

## **Clean-air forums offer ways to lower pollution**

By MARK GROSSI - THE FRESNO BEE

[Thursday, Sept. 23, in the Modesto Bee and Fresno Bee](#)

FRESNO — California State University, Fresno, student Danielle Blimling scribbled notes Wednesday in a class that's not on the fall schedule: a two-hour crash course in San Joaquin Valley air pollution.

The 21-year-old, who studies environmental science, came to Operation Clean Air's first public forum looking for background she could use in a class paper on air pollution. She found practical advice on everything from leaf blowers to restaurant drive-up windows.

"How can you get involved in fighting air pollution?" asked Dr. David Pepper, a health advocate on Operation Clean Air's panel. "Don't burn in your fireplace. Don't use a leaf blower to blow dust into your neighbor's yard. Don't use lighter fluid in your charcoal barbecue. You live in a bowl. And it's turning into a toilet bowl when you do that."

But there also were technical issues discussed. The nonprofit Operation Clean Air, dedicated to voluntary pollution reduction, presented experts from the local air district, the farm industry and economic development.

### **Tips won't break the bank**

It was the first of four forums to inform the public about dirty air and the group's campaign for cleanup solutions that won't bankrupt businesses in the valley.

The organization formed last year to create a five-year action plan for establishing the Valley as an Air Quality Empowerment Zone, which would bring federal funding for clean-air alternatives such as natural-gas bus fleets.

Government, industries, businesses and advocacy groups from Stockton to Bakersfield are members of the coalition.

At Fresno State, representatives offered students free food and raffles for prizes such as bicycles, along with descriptions of air pollution's complex nature.

Karla Kay Fullerton, executive director of the Fresno County Farm Bureau, said agricultural air science is still in its infancy. A recent finding demonstrated that a corn field planted downwind of a dairy could absorb much of the ammonia coming from the cows.

She also said crops actually help the air during summer by scrubbing ozone.

"If we took the land out of production," she said, "it would be a tremendous negative for the valley."

### **Vehicles a big pollution source**

Jennifer McDugald, 33, who has a graduate degree from Fresno State, asked about city living. Will Fresno's increasing home prices eventually level off or decline as the area grows and possibly becomes more polluted?

Officials didn't speculate on that, but Lydia Zabrycki of the Fresno County Economic Development Corp. said that more growth would mean more cars and more miles traveled.

The largest source of air pollution in the Valley is vehicles, so transportation and expansion of cities are connected to air pollution, officials said.

"We need to have a plan in place for growth," Zabrycki said.

Another question concerned drive-up windows at restaurants. Should you park your car and go into the restaurant, or should you let the vehicle idle while you wait for food at the window?

Wayne Clark, compliance manager for the San Joaquin Valley Air Pollution Control District, said the question is difficult because the answer varies depending on the car.

"For an older car, it might be better just to leave it running," Clark said. "Cold starts are the real problem. A cold car start on an older vehicle can generate a lot of emissions. But if you have a late-model car, it might not be as bad to stop the car. The hybrids are good, because they idle on their electric motors and don't produce emissions."

All forums are on California State University campuses. Sacramento, Tuesday; Turlock, Oct. 6; and Bakersfield, Oct. 13.

## **Key component of acid rain increases**

### **Coal-fired power plants are blamed for a large portion of sulfur dioxide pollution.**

By JOHN HEILPRIN

[Thursday, Sept. 23, from The Associated Press, in the Orange County Register and San Francisco Chronicle](#)

WASHINGTON – Emissions of sulfur dioxide, which causes acid rain, rose 4 percent in 2003 but probably will not compromise long-term air quality goals, the government reported Wednesday.

Coal-fired power plants were the main source of the 10.6 million tons of sulfur dioxide. That total, the same level as in 2001, compared with 10.2 million tons in 2002.

Nonetheless, pollution from sulfur dioxide has dropped significantly over the past two decades, from 17.3 million tons in 1980 to 11.2 million tons in 2000, the year before President George W. Bush took office. The total is within striking distance of lawmakers' goal of cutting emissions to 8.95 million tons by 2010 - about half of the amount from 1980.

The Environmental Protection Agency released the information as part of an annual report required by Congress.

Agency chief Mike Leavitt and other EPA officials attributed last year's pollution increase to market trading, one target of the program to reduce acid rain. Market trading allows a power plant that has polluted more than allowed to buy credits from a plant under the limits of its allowable emissions. The practice also lets plants bank reductions in emissions beyond what was required and receive credit for those in later years.

Agency officials pointed out that market-based programs for reducing pollutants typically result in big reductions early on; the acid rain program began in 1995. They predicted the increase would not last one more year.

In a separate report, usually released at a different time of year, the EPA estimated that total emissions of sulfur dioxide and the five other main pollutants targeted by the Clean Air Act had dropped in 2003. Environmentalists said the report was released now to overshadow the increase in sulfur dioxide pollution.

The five other pollutants are carbon monoxide, nitrogen oxides, particulate matter or soot, volatile organic compounds and lead. Emissions of those dropped nearly 2 percent, from 150.2 million tons in 2002 to 147.7 million tons in 2003, the EPA estimated.

"The air is cleaner than it was a year ago; it's cleaner than it was two years ago," said Leavitt, who spoke to reporters in a teleconference call from Concord, N.H., where he was presenting the information to the Society for the Protection of New Hampshire Forests.

"The air is the cleanest it's been in three decades, but we're not done yet, obviously," he said.

## **Deal to give dairies breathing room**

### **Facilities must file for permits but win delay in installing equipment**

From staff and wire reports

[Bakersfield Californian, Thursday, Sept. 23, 2004](#)

For now, dairies are off the hook.

The San Joaquin Valley Air District and the dairy industry have settled a lawsuit over clean-air rules, agreeing large dairies will apply for permits but won't have to install emission-cutting equipment for at least a year and a half, when new studies are complete.

The settlement will affect two dozen or so dairies proposed for Kern County, according to planning chief Ted James.

Now, James said, planners and supervisors will have to come up with their own rules regarding equipment that Kern dairies must install to lessen air pollution.

"We won't be able to wait two years for the air district to come up with rules," James said. "We have 25 or 26 dairy applicants who want to move forward now."

