

## **Port of Oakland, regulators fight over clean air funds**

By Denis Cuff

Contra Costa Times, Thursday, Jan. 8, 2009

An agreement between two public agencies to cut diesel truck pollution from the Port of Oakland has turned into a tug of war over \$5 million the port wants to keep in reserve and the Bay Area's air pollution board wants to use to clean the air.

The Bay Area Air Quality Management District is trying to collect the last \$3 million of the \$5 million the port agreed in August to contribute toward grants for installing soot filters on trucks using the port. Air officials say the district will look into its regulatory and legal options to get the money.

"We're going to do what needs to be done to clean up the single biggest source of particulate pollution in the Bay Area — the Port of Oakland," said Mark Ross, a Martinez city councilman who serves on the regional air pollution board. "We are appalled and angry the port reneged on its deal to protect public health."

Port managers, however, said they put the \$5 million on hold in November because of uncertainty over worsening port finances. The port has asked to get back the \$2 million it already has given the air district.

"Please immediately provide ... payment of the unused amount to the port," Omar Benjamin, the port's executive director, wrote in a Dec. 19 letter seeking return of the \$2 million.

Benjamin said the port is not obliged to contribute the \$5 million because the port commission voted Nov. 19 to indefinitely postpone use of port money on truck grants. That vote made the disputed money "legally unavailable" — grounds to terminate the agreement that the port and air district each contribute \$5 million toward the truck retrofit grants.

The air district still plans to proceed with the grant program using its \$5 million, and as much of the port money as it can get, air officials said.

Marilyn Sandifur, a port spokeswoman, said the port remains committed to reducing soot pollution risks in the long term, but wanted to reassess the \$5 million payment amid a sharp decline in the shipping industry.

Commissioners also have expressed some doubts about the effectiveness of the truck grant program, she noted.

Air officials contend the port should pay up now to protect public health.

In a report last year, California Air Resources Board estimated that West Oakland residents face a cancer risk three times higher than the rest of the Bay Area because of fine particle pollution — some from trucks, trains and ships visiting the port and some from vehicles on nearby freeways.

Scott Haggerty, an Alameda County supervisor on the air board, said he is growing impatient with the port.

"I hope this board steps up and says, 'Since you don't want to do it the nice way, we will do it the regulatory way. We will fine you,' " Haggerty said last month at a pollution board meeting.

Air board members also said they may consider adopting a port pollution rule giving them more leverage over the port, which is a magnet for trucks, ships and trains that carry freight.

## **Davis wood-burning rules too hot to adopt without more study**

By Hudson Sangree

Sacramento Bee, Thursday, Jan. 8, 2009

The City Council postponed adoption of a wood-burning ordinance late Tuesday night to gather data.

Over the next year, an air-quality expert will use smoke-monitoring devices to determine whether more stringent measures are needed to protect residents with breathing problems, including asthma, said Councilman Stephen Souza.

A ban of wood-burning fireplaces passed the city's Natural Resources Commission, but it was scaled far back even before Tuesday's meeting, which drew dozens of speakers.

The wood-burning issue was one of the most contentious in Davis, rivaling recent battles over Covell Village subdivision and a Target store in terms of letters and phone calls to council members.

## **New power plant at Half Moon Bay landfill turns methane into energy**

By Julia Scott - San Mateo County Times  
Tri-Valley Herald, Thursday, Jan. 8, 2009

HALF MOON BAY — The Ox Mountain landfill is full of oddities.

Goats graze along a fresh green hillside in the hulking shadow of a flare stack, which burns off the garbage-fed gasses that lie under the grass they're snacking on.

A few steps away, in an uncovered portion of landfill, plastic shopping bags blow through a ravine that offers a pristine view of the ocean.

Watching the landscape from a certain height, it's easy to miss the thin orange wells that do one of the most important jobs of all: mining deep stores of buried garbage for methane and other harmful greenhouse gas emissions, which are then flared off before they reach the atmosphere.

But it's hard to miss the shiny new plant built at the top of the landfill. Starting this spring, the gas it collects will leave the landfill in the form of electricity — enough to power as many as 10,000 homes in Palo Alto and Alameda.

When it goes online in two or three months, the plant, recently completed by Ameresco Inc., will be able to capture and convert more methane than any other Bay Area landfill. Its six engines will operate 24 hours a day and generate up to 11.5 megawatts of electricity, more than twice that of most local landfills, which produce about 5 megawatts.

"It's probably one of the largest landfill gas-to-energy projects that's been developed in the past five years — certainly it's the biggest project in California in the last five years," said Linda Nugent, senior project developer for Ameresco, which won a contract from Republic Services Inc. in 2004 to develop the plant.

Methane-capture technology has evolved considerably since it first came into use in the early 1980s. The Environmental Protection Agency estimates that 445 such projects exist in the United States, with the potential for 535 more.

The benefits of landfill methane-to-energy conversion are manifold. Rotting landfills are the second-largest producer of methane in the world by industry — animal agriculture is the top source — and methane is a potent greenhouse gas. At Ox Mountain, the methane the pumps collect will power the plant itself, including the engines that convert the methane into electricity before feeding it into the grid, bound for Alameda and Palo Alto.

"It's just a large automobile engine. It's a reciprocating, spark-generated engine. Instead of driving a transmission, ours drives a generator," said Alan Siegwarth, project manager with Ameresco, as he led the way into the engine room on a recent tour of the plant, shouting loudly over the roar of the machines.

Methane capture has also helped the landfill go stink-free — at least in parts not directly above or below the acrewide pit that's opened each day.

"I got into this business because I cared about the environment," said Rick King, general manager of Ox Mountain. "Stuff like this makes you feel good about what you're doing."

Locals who caught wind of the project have wondered why the electricity generated by their garbage isn't flowing back to their neighborhoods — downtown Half Moon Bay is less than five miles away. Nugent explained that under California law, Ameresco was permitted to sell electricity only to a municipal-run utility — and none exists in San Mateo County.

She added that the timing was wrong to sell the energy to Pacific Gas & Electric Co., which would buy it on an as-needed basis only.

While methane capture is becoming more cost-effective and popular in all corners of the country, its potential is limited by the size of the landfill and the quality of the methane it generates. Despite their promise and reliability, such operations account for a small slice of the renewable energy portfolios of most utilities.

"There are a lot of landfills, but they're regional landfills, and there's only so many of them that are big enough to develop projects at," Nugent said.

## **Bush Leaves Fuel Economy Targets for Obama to Set**

By Steven Mufson, Washington Post Staff Writer

Washington Post Thursday, Jan. 8, 2009

Citing "recent financial difficulties of the automobile industry," the Bush administration said it would not issue interim targets for higher vehicle fuel efficiency, leaving it up to the incoming Obama administration to steer auto companies toward better mileage standards.

Democrats and environmental groups had mixed reactions, on the one hand criticizing the Bush administration for dragging its feet while on the other welcoming the chance for the new administration to set its own guidelines.

The guidelines must be issued no later than April 1 so auto companies have time to engineer 2011 models. "Now more than ever automakers need certainty, and this decision only further delays their ability to finalize future product plans," said Charles Territo, a spokesman for the Alliance of Automobile Manufacturers.

Legislation enacted in 2007 raised the corporate average fuel efficiency standard to 35 miles a gallon by 2020, up from the current level of 27.5 miles a gallon. To sweeten the deal for auto companies, Congress adopted a \$25 billion loan program for advanced technologies.

The Transportation Department was given responsibility for setting targets for the intervening years. Last fall, the department circulated a proposal that was more aggressive than some analysts had expected, requiring auto companies to build new cars averaging as much as 31.8 miles a gallon by 2015. But final guidelines were not issued.

"While the Bush administration ran out of gas implementing the fuel economy law, with a new Obama administration we expect it to be full speed ahead towards ending our dependence on oil," said Rep. Edward J. Markey (D-Mass.), chairman of the House Select Committee on Energy Independence and Global Warming. "Once again the Bush administration has blown it on the environment," said Dan Becker, director of the Safe Climate Campaign. But Luke Tonachel, vehicles analyst with the Natural Resources Defense Council, said this "gives the Obama administration an opportunity to move quickly under the nation's clean air and energy laws to raise fuel economy and cut heat trapping pollution from new cars and trucks."

Higher fuel efficiency for cars has been a priority for many members of Congress, who have pushed the carmakers to build more fuel-efficient vehicles if they are to expect federal aid to avoid bankruptcy. In addition, the state of California is pressing for a waiver from the federal

government so it can set standards for automobile tailpipe emissions that would effectively set more stringent mileage guidelines.

Barclays Capital auto analyst Brian Johnson said that meeting the interim targets in the Transportation Department's draft proposal should not be difficult for automakers.

"It's really the 2020 standards that were more of a stretch," he said. The goals for 2014, he said, could be met "with turbo chargers and a modicum of hybrids." More widespread use of turbo chargers could boost fuel efficiency by as much as 20 percent, he said.

## **A Greener Way for Rangers To Roll**

### **Park Service Gets Bikes for Workers**

By David Betancourt, Washington Post Staff Writer  
Washington Post Thursday, Jan. 8, 2009

The National Park Service is encouraging its employees in the region to use bicycles on the job instead of driving.

In an initiative aimed at decreasing auto emissions, the Park Service this week announced the Bike Share program as it received 30 bicycles and bike racks donated by Humana, a health-benefits company based in Louisville.

The white, single-speed bicycles will be available to as many as 500 Park Service employees at three headquarters locations in the Washington area: for the capital region, for the Mall and nearby parks, and for the eastern part of the city. The bikes aren't for the general public.

Officials envision that instead of checking out a fleet car, an employee would choose to use a bicycle on a three- to five-mile round trip between and around the parks. The bikes are to be used only for work, not personal travel.

Park workers who wish to take part must complete a bicycle safety training course before being authorized to take the bikes.

Those who finish the course will be issued a smart card that can be waved across the bike rack, releasing the bicycle. A monitor will register the name of every employee who takes a bike, as well as the time and date when it is taken and returned.

Bill Line, a spokesman for the National Park Service and a bike enthusiast, said he plans to go through the training and hopes other employees will do so, as well.

"We'll try to encourage [use of the bikes] as much as possible," Line said. "It's completely voluntary, but it can go a long way in reducing the carbon footprint as well as increase the level of physical fitness among employees."

[Sacramento Bee commentary, Thursday, Jan. 8, 2009:](#)

### **My View: Environmental law no obstacle to prosperity**

By Richard Seyman

Until very recently, the conventional wisdom in the financial world was that reducing regulatory oversight was the high road to ever-accelerating economic prosperity. But this road has led us straight into a high-speed, head-on economic crash of global proportions.

Nevertheless, in recent weeks, corporate interests and Republican legislators in California have lobbied hard to eliminate environmental oversight for certain public infrastructure decisions, alleging this deregulation is needed to jump-start California's economic rebound. With the

governor's help, they are holding the state budget hostage to extort free passage around environmental protections.

The precise target of this deregulation campaign is the California Environmental Quality Act, or CEQA.

For major construction projects, public or private, CEQA requires the best alternative to be followed unless the government identifies specific policy reasons justifying a less environmentally protective alternative. To determine which alternative would be best, a formal, science-based review must be conducted and made public before any alternative can be implemented.

This is what the Republicans in the Legislature and the corporate interests want eliminated. While this change would affect projects throughout the state, there is an especially telling example only a few miles from the Capitol: Caltrans' planned expansion of Highway 50 from Sunrise to Watt.

This project has already gone through a CEQA review process, but a flawed one. The courts ruled that Caltrans had not followed the law and had failed to conduct proper environmental review by not considering alternatives to freeway widening and failing to assess potential impacts of increased greenhouse gas emissions. The court ordered Caltrans to do a new, more comprehensive analysis.

One of the alternatives that a comprehensive analysis of this project would include is the expansion of light-rail service. For economic and environmental reasons, expanded light-rail service is the better choice.

Transit expansions tend to generate more jobs than roadway expansions. Regional Transit officials say the initial projects for expanded light-rail service could be implemented within the 120-day time frame for the first phase of the federal economic stimulus program, if funding were made available. Construction of the entire double track to Folsom could begin within the next year.

The best scientific studies to date strongly indicate what many freeway commuters have long suspected – that the supposed benefits of HOV systems do not, in practice, pan out. Mostly, HOV lanes allow those who already share rides for other reasons to shorten their commutes slightly compared to those who drive alone. Reductions in congestion resulting from freeway expansion are short-lived as new lanes are quickly overwhelmed by increased traffic from residential sprawl development that invariably follows such expansions.

Infrastructure projects that encourage more use of the automobile not only increase greenhouse gas emissions, they also increase other long-term, health-related costs as well as community-related costs, such as decreased property values, less mobility for those with disabilities and for those who would prefer to walk and/or to bike rather than drive.

One can disagree with my assessment. But the point of having a CEQA review is to ensure that a sound, science-based analysis is available so decision makers and the public can make the best choices. This is the oversight process the governor and corporate lobbyists want us to forgo, in the name of economic expediency.

Forgoing this process would definitely be expedient and economic for certain firms – those that specialize in building highways. But it would be neither expedient nor economic for the state as a whole. Corporations and their lobbyists look out for their shareholders. The governor should look out for all of us by looking forward. Looking the other way is no way to move California forward.

[Merced Sun-Star Editorial, Thursday, Jan. 8, 2009:](#)

### **Our View: No-burn days work in Valley**

Despite some complaints, restrictions reduce risk of asthma, emphysema for many.

When they imposed stricter regulations last fall, officials of the San Joaquin Valley Air Pollution Control District warned there would be more days that residents would be prohibited from using their fireplaces.

That's proven to be the case, big time.

Since Nov. 1, the air district has called 17 no-burn days in Merced County. Stanislaus County has had 18 and San Joaquin County 13. The season runs through February.

The increase has prompted some complaints. But it's also gotten plaudits from people who realize the restrictions are helping to reduce the levels of PM 2.5 (small particulate matter) and therefore reducing the health risk to people with asthma, emphysema and other respiratory ailments.

There's also some confusion about the changes.

The air district not only lowered the threshold for no-burn days but also switched from a three-stage alert system (no restrictions, burning discouraged and burning prohibited) to two stages -- "burn cleanly" and "no burning." It's as if the traffic lights are always yellow or red, never appearing to be green.

More important than the labels are the reasons for the fireplace restrictions -- to continue to improve the Valley's air quality.

Already, the Valley has recorded a decrease in PM 10, larger particulate matter. But the smaller particulates, the soot from wood burning, remains the leading contributor to pollution during the winter months. In the fall, the biggest contributor is dust, much of it from nut harvests.

Other than occasional coughing, the average healthy person probably does not notice a high-pollution day. But people suffering from asthma, emphysema or other respiratory problems or heart disease can be forced to stay indoors and some can even end up in emergency rooms.

Pollution is almost always worse to the south. Kern County, the farthest south, has had 30 no-burn days this season.

The air district forecasts the burn designation a day ahead. Then on the actual day, it measures air quality to determine whether the forecast was accurate.

A recent study by a scientist formerly with California State University, Fresno, and now with the air district suggests that the wood-burning bans could prevent as many as 50 premature deaths in the Fresno area each year and 30 in Bakersfield. His study did not look at Merced County.

Improving the air quality in the Valley is a long-term effort that requires action and sacrifices by all of us. Wood-burning restrictions are one of the sacrifices -- but worth it.

[Letter to the Bakersfield Californian, Thursday, Jan. 8, 2009:](#)

### **No rain, no burn**

There it was in the Friday, Nov. 28 paper, right there on page B6, less than 24 hours after the last rain: "Wood-burning status: No burn."

So snuff out that fire you started for Thanksgiving, kill it, lest your neighbor call the 800 number that is on the billboards all around the county or in the paper for "anonymous complaints about burning" and turn you in.

The secret is out -- unless it's raining, you can't burn. That is the truth that the San Joaquin Valley Air Pollution Control District did not tell you when they adopted the PM 2.5 standard; if it ain't raining, you ain't burning.

Thirteen no-burn days in 2007-2008. We will be lucky to have 13 burn days in 2008-2009!

*Roger Williams, Bakersfield*