

## **State starts work on plan to curb greenhouse gases**

### **First public hearing by Air Resources Board**

Mark Martin, Chronicle Sacramento Bureau  
S.F. Chronicle, Tuesday, Jan. 23, 2007

Sacramento -- California's first-in-the-nation effort to dramatically reduce greenhouse gases officially began Monday, as the state regulators began public hearings to craft a carbon-reduced economy. Four months after Gov. Arnold Schwarzenegger signed AB32, which calls for reducing emissions of carbon dioxide and other gases by 25 percent by 2020, the state's Air Resources Board has begun work on implementing a law that could change everything from the fuels motorists use to how farmers handle animal waste.

In a packed auditorium in the state's Environmental Protection Agency building in Sacramento, the board's staff outlined an array of deadlines leading up to 2012, when the board will finalize its overall plan for meeting the 2020 mandate.

The hearing came amid signs that the action last year by Schwarzenegger and California lawmakers has reverberated around the country. A coalition of environmental groups and big companies such as General Electric and DuPont held a press conference Monday in Washington, calling on President Bush to emulate California by enacting a nationwide cap on greenhouse gas emissions.

And while Bush's aides have said he opposes a cap, the president is expected in his State of the Union speech today to talk about changing the country's energy habits in what is likely to be his most expansive comments on global warming to date.

Scientists have shown that the temperature has risen by .7 degree during the last 100 years and sea levels have risen by 3 to 8 inches. A report by Schwarzenegger administration officials predicted major problems for California if no action was taken. Those problems include a doubling of the number of large forest fires and the loss of 75 percent of the state's snowpack, which would reduce available drinking water.

In California, business interests, environmentalists, entrepreneurs and others gathered in Sacramento to hear how a process that will have to cut 174 million metric tons of greenhouse gases from the **air** will begin.

AB32 gives broad powers to the Air Resources Board to decide which industries should cap emissions, to adopt caps and emission regulations for those industries and to potentially create a market-based system that would allow companies to buy and sell emissions credits.

A rough draft of its plan will be out by 2009. Other deadlines include developing regulations to require industries to report emissions by the end of this year, and, also this year, proposing regulations about early steps to reduce emissions that could begin sooner than 2012.

Those early steps will be the first battle this spring and could include things like increasing recycling mandates, lowering methane emissions from landfills or requiring appliances to emit fewer hydrofluorocarbons. A list of potential early steps - which also could include an executive order signed last week by Schwarzenegger to require oil companies to produce cleaner fuels -- will be released by the board's staff in March.

"This will be a big test this year, to see if the state can really begin cutting emissions quickly," said Jason Barbose of Environment California.

Business groups said Monday they are concerned about how five years of regulatory proceedings will hinder companies' long-term planning.

"These are big question marks on the spreadsheet," said Dorothy Rothrock of the California Manufacturers and Technology Association.

A group formed by the California Chamber of Commerce and the California Manufacturers and Technology Association to lobby on behalf of business during the process asked that the companies that begin making changes now be allowed to include potential reductions when regulations go into place in 2012. The group's concern is that companies that begin reducing emissions early will be penalized later by being forced to make even larger cuts. The group wants assurances that early cuts will be counted when caps are set. The board is required to consider that issue as it makes its rules.

While Schwarzenegger and lawmakers left most of the details to the board to sort out, the governor does have one critical role to play. There are three vacancies on the 11-member board, whose members are appointed by the governor. A spokesman for the governor declined to say when he will name his new appointees.

### **E-P-A grant to make some Wisconsin garbage truck engines cleaner**

Associated Press

Contra Costa Times, Tuesday, January 23, 2007

DE PERE, Wis. - Some garbage trucks are about to hit the streets with cleaner engines in De Pere and Milwaukee.

The state of Wisconsin is getting \$50,000 from the U.S. Environmental Protection Agency to retrofit the trucks' diesel engines.

Julie Magee is the coordinator for the E-P-A's Midwest Clean Diesel Initiative.

