

## **S.J. dairyman takes over air board**

By Alex Breitler - Record Staff Writer

Stockton Record, Monday, January 7, 2008

STOCKTON - A dairyman from Tracy is about to take charge of an entity that many of his fellow farmers distrust or resent: the board of the San Joaquin Valley Air Pollution Control District.

Farmers have long felt that they bear too much of the burden for reducing the Valley's air pollution problems, although environmental groups disagree.

Now Leroy Ornellas, a San Joaquin County supervisor and dairyman by trade, will chair the board at its 2008 monthly meetings in Fresno beginning Jan. 17.

It may be a bit awkward.

"Here I am, in the belly of the beast," Ornellas, 63, said. "But I think it's important that someone with some kind of agricultural background is there."

Ornellas has been with the air quality board only one year before being rotated into the chairmanship. That's not much time to get up to speed on complicated science and reams of regulations.

That one year, however, saw more than enough controversy as the district decided it needed more time to meet federal ozone standards, triggering criticism from health and environmental groups.

Ornellas said he expects the board to tackle 40 to 50 new regulations in the next four years to try to meet the ozone standard by 2017 rather than its predicted 2023.

"I think we all bear responsibility, and we all have to help," he said. "We have to do this in a fair and reasonable manner," without shutting down the Valley's economy.

It's a bit ironic that a San Joaquin County representative has taken the helm of the district. The air here, after all, is much better than in the southern end of the Valley. San Joaquin County by itself already meets the ozone standard.

Nevertheless, those who live here are faced with the same rules as everyone else in the Valley, Ornellas said, making his job with the board more than relevant.

At his very first meeting as chairman this month, the district will discuss seeking \$300 million to \$400 million in voter-approved Proposition 1B money from the state. Those funds would be used to retrofit old diesel motors and help trucking companies purchase more efficient vehicles, he said.

Another key issue will be the formation of a plan to reduce tiny particulate matter in the Valley.

The San Joaquin Farm Bureau Federation sees Ornellas as a friend in his new role.

"This isn't a dream job by any means," said Bruce Blodgett, the bureau's director. "We're pleased that he's willing to do this, to provide some balance from an agricultural standpoint."

## **Red lagoon offers boon for dairies**

By Carol Reiter

Merced Sun-Star, Friday, Jan. 4, 2008

There are 1.5 million dairy cows in the San Joaquin Valley. Each of those cows produces about 100 pounds of manure a day.

That's a lot of manure.

But the results of a study done by the California Dairy Campaign, an industry group that helps dairy farmers deal with regulatory issues, show that the material produced by dairy cattle should be seen as nutrients, not waste.

A grant of \$1 million was given by the U.S. Department of Agriculture to the Centers for Disease Control and Prevention in 2004. The CDC then enlisted 11 dairies in Merced, Stanislaus, San Joaquin, Kings and Tulare counties to try a new way of managing dairy lagoons.

Lagoons on a dairy are used by the farmers to store water and manure from cattle. The lagoons are full of nutrients, but those lagoons have to be well managed to get the most benefit from them.

Gary Bullard, project manager for the CDC, said that his organization is just finishing up the results from the study. "We wanted to come up with a recipe for red water," Bullard said.

Red water? Gary Wegner, chief executive officer of Circul8 Systems in Washington, said that red water happens when a naturally occurring bacteria are in the lagoon water. "The bacteria are called purple sulphur bacteria, and they need sunshine to make it work," Wegner said.

A lot of dairy lagoons, Wegner said, are used for storing water and manure runoff without using machines to move the water around.

When feed is given to cattle, Wegner said that 20 percent of it goes to make milk. The rest ends up as waste and is pumped to the lagoon. "If you drive by a dairy and can smell it, they are wasting nutrients in their lagoon," Wegner explained.

But when that lagoon water is moving, by using machines that float in the lagoon and lift water from the bottom, the bacteria can get a foothold and make the water turn red, he said. And red water is good water.

The red water, which occurs when the bacteria use photosynthesis and turns red, much as a leaf turns green, contains fewer disease-carrying pathogens than regular lagoon water. It has less slime and no odor, and this makes the water easier to reuse, such as to flush the dairy barns and to use as irrigation water on crops.

The solid waste from the lagoon can be composted and used as bedding for the cattle.

But Bullard said that the study found that most dairies have lagoons too small to support red water. "It's extremely important to get solids out of the waste, and most (lagoons) are inadequate to establish red water," Bullard said.

There are good reasons why dairy farmers should try to achieve red water in their lagoons, Bullard said. The red water doesn't corrode equipment and barns, and there is reduction of greenhouse gases and odors.

"Dairy farmers who have red water lagoons get a credit from the [San Joaquin Valley Air Pollution Control District](#) for 50 percent reduction in pollution, and we think it's even more than that," Bullard said.

Wegner said that dairy farmers who can achieve red water in their lagoons will have better nutrients to put on crops, and best of all, no smell.

"The odor is gone because the bacteria are doing the dirty work," he said.

So dairy farmers: Spread the red.

## **Lab pulls explosives-testing application**

By Jennifer Wadsworth, San Joaquin News Service  
Lodi News Sentinel, Friday, January 4 and Tracy Press, Thursday, Jan. 3, 2008

An air pollution permit that would allow increased explosives testing will be further delayed after federal officials proposed to halt nuclear-related test blasts at Site 300 and consolidate them with experiments at labs in New Mexico and Nevada.

Tucked in the Altamont Hills, Site 300 is one of three major sites slated to cease tests for nuclear weapons components after President Bush in December approved a plan to bar three of the nation's eight biggest test ranges from continuing nuclear bomb tests.

Even if the government bans nuclear testing, lab officials said, Site 300 will stay open to continue experiments for other federal agencies, including the Department of Defense and the Department of Homeland Security.

Until the U.S. National Nuclear Security Administration decides to stop nuclear tests at the local site, lab and federal officials will discuss alternative uses for the land, lab spokeswoman Susan Houghton said Thursday. Open meetings in March will seek public input about those options, she added.

"It's going to be an industrial site no matter what," she said.

Meanwhile, partly because federal plans for Site 300 are still up in the air and partly due to the lab's recent change from public to private management, Houghton said efforts to reapply for the permit will be put on the back burner. The lab is now run by Lawrence Livermore National Security LLC, Bechtel National Inc., University of California, Berkeley, BWX Technologies Inc. and Washington Group International Inc.

"We've slowed the process down a bit," Houghton said. "There's been no formal decision on whether we need the permit at all. We might, but we can't say yet."

In September, the San Joaquin County Air Pollution Control District further delayed the lab's permit by making the lab foot the cost of a full-scale environmental review that would examine the proposed tests' effect on groundwater and wildlife, as well as air quality.

The lab would also pay any legal costs incurred because of increased explosives tests under the still-unwritten contract, air district officials said.

"As a single-purpose district, we can't determine how this project would affect anything besides the air," said district air quality specialist Daniel Barber, who keeps tabs on correspondence between the district and the lab. "So we're going to bring in consultants, experts in other areas, to decide what the impact would be."

The last letter the district got from the lab was in October to explain that it had a change in management and that it would draft a contract with the county after it "worked things out, since a few things changed with the new supervisors," Barber said, summing up the correspondence.

Until the district and lab write up a contract and the district determines how long it would take to review the site, the cost of the review will remain a mystery, Barber added.

The lab first applied for the permit in September 2006, but the air district retracted its approval after sharp criticism from the public and the lab's omission of the fact that explosions would release mildly radioactive depleted uranium into the air upwind of Tracy.

During the summer, the district asked the lab to submit details about the types of detonations it planned after permit approval, why it would use open-air blasts and what measures the lab would take to contain particles from the explosions.

The lab responded with a detailed letter in July, explaining that tests must be done outside any enclosure to "replicate the application's end-use, including the possibility of battlefield conditions ... (and) natural and human-induced conditions ... that could not be replicated in the relatively small space of a contained firing facility."

The lab also responded that gravel-covered firing tables would absorb shock and minimize suspended dust after the explosions.

Should federal authorities bar nuclear weapon component tests at Site 300, more than 900 workers could be out of a job within two to seven years, mostly because the site will need fewer security personnel.

