país.

La Comisión de Salubridad Ganadera de Fresno pidió al cabildo de gobierno que más que detener el permiso, lo anule, para diseñar reglamentos.

Los megaproyectos podrían aumentar unas 35 mil cabezas a establos en esa área que enfrenta fuerte deterioro del aire.

La ganadería es una de las principales fuentes generadoras de gas butano, que sobrecalientan la tierra y perjudican el aire.