She says the agency is giving the Wisconsin Department of Natural Resources money for oxidation catalysts that can be fitted to at least 21 garbage trucks. They are to cut down on the black smoke that can sometimes be seen puffing out of a truck's exhaust system.

De Pere and Milwaukee were chosen because the cities are in so-called non-attainment areas which aren't meeting federal air-quality standards.

### **CEOs plead for mandatory emissions caps**

By H. Josef Hebert, Associated Press Writer

In the Fresno Bee, Tuesday, Jan. 23, 2007

WASHINGTON (AP) - Chief executives of 10 major corporations urged Congress on Monday to require limits on greenhouse gases this year, contending voluntary efforts to combat climate change are inadequate.

The call for immediate action came on the eve of President Bush's State of the Union address in which he is expected to reiterate that the industry on its own is making progress in curtailing the growth of heat-trapping emissions without the need of government intervention.

But the executives and leaders of four major environmental organizations said in a letter to Bush that mandatory emissions caps are needed to reduce the flow of carbon dioxide and other heat-trapping gases into the atmosphere.

"We can and must take prompt action to establish a coordinated, economy-wide market-driven approach to climate protection," the executives, part of a coalition called the U.S. Climate Action Partnership, said in a letter to the president.

The executives, representing major utilities, aluminum and chemical companies and financial institutions, said the cornerstone of climate policy should be an economy-wide emissions cap-and-trade system.

Members of the group include chief executives of Alcoa Inc., BP America Inc., DuPont Co., Caterpillar Inc., General Electric Co., and Duke Energy Corp.

At a news conference, the executives said that mandatory reductions of heat-trapping emissions can be imposed without economic harm and would lead to economic opportunities if done across the economy and with provisions to mitigate costs.

Many of the companies already have voluntarily moved to curb greenhouse emissions, they said. But the executives also said they do not believe voluntary efforts will suffice.

"It must be mandatory, so there is no doubt about our actions," said Jim Rogers, chairman of Duke Energy. "The science of global warming is clear. We know enough to act now. We must act now."

Eileen Claussen, president of the Pew Center on Global Climate Change, said the group intends to push the issue in Congress, urging lawmakers to address climate change as soon as possible. She said she expects other major corporations to join in the call.

Fred Krupp, president of Environmental Defense, a member of the alliance, called the executives' support "a game changer" in the debate over climate change. "We are asking Congress to not wait for a new administration and not wait for the presidential debates," Krupp said.

In the letter, the executives urged Congress to significantly reduce greenhouse gas emissions. The legislation should cut these releases 10 percent below today's levels within a decade and at least 60 percent by 2050, according to the action plan. Releases of carbon dioxide, the principal heat-trapping gas, has been increasing an average of 1 percent a year.

At his daily briefing, White House press secretary Tony Snow dismissed any call for mandatory, economy-wide carbon caps to deal with climate. He acknowledged there's been some talk about such caps, "but they are not part of the president's proposal."

The first days of the new Democratic-controlled Congress have seen a rush of legislation introduced to address climate change, all of which have some variation of a cap-and-trade approach to dealing with climate change.

Among those pushing cap-and-trade climate bills are two leading presidential aspirants, Sens. Barack Obama, D-Ill., and John McCain, R-Ariz.

Essentially such a mechanism would have mandatory limits of greenhouse gas emissions, but would allow companies to trade emission credits to reduce the cost. Companies that can't meet the cap could purchase credits from those that exceed them or in some case from a government auction.

Also signing the letter to Bush were the executives of Lehman Brothers, PG&E Corp., PNM Resources, FPL Group and four leading environmental organizations.

## **California businesses seek clarity on state's global warming law**

By SAMANTHA YOUNG, The Associated Press

In the Bakersfield Californian, Tuesday, Jan. 23, 2007

Business leaders say uncertainty over how California will implement its new global warming law could delay business investments and force companies to cut jobs.