This month, the lab will continue to lay off hundreds of contract and temporary employees. After more workers are released Jan. 16, more than 500 workers will have been laid off since the lab was privatized in October.

The layoffs are separate from federal plans to consolidate nuclear test sites, Houghton said.

## **Air regulators aiming to balance goals**

By Stacey Shepard, staff writer

Bakersfield Californian, Monday, Jan. 7, 2007

Regulators trying to cut air pollution from compost facilities face a potential Catch-22 as some of their ideas could hurt efforts to divert trash from landfills.

San Joaquin Valley air regulators will start this week to draft the state's first major regulation to address harmful emissions created when grass clippings and tree limbs are processed into compost.

Recycling greenwaste in this way has been a major part of the state's program to reduce the amount of waste destined for landfills.

"To put it simply, if the air regulators make it too difficult to compost, then the waste regulators would have a problem with keeping things out of the landfill," said Kevin Barnes, solid waste director for Bakersfield, which operates a large-scale greenwaste compost facility. "So it's a balance that would have to be found between the two agencies."

Currently, the state requires at least 50 percent of the waste generated in a jurisdiction be recycled or otherwise diverted from landfills. In Bakersfield, and other places, greenwaste composting plays a major role in meeting this goal. But the process is not entirely green.

To make compost, the waste is sorted and piled in rows to dry out. During the drying process, gases known as volatile organic compounds are released from the greenwaste into the air. The gases react with other chemical compounds in sunlight to form smog.

Facilities that compost sewage sludge face similar problems. The air district recently released a new set of rules for sludge composters that imposed strict measures to reduce the release of those gases.

About 7.6 million tons of greenwaste is composted in the San Joaquin Valley annually. Twelve of the 32 greenwaste compost facilities in the valley handle about 90 percent of the waste. Bakersfield's greenwaste facility is one of those 12, according to George Heinen, supervisor for rule development for the San Joaquin Valley Air Pollution Control District.

The district's greenwaste composting rules are in the early stages, Heinen said. Scoping meetings will start this week, followed by public workshops and a draft rule is due in about a year.

To ensure greenwaste recycling isn't jeopardized, the state Integrated Waste Management Board will provide input as the regulations develop, said agency spokeswoman Jamie Cameron-Harley.

"We understand air quality is important," she said. "It's balancing what the needs are for air quality and realizing (composting facilities) keep greenwaste out of landfills and use it for a better purpose."

### **How to go**

The San Joaquin Valley Air Pollution Control District will hold a scoping meeting on the new rule for greenwaste composting 1:30 p.m. Thursday.

The meeting will be held in Fresno but the public can participate via videoconferencing at the district's local office, 2700 M St., Suite 275.

For more information, visit [www.valleyair.org](http://www.valleyair.org) or call 326-6900.

## **Fresno's livable legacy**

### **Downtown project is part of an effort to change the way the city is designed.**

By Sanford Nax / The Fresno Bee

Saturday, Jan. 5, 2008

The Legacy Downtown project -- an ambitious plan for 168 lofts, a public ice rink and restaurants next to Fresno's Selland Arena -- is progressing faster than anticipated because of a unique arrangement between city officials and developers.

As the city's first large-scale project featuring people living and playing in the same development, the \$40 million Legacy is a pioneer of sorts in Fresno. Weekly meetings between developers, city officials, engineers and architects are solving issues as they arise, keeping the project ahead of schedule and cutting planning time by about a third, officials said.

Such mixed-use projects are expected to become more common as city officials try to contain urban sprawl and make a more livable community. To speed them along, planners want to toss out portions of a zoning code that dates back four decades. In its place, the focus would be on a more streamlined planning process and, along the way, architectural guidelines for certain districts.

It's a strategy successfully adopted by other communities across the country -- examples in California include Grass Valley, Ventura, Benicia, Petaluma and Santa Clarita. Developers often are encouraged to follow the design of a region's historical architecture, or follow a specific theme.

In Benicia's core, for example, the goal is to reflect the urban character of the historic shops on First Street. Benicia is trying to recapture the charm of past years when it was the state's capital and erase grimmer industrial reminders. Structures in certain parts can be built right up to the property line, large overhangs are encouraged and possible uses are kept flexible rather than restricted by zoning codes.

Fresno wants to tailor its own plan. "We want to create diversity and a sense of place that reflects our history rather than be Anyplace USA," said Sophia Pagoulatos, Fresno's interim planning manager.

So, this month, Fresno planners will start an effort that could shift the way they do business in certain parts of the city. Planning codes implemented in the 1960s that focused on use could be replaced with progressive "form-based" guidelines that stress appearance.

Planners would be less concerned with parking ratios and height limits and emphasize configuration and function. "Instead of having codes dictate what the project looks like, you allow

the best attributes of the project to [do it]," said Brian Glover, developer of The Legacy Downtown.

The new zoning regulations, which could take two years to develop, would enable city officials to fully implement a new general plan that directs 75% of the growth over the next 20 years into urban boundaries set in 1983.

Nick Yovino, the city's planning director, said the changes are necessary if Fresno is to fill up existing lots, get more mixed-use projects and improve sprawl and air quality.

Planning officials will study policies in other cities and customize a program for Fresno. Grass Valley, which instituted new zoning codes in 2007 to preserve its Gold Rush-era heritage, could be one of those cities studied.

"We used the neighborhoods as a background pallet," said Joe Heckel, community development department director in Grass Valley. "We wanted buildings set back a certain way and buildings to relate to the street in a certain way. If you achieve the form you want, the use of the building is secondary."

Planners in San Luis Obispo are adapting new policies for Broad Street, a largely industrial and office-filled commercial corridor they want to transform into a more pedestrian-friendly mixture of uses.

Paul Crawford, an architect in San Luis Obispo and chairman of the Form-Based Codes Institute, which puts on seminars for cities, said the system Fresno officials want to adopt works well in regions that are converting to urban uses, in redevelopment areas and in transforming older commercial neighborhoods into more modern designs.

Fresno officials haven't decided how widespread to make the policy, but figure it will be used in new-growth areas such as the southeast, in "activity centers" near shopping centers and other gathering spots and in the corridor along Highway 41 with midrise commercial buildings.

At the same time, a task force under the Greater Fresno Area Chamber of Commerce is working on a plan to develop architectural standards for certain parts of downtown, such as Fulton Mall, Chinatown and the Cultural Arts District.

The first priority is Fulton Mall, a key downtown link not getting much public development. The City Council gave the idea a boost with a 5-2 vote -- Council Members Jerry Duncan and Larry Westerlund objected -- on Dec. 18 to spend \$60,000 toward forming an improvement district financed by property owners.

"The city is making an investment in Fulton Mall and hoping to partner with property owners to revive that area," Pagoulatos said.

Landscape architect Jennifer Feaster, hired by the Redevelopment Agency a year ago to design a landscape plan for the Cultural Arts District, sees the city's central core as "disconnected" but with strong possibilities.

Feaster, 32, grew up in Fresno, went away to college in Seattle and worked for a firm in Santa Monica before moving back to Fresno to start her own business, in part, she said, because she wanted to participate in the city's evolution.

"Downtown Fresno is a perfect canvas," she said.

## **Rebuilding The Foundry**

By Doug Keeler, Midway Driller Editor  
Taft Midway Driller, Friday, Jan. 4, 2008

It took less than four hours for fire to destroy The Foundry on Dec. 16 but it is going to take much, much longer to replace it.

Even the process of demolishing the ruins of the building at 300 Main Street is going to be a long and complicated one, said Don Koenig, district administrator for the West Side Recreation and Park District.

The district owned the building, but leased it to the Westside Believers Fellowship, which operated a drop-in center for the community's youth.

He has met with the district's insurance carrier. The district had the building insured and the church carried insurance on the contents, Koenig said.

At the time of the fire, Koenig said it could cost as much as \$14 million to replace all the facilities at the Foundry, which included bowling lanes, a large gym, weight room, snack bar, stage and racquetball court.

The church lost an estimated \$100,000 in equipment it purchased, including computers and video games.

It is still to be determined how much replacement cost the insurance company will cover, Koenig said.

District officials, however, are optimistic that insurance may pay the actual replacement costs.