More than 214,000 new milk cows could end up in Kern if all of the proposed facilities are approved.

Dairy industry officials filed suit in May after the district moved to require permits for large dairies by July 1 of this year. The industry argued those permits were not required for two more years.

The settlement, completed on Monday, appeared to please both sides. But critics said the public has been cheated.

The Shafter-based Association of Irrigated Residents intervened in the original lawsuit to bolster the air district's case. It was not consulted on the settlement, although that was not required.

"It's not a very good deal at all," said Brent Newell, attorney for the group. "Any new or expanding dairy will not have to install pollution controls until 2006 at the earliest, if at all."

That's troublesome, he said, because dairies are exploding in the San Joaquin Valley, already home to the nation's worst air pollution. Ammonia from dairy waste contributes to the problem.

But industry representatives and air quality regulators say the settlement will help clean the region's air.

"Science is going to be looked at for the first time in developing regulations," said Michael Marsh, chief executive officer of Western United Dairywomen, one of the plaintiffs. "That's a pretty substantial change."

Attorneys for the air district said the agency will continue to serve as a regulator, but it would consider new scientific findings in its decision-making.

"We're going to continue on with permits and controls, but we'll incorporate in changes in the science," said district counsel Phil Jay. "It's kind of good for everybody."

In seeking to control dairy emissions, the air district was complying with Senate Bill 700, a new law by Sen. Dean Florez, D-Shafter, which repealed a longstanding agricultural exemption from smog rules. The law affects dairies that emit more than 12.5 tons of smog-forming gases annually, or roughly any dairy with more than 1,945 cows.

The industry has complained that much of the science of dairy pollution is based on research first published in 1938. New studies are under way and results are expected next year.

In the settlement, the valley's air cops also agreed to form an advisory board to monitor air pollution studies, evaluate their findings and work with the air district governing board to find the best way to control pollution from dairies. The group will include representatives of the dairy industry and air quality experts.

SB 700 gives the California Air Resources board until July 1, 2005, to review new research on dairy emissions and decide which dairies will be branded "large" polluters. The air district then has until July 1, 2006, to impose pollution controls based on the data.

Those controls could include a variety of approaches, such as covering waste lagoons to reduce emissions, and requiring the use of digesters to dispose of dairy fumes by burning them to produce electricity.

## **Dairy regulations put on hold Air district will wait for more research**

[Visalia Times-Delta, Thursday, Sept. 23, 2004](#)

Dairy farmers in the Central Valley bought some time when the San Joaquin Valley Air Pollution Control District and the dairy industry settled a lawsuit over clean-air practices.

The two sides agreed that large dairies will continue to apply to the air district for operating permits, but the air district will wait for further research before mandating expensive changes.

According to Jim Sullins, director of the University of California Cooperative Extension in Tulare County, the settlement stays away from regulations that could have included requiring dairy farmers to install covers over waste lagoons.

The lagoons collect animal waste. In Tulare County, the size of the average dairy is 1,000 cows.

"[It] doesn't change anything right now, but [a dairy farmer's] future is a little a clearer," Sullins said Wednesday.

However, he said it is not certain what the settlement will eventually mean.

"We don't really know until the [California Air] Resources Board takes this agreement and shows us what they're going to do with it," he said.

Tulare County is the No. 1 dairy county in the nation. The value of milk products nearly reached \$1 billion in 2003 in the county. California leads the nation in milk production, and statewide dairy is a \$4 billion industry. There are about 400,000 cows in Tulare County.

The region's air monitors agreed to form an advisory board that will keep an eye on air pollution studies, evaluate their findings and work with the air board's leaders to find the best way to control dairy-produced pollution. The group will also include representatives of the dairy industry and air quality experts.

Sullins said regulators have been basing their findings on data collected in the 1930s.

"We've had problems with that for the last 15 to 20 years," he said.

He said new studies are being done on what air emissions come off dairies. "We're going to come up with some definite science-based data on what cows are contributing to pollution."

When new data are available, Sullins said it may change what mitigation measures will be required on dairies, possibly eliminating the call for covering lagoons and capturing the methane gas and ammonia odors that come off of them.

He said dairy farmers are also facing issues of managing dust on dairies and the farmland surrounding them.

Officials have charged that dairies contribute pollutants to what is already one of the dirtiest air basins in the country.

Industry representatives and air quality regulators agreed that the settlement reached would help clean the region's air.

"Science is going to be looked at for the first time in developing regulations," said Michael Marsh, chief executive officer of Western United Dairymen, one of the plaintiffs. "That's a pretty substantial change."

Attorneys for the air district said the agency will continue to serve as a regulator, but it would consider any new scientific findings in its decision-making.

"We're going to continue on with permits and controls, but we'll incorporate in changes in the science," district counsel Phil Jay said. "It's kind of good for everybody."

## **Parks receive grant to study transportation Existing shuttle has reduced air pollution**

By Staff reports

[Visalia Times-Delta, Thursday, Sept. 23, 2004](#)

The National Park Service on Monday received a Proud Partners Transportation Scholar grant to study shuttle service in the Sequoia-Kings Canyon National Parks.

As part of the grant, Rutgers University graduate Ginna Smith will work with organizations in the region to find ways to improve a transit system in the eastern Sierra. Smith has worked since June to find a long-term solution to pay for shuttle service to Devils Postpile National Monument and Reds Meadow.

Alex Picavet, public information officer for Sequoia-Kings Canyon, said Smith has made plenty of progress.

"As a result of her work, [park officials] are hoping to get a study funded next year," Picavet said. "It'll be a more intensive look."

The Ford Motor Co., through the National Park Foundation's Proud Partners Initiative, will pay for Smith's work.

Smith's project ends in mid-December. The best solution for shuttle service in the area involves close communication between the Forest Service, the state Department of Transportation and other regional groups, she said.

"It's difficult to keep it funded at a level that people are willing to pay," she said.

The shuttle to Devils Postpile and Reds Meadow has been mandatory since 1979 for day visitors during the summer months. Use of the shuttle system has helped cut air pollution in the area by reducing the number of vehicles traveling into the Valley each year, Picavet said in a written statement.

Smith said the shuttle costs \$7 for adults and \$4 for children.