The new law took effect January 1 and sets a broad mandate to cut greenhouse gas emissions in the state. At a public workshop today, business leaders told state regulators that individual companies don't know what's expected of them.

Dorothy Rothrock, vice president of the California Manufacturers and Technology Association, says companies need to know soon how they will be treated under the new law. She says waiting for the Air Resources Board to develop regulations over the next few years creates too much uncertainty. The law imposes the country's first statewide cap on emissions, aiming to reduce heat-trapping gases by an estimated 25 percent by 2020.

## **Pacific Steel initiates discussion with neighbors**

**BERKELEY: Company mails newsletter to residents, who can send in their feedback through new Web site**

By Doug Oakley, Medianews Staff

Contra Costa Times, Tuesday, January 23, 2007

With three lawsuits against it and complaining neighbors who just won't go away, Pacific Steel Casting is reaching out to Berkeley residents with a public relations effort for the first time in its 73-year history.

The company mailed 7,500 copies of a glossy, four-page newsletter called "Neighborhood News" to addresses in West Berkeley, and it rolled out a new Web site with a section where people can send in comments.

The company has been the target of air-pollution complaints from neighbors for years. Neighbors blame the company for a burning-plastic smell that permeates the area. And the company is on the receiving end of lawsuits from the Bay Area Air Quality Management District, an Oakland group called Communities for a Better Environment and 25 separate residents who are suing in small claims court.

The lawsuit by the Bay Area Air Quality Management District, filed in Alameda County Superior Court, is set for trial in August pending the outcome of private arbitration. The suit by Communities for a Better Environment, filed in federal court in San Francisco, is in mediation. The group of suits in Alameda County small claims court is waiting to be assigned to a judge.

In a commentary in the newsletter, Pacific Steel Vice President of Operations Joe Emmerichs said, "Our company hasn't always done the best job of communicating with neighbors. With this newsletter, which all West Berkeley households will receive periodically, we want to change that."

The newsletter includes articles about the carbon filtering device the company put into operation at its third plant in the fall, and an attack on testing by West Berkeley Alliance and Global Community Monitor to try to link the presence of metals on outdoor surfaces to emissions from the plant.

Elisabeth Jewel, a spokeswoman for Pacific Steel, said her company, AJE Partners, helped put the newsletter together. For the vice president to acknowledge the company hasn't done a good job of communicating with neighbors is important to note, Jewel said.

"There are probably a lot of companies that wouldn't come out and say that," she said. "It's important to be forthcoming. We want people to understand the company is making an effort to have a conversation with the community."

Jewel said the newsletter and Web site are an opportunity to "demystify what goes on" at the plant.

Grace Neufeld, executive director of Neighborhood Solutions, the group that helped organize the 25 plaintiffs in the small claims cases, said the effort was a long time in coming.

"It's the first I've heard they have shown any interest in what the community has felt or experienced, so it's a good thing," Neufeld said. "They need to communicate."

But Steve Ingraham, co-founder of West Berkeley Alliance, was less receptive.

"It's just a spin technique to allow them to do the same old things," Ingraham said. "They are looking for anything that can ward off the kind of regulation that might make them invest millions more in new equipment or force them to relocate."

IF YOU GO

WHAT: Community meeting with Pacific Steel representatives

WHEN: 7 p.m. Feb. 7

WHERE: West Berkeley Senior Center, 1900 Sixth St.

## **Caterpillar joins call for climate-changing pollution standards**

Jan Dennis, Associated Press

Contra Costa Times, Tuesday, January 23, 2007

PEORIA, Ill. - Caterpillar Inc. and other U.S. manufacturers could lose business to foreign competitors if the Bush administration fails to enact mandatory reductions in climate-changing pollution, the Peoria-based company said Monday.

Caterpillar, the world's largest construction equipment maker, joined nine other major U.S. corporations that urged President Bush on Monday to support national emissions guidelines that would trim greenhouse gas emissions by at least 60 percent by 2050.

Jim Owens, Caterpillar's chairman and CEO, says national reduction targets would avert a "patchwork" of potentially costly and conflicting state regulations that could hurt U.S. manufacturers amid growing competition for global sales.

"We felt it was better to be in the formative stages of this legislation and have a constructive voice. ... You could cost yourself out of the market if you aren't careful," Owens said in a telephone interview after the proposal was unveiled at a Washington news conference.

Members of the group, called the U.S. Climate Action Partnership, also include chief executives of Alcoa Inc., BP America Inc., DuPont Co., General Electric Co., and Duke Energy Corp.

Owens said says corporations can help provide innovative solutions that will improve both the environment and energy efficiency, while also protecting U.S. trade and the nation's economy.

"If we go to the sidelines and leave all of this to partisan politics, the stronger environmental groups will drive legislation which is incompatible with policies we need to support manufacturing in the global marketplace," Owens said.

In a letter to the president, the executives urged Congress to reduce carbon dioxide and other greenhouse gas emissions by 10 percent below today's levels within a decade and at least 60 percent by 2050.

Illinois has no carbon dioxide emission regulations, but promotes clean-air technology that encourages use of the state's coal supplies, said Jim Ross, manager of the state Environmental Protection Agency's division of air pollution.

With more than 20 coal-fired power plants in Illinois, Ross said state environmental officials are following the push for national emissions standards "very, very closely."

## **Region seeks more power to fight pollution**

**The South Coast air board says state and federal regulators are not doing enough to clean up trains, cargo ships and airplanes.**

By Janet Wilson, Times Staff Writer

L.A. Times, Saturday, Jan. 20, 2007

Insisting there is no other way to meet looming federal deadlines to clean up the nation's dirtiest air, Southern California air regulators will seek greater authority to regulate ships, trains and other large sources of air pollution.

"We're at the end of our rope," said William Burke, chairman of the South Coast Air Quality Management District board. "The state and federal governments simply have not acted quickly enough to address the public health crisis."

Burke said the AQMD board will ask Congress to amend the Clean Air Act to force the U.S. Environmental Protection Agency and the California Air Resources Board to enact every available, feasible control on mobile sources, which he said are responsible for 80% of the region's smog. The AQMD also wants expanded authority to regulate mobile sources, arguing that its current powers over vehicle fleets, for instance, are not enough.

The nation's two largest railroads have sued the district for trying to impose tougher anti-idling laws on locomotives in the Los Angeles Basin than elsewhere, saying it cannot do so under federal law.

The Clean Air Act largely gives responsibility for such pollution sources to federal and state regulators, while local air districts oversee stationary sources such as oil refineries and power plants.

But regional air quality officials said the EPA has repeatedly postponed tougher regulations on locomotives, cargo ships and airplanes.

An EPA spokesman said new regulations should be ready "sometime this year." The EPA had previously said technology to retrofit locomotives was not yet available. Environmental groups have accused the agency of stalling to aid industry.

To help its cause, the AQMD has hired two high-profile Washington lobbyists, while in Sacramento it renewed a lobbying contract to pursue new state laws if necessary.

At its January meeting, the board approved a one-year, \$115,000 contract with Sen. Dianne Feinstein's longtime chief of staff and former legislative director, Mark Kadash, and his firm, and a one-year, \$99,000 contract with Tony Podesta, a Democratic lobbyist in Washington, D.C.

The agency last month renewed contracts totaling \$369,000 with former state Sen. Richard Polanco (D-Los Angeles) and a subcontractor for lobbying in Sacramento.

"We need all the help we can get," said AQMD spokesman Sam Atwood.

The agency's officials face a daunting task in bringing the Los Angeles region into compliance with tough standards for diesel soot and ozone by 2015 and 2020, respectively. Although air quality here has improved dramatically in the 30 years since the AQMD was created, Southern California still experiences 5,400 premature deaths a year because of air pollution, according to state estimates.

The AQMD maintains that the state air board's plan for regulating mobile sources falls short by 100 tons a day in needed reductions of nitrogen oxides, key ingredients of smog. The agency also faults the state board for signing secret voluntary agreements with BNSF Railway and Union Pacific, which the AQMD says don't require the railroads to do anything new.

BNSF spokeswoman Lena Kent said both railroads will spend \$260 million on new locomotives and other technologies to reduce California emissions.

California Air Resources Board spokesman Jerry Martin said the state's railroad agreements are already producing substantial emissions reductions, while the AQMD has accomplished nothing other than racking up huge legal bills from the railroads' lawsuit.

State air board staff also said there have been significant cuts in diesel particulates in the last five years. But they said many of the measures recommended by the AQMD were not technically feasible or could cripple industry in the state. Martin said that although the AQMD might not be able to make the 2015 deadline for soot, "we think they can do it ... probably by 2017 or 2018."

Working alone, the South Coast agency is not going to be as successful, said John White, a former AQMD lobbyist who as a state legislative aide helped craft language creating the air district. "For California to be successful in terms of reducing tons of air pollution, we have to have the governor and the air board also working together," said White. Still, he and others said it was not likely that the AQMD would win special amendments in the federal Clean Air Act.

"I am very sympathetic," he said, "but I'm not sure a regional agency is going to be granted broad new powers."

White said, however, that the aggressive effort could pay off by pushing EPA "to the wall" by using pressure from Democratic members of Congress to take action on large pollution sources.

Southland pollution

AQMD officials say they need more power over mobile pollution sources, such as trains, to lower future pollution levels significantly. They now regulate mostly stationary commercial sources such as oil refineries.

Sources of NOx\* (2002)

Mobile sources: 91.8%

Stationary consumer sources: 4.4%

Stationary commercial sources: 3.8%

\* Nitrogen oxides, key ingredients of smog, emitted in the Los Angeles air basin in summertime.

Source: South Coast AQMD

## **City attorney defends privacy of council e-mail**

John Upton

Tracy Press, Saturday, January 20, 2007

Tracy's city attorney's office supports Vice Mayor Suzanne Tucker's refusal to publicly release electronic conversations with weapons developers working for the federal government a mile from Tracy because she used a personal e-mail address.

Council members and members of the city's official advisory committees, including the influential Tracy Tomorrow & Beyond Committee, are not provided with official city e-mail addresses, according to Zane Johnston, city finance director and technology head, which forces them to use their personal e-mail addresses to discuss city business.

Johnston said he doesn't know why the city doesn't provide e-mail addresses to council members.

Whatever the motivation, the result is that Tracy's elected officials are able to argue that their e-mails are documents shielded from public records laws — even in cases such as Tucker's when e-mails discuss public issues the council will vote on with another public entity such as the Lawrence Livermore National Laboratory.

It's a position that Councilwoman Irene Sundberg disagrees with. She said her political opponent "absolutely" should release her e-mails with Lawrence Livermore.

"She was doing public business. Period," she said Friday.

Sundberg recalls that at a League of California Cities class she attended years ago, she was coached to limit the use of e-mails, which are subject to public scrutiny regardless of whether they are work-related, League trainers had said.

The League, in part, a lobbying group, is the largest organization of cities in the state, with hundreds of members.

Several laws, such as the California Public Records Act, explicitly state that any writings of public officials are open to public scrutiny and inspection, including e-mail.

Still, Deputy City Attorney Bill Sartor wrote in a letter e-mailed to the Tracy Press on Thursday that e-mails sent to and from council members' personal e-mail addresses are "prepared, owned, used or retained by individual council members in their capacity as private citizens."

Johnston said city policies aimed at preventing city documents from being destroyed do not apply to council members' private e-mail accounts.

The Tracy Press had asked to see Tucker's e-mails to and from Lawrence Livermore National Laboratory that discussed proposals to build an anti-biological terrorism laboratory and to increase outdoor test explosions at Site 300 in the hills southwest of Tracy.

"Such communications (from personal e-mail accounts) are not considered records under the California Public Records Act," Sartor said. "Those communications were made in their capacity as private citizens."

Mayor Brent Ives, who works at the lab, said members of council have never been provided with e-mail addresses, and he said that it is sometimes complex to figure out what are personal and what are work-related e-mails.

Ives said he discourages people from sending council-related e-mails to the address provided by his employer and that he instead uses a personal e-mail address to communicate with his constituents. E-mails to Ives' employer — Lawrence Livermore National Laboratory — are subject to federal public records laws.

Ives said he suggested late last year that City Manager Dan Hobbs' office look into providing city e-mail addresses to council members.

Californian Newspapers Publishers Association staff attorney Jim Ewert argues that work-related e-mails are public record, whether they are transmitted with a private e-mail address or not.

"If every city employee did city business on their own private e-mail account, then nothing would ever have to be disclosed pursuant to the Public Records Act," Ewert said. "I can't imagine that's what the legislators wanted, nor is there any case law to support that."

Steve Abercrombie, who was appointed to the council on Dec. 19, said Friday that he hasn't been offered a city e-mail address. He said he would prefer to use his personal e-mail for his council work.

"That's the easiest way; it's more convenient," he said.

Councilwoman Evelyn Tolbert said the lack of e-mail addresses for council members likely reflects the city's view of the council as volunteers.

"Basically what they do is they pay for us to run the city, but they don't give us anything to help us," Tolbert said.



## **Spare the Air alert issued for Bay Area tonight**

BAY CITY NEWS

Tri-Valley Herald, Friday, January 19, 2007

For the 20th time this season, Bay Area residents are being asked to help reduce unhealthy levels of particulate pollution by refraining from burning wood and limiting their driving this evening.

Tiny particles in wood smoke and vehicle exhaust can be inhaled and create serious health problems, particularly for the very young, elderly and people with respiratory or cardiovascular disease, the Bay Area Air Quality Management District reported.

Cool weather conditions favor the buildup of particulate matter and burning wood is not the most efficient way to heat a home, according to the district.

High concentrations of particulate matter result when cool air close to the ground creates an inversion layer of warmer air above that can trap pollution when there is no wind blowing, the district reported.

The highest concentrations of polluting particulate matter are reached at night and in the early morning.

There is no free transit component to the "Spare the Air Tonight" campaign.

## **Electric bicycles gaining traction**

**Environment concerns, gas prices drive many commuters to alternative modes of transportation**

By Michael Manekin, STAFF WRITER

Tri-Valley Herald, Friday, January 19, 2007

Like a lot of folks on the Peninsula, Brian Howell is concerned about the environment. So, when Howell's Acura Integra died last January, he started shopping for a Toyota Prius.

But Howell, who has degrees in physics, mathematics, material science and engineering, found the Prius a disappointment. He said he wanted a car that didn't rely on the petroleum that sets U.S. policy and spurs international wars; he wanted to be free of the carbon dioxide bringing our planet toward climate catastrophe. What he wanted, he said, was an electric car.

When Howell couldn't find one, he purchased an electric bicycle and began commuting 7 miles from his home in Belmont to his job as a Sony engineer in Foster City.

Now, he's a convert.

"I was always planning on buying a car, but I was addicted to these (electric) bikes," said Howell. "They're easy to operate. They allow you the convenience of a motorcycle. They give you exercise and fresh air. It has radically changed my life."

Last year, as gas prices soared, congestion worsened and concern for the environment heated to a fever pitch, more commuters began to leave behind their cars. Sure, many have wised up to public transportation, but some were wooed by light electric vehicles — a broad range of contraptions that don't putt-putt-putt so much as zoom-whir-zoom. The LEV field is broad, including scooters, pedicabs, Vespa-like motor scooters and even miniature cars.

For many, electric bikes are the gateway into the world of LEVs — but why is the two-wheeler so popular?

Rob Means, the founder of Electro Ride Bikes & Scooter in Milpitas, has a simple explanation.

"More smiles per mile," he said.

Means, who sells a wide selection of the electric bikes and do-it-yourself kits out of his South Bay home, said that electric bike sales are increasing because it's a safe way for fed-up commuters to test the electric waters without risking too much money.

Bicycles, he said, are familiar, easy to use and "if you run out of juice, you just pedal home."

The benefits of an electric bike, said Means, are economic, environmental and health-related. Despite its high sticker price (the models he sells range from \$800 to \$1,500), that's nothing compared to the yearly cost of owning an automobile (\$7,834, according to AAA). Naturally, less money spent on fuel means less carbon dioxide and nitrogen dioxide to harm the air quality, and the health benefits of exercise are self-evident.

The persuasive arguments, coupled with technology advances, have driven multiple manufacturers into the business — at least 30, said Means. Small manufacturers sell boutique bikes for \$5,000 and more, and big-box retailers peddle models for as low as \$300 — although Means refers dubiously to the latter as "landfill material."

Most electric bikes weigh between 60 and 90 pounds and come equipped with an electric motor, a battery, a charger and a speed controller (throttle- or pedal-activated). The motors, ranging from 250 to 1,500 watts, are affixed to the front or back wheel. The batteries, predominantly 24- or 36-volt lead-acid or nickel-metal-hydride, tend toward the size of a bread basket.

Riding an electric bike is practically effortless. Throttle-driven models can be powered by one's thumb, but a little effort on the rider's part is encouraged to spare battery life and increase speed. Pedal-powered models activate the motor by pedaling alone.

Perhaps the electric bike's biggest impediment is the batteries, whose 20-pound heft and limited 8-10 mile capacity may turn consumers off. However, the spread of lithium batteries, which weigh four times less and extend the life of the battery some 25 percent, promises further evolution and higher sales to come.

In fact, Howell, the engineer at Sony, has partnered with Means to retail an electric bike of his own design — a recumbent which he claims can reach speeds of more than 30 mph and exceed distances of 100 miles. Not bad, considering an average electric bike reaches speeds of about 25 mph, requiring a charge after every 8-10 miles.

Of course, electric bicycles are limited by law to traveling less than 20 mph, but Means insists that "nine out of 10 (cops) don't know the rules of an electric bike."

A compelling feature of the bikes, Means said, is that they remove the three most frustrating parts of riding a plain old bicycle: starting from a stop, going up a hill or battling a strong wind. And although hard-core cyclists may sneer, charging that electric cyclists are cheaters, Means has a ready reply to the charge.

"I just generally remind them that they are thinking from the paradigm that a bicycle is for exercise, not recreation," he said. "For those of us who think of it as transportation, it's not a cheat."

On a recent sunny morning, ideal for a bike ride, Matt Leafgren, 31, drove his Toyota Corolla to Means' tiny showroom.

Leafgren, who studies industrial design at San Francisco State University, already knew a great deal about LEVs, but he wasn't ready to ditch one of the two family cars. In spite of the \$40 a week in gas, the traffic back-ups, the hassle of looking for a parking space and getting ticketed anyway, Leafgren wasn't ready to say goodbye to his car. Then, in January, the Bay Bridge tolls climbed to \$4.

"It's the least of the reasons, but it's the straw that broke the camel's back," said Leafgren.

Now Leafgren wanted to buy a \$600 kit to convert a used mountain bike into a whirring, pedal-assisted commuting machine. Sure, he had concerns about relying on an electric bike, but he was excited for a

little exercise and fresh air, and tired of "feeling crappy about global warming and contributing to oil dependence."

"This may be your first electric vehicle," Means told Leafgren. "But I can guarantee it ain't gonna be your last."

A couple of days later, Means said, Leafgren bought the kit. Then, on the same day, he sold his car.

"We live in a car culture," said Means. "But I'm starting to see a shift. We haven't gotten up the hill, but the curve is starting to bend."

## **Communities fight pressure to build crematoriums**

### **Richmond residents are fighting construction efforts by protesting alleged pollution**

By Terence Chea, Associated Press

Tri-Valley Herald and Tracy Press, Wednesday, January 17, 2007

RICHMOND — Plans to build new crematoriums are running into resistance around the country over a fear some scientists say is overblown: toxic emissions, especially mercury fumes from incinerating dental fillings.

Silver fillings contain mercury, a substance that can harm brain development in children.

Mercury from industrial plants has found its way into rivers, lakes and oceans, tainting many types of seafood.

Industry officials say crematoriums are safe and meet all government air-quality standards. And some scientists say the amount of mercury in fillings is so small as to pose little or no danger.

But that's of little interest to Richmond residents who fought plans to build a crematorium in the East Bay city.

"You're burning bodies, and the emissions are going up into the air," said community leader Johnny White. "They can put it somewhere else, away from where people live."

#### Disputed effects

The Environmental Protection Agency estimates crematoriums emit 320 pounds of mercury per year, while activists say the real figure could be as high as three tons.

Even the higher figure is a tiny share of the more than 100 tons of mercury pumped into the atmosphere in the U.S. each year, mainly from coal-fired power plants and other industrial sources.

Alexis Cain, an environmental scientist with the EPA in Chicago, said of mercury from fillings: "I don't think it's a risk to people who live in the vicinity of crematoriums."

Just 6 percent of Americans were cremated in 1975. By 2004, 31 percent — or 741,000 people — chose cremation, according to the Cremation Association of North America.

California leads the country with 122,000 cremations performed in 2004.

People are choosing cremation because it is less expensive and is perceived as more eco-friendly, since land is not used for burial, industry officials say.

The soaring popularity of cremation is driving demand for more crematoriums.

There are currently more than 1,800 in the U.S., and about 200 new ones are built each year.

#### Bay Area precedents

In California, residents of Hayward, San Leandro and San Rafael have all waged campaigns to block new crematoriums. Similar protests have erupted in other states and countries. In Texas, the Rowlett City Council in October unanimously rejected plans for a funeral home and crematorium after residents voiced fears about mercury.

The Neptune Society of Northern California ran into unexpectedly fierce opposition in Richmond when it proposed a crematorium that would incinerate more than 3,000 bodies a year within two blocks of a daycare center and children's park. Facing protesters carrying banners reading "Over my dead body," the City Council voted in July to deny the necessary zoning change.

"We don't want to be guinea pigs," said Henry Clark, who heads the West County Toxic Coalition in Richmond. "These things are not properly regulated. There's a scarcity of information on what chemicals they use in the process, and what is actually released."

Paul Rahill, an environmental consultant at the Chicago-based Cremation Association of North America, said the industry has been unfairly tarnished. "From an environmental standpoint, crematories are a non-issue," Rahill said.

#### Solutions proposed

One solution could be to remove mercury fillings from corpses before cremation, but industry officials say many families would object because their loved ones could be disfigured. Another solution is to install emissions controls on crematorium smokestacks, but industry officials say that could be expensive and put small operators out of business.

The use of dental silver with mercury has dropped off in the United States from about two-thirds of all fillings in 1990 to about 30 percent today, according to the American Dental Association. But many baby boomers still have silver in their mouths.

"When the current generation of baby boomers passes away, we're the ones that are going to put the most mercury in the atmosphere," said John Reindl, a recycling manager in Dane County, Wis., who has researched the issue. "Now's the time when we really need to handle this issue."

### **News Brief**

AP article in Washington Post, January 23, 2007

ALEXANDRIA, Ind. (AP) \_ Opponents of a new ethanol plant under construction in Madison County claim in a lawsuit that zoning officials should not have allowed the plant to be built.

"We have a two-paragraph complaint. One, that they shouldn't allow this and, two, if they allow this, they have to buy our property," said attorney Steve C. Smith, who represents Kent and Lisa Closser, who live near the plant.

"The Closser family is especially affected because they have a special needs child. When we breathe the air and all those pollutants, you and I can walk away, this girl is a prisoner in her home."

Broin Companies is building Ultimate