"It's hard to tell, but talking to the insurance people we may be able to replace everything," Koenig said.

Just how to replace the youth programs is yet to be determined.

The district could rebuild on site or seek another location.

"There's a lot of options," Koenig said. "The whole process will take a long time so we don't have to jump on it very fast."

But first the building must be demolished.

That will first involve a survey to see if asbestos needs to be taken care of before the demolition takes place.

The district must also obtain city and county permits before demolition and comply [with air pollution control district regulations](#).

The question of how to go about replacing the building will have to be decided later.

Koenig said he agrees with the assessment of Ron Griffith, the pastor of the Westside Believers Fellowship, that the entire community needs to decide how best to replace the building, which housed youth programs for more than a half a century.

The Foundry caught fire about 11 a.m. on Dec. 16, and the two-alarm blaze gutted the structure in just a few hours.

Koenig said the Kern County Fire Department has told him the cause of the fire is "undeterminable" but it is believed to have been accidental.

## **Feds challenge EPA emissions reporting rule**

By Alex Breitler, staff writer  
Stockton Record, Saturday, Jan. 5, 2008

If you've wondered what's spewing from that smokestack across town, your odds of finding out may be lower under a recent rule that cuts emissions reporting from thousands of facilities across the country.

Federal lawmakers, however, are challenging the Environmental Protection Agency rule, which came under fire last month in a report by the watchdog Government Accountability Office.

San Joaquin County in 2005 ranked in the top one-third of all California counties in terms of the amount of reportable pollution. Our total: 394,000 pounds from 47 facilities that year.

About one-third of the so-called Toxics Release Inventory reports in California may be reduced or eliminated under the new rule, according to one estimate.

"The public has a right to know about toxic pollution in local communities," said U.S. Sen. Barbara Boxer, D-Calif., a sponsor of legislation pending in Congress that would repeal the EPA's rule.

The TRI, as it's known, has been available for more than 20 years. The database can be used by families deciding where they want to live or by businesses looking for ways to reduce their own pollution, as two examples.

The new rule allows companies to use "short forms" to report emissions if they eliminate releases of certain toxic chemicals and release no more than 2,000 pounds; in the past, that threshold has been 500 pounds per year.

This gives businesses an incentive to cut down on emissions so they can use the shorter form, supporters say.

A manager at the power plant Stockton CoGen Co., which reports its emissions yearly to the EPA, said that's part of the job.

"I'll be honest: it does take time. But I don't look at it as a major issue. It's what keeps us in business," said Glenn Sizemore, whose plant emits too much pollution to use the short forms.

The database says how much of each chemical is discharged; it doesn't evaluate whether the discharges are dangerous to human health.

The recent GAO report concluded that the EPA hurried through its new rule and understated the amount of pollution information that would be slashed.

Boxer's bill narrowly passed a committee vote in July. Supporters hope to take it before the full Senate in the coming months.

A minority group of senators in late December filed their own response to the bill, saying the EPA rule does not harm the public's right to know.

"Everyone must still report" emissions, they wrote. "The public will still receive the same detailed data on more than 99 percent of the releases."

## **The Port of Oakland closer to getting funding to clean air**

Associated Press

In the Fresno Bee and other papers, Friday, Jan. 4, 2007

The Port of Oakland is a step closer to getting millions of dollars to help make the air cleaner around the port.

California Air Resources Board administrators recommended Thursday that the port be awarded \$3.4 million from a state bond measure.

Some \$2.4 million would go to reduce ship pollution, including wiring two berths so that docked ships could plug into the electric grid and turn off their diesel engines.

Another \$1 million would be used to add pollution filters to 75 trucks that haul containers in and out of the port.

The state air board will vote Jan. 24 on allocating the funds.

### **Calf. study finds decline in cancer risk**

By Noaki Schwartz, Associated Press

In the Fresno Bee, L.A. Times and other papers, Friday, Jan. 4, 2007

A study released Friday found the cancer risk from air pollution in Southern California is down 15 percent, but the good news was tempered by the reality that the region still has some of the dirtiest air in the country.

"While we see some improvements, the remaining risk level is way too high," said Barry Wallerstein, executive officer of the South Coast Air Quality Management District, which conducted the two-year study.

Scientists estimate that about 1,200 of every one million people in the region will get cancer linked to the dirty air if they live about 70 years. Health experts consider an acceptable level to be 10 cases for every one million people.

The study said the risk more than doubled to 2,900 per million for those who live around the ports of Los Angeles and Long Beach, where diesel use is significant.

Diesel exhaust alone accounts for 84 percent of the region's cancer risk, the study said.

William Burke, chairman of the air district board, said progress was being made in reducing toxic air pollution.

"However, the remaining cancer risk is completely unacceptable," he said. "Thousands of residents are getting sick and dying from toxic air pollution. Some of them live in low-income, minority neighborhoods that may be heavily impacted by cancer-causing air pollution."

The two ports combined account for more than 40 percent of all containerized cargo entering the U.S. each year. Port growth has raised concerns in surrounding communities about the impact of pollution from trucks, cargo ships and other vehicles.

Officials have been working on a plan to reduce air pollution by an estimated 80 percent over the next five years.

"I believe the 800-pound gorilla is the particulate matter from diesel emissions," said air district board member Miguel Pulido, who represents Orange County.

The study said high cancer risk areas include Burbank, downtown Los Angeles, Fontana, Huntington Park and Wilmington. The area with the lowest cancer risk was Anaheim.

Researchers collected more than 18,000 air samples from ten sites. The samples showed a decrease in pollution related to some toxic cleaning solvents.

The study found that the overall cancer risk from air pollution declined from a study done in 1999. The current study began in 2004.

The air district covers parts of Los Angeles, Riverside and San Bernardino counties and all of Orange County. The areas have a total population of 16 million people.

Board members suggested tackling the problem by working more closely with the California Air Resources Board and joining a state lawsuit against the federal government that would create the country's first greenhouse gas limits on cars, trucks and SUVs.

Burke also proposed creating teams of experts to identify specific sources of air pollution that could be targeted with regulations.

The board will solicit public comments on the study for 90 days and will prepare an update to its Air Toxics Control Plan based on the study's findings. That plan will be presented to the board this summer.

"There's tremendous work to do still," Burke said.

### **Diesel pollution is seen as a continuing threat**

By Rick Orlov and Kerry Cavanaugh, Staff Writers  
LA Daily News, Saturday, Jan. 5, 2008

Diesel emissions continue to plague the Southland and are creating what air-pollution officials call an "unacceptably high" rate of cancer risk for residents, according to a study released Friday by the region's air-quality agency.

While the region's air has less toxic contamination now compared with seven years ago, the pollution is bad enough that 1,200 of every million residents in pockets of Los Angeles and San Bernardino counties are at risk of developing cancer from breathing the bad air.

The cancer risk around the ports - where trucks, trains and ships spew diesel pollution - is much higher at 2,900 cancers per million.

"I don't know of anyone who would say a cancer risk of 1,000 in a million is acceptable. It's not," said Barry Wallerstein, executive director of the South Coast Air Quality Management District, which conducted the four-year study.

The biggest problem areas are around the Los Angeles and Long Beach harbors, where the industry of shipping and moving goods relies on diesel to fuel trucks, trains and ships.

High levels of toxic air contamination were also found throughout the transportation corridor of South Los Angeles as well as in the Burbank and Fontana regions - where heavy car and truck traffic spew toxic emissions.

"This study shows we have done well in containing the stationary sources of pollution," AQMD Chairman William Burke said.

"But the remaining cancer risk is completely unacceptable.

Thousands of residents are getting sick and dying from toxic air pollution."

The findings were detailed in a study that involved testing for 33 toxic air pollutants over a year at 10 locations throughout the jurisdiction covered by the AQMD.

Burke said the study found a 15 percent reduction in stationary sources of pollution, but also found that mobile diesel pollution - from trucks, ships and airplanes - continues to pose a risk to the public in different forms of cancer.

As a result, Burke and other AQMD board members urged the agency to seek broader powers to oversee mobile sources of pollution - which are largely regulated by the state and federal government.

Santa Ana Mayor Miguel Pulido, a board member, said that to ignore the diesel problem is "like trying to ignore the 800-pound gorilla in the room."

"No matter what we do, over 90 percent of the problem is with diesel," Pulido said. "If we don't figure out a way to do everything we can to control that, any policy we do here will be meaningless."

Burke said he will talk with state Air Resources Board officials on what can be done to better deal with diesel pollution, and whether the AQMD can play a stronger role in cutting emissions.

Another commissioner, Chino Mayor Dennis Yates, suggested that the AQMD look into joining the legal action of Gov. Arnold Schwarzenegger against the federal government for opposing the state's efforts to control emissions from vehicles.

The city of Los Angeles has been moving aggressively to try to control pollution from the Port of Los Angeles and has entered into an agreement with the AQMD - as has Long Beach - to try to reduce emissions of pollutants.

Councilwoman Janice Hahn said part of the problem is the fuel used by ships when they are docked.

"We know that ships are responsible for 80 percent of the pollution in the harbor area and it is time to adopt a policy that requires low-sulfur fuel as well as electric power while at berth," Hahn said.

"We know how to clean up the air. We know the technology exists. We need to do it now. We can no longer be afraid that business will go elsewhere," Hahn said.

"We can't choose growth and jobs over people's health. We can't risk the health of residents, or of the men and women that work on the docks."

Burke said he also plans to talk to state and federal officials about possible legislation or incentives that could be offered in trade agreements with foreign shippers to use cleaner fuels.

As for the high risks in Burbank, officials said they are not certain what is causing it - other than that the area is along a heavily traveled truck route.

Meanwhile, AQMD officials noted that emissions from hexavalent chromium and other chemicals related to the plating industry have declined over the years.

Still, hexavalent chromium is higher in the northeast San Fernando Valley community of Sun Valley, where the AQMD conducted sampling in response to community concern about air pollution.

A hub of chrome-plating businesses and heavy industrial operations, Sun Valley had higher levels of hexavalent chromium compared with a testing site in Burbank.

The city's Environmental Affairs Department is reviewing the Sun Valley results to see how they mesh with recent surveys on how the community and businesses view air pollution issues in Sun Valley.

The city will hold community meetings in March to discuss the results.

"These findings underscore the importance for the Environmental Justice Improvement Area and the urgent need to tighten the land-use application process to curb these types of industrial ... businesses in an overburdened community," said Councilman Tony Cardenas, who helped get \$100,000 for city outreach on the air study.

AQMD officials said the Sun Valley test results weren't a surprise. The agency has worked with the city to scrutinize chrome-plating businesses because of pollution concerns.

However, the bump in hexavalent chromium pollution was still small compared with the risk created by cars and trucks.

The report will now be subject to public review for 90 days as AQMD staffers accept recommendations for action by the board.

The agency will revise its plan to cut toxic air contamination this summer.

Following an earlier toxic-air study, the agency adopted a number of regulations, including rules requiring that dry cleaners phase out a toxic chemical and agencies with large fleets of vehicles reduce their emissions.

## **Independent port drivers face idle situation**

### **OAKLAND: Idea to cut pollution from trucks hits contract haulers the hardest**

By Francine Brevetti, staff writer

Contra Costa Times, Sunday, Jan. 6, 2008

OAKLAND -- In the larger of a two-room West Oakland apartment, three young men lie asleep; two on sofas, the youngest on the floor.

It's 6 a.m. and in the other room, their parents, Mohammed Asif and Dhalid Shaheen, have finished praying.

Asif weaves through the bodies of his sleeping sons to make his tea in the cubbyhole kitchen before he leaves his home to drive to the trucking company where he parks his diesel truck each night.

At 55, Asif has been driving his rig to and from the Port of Oakland for six years, but he has not been able to eke out a sufficient living that would allow his family a comfortable dwelling. Two of his sons are adults, 22 and 21, and one works. In fact, the eldest bought a large screen high-definition television, which dominates the front room of the modest apartment. The youngest boy, 14, sleeps on a mattress on the floor.

When Asif came here more than a decade ago from his Pashto-speaking hill village in Afghanistan, he was seeking a better life for his family. Life as a truck driver was good at first, he recalled.

"There were weeks I was bringing in \$1,000 or more a week," he said.

But things changed when the Port of Oakland began losing cargo shipments to Long Beach and Los Angeles ports. Nowadays, he's lucky to net \$600 a week.

Many truck drivers who serve the port are in a similar situation.

The drivers are on the front line of a debate raging at ports nationwide over the best way to reduce air pollution caused by idling trucks. At the Port of Oakland, that debate has crystallized into a proposal that calls for trucking companies to hire drivers -- rather than use them as independent contractors. It's hoped the companies can afford cleaner-burning trucks than the drivers can afford on their wages.

The drivers support this plan, saying it will help ensure them a livable wage, but companies oppose it, saying the additional expense would cut into their bottom line.

The drivers wait in their cabs for hours a day, hoping for a load of cargo to deliver. The side of the road where the trucks wait on Middle Harbor Road is dotted with the occasional plastic container of urine and detritus from the sandwich vans that provide lunch at midday.

Some drivers may wait 15 hours for no work at all. Other days, the work they get may not pay their bills.

According to a study by the East Bay Alliance for a Sustainable Economy, 83 percent of the 1,500 or more truck drivers who queue up daily outside the Port of Oakland are self-employed immigrants, like Asif.

These owner-operators are solely responsible for the purchase and upkeep of their 10- to 18-wheeled trucks.

Vereket Woldegorgis has been a self-employed driver for 15 years.

"I have to get in line every day," he said. "I may get one or two loads all day at \$50 a load. A load may take me 20 minutes or two hours to deliver.

"We are just surviving."

Doug Bloch, campaign director of Change to Win -- a coalition of trade unions, environmental and community groups -- said drivers are supposed to get 70 percent of what the shipper pays to transport freight. Trucking companies are supposed to get 30 percent.

But Bloch said truckers often don't know if they are getting their full share.

Ed DeNike, president of Shipper's Transport's parent company, SSA Containers, which handles cargo at ports throughout the nation, said drivers' payments depend on how much he is prepared to work and how far from Oakland he is prepared to drive.

"We estimate they average \$1,600 a week gross," DeNike said, "but they probably make \$800 to \$900 a week."

DeNike agreed truckers don't earn much, but added, "It's not as bad as people say."

But Asif, who said on the best weeks he grosses \$600, said he would jump at the chance to be employed.

"Most of my fellow drivers don't want to be independent contractors because they know that as long as they are independent contractors, they cannot make a union," he said. "If truck drivers do not get a union, the system cannot be fixed."

The Teamsters union has been trying to organize port drivers for decades, said Chuck Mack, director of ports of the International Brotherhood of Teamsters. But the union cannot represent self-employed drivers.

### **A day in the life**

On a typical day, Asif leaves his apartment early each morning to drive his truck, which is parked on the property of Shipper's Transport Express on Burma Road -- to the trucking company he contracts with. He sometimes works for Golden Temple Trucking when he can't get a load from Shipper's Transport.

Asif and hundreds of other truck drivers arrive before dawn to line up at different terminals hoping for an assignment, if there are any, from their trucking company's dispatcher, who arrives at 7 a.m.

While they wait sometimes for hours with idling engines, their trucks spew exhaust fumes. Angry neighbors in West Oakland complain of higher rates of asthma and other breathing ailments. But a study released in December by the National Resources Defense Council and the Coalition for Clean and Safe Ports found that truck drivers suffer from the same ailments and are at a higher risk for cancer because of the time they spend in their idling trucks.

They do not shut off their engines because of the chance they may move forward in the line at a second's notice.

Still, Asif said, it's a good day when he can report to the port even to wait in line. Many days he calls his dispatcher from home and finds there is no load for him to transport. That's one more day without pay.

A load may take two hours to deliver or two days. Some drivers, like Asif, prefer to drive only in the area. Others are happy to range beyond.

Some of the drivers come from as far as Sacramento.

"Most of us drivers barely make enough to cover our expenses," said Asif, who said he is constantly in debt.

One week, he brought home a check for \$116.

Asif pays nothing to Shipper's Transport to park his truck on their property. But many trucking companies do charge truckers to park their rigs overnight, with a cost of \$100 to \$200 a month.

Asif, like other drivers, does not receive benefits from his clients, such as health insurance, Social Security, or workers' compensation coverage.

According to EBASE, most drivers do not carry health insurance, finding it too difficult to afford.

Asif complains of respiratory problems from the diesel emissions, as well as the stress of repeated drudgery.

Asif recently had to take one of his sons to the hospital for medical tests. That was one more day he spent out of the serpentine line of rigs at the port, one less day of income and a medical expense to bear.

"Of course I'm considering leaving this job," he said. "There's no income. My wife has asked me to go back to our home in Afghanistan. But the conditions there are so difficult. There I cannot earn even \$2 a day. I did not realize how difficult things were when I came here."

### **By the numbers**

Here's a rundown of typical expenses incurred by Mohammed Asif, a self-employed truck driver serving the Port of Oakland:

- The truck, bought used in 2006: \$6,000.
- Liability insurance: \$700 per month.
- Diesel fuel: About \$200 per tank. Each truck has two tanks.
- Maintenance: \$95 per hour, on average.
- Vehicle registration: \$400 every three months.
- Oil change every 2,000 to 3,000 miles: \$200.
- Tires: \$150 per tire if bought used, which are replaced every four or five months on the 10-wheeler. The front tires must be new and cost \$300 each and are replaced every six to 10 months.
- Cell phone: \$85 per month.

### **GM envisions driverless cars on horizon**

By Tom Krisher, AP Auto Writer

Modesto Bee, Monday, Jan. 7, 2008

DETROIT — Cars that drive themselves - even parking at their destination - could be ready for sale within a decade, General Motors Corp. executives say.

GM, parts suppliers, university engineers and other automakers all are working on vehicles that could revolutionize short- and long-distance travel. And Tuesday at the Consumer Electronics Show in Las Vegas GM Chief Executive Rick Wagoner will devote part of his speech to the driverless vehicles.

"This is not science fiction," Larry Burns, GM's vice president for research and development, said in a recent interview.

The most significant obstacles facing the vehicles could be human rather than technical: government regulation, liability laws, privacy concerns and people's passion for the automobile and the control it gives them.

Much of the technology already exists for vehicles to take the wheel: radar-based cruise control, motion sensors, lane-change warning devices, electronic stability control and satellite-based digital mapping. And automated vehicles could dramatically improve life on the road, reducing crashes and congestion.

If people are interested.

"Now the question is what does society want to do with it?" Burns said. "You're looking at these issues of congestion, safety, energy and emissions. Technically there should be no reason why we can't transfer to a totally different world."

GM plans to use an inexpensive computer chip and an antenna to link vehicles equipped with driverless technologies. The first use likely would be on highways; people would have the option to choose a driverless mode while they still would control the vehicle on local streets, Burns said.

He said the company plans to test driverless car technology by 2015 and have cars on the road around 2018.

Sebastian Thrun, co-leader of the Stanford University team that finished second among six teams completing a 60-mile Pentagon-sponsored race of driverless cars in November, said GM's goal is technically attainable. But he said he wasn't confident cars would appear in showrooms within a decade.

"There's some very fundamental, basic regulations in the way of that vision in many countries," said Thrun, a professor of computer science and electrical engineering.

The Defense Department contest, which initially involved 35 teams, showed the technology isn't ready for prime time. One team was eliminated after its vehicle nearly charged into a building, while another vehicle mysteriously pulled into a house's carport and parked itself.

Thrun said a key benefit of the technology eventually will be safer roads and reducing the roughly 42,000 U.S. traffic deaths that occur annually - 95 percent of which he said are caused by human mistakes.

"We might be able to cut those numbers down by a factor of 50 percent," Thrun said. "Just imagine all the funerals that won't take place."

Other challenges include updating vehicle codes and figuring out who would be liable in a crash and how to cope with blown tires or obstacles in the road. But the systems could be developed to tell motorists about road conditions, warn of crashes or stopped vehicles ahead and prevent collisions in intersections.

Later versions of driverless technology could reduce jams by directing vehicles to space themselves close together, almost as if they were cars in a train, and maximize the use of space on a freeway, he said.

"It will really change society, very much like the transition from a horse to a car," Thrun said.

The U.S. government has pushed technology to help drivers avoid crashes, most notably electronic stability controls that help prevent rollovers. The systems are required on new passenger vehicles starting with the 2012 model year.

Vehicle-to-vehicle communication and technology allowing cars to talk with highway systems could come next.

Still in debate are how to address drivers' privacy, whether current vehicles can be retrofitted and how many vehicles would be need the systems to develop an effective network.

"Where it shakes out remains to be seen but there is no question we see a lot of potential there," said Rae Tyson, a spokesman for the National Highway Traffic Safety Administration.

## **China to study sources of its pollution**

The Associated Press

In the Merced Sun-Star, Friday, Jan. 4, 2008

BEIJING China will conduct its first national survey of pollution sources in February to help control environmental deterioration in a country with some of the world's most tainted cities, state media said Friday.

The study will identify and collect data on sources of industrial, agricultural and residential pollution for two months, the official Xinhua News Agency said, citing the head of the State Environmental Protection Administration, or SEPA.

"The results of the census will not be linked to any punishment or evaluation of the performance of local administrations," said Zhou Shengxian, SEPA's director. Administrations, companies and institutions "should not fear repercussions but should instead guarantee true, credible results."

China's cities have become among the most polluted in the world after more than two decades of rapid economic growth. While the country's communist leaders have repeatedly promised a cleanup, they say they are constrained by the expanding economy and a lack of technology.

Last year, SEPA said China's environmental problems were worsening, with several major rivers and lakes clogged by industrial waste. Air pollution has been a worry for Beijing as it gears up for the Olympic Games in August.

Some believe China has surpassed the U.S. as the world's top emitter of carbon dioxide and other gases that contribute to global warming.

Xinhua did not elaborate on details of the study, which was commissioned by the Cabinet in 2006 after Chinese experts complained about untrustworthy statistics on the sources and extent of pollution.

"Collecting data of various pollution sources will be an important basis for environmental protection," Vice Premier Zeng Peiyan was quoted as saying.

Every province, autonomous region and municipality has set up a census office and will report to a main center staffed by officials from SEPA and the Ministry of Agriculture, Xinhua said.

Data will be reviewed multiple times before being put into a database and will be analyzed in the second half of 2008, Xinhua said. Findings will be examined and approved by mid-2009.

[Tracy Press commentary, Thursday, Jan. 3, 2008:](#)

### **Demise of sports park 'disappointing'**

by Michael Maciel

The most generous word I can use to describe what I observed in the demise of the Schulte Road sports complex at the Dec. 18 Tracy City Council meeting is "disappointing."

I was disappointed that Tetra Tech, the consulting firm the city hired to analyze the pipeline safety data, did not make its presentation in terms a layperson could easily understand. Mayor Brent Ives and Councilwoman Evelyn Tolbert had to ask the consultants to clarify the issue of reduction of wall thickness in the pipelines. My first impression was that the entire line had suffered significant deterioration. Only after specific questions were asked and I reviewed supporting documents was it evident that the anomalies were many small spots (most less than an inch in size) spread over the lines. I found Tetra Tech's report to be objective, a view not shared by all, but engineers frequently need an interpreter when communicating with nonengineers.

It was disappointing to again see the effectiveness of fearmongering. The presentations made by those opposed to the sports park were filled by the usual claims that the health and welfare of Tracy's children would be irresponsibly jeopardized if playing fields are built on the old antenna farm site. They cherry-picked data that was presented out of context to support their claims. Their supposed concerns grew from Pacific Gas and Electric Co. natural gas lines to Chevron crude oil lines to potential air quality threats from the nearby biomass plant, glass plant and peaker plant.

Bob Sarvey's statistical gymnastics and overly dramatic video presentation notwithstanding, I believe the pipelines are safe. I have faith in the data provided by real pipeline experts. For those swayed by the air quality arguments regarding the glass, biomass and peaker plants, keep in mind that California has the strictest air quality and industrial regulations in the country, and perhaps the world. If there were problems at those facilities, the regulatory bureaucrats would be all over them. It's what they do.

Secondly, it pays to know which way the wind blows. On the northwest corner of Lammers and Schulte roads are several large, old trees. They all lean to the east. That is because the wind nearly always blows from the west, often quite vigorously. All of these alleged air quality threats are downwind of the former sports park site. This was barely mentioned (if at all) by the alarmists. In the unlikely event there is a toxic plume from one of these sites, all the people who live downwind should get to the old antenna farm as quickly as possible. You'll be safe there.

I was not disappointed that Councilman Steve Abercrombie voted against the Schulte Road site. He made it clear long ago that he bought into the scare tactics. I was disappointed that he fails to see the problems with city-school district partnerships as the way to address Tracy's lack of adequate youth sports facilities. The goal here was to have a first-class site with adequate access, parking and amenities that would support practice, league play and tournament play. The sites available at existing schools don't offer any of that potential, and their use would only exacerbate traffic and parking problems. While there are partnership opportunities, like the West High School swimming pool, the city needs to be cautious of spending city funds on school district property.

I was not disappointed but offended by Abercrombie's assertion that the Tracy Police Department would not patrol the Schulte Road sports complex. I don't know how the police did things in Hayward, but in my two-plus decades of service with the Tracy Police Department, the men and women of that organization took pride in doing their job, especially protecting facilities built for the enjoyment of the public. If it is part of the city, Tracy police will take care of it. Stating that the San Joaquin County Sheriff's Department would have to patrol the sports park reveals a surprising degree of naivete on Abercrombie's part. Let the Tracy Police Department speak for the Tracy Police Department.

My greatest disappointment lies with the fact that after a great deal of time, effort and money, this community is back to square one regarding a quality sports facility for our youth. I am not optimistic that in its current state, the City Council can come up with an answer. Certain factions don't want to. It's too good an issue to beat Ives, Councilwoman Suzanne Tucker and (to a lesser degree) Tolbert over the head with.

The Schulte Road park was a good plan. It was a good land deal. The possibility of bringing in private sector (yes, developer) money was worthy of consideration (albeit careful consideration). But because it had former Rep. Richard Pombo's, former Mayor Dan Bilbrey's, Ives' and Tucker's fingerprints on it, the obstructionists in the community were against it. The park, the children, safety concerns and everything else were pawns in the bigger political game.

Bilbrey, Ives, Tucker and Tolbert have a history of getting things done in Tracy. They facilitated its growth into what I think is a pretty darn good city. They worked for public improvements and facilities to be proud of. They supported the police and fire departments, which has resulted in one of the safest communities in the state. (A fact that, for some reason, gets little attention.) And perhaps most importantly, as Tracy faces an uncertain economic future, they have responsibly managed the city's finances.

With Bilbrey's retirement a year ago, the obstructionists have been hard at work undermining the remainder of the "get it done" team. If, as a community, we continue to fall for their scare tactics, they will succeed.

*Michael Maciel, a retired Tracy police captain, was a Tracy City Council candidate in 2006.*

[Modesto Bee editorial, Monday, Jan. 7, 2008:](#)

### **Supreme Court should grant state its EPA waiver**

California filed suit against the U.S. Environmental Protection Agency last week, seeking to overturn the agency's denial of a waiver for the state's landmark efforts to reduce greenhouse gas emissions. It's a shame it had to come to litigation, but given the Bush administration's hostility toward efforts to improve the environment, it was inevitable.

California isn't alone. Sixteen other states and a host of environmental organizations are either joining the lawsuit or filing their own. The odds of prevailing seem good, since EPA Administrator Stephen L. Johnson appears to have overridden

his own staff's recommendations, on scientific and legal grounds, to grant the waiver.

In addition, the EPA never has issued a complete denial of a waiver request in the 40-year history of the Clean Air Act.

That act permits California, alone among the states, to craft tougher environmental protections than the federal standards, but it first must obtain a waiver. Once a waiver has been granted, other states are permitted to follow California's lead or adopt the federal rules. Twelve other states have adopted the California emissions standards; five others are considering such a move.

But Johnson's action stalled those efforts -- at least until the courts sort things out. The courts will have plenty to consider. Johnson and the Bush administration argued that the recently passed energy bill, with its higher fuel efficiency standards, will accomplish the same goals California sought to achieve. But that ignores the fact that California's efforts go further than the new federal standards. That's something the state is expressly permitted to do under the Clean Air Act. That power is reiterated in the new energy legislation.

The new energy bill specifically calls the federal standards a floor, not a ceiling, on regulatory efforts.

The denial of the waiver was hardly a surprise, though it was a disappointment. The EPA had argued earlier that it had no power to regulate greenhouse gas emissions, saying carbon dioxide -- the principal culprit in greenhouse gases -- is not a pollutant. The Supreme Court emphatically rejected that argument last year.

The EPA took its own sweet time reaching the decision to deny the waiver, waiting almost two years before turning it down. And the litigation over that denial will push back California's 2009 deadline for imposing its own new rules. That's too bad. But the EPA and the Bush administration are on the wrong side of science, public opinion and, we believe, the law in this fight. We hope the courts agree.

[Fresno Bee editorial, Sunday, Jan. 6, 2007:](#)

### **Good planning crucial to Valley's future quality of life**

**Public must be a part of the discussion and process of deciding direction.**

The Valley is at a crossroads, buffeted on the one hand by growing population and on the other by the need to conserve precious resources such as water, air and farm land. How we balance these competing forces will have much to say about the quality of life in the Valley for our children and grandchildren -- and whether any of them will want to live here at all.

The key is planning -- and sticking to plans once they're adopted -- and that's why we find the state-funded San Joaquin Valley Blueprint Planning Process such a good idea.

The professional planners among us know what the Valley will look like if we don't start making some changes in the patterns of growth and development that have dominated the landscape for decades. We'll have wall-to-wall cities clustered on both sides of Highway 99, and the Valley's vaunted agriculture will be a shell of its former self, with thousands of acres of once-productive land buried forever under houses, shopping malls and asphalt roads. The air will be even dirtier and water will be scarce.

That's what we'll bequeath to future generations if we continue with business as usual.

But how to yank the Valley in a new direction will be one of the thorniest public policy debates facing local governments in the coming years. The voices talking about change are growing in number and volume, but there is a tremendous inertia in the status quo -- not to mention considerable profits. Change won't come easy.

Part of the reason for that is the fact that the "American Dream," fostered in the heady years following victory in World War II, is still so compelling. The picture of a home in the clean and sparkling suburbs, away from the dirt and grime of the cities, still animates the American vision.

But in too many cases, what happened is that we took the dirt and grime of the cities with us when we moved outward.

We built enormous networks of roads and highways to speed us from work to home to recreation to shopping -- and then congested them with so many vehicles that our air became the foulest in the nation. We brag to the world about the bounty of this fertile Valley, and then pave it over as fast as we can.

And some of the earlier suburbs have succumbed to the same decay and blight that people once sought to escape. We have let many of them fester and rot as we move ever outward to new residential pastures.

There are answers. Some of them have worked elsewhere, some will be unique to the Valley. None will be an easy sell.

Halting the spread of sprawling suburbs is a good start. Directing more development inward -- and up instead of out -- is one step several Valley cities, including Fresno, have already taken as part of their planning processes. That should be accelerated. There are many who say that Americans, especially Californians, are so wedded to their suburbs and their cars that they'll never live in denser urban neighborhoods. But we continue to believe that there is already considerable pent-up demand for just such neighborhoods, in Fresno and elsewhere.

Nor is it necessary for everyone to leave the suburbs and move to the inner cities. Downtown Fresno, for instance, could be successfully revitalized if a mere fraction of the half-million people who now live in the city moved downtown.

We are likely to always have suburbs, but they'll have to be a different sort than we are used to. Some communities have already adopted plans that call for "clusters" or "villages" -- denser arrangements of housing adjacent to jobs and commercial spaces, with open areas surrounding them. That's another useful answer.

Yet another may lie in the proposed Metro Rural Loop, which would link population centers in Fresno and Madera counties with a combination of highways, rail and transit lines, preserving the identities of existing cities and towns while tying them together in a regional framework.

Other answers will emerge as the process continues. The Blueprint planners will be seeking public input in the months ahead; we'll be talking more about that as it approaches. It's important that this become a widespread public debate, not just an academic exercise between experts.

All of us have to live with the decisions that are made in our names. All of us must be part of that process. Otherwise, we're liable to wake up one day and wonder, "When did this Valley become so bleak and dreary?" And know that by then, it will be too late to do anything about it.

[Fresno Bee editorial, Monday, Jan. 7, 2007:](#)

**Valley needs a voice on farm bill  
Region should have a seat on conference committee.**

In late January, a few senators and members of the House of Representatives will go behind closed doors to decide what stays in and what gets left out of the 2007 farm bill. A Valley representative should be in that room.

In July, the House voted for a \$286 billion, five-year program that included many Valley priorities - money for farmers to fight pollution, aid conservation, conduct plant research and to protect consumers from dangerous food.

In December, the Senate approved a \$286 billion bill with many of the same provisions.

The devil is in the details, which will be reconciled in a conference committee, made up of selected representatives and senators.

Speaker Nancy Pelosi will choose the House conferees. If she fails to appoint Dennis Cardoza, D-Modesto, or Jim Costa, D-Fresno, there's a chance the Valley's concerns will be overlooked -- or sacrificed -- by legislators intent on keeping intact fat subsidy payments to corporate farmers.

Most subsidies go to corporations growing grains, cotton and soybeans. Most California farmers specialize in higher-value fruits, vegetables, nuts and dairy products. Historically, they've eschewed subsidies.

But farming in California is changing. Farmers are required to meet stringent air and water safety regulations; exotic diseases are attacking crops and animals; trade barriers block access to world markets.

Such challenges require federal help -- and the House bill has it.

The House provides money for Conservation Innovation Grants; the Senate offers only encouragement.

The House would spend \$48 million to challenge barriers to U.S. products overseas; the Senate allocates \$38 million, but would cut that to \$2 million in the final year -- making it harder to get funding in the next farm bill.

The House has greater support for the market access program, which creates jobs through increased exports. The House would spend \$215 million on specialty crop research; the Senate offers only \$16 million.

Meanwhile, the House should embrace the Senate's "stewardship" program for specialty-crop growers and creation of a nonprofit Healthy Food Enterprise Development Center to help poor people buy healthier food. All of the dozens of such differences buried in the 1,360-page bill must be negotiated.

[Merced Sun-Star Editorial, Friday, Jan. 4, 2008:](#)

### **Our View: Committee needs Cardoza**

#### **Our local congressman should be on the 2007 House farm bill committee to protect Valley agricultural interests.**

In late January, a few senators and members of the House of Representatives will go behind closed doors to decide what stays in and what gets left out of the 2007 farm bill. Dennis Cardoza must be in that room.

Congress passed two versions of the 2007 farm bill. In July, the House voted for a \$286 billion, five-year program that included many of Cardoza's priorities -- money for farmers to fight pollution, aid conservation, conduct plant research and to protect consumers from dangerous foods.

In December, the Senate also approved a \$286 billion bill with many of the same provisions.

So what's there to argue about? The devil is always in the details. Those details will be reconciled in a conference committee, made up of a few selected representatives and senators.

Speaker Nancy Pelosi will choose the House conferees. If she fails to appoint Cardoza, there's a chance California's concerns will be overlooked -- or sacrificed -- by legislators intent on keeping intact fat subsidy payments to corporate farmers.

Most subsidies go to corporations growing corn, wheat, cotton, rice and soybeans. Most California farmers specialize in higher-value fruits, vegetables, nuts and dairy products. Historically, they've eschewed federal subsidies and the rules that come with them.

But farming in California is changing. Farmers are required to meet stringent air and water safety regulations; exotic diseases are attacking their crops and animals; trade barriers block access to world markets. Such challenges require federal help -- and the House bill has it. For example:

The House provides specific dollars for Conservation Innovation Grants; the Senate offers only encouragement.

The House would spend \$48 million on challenging barriers to American products overseas; the Senate allocates \$38 million, but would cut that to \$2 million in the final year -- making it harder to get funding in the next farm bill.

The House has greater support for the Market Access Program, which has created jobs in Stanislaus and Merced counties through increased ag exports.

The House would spend \$215 million on specialty crop research; the Senate offers only \$16 million.

Meanwhile, the House should embrace the Senate's "stewardship" program for specialty-crop growers and creation of a non-profit Healthy Food Enterprise Development Center to help poor people buy healthier foods. All of the dozens of such differences buried in the 1,360-page bill must be negotiated.

Protecting narrow Valley interests isn't the only reason to appoint Cardoza. The farm bill is a 72-year-old juggernaut filled with subsidies protected by rich special interests. Many people from across the nation are demanding these subsidies be ended. But juggernauts turn incrementally. Cardoza is among those capable of redirecting Farm Bill money from the wealthy few into programs that benefit more Americans. He can't negotiate if he's not invited to the table.

And that's up to Speaker Pelosi. Put Cardoza on the committee.

[San Diego Union-Tribune Editorial, Sunday, Jan. 6, 2008:](#)

## **State should fight EPA over auto emissions**

Since the late 1960s, California has had the right to adopt pollution standards higher than those set by the federal government under the Clean Air Act. California was granted that special status because at the time of the implementation of the federal legislation, the state had the dirtiest air in the nation. A waiver basically allowed it to set its own rules, with Environmental Protection Agency approval, to meet federal standards.

Waivers have led to a number of improvements to reduce auto emissions, including: onboard computer diagnostics to warn drivers that smog controls are not working; catalytic converters; tighter fuel caps; and low-emission fuel standards. California has received more than 40 waivers. None have been rejected in their entirety – until now.

In December, on the same day Congress passed an energy bill, EPA Administrator Stephen L. Johnson told California that it would not be allowed a waiver that would allow the state to regulate greenhouse gas emissions from automobiles. The EPA's rationale, it said, was that the federal energy bill recently passed by Congress went far enough in that respect.

The waiver was needed to help California meet standards set by a 2002 state law. Under that law, auto tailpipe emissions, a major greenhouse gas component, will have to be reduced to 1990 levels by 2020. To reach that goal, fuel efficiency will have to increase.

Under the new federal legislation, fuel efficiency for new cars and light trucks will increase by 40 percent by 2020. That will amount to a fleet-wide average of 35 mpg. California officials say that under state law, the fleet-wide average would rise to 36 mpg four years earlier.

California had argued for the waiver on the grounds that global warming presented the state with problems unique to it, some of which were highlighted in a recent Stanford University study. Among other things, the study found that carbon dioxide-induced global warming causes an estimated 1,000 additional deaths per year, about 300 in California. For another, the rise in sea level predicted by scientists threatens the system of levees in the state water system that supplies most of Southern California.

While the Bush administration and its EPA can legally deny California a waiver, the decision in this case appears to have been based on politics and not science. For one thing, Johnson, the EPA administrator, is said to have overruled the unanimous recommendation of his legal and technical staff to approve the waiver.

With the backing of Gov. Arnold Schwarzenegger and state Attorney General Jerry Brown, California has filed suit against the EPA over the waiver in federal court. That suit is being joined by five environmental groups as well as 15 other states that had sought the waiver with California.

It is sad that California has to engage in a protracted legal battle to protect its citizens from the harms of global warming, particularly when it seems the EPA's refusal to grant the waiver was not legally justified, but a legal fight appears necessary.

Pelosi ought to give the Valley a voice in that process.

[S.F. Chronicle editorial, Friday, Jan. 4, 2007:](#)

## **Global warming goes to court**

The Environmental Protection Agency can't say it wasn't warned. By denying California -and another 16 states - a chance to set tailpipe limits on greenhouse gas emissions, the fumbling feds are lining up for a painful ordeal in the courtroom and on Capitol Hill.

The political trajectory of this case was obvious for months, even years. California wants to lead a pack of like-minded states out of the legal wilderness by adopting rules tougher than

Washington's on greenhouse gases such as carbon dioxide. No surprise, the White House wants none of it and stepped in shortly before Christmas to quash the plan.

Bush appointees are selling the dispute as a showdown between wise, unifying Washington and out-there enviro rulemakers pushing a mindless checkerboard of regulations. The president recently signed mileage rules that will boost standards to 35 miles per gallon by 2020, so what's the fuss?

It's pure spin, and it won't work. The federal agency's own staff warned top-dog administrator Stephen Johnson that California was on solid ground in asking for approval of rules. Since passage of underlying clean-air laws in 1970, California has won more than 40 requests for waivers from the federal rules to reflect this state's peculiar conditions and notably foul air. Also, there's never been a danger of a crazy-quilt pattern of tailpipe laws. It's always been either the federal standard - or California's tougher set.

While the recent federal mileage rules are a major improvement to decades-old standards, they aren't the final answer. California had sought emission changes that would have brought cleaner cars to auto showrooms beginning next year, a deadline that will now likely be missed because of Washington's delaying game. Had the California standards swung into place on schedule, the effects would also be felt in the other states wishing to copy the rules. All together, these states make up nearly half the nation's car-driving population.

This standoff explains the political heat being felt. Gov. Arnold Schwarzenegger denounced the federal stance. Rep. Henry Waxman, a Los Angeles Democrat who heads a House oversight committee, plans hearings on the federal agency's decision. On the Senate side, Sen. Barbara Boxer is planning a similar inquiry with agency head Johnson as her quarry.

These open-air jousts may embarrass the Bush team. But it could take a court challenge, filed this week by California Attorney General Jerry Brown, to unblock the path to stricter greenhouse controls.

If successful, the suit could finish off the White House waiting game on controlling a key source of greenhouse gases. A win would also free California and its allies in taking the next steps in halting global warming.

[N.Y. Times editorial, Sunday, Jan. 6, 2007:](#)

### **California Rules**

California has now sued the Bush administration over its refusal to allow the state to set its own rules controlling greenhouse gas emissions from cars and trucks. The state's legal arguments are sound and so is its policy, especially when one considers the White House's seven-year failure to seriously confront the problem of global warming.

The Clean Air Act of 1970 allows California to set stronger air pollution standards as long as it gets a waiver from the federal government. California has applied for many such waivers over the years and has never been denied. One result is that the state has been a leader in the effort to reduce pollutants like those responsible for smog and acid rain.

In 2005, California sought permission to regulate vehicle emissions of carbon dioxide, the main global warming gas. For two years, the Bush administration hid behind the claim that carbon dioxide was not a pollutant covered by the Clean Air Act. The Supreme Court demolished that argument last year. The administration still denied California's request on equally spurious grounds.

It argued that a national standard would be preferable to a “patchwork” of state rules. However, the Clean Air Act allows only two sets of rules, federal rules and California’s more stringent rules. Other states can then choose which to adopt. Sixteen states, which with California make up half the vehicle market, have said they will adopt California’s rules. This is hardly a patchwork.

The administration also argued that tougher fuel efficiency standards in the energy bill recently signed into law by President Bush would yield greater greenhouse gas reductions than the California rules would.

This is demonstrably untrue. California’s regulations would reduce emissions from new vehicles by nearly 30 percent by 2016 — double the estimated reductions that would result from the energy law.

Finally, the government argued that because global warming affects all states, California cannot demonstrate the “compelling and extraordinary” conditions necessary to merit a waiver. In earlier waiver cases, administrators of the Environmental Protection Agency have ruled that California must show only that it faces unusually severe problems, not that it is unique.

We would prefer that the White House reverse its position and order the E.P.A. to give California its waiver. If it does not, the courts must compel it to do so.

[Letter to the Fresno Bee, Monday, Jan. 7, 2007:](#)

### **Lower quality of life**

In reading your editorial (Dec. 27) on the effect of fireworks on air quality, I was struck again by the rather downbeat implications.

No doubt the Valley’s air quality is an important issue, but the part that often goes unspoken in the discussion is just how much the Valley’s residents will have to lower their quality of life in order to bring about additional reductions in air pollution.

In the future, we may have the following to look forward to: no Fourth of July fireworks, no Christmas lights, no warm winter fires, no summer barbecues, two-hour bus trips every day to work, long bicycle rides exposed to the elements 12 months a year -- to name just a few. I can’t wait.

*Ronald Avedisian, Fresno*

[Letter to the Contra Costa Times, Friday, Jan. 4, 2008:](#)

The University of California and Lawrence Berkeley National Laboratory (LBNL) are planning massive development in Strawberry and Blackberry canyons that few Berkeley residents are aware of.

The plans are on the fast track for approval by the Regents in March or April of this year.

The Computational Research and Theory Facility (CRT) is slated to be 140,000 square feet and 160 feet tall. The Helios Facility, at 160,000 square feet, is the next project in the works, and several more are planned to follow.

The Draft environmental impact report for the CRT facility acknowledges there will be cumulative [air quality](#), traffic and noise impacts, but the biological sensitivity of the canyons is not even being considered.

The comment period for the CRT EIR closes at 5 p.m. today. It is unconscionable that Cal and LBNL arranged the public comment period for this massive project over the holidays; we are working to extend it.

Serious questions and concerns need to be raised. Direct comments, with name and mailing address to: Jeff Philliber, Environmental Planner, Lawrence Berkeley National Laboratory, One Cyclotron Road, MS 90J0120, Berkeley, CA 94720; e-mail address is [planning@LBL.gov](mailto:planning@LBL.gov).

*Julie Dickinson, Berkeley*

*Dickinson is the treasurer of Berkeley Neighborhood Preservation Organization.*

[Note: The following clip in Spanish discusses a study done by South Coast AQMD has shown that the risk of cancer caused by pollution has decreased in Los Angeles County. For more information on this or other Spanish articles, contact Claudia Encinas at \(559\) 230-5851.](#)

### **Disminuye amenaza de cáncer por contaminantes en el sur de California**

By Carlos Quintanilla

Radio Bilingue, Monday, January 7, 2008

Un estudio realizado por el Departamento de Administración de Calidad del Aire (AQMD, por sus siglas en inglés), revela que los residentes del sur de California corren menos riesgos de contraer cáncer que hace 10 años. Según el citado estudio, en el condado de Los Ángeles el riesgo a desarrollar células cancerosas debido a la contaminación del ambiente se redujo a un 15 por ciento. Señala el reporte que pese a la reducción del número de casos de cáncer, el nivel de contaminación ambiental en el condado de Los Ángeles sigue siendo uno de los más peligrosos de la nación. De acuerdo a dicho estudio, los residentes de las zonas aledañas a los puertos de Los Ángeles, Long Beach y San Pedro son los más propensos a desarrollar algún tipo de cáncer.

[Note: The following clip in Spanish discusses Connecticut's New Year resolution for 2008, which is to reduce carbon emissions in offices with the help of National Renewable Energy Laboratories and by using EPA's Climate Leaders Protocol.](#)

### **Murphy toma medidas para reducir y balancear las emisiones de carbono en sus oficinas.**

El Canillita, Monday, January 7, 2008

“Mientras miramos hacia el 2008, yo invito a que las personas piensen cómo pueden hacer una diferencia para proteger nuestro planeta. Ya sea simplemente cambiando las ampollitas por unas mas eficientes de energía o calcular su uso de carbono y la compra de productos que lo balanceen, ustedes pueden hacer una diferencia” dijo Murphy.

Con la ayuda de los Laboratorios de Energía Renovable Nacional (NREL) y Sterling Planet, Murphy ha podido rastrear el carbono en sus oficinas usando EPA's Climate Leaders Protocol. Con esta información Murphy está dando varios pasos para reducir los rastros de su carbono. Lo que incluye la compra de certificados de energía renovable para la cuenta de del uso de electricidad de su oficina en Connecticut, invirtiendo en “compensaciones de carbono” para mitigar sus viajes aéreos, en automóvil, el uso de gas natural, reducir la basura e incrementar la eficiencia de energía en sus oficinas.

Murphy se reunió con Robert Maddox Jr. LEED AP. Director Nacional para los Programas de Utilidad de Sterling Planet, quien asistió a Murphy en lo necesario para que sus oficinas sean carbono neutral.

“Estoy encantado que el congresista este dando el ejemplo para ayudar a neutralizar los rastros de su carbono” dijo Maddox.