Other national parks, such as Yosemite and Glacier in Montana, also offer shuttles, Picavet said.

"Sequoia and Kings Can-yon hopes to have a shuttle system one day in the future," Picavet said. "It will come to fruition. We just don't know when."

## **Rail could pass through Tehachapi**

### **High-speed rail authority staff suggests route along Highway 58 corridor instead of over Grapevine en route to Los Angeles**

By ANDREA ALMOND, The Associated Press  
[Bakersfield Californian, Thursday, Sept. 23, 2004](#)

LOS ANGELES -- A high-speed rail network linking California's major cities should travel through Tehachapi and Palmdale before reaching Los Angeles, not over the Grapevine, rail authority staff recommended to its board Wednesday.

The system should also not initially provide service to Los Angeles International Airport, according to the staff of the California High Speed Rail Authority.

The board, meeting in Los Angeles, informally endorsed those recommendations. A final vote on the plan is expected Nov. 10 in Sacramento after review of public comments.

Routing from Bakersfield south will carry the train roughly along the Highway 58 corridor over the Tehachapi mountains, then along Highway 138 to a station in Palmdale. No station is planned in Tehachapi. The train would pass through Santa Clarita on its way to stations in Los Angeles and San Diego.

Carrie Pourvahidi, spokeswoman for the high-speed rail authority, said the Tehachapi route was chosen because it is cheaper and will result in less damage to the environment. Even though this route is longer than the Grapevine route, it requires less tunneling, and will cost less as a result. It may also take less time to build.

Tehachapi resident Holly Hart has been following the project and said she was "shocked" by the decision. Most observers had been expecting approval of the Grapevine route, she said, but now they'll have to start thinking about a whole new set of impacts.

Hart is an avid supporter of high-speed rail, but now worries about how it will affect Tehachapi.

"That has huge ramifications," she said. "I don't see how it's good for Tehachapi. It's always going to be this speeding thing passing through. You're always going to have to go under or over it, and there's costs associated with that. You can bet Tehachapi is going to start wanting a station."

The 700-mile system, with 200 mph-plus trains, would cost \$33 billion to \$37 billion and carry as many as 68 million passengers a year by 2020, according to the draft environmental impact report released in January.

A direct bullet-train link to Los Angeles International Airport would require a costly spur line with low ridership potential, according to the staff report. Instead, the airport would be connected to the proposed \$30 billion-plus network by local transportation, including shuttles and regional transit.

As a Palmdale City Council member until last year, Rick Norris lobbied hard for the chosen route. He believes the half-million Antelope Valley residents will not only make high-speed rail more economically feasible, but their support could be key to a ballot measure needed to fund the project.

"It has enormous benefit to us as we become more than a bedroom community," he said.

Funding for the rail project is uncertain, and hinges on a ballot measure expected to appear in the November 2006 election.

The 2,000-page environmental report for the project is under review and significant changes are expected. Staff estimated, however, that service would not begin before 2013 at the earliest.

On Nov. 3 the rail authority staff is scheduled to present recommendations on the segments from Sacramento to Bakersfield, San Francisco to San Jose, Oakland to San Jose and Los Angeles to San Diego. This may include a long-awaited decision on whether Bakersfield's station should be located downtown or near Meadows Field airport.

The sharpest debate over the project has centered on how to get the trains through coastal mountains to the San Francisco and Los Angeles areas. Planners initially favored a southerly San Francisco Bay route out of San Jose instead of following Interstate 580 through Altamont Pass to Merced in the Central Valley.

The authority, in the first of two board meetings in which it will present recommendations on station stops and alignment, deferred recommending a route through the contentious area. It suggested, however, that the next version of the environmental impact review of that segment consider routing options between the Pacheco Pass Corridor to the south and the Altamont Pass to the north.

Gov. Arnold Schwarzenegger signed legislation Tuesday that includes \$2.5 million for the High Speed Rail Authority and the San Francisco Bay area's Metropolitan Transportation Commission to study the best way for high-speed trains to move between that region and the Central Valley.

Other staff recommendations included:

- Following the Amtrak Surfliner corridor from Los Angeles' Union Station to Irvine in Orange County.
- Not considering a Los Banos station because of low intercity ridership projections for the site, limited accessibility and potential impacts to water resources and threatened and endangered species.
- Not considering rail options cutting through Henry Coe State Park, which includes the Orestimba State Wilderness Preserve.

-- **Californian staff writer Matt Weiser contributed to this report.**

## **Shell gets passel of offers for refinery**

### **But company still wants to maintain control of facility's vital components**

By ERIN WALDNER, Californian staff writer  
[Bakersfield Californian, Thursday, Sept. 23, 2004](#)

A "number of companies" have bid on the Shell Bakersfield Refinery, according to a Wednesday announcement from the company, which said that if a sale agreement is reached, the Rosedale Highway facility will most likely change hands in early 2005.

Spokesman Stan Mays declined to say how many bids the company received. He also would not name the interested parties.

Shell said it is no longer accepting bids and is reviewing those it has received. The company has declined to confirm reports that Sept. 15 was the deadline.

Shell said that more than 70 parties talked to the company about the refinery. Of those, about 20 signed confidentiality agreements which gave them greater access to the refinery.

Shell, which has been under fire for its handling of the refinery, also confirmed Wednesday that it wants to withhold parts of the facility from the sale, including an adjacent terminal and associated tanks and pipelines.

Shell said it would lease the terminal and tanks under a long-term agreement and transport crude and petroleum products via pipeline under "competitive terms."

Mays would not say how much Shell would charge, but Bob van der Valk, a bulk fuels manager for an independent petroleum marketer in Los Angeles, said Shell has set prices that would make it uneconomical for another company to operate the refinery.

"It's called a keep-away price," he said. "It's a deal killer."

Mays said Shell wants to hold onto the terminal and related tanks so it can continue to supply its Central Valley customers with fuel should the refinery ever cease to operate.

The refinery produces 2 percent of the state's gasoline supply and 6 percent of the diesel.

Jamie Court from the Foundation for Taxpayer and Consumer Rights, a Santa Monica group that has criticized Shell's handling of the refinery, said he took the announcement Wednesday as "a hopeful sign that Shell is being more transparent in their dealings."

However, he said the million-dollar question is, "What are the costs of these leases? The attorney general is going to have to monitor that."

Tom Dresslar, a spokesman for the California Attorney General's office, said his office will continue to monitor the bidding process and Shell's commitment to make a good faith effort to sell the refinery. His office, along with the Federal Trade Commission, is investigating Shell's decision to close the refinery for possible antitrust implications.

Dresslar declined to say whether his office is reviewing the bids Shell has received.

Sen. Barbara Boxer, D-Calif., said Wednesday the new chairwoman of the FTC, Deborah Majoras, assured her in a letter that "Shell's decision to keep the refinery open beyond their original targeted date, as well as recent media reports concerning the manner in which Shell may be conducting sales negotiations, warrant continuing our investigation."

Shell originally planned to close the refinery on Oct. 1 but recently said it would continue to operate the facility until at least the end of the year, and possibly into the spring, provided it receives clearance from the Environmental Protection Agency.

## **Air-quality campaign could affect car prices**



## State taking aim at global warming

By Michael Gardner

September 23, 2004, San Diego Union-Tribune

SACRAMENTO - Riding Gov. Arnold Schwarzenegger's endorsement, state air-quality regulators are expected to launch a campaign against global warming that could increase new-car prices over the next 10 years.

The California Air Resources Board today plans to put the finishing touches on the nation's first web of regulations that would force automakers to redesign their fleets to reduce carbon-dioxide discharges.

Initially, price increases would top out at \$36 per vehicle when the program is scheduled to begin in 2009, according to state estimates. But by 2016, when standards are set to be fully phased in, consumers may have to spend up to \$1,064 more per vehicle.

Schwarzenegger has put his considerable clout behind the effort to curb greenhouse gases linked to global warming.

"He not only supports this as a way of reducing greenhouse gases, but he wants to be one of the world leaders in dealing with global warming," said Terry Tamminen, Schwarzenegger's secretary of the California Environmental Protection Agency.

Automakers should have no problem complying, according to regulators, who say much of the technology is used in vehicles sold in Europe and Japan.

Such technology includes smoother-rolling tires, turbo-chargers, advances in transmission shifting systems and improved water pumps and alternators.

"We would hope that instead of complaining that the carmakers will join us in figuring out how to make this happen," Tamminen said.

Automakers and car dealers have rallied against the initiative, estimating that it could add \$3,000 to the average price of a new car by 2016, would do little to protect public health, and is a bid to mandate higher fuel economy standards.

"The benefits just aren't there," said Fred Webber, president of the national Alliance of Automobile Manufacturers.

Opponents say the rules are unfair because California accounts for less than 1 percent of greenhouse gas emissions.

"It's a national, international problem that needs to be addressed at that level - not on the back of California consumers when they're not going to see any tangible benefits," said Brian Maas, who monitors the issue for a consortium representing 1,400 California car dealers.

Another drawback: The hydrogen-fueled car of the future touted by Schwarzenegger could not meet air-quality standards set by the regulations, critics contend.

"We'll have to close down the hydrogen highways proposal," Webber said. "It just won't work under this proposal."

Clean-air advocates in other states are mobilizing, but have delayed their pushes until California acts.

The issue is not likely to fade, regardless of what emerges from the board.

Automakers have telegraphed their plans to sue, saying that only Congress can force them to build cars that offer better gas mileage. State lawmakers, some of whom are openly suspicious of the mandate, will have a year to review the regulations and potentially launch a legislative challenge.

The proposal sprung from scientific studies warning of dire environmental and economic consequences if global warming continues unchecked. Among the threats: more smog, climatic disruptions and less snow to fill reservoirs.

California lawmakers, mostly Democrats, approved a bitterly fought measure in 2002 directing the air resources board to craft regulations to control greenhouse gas emissions, primarily carbon dioxide. It was hailed as a significant victory for environmentalists and then-Gov. Gray Davis, who signed the bill in a star-laden ceremony in the shadow of the Golden Gate Bridge.

But the state has come under increasing fire from powerful automakers and car dealers as regulators toiled to develop the standards up for review today.

Supporters have cheered Schwarzenegger's clear signal of support, and clean-air advocates say the Republican governor could sell its merits to the public and business community.



Schwarzenegger embraced the policy in the recall campaign - even though he received strong support from car dealers - and has not wavered since, according to Tamminen.

"We're counting on them (air resources board members) to deliver the strongest, most practical and cost-effective means of reducing greenhouse gases," Tamminen said.

The latest draft of regulations has not wowed environmentalists, who nevertheless hope California will be a national trendsetter.

"It's a good start, but it's a conservative proposal," said Elisa Lynch of Bluewater Network. Lynch said the immediate clean-air gains will erode over time without more stringent rules and a broader campaign.

"Even though each vehicle will be cleaner, there will be more vehicles on the road driving more miles every year," she said.

Lynch suggested buyers of new cars will benefit because the engineering advances will cut repair bills and increase gas mileage.

"Before they pay off their auto loan, they will be saving money at the pump," she said.

Dr. John Balmes, serving at San Francisco General Hospital, has been an outspoken advocate of efforts to tame emissions.

"Bad air already takes a huge toll on public health in California," he said in a statement. "We simply have to hold the auto companies accountable to make cleaner cars."

## **Natural Gas Vehicle Initiative Gathering Steam**

[Riverbank News, Thursday, Sept. 23, Editorial](#)

Fuels that provide an alternative to heavily polluting gasoline and diesel are becoming popular - they may some day become mandatory - among local government agencies in the San Joaquin Valley where the air quality is the worst in the United States except for Los Angeles.

Riverbank Administrative Services Director Linda Abid-Cummings noted this five years ago, began to research vehicles powered by natural gas, eventually won funding and was successful in getting the city to add them to its vehicle fleet.

Now more than 25 percent of the city's fleet is powered by natural gas, other Stanislaus County cities are following suit, and Abid- Cummings is speaking on the subject this week in San Antonio, Texas.

Invited by the Clean Vehicles Education Foundation, she was scheduled to address the Natural Gas Vehicles 22nd Convention Sept. 20.

"Too often smaller cities are limited by funding. I want to emphasize today that your vision is not limited by the size of your entity," she said in her speech. "You do not have to be a major metropolitan area to think big, to be innovative or to be creative.

Among vehicles operating on natural gas, Riverbank alone has five Dial-A-Ride buses, a Public Works aerial truck, a road patching truck, two flatbed trucks, three service trucks, a personnel van, and the two new trolleys running to Oakdale.

By obtaining state and federal grants, the city ended up paying only \$14,551 of the total \$632,568 cost of the vehicles. It contributed just \$23,000 to the \$725,000 fueling station built at the city's corporation yard.

But the campaign for natural gas vehicles begun by Abid- Cummings has spread throughout Stanislaus County.

Riverbank initially led a consortium consisting of Turlock, Ceres and Stanislaus County in seeking grant money. This group received \$1.9 million in Congestion Mitigation Air Quality (CMAQ) funds to build fueling stations, \$100,000 from the Department of Energy and \$50,000 in Air Quality funds.

Another funding source used was Reduced Motor Vehicle Emission (REMOVE) grants.

Between them, the three cities and the county now have 32 heavy duty and 80 light to medium duty vehicles powered by natural gas. They also have been able to build three fast-fill and one slow fill fueling stations.

In the second phase now underway, Waterford will receive \$160,000, Hughson \$123,000, Oakdale 100,000 and Newman \$88,000 for alternative fuel vehicles.

The success story goes on and on.

Riverbank has received more grants of \$770,000 to build a maintenance facility for its natural gas fleet, and will soon buy a vacuum truck for \$154,000.

"The City of Riverbank is working with the local Post Office," Abid- Cummings added. "Hopefully by the end of the year, they will be using alternative fueled vehicles. In addition, they are considering contracting with our mechanic to maintain their vehicles."

"Riverbank Cares About Clean Air" became the campaign motto at the grand opening of its fueling station. That event drew more than 100 people and representatives from the U.S. Congress, the state Senate, Assembly and Governor's Office, and the Stanislaus County Board of Supervisors and city council.

Abid-Cummings said she first became interested in alternative fuels through reading a flyer regarding a Clean Cities Coalition meeting. She became even more enthusiastic when she talked to Jill Egbert from Pacific Gas & Electric and Jim Harry from Stanislaus County.

Taking her ideas back to her city manager and public works director, she found them supportive. She is grateful she works for a city that encourages innovation and creativity.

## **Stakes High as State Targets Greenhouse Gas From Cars**

**Other states could copy a successful effort. Legal challenges from carmakers are likely.**

By Miguel Bustillo

[Thursday, September 23, 2004, Los Angeles Times](#)

California, long a leader in cutting-edge rules to combat air pollution, is poised this week to adopt the world's first regulation to reduce car emissions that contribute to global warming.

The state's latest attempt to be an environmental trailblazer is almost certain to bring a legal challenge from the automobile industry, which accuses the state of using global warming as an excuse to set a new gasoline mileage standard for the entire nation.

It also sets up a confrontation between Gov. Arnold Schwarzenegger and the Bush administration over the scope of the state's authority to regulate cars.

California alone cannot reduce global warming. The state emits less than 1% of the heat-trapping gases - chiefly carbon dioxide - that many scientists believe are raising the planet's temperature. Only about a third of the state's emissions come from cars. California makes up about 11% of the national automobile market.

However, state officials expect other states - and perhaps other countries - to follow their lead by passing car-exhaust restrictions, combining to make a collective dent in the global warming problem.

Several states, including New York and New Jersey, have indicated they plan to do just that, using a federal law that allows other states to adopt tougher air-quality rules if California does so first. Canadian officials are also studying California's regulation as a prototype for their own rule.

The regulation would require automakers to begin cutting greenhouse-gas emissions in passenger vehicles in the 2009 model year. The requirements would grow steadily tougher over

seven years. By 2016, companies would have to reduce the heat-trapping gases from the tailpipes of all their cars and trucks by an average of 29%.

The rule could prove to be one of the most expensive environmental regulations ever for consumers. Californians would likely pay roughly \$1,000 more for every new car and truck, state officials estimate. Auto industry representatives maintain that the cost would more likely be \$3,000. The expense would be offset, in part, by lower fuel costs from better gas mileage.

Environmentalists are already hailing the global warming rule as California's greatest contribution to cleaning up the planet since the state forced car companies to install pollution-cutting catalytic converters four decades ago, leading to their adoption across the country and around the world.

Some business groups, meanwhile, are calling it the biggest California boondoggle since the state in 1990 made the same companies invest millions of dollars in electric car technology that never panned out.

"We are rather fatalistic at this point," said Fred Webber, president of the Alliance of Automobile Manufacturers, a group of nine automakers that includes General Motors, DaimlerChrysler and Toyota. Webber said he spoke to Schwarzenegger's environmental protection secretary, Terry Tamminen, and other state officials recently, and concluded that "there is a sense this is going to happen."

"If California goes forward with this rule, we will have no option but to sue," he added.

Schwarzenegger, who promised to support the global warming rule during his election campaign, made it a litmus test recently when appointing five new members to the California Air Resources Board. The board is expected to approve the regulation today or Friday during a meeting in Los Angeles.

The technology needed to cut the heat-trapping gases - such as variable-speed transmissions that constantly shift to find the most efficient gear - is already in use in some cars, helping to improve fuel efficiency and overall performance. But it costs more.

For example, a no-frills 2005 Honda Civic coupe has a suggested retail price of \$14,360. The same car with a variable-speed transmission costs \$14,860. To meet the new California regulation, car companies would likely need to offer several such technological enhancements as standard items.

While the regulation would clearly raise the cost of buying a car, state officials maintain that its requirements would be simpler for the auto industry to meet than many other state environmental regulations.

"We have pushed technology very hard before" with electric cars, said Tom Cackett, the air board's deputy director. "But we are really not pushing the envelope this time. We can point to every technology that is needed to make these reductions on some car out there today. We are not requiring any new inventions."

State officials argue that although consumers will pay more up front, they will save money in the long run because the vehicles will get better gas mileage. Automakers call that questionable, noting that using the state's own calculations, it would take more than a dozen years of driving to recoup the extra cost.

"The auto companies have done everything but say, 'We'll see you in court, buddy,' " said Roland Hwang, a car pollution expert with the Natural Resources Defense Council, one of the environmental groups supportive of the rule. "They did not engage in negotiations with the air board, which is typically what happens in these cases. They are just complaining, complaining,

complaining."

In response to the complaints from auto manufacturers, state officials agreed last month to give car companies extra time to meet the rule's requirements. They also raised their cost estimates from \$626 to \$1,064 for cars, smaller trucks and SUVs.

Nonetheless, industry officials say the state is using global warming as a fig leaf to force car makers to set new fuel economy standards, which only the federal government has the legal authority to do.

The easiest known way to reduce carbon dioxide emissions from cars and trucks, industry officials say, is to build vehicles that burn less fossil fuel, because the vast majority of the gases from cars are released during internal combustion.

Some legal experts believe the industry has a strong case that the state rule would amount to a new de facto fuel standard for the entire country. "There's a huge preemption question on whether California will be able to regulate greenhouse gases," said Ann Carlson, an expert on state and federal environmental law and associate dean of the UCLA School of Law.

Environmentalists disagree, arguing that car makers have other ways of reducing greenhouse gas emissions. They include using alternative coolants in more air-conditioning systems and producing more gasoline-electric hybrid vehicles.

"The state is regulating greenhouse gases, not fuel mileage," said Russell Long, executive director of the environmental group Bluewater Network, which helped write the state legislation that resulted in the rule. "We challenge the auto industry, which has been trying to project a greener image, to send its lawyers home and put its engineers to work. When will they support regulations to slow global warming's impact?"

California also faces a major hurdle in obtaining approval from the federal government to enact the global warming regulation.

Because it was regulating air quality long before the federal government passed the Clean Air Act, California is the only state that has the power to pass air pollution regulations that are stronger than those set by the federal government.

However, California must still apply for a waiver from the Clean Air Act to move forward with its own rules. To obtain the waiver, California must show a "compelling and extraordinary" reason that the state needs special rules - something easily demonstrated on smog but harder on an international problem such as global warming, skeptics note.

The Bush administration to date has chosen not to take action on global warming. President Bush promised during his 2000 election campaign to cut carbon dioxide emissions from power plants. But he later changed his position, arguing that the regulations would harm the economy.

The U.S. Environmental Protection Agency, which must rule on California's waiver, ruled last year that carbon dioxide was not a pollutant, and thus could not be regulated under the Clean Air Act. Several states, including California, are challenging that ruling in federal court.

EPA officials have declined to comment on the state's global warming rule, saying they will wait until they receive the waiver request.

"There are a lot of officials around the country who would like to fill the void created when the federal government decided to bury its head in the sand on global warming," said Assemblywoman Fran Pavley (D-Agoura Hills), who sponsored the legislation creating the California rule. "The automobile manufacturers made similar hysterical threats when the state

required catalytic converters, and now those are found in cars all over the world. I know they can do this."

## **Air board may tackle warming**

### **State looks at limiting emission of greenhouse gases by vehicles.**

By Edie Lau -- Bee Science Writer  
[Thursday, Sept. 23, Sacramento Bee](#)

California is poised to adopt the nation's first air pollution rule for cars aimed directly at fighting global warming.

The state Air Resources Board is scheduled to vote on the proposal at a two-day meeting beginning today in Los Angeles.

The rule would require makers of passenger cars and light-duty trucks to incorporate controls on "greenhouse gases" beginning with model year 2009, achieving emissions cutbacks of 30 percent by the year 2016.

The state estimates the changes will add \$1,000 to the average cost of a vehicle. An automotive industry group puts the cost much higher, at \$3,000.

The action will reach far beyond the state: Some Northeast states automatically mimic California's auto emissions rules, and California historically has been a trendsetter in air pollution standards.

"California has been the leader, and they've really done a great job in terms of forcing technology," said Richard Valentinetti, chief of Vermont's air quality division. Without the state's role, "we would never have the hybrid vehicle or the other advanced-technology vehicles that we have in the marketplace right now," he said.

New York Gov. George Pataki has already said that his state will adopt California's greenhouse gas emission standards.

Michael Fraser, a spokesman for the New York Department of Environmental Conservation, said an air program staffer from his state will testify at the California hearing in favor of the rule.

The proposal - and discussion surrounding it - illustrates the extent to which human-caused global climate change has been accepted as real.

Until recently, global warming was the subject of vigorous debate in scientific circles and beyond.

Today, most credible scientists believe that industrial emissions of carbon dioxide and other heat-trapping gases have the potential to alter the world's climate patterns, and that those changes have already begun.

Even the Bush administration, which has been a steadfast skeptic, said last month in a report to Congress that greenhouse gas emissions are the only likely explanation for changes in world climate in the past 30 years.

The Alliance of Automobile Manufacturers, a trade group representing makers of more than 80 percent of the new cars sold in California, is adamantly opposed to the state's proposed rule, but not because of doubts about global warming.

"Of course it's an issue of concern," said Fred Webber, alliance president and CEO. "But we feel very, very strongly that through a combination of voluntary actions and addressing the issue on a global basis, all of that is the way to address global warming."

Webber said cutting greenhouse gas emissions 30 percent in cars and light trucks sold in California will have a negligible effect on global emissions, amounting to a reduction of about 1/10 of 1 percent.

That estimate is consistent with figures from the state Air Resources Board.

"The regulations aren't going to have an impact on the climate in California, and they're not going to have an impact on global climate," Webber said.

The calculation, however, does not account for the likelihood that Northeast states will adopt the California standard, effectively doubling the reductions, said air board spokesman Jerry Martin.

Martin said the Canadian government also has expressed interest in copying the regulations.

Moreover, by tightening greenhouse gas emissions from cars and light trucks, the rule would reduce by five tons a day emissions of conventional pollutants that form unhealthy ground-level ozone, Martin said.

He added that technologies to achieve greenhouse gas reductions already exist in some cars. "The regulation suggests that by coupling two or three or four of these in one vehicle, you get to achieve these larger reductions," he said.

Steven Douglas, director of environmental affairs at the automakers trade group, said it's a mistake to assume the technologies can be used universally.

"For example, continuous-variable transmissions, those are not on all vehicles today and there's a good reason," Douglas said: "You roll out technology slowly so that all problems can be addressed."

Webber said because the technologies are still evolving the rule will add \$3,000 to the average cost of a vehicle and not the \$1,000 as the state estimates.

The air board staff says the added cost of \$1,000 will be recouped by the buyer through savings in fuel.

By and large, automotive emissions of carbon dioxide are tied to how much fossil fuel is burned.

That fact is at the heart of a lawsuit being considered by the auto industry.

Federal law bans states from regulating motor vehicle fuel efficiency; the auto lobby argues that the greenhouse gas rule is a back-door attempt to impose a new fuel-efficiency standard.

Webber limited his criticism to the proposed rule and not the 2002 law that led to the rule.

However, he did not offer a counterproposal. "We are saying this rule will not work," he said. "That is our position."

By law the air board must adopt a greenhouse gas rule by year's end. A special provision requires the Legislature to review the rule next year. The rule would go into effect in 2006, giving automakers three years to comply.

## **Organizers of car-free day say everybody auto do it**

Janine DeFao, Chronicle Staff Writer

[Thursday, September 23, 2004, San Francisco Chronicle](#)

It takes Dennis Finnegan more than three hours to get from his Oakland home to his classes at San Jose State University and back.

He rides his bike to the Lake Merritt BART Station, takes a train to Millbrae, connects to Caltrain and then bikes to campus. Or he takes Amtrak, with bike rides on both ends.

Finnegan has no complaints. He is car free, not by necessity but by choice.

This week, Finnegan will join people from 1,500 cities around the world as Oakland participates for the first time in International Car Free Day. The event began in 1997 in La Rochelle, France, and has grown particularly fast in Europe. Streets are often closed to cars to give residents a sense of what their towns would be like without automobiles.

No streets will be closed for Oakland's event today, but organizers note that Frank H. Ogawa Plaza outside City Hall, where the event will be held from 11 a.m. to 2 p.m., was created by

permanently closing streets. Berkeley celebrated the event Sunday at its How Berkeley Can You Be? festival, with participants pledging to leave their cars at home today.

Finnegan, 45, gave up driving when his Honda Civic died seven years ago. He said he feels "better in general, both psychologically and physically. Being in a car takes a huge toll on people they don't realize."

He and his wife remained carless when they moved from San Francisco's North Beach to a neighborhood near Lake Merritt last year. "People are afraid somehow their lives will be inhibited by it," said Finnegan, who is studying library sciences. "I've found the opposite. I find it very liberating to not depend on the car."

Organizers of the car-free event hope Finnegan and others like him will serve as examples that a carless existence is not only possible, but desirable.

"Asthma, the obesity epidemic, oil wars in the Middle East, traffic congestion, global warming -- there's a whole litany of problems for which decreasing the use of automobiles is a major part of the solution," said Gus Yates, president of CarFreeCity USA, a Berkeley nonprofit co-sponsoring the Oakland event.

Yates said there are no firm numbers showing how many Bay Area residents are car free. While an annual survey by RIDES for Bay Area Commuters shows one-quarter of commuters get to work without cars, it's unknown how many have automobiles at home, he said. The 2000 census shows the percentage of households without cars ranging from a low of 5.1 percent in Marin County to a high of 10.9 percent in Alameda County.

Yates said Oakland has made strides in promoting transit-oriented development, from West Oakland to Fruitvale to downtown.

He said he was surprised by the number of people who told him they don't drive as he handed out information in downtown Oakland about today's event, which will include such prizes as a weekend at the Oakland City Center Marriott to tickets to the Oakland East Bay Symphony, the Golden State Warriors and Amtrak.

Yates said the goal is not to ban automobiles.

"I notice when I talk to people who drive and love their cars, they immediately get a little testy. It adds a whole new meaning to the term 'defensive driving,'" said Yates, a Berkeley resident who admits owning a car but says he plans to sell it. "What this is about is consumer choice for people who feel overrun by automobiles in their everyday lives and would like to push cars back to the fringes."

Ultimately, Yates' organization is hoping to be involved in the development of a large car-free neighborhood of more than 100 acres. It is looking at former military bases and industrial sites as possibilities, from San Francisco's Hunters Point shipyards to Sacramento's Union Pacific rail yards.

While there are a handful of car-free locations in the United States, including Michigan's Mackinac Island and Santa Monica's Third Street Promenade, the idea has been slow to catch on in this car-obsessed country. Just a few U. S. cities -- Madison, Wis., Decatur, Ga., and Portland, Ore. -- are hosting car-free day events.

But, Yates said, "this isn't just a left-field idea. This is the new face of progress and where we're going."

Still, he added, "from a pragmatic standpoint, it would be difficult to displace people who love their cars, which is really most Americans."

## **Automakers Attack Proposal to Address Global Warming**

By DANNY HAKIM

[Wednesday, Sept. 22, New York Times](#)



DETROIT, - Automakers on Wednesday attacked a California plan to regulate automotive emissions of global warming gases.

The state's proposal "clearly goes far beyond what is reasonable and achievable," said Fred Webber, president of the Alliance of Automobile Manufacturers, a lobbying group that includes all of the major automakers except Honda and Nissan.

Mr. Webber spoke at a news conference a day before the California Air Resources Board is scheduled to begin two days of hearings on a plan to reduce automotive global warming emissions about 30 percent by the 2016 model year. A vote on the plan is expected Friday.

The plan, if it is approved and survives legal challenges, would have enormous implications for the efficiency of cars and trucks sold in California. It could also affect Northeastern states like New York that follow California's air pollution rules. It would be several years before a plan would begin to take effect, however, and a legal challenge is likely from the industry.

The Bush administration and other Republicans have generally rejected efforts to regulate global warming. But in California, Gov. Arnold Schwarzenegger, a Republican, has said he supports the emissions plan, which was signed by Gray Davis, the former Democratic governor.

Automakers have criticized the plan before, but they attacked it more directly Wednesday on several fronts. One of their main arguments is that the plan is pre-empted by Washington's authority to regulate fuel economy, because improving a car's fuel efficiency is by far the most significant way to cut emissions linked to climate change.

"This proposal is really a fuel economy rule and as such is clearly pre-empted by federal law," said Mr. Webber. "A lawsuit is certainly an option, especially when you're looking into the pre-emption issue," he added.

But emissions can be reduced modestly in ways other than improving fuel efficiency, for example by making changes to a car's air-conditioning system.

Part of the legal dispute centers on whether gases linked to global warming can be considered pollutants. If so, California has the authority to set its own air pollution regulations. But under the Bush administration, the Environmental Protection Agency no longer considers greenhouse gases to be pollutants. California and several other states are suing the agency on the decision.

"California has the clear authority to regulate carbon dioxide as an air pollutant," said Roland Hwang, a senior policy analyst at the Natural Resources Defense Council. "We believe that attacking these global warming pollution standards is a losing proposition, both legally and politically."

Mr. Webber said that the industry estimated that California consumers would have to pay \$3,000 more upfront for the average automobile when the plan was phased in. The state has estimated a \$626 increased cost for cars and \$955 for sport utility vehicles and other trucks, which would be easier to make up over time by saving money at the pump.

Mr. Webber also said that the plan as currently outlined "does not claim any significant air quality benefit and does not even attempt to quantify a single health benefit."

Environmentalists, citing a growing body of scientific research, have said that reducing emissions linked to climate change is an urgent concern. They cite trends including higher ozone levels, which contribute to health problems including asthma, as well as increased infectious disease and heat-related deaths.

Alliance officials said they believed global warming was a legitimate issue but did not have their own plan for addressing tailpipe emissions.

## **State Regulators Are Backing Pataki's Clean-Energy Goals**

By IAN URBINA

[Wednesday, Sept. 22, New York Times](#)

New York State regulators voted yesterday to adopt Gov. George E. Pataki's renewable-energy standards, which require the state to get about a quarter of its electricity from environmentally friendly sources by 2013.

The vote by the Public Service Commission is a step forward for a plan that will reduce air pollution in the state by about 6 percent while helping to make the renewable-energy industry more competitive, regulators and environmentalists said.

In his 2003 State of the State address, Governor Pataki announced that he wanted New York to get 25 percent of its energy from renewable sources by 2013. The commission lowered that bar to 24 percent, arguing that retail marketers of "green energy" that sell directly to residential consumers should count for the additional percentage point.

"By investing in renewable energy, we are helping to reduce our dependence on foreign oil, create new jobs and industries here at home and clean up our environment for the benefit of future generations," Mr. Pataki said yesterday.

Among the types of renewal energy the commission decided to include are wind, solar and biomass, which is energy produced by harvesting the heat from rotting organic material. It exempted trash incineration and power produced by large hydroelectric plants. The program is expected to cost \$582 million to \$762 million over the next nine years, a cost that will be passed on to consumers starting in late 2005. But the cost will be offset by a drop in electricity prices, the commission said.

The New York State Energy Research and Development Authority is to administer the plan, providing subsidized contracts to renewable-energy companies, which in turn will sell the energy to state utilities that deliver it to consumers.

Though applauding the announcement, environmental groups also criticized the commission's decision to slightly lower Mr. Pataki's original goal. "Green marketing programs are voluntary, so they should not have been factored in," said Katherine Kennedy, a senior lawyer with the Natural Resources Defense Council. "This last-minute reduction was a real missed opportunity."

Environmentalists also questioned whether the program had enough oversight. "This plan ends up being just a directive from one state agency to another state agency, and there is no clear indication of penalties for failing to meet the established goals," said Anne Reynolds, a project director for Environmental Advocates of New York.

New York will need to add 3,700 megawatts of renewable energy to the state's electricity grid to reach the 2013 target. The state now gets about 19 percent of its electricity from renewable sources, mostly from a hydropower plant at Niagara Falls.

## **Air district defends forest no-burn decision**

[Bakersfield Californian, Commentary, Thursday, Sept. 23, 2004](#)

Much has been opined about the Sequoia-Kings Canyon National Park being cited by the San Joaquin Valley Air Pollution Control District for conducting an unauthorized prescribed burn on June 30, 2004.

Unfortunately, *The Californian* did not contact the Air District for comment or clarification and the facts appear to have taken a backseat.

While the district does not normally make comments on pending enforcement cases, it is important to address the concerns raised in order to dispel the myths proffered by the uninformed.

Forest management practices over the last 50 years have resulted in large accumulations of flammable fuels and it is indeed a dangerous situation. That the district has no objection to responsibly conducted burns is demonstrated in its support of this activity, whereby many of its personnel and thousands of hours have been dedicated to assisting various forest land managers in accomplishing their goals.

It is difficult to fathom how *The Californian* can conclude the district was wrong in its "no-burn" decision. Smoke is bad for human health and the district is legally mandated to assess such burns for their impacts upon air quality and public health before allowing them. The factors considered include other fires that are contributing smoke to our air, local meteorology, the air quality forecast, and the affected population.

Prescribed burns must adhere to a certain "prescription," or set of requirements, when they are conducted. If a degradation of the meteorology or air quality is predicted before a burn occurs, then it will fall outside the prescription and will not be allowed.

In order to consider all factors the district holds a daily conference call with all concerned agencies, including the National Park Service and the state Air Resources Board. There are no surprises, as forecasts for the next few days are discussed and "burn/no burn" decisions are explained. Everyone knows such decisions are based upon the best available science and are final.

The district did everything it could to ensure the Park Service had a successful multiple-day burn, including curtailing agricultural burning by farmers in order to reduce smoke levels so the valley's air remained healthy to breathe. With that, the district made site visits prior to the unauthorized burn and told the Park Service that no additional acreage would be allowed to burn on June 30, as it would further degrade air quality and negatively impact public health. The Park Service was not asked to extinguish existing fires.

Some attempt to second guess the no-burn decision by pointing to the fact that air quality improved even though the burn was conducted, but they fail to mention that rain in the area substantially decreased burning, resulting in improved air quality.

The primary goal of the Valley Air District is to protect air quality and human health. Inconveniencing a few people by delaying the burn for one day is a small price to pay for protecting public health. There is no doubt the decision was a good one.

***Dave Crow is Air the Pollution Control officer for the San Joaquin Valley Air Pollution Control District.*** Another View is a critical response to a Californian editorial or story. It may contain up to 500 words. The Californian reserves the right to reprint contributed commentaries in all formats, including on its Web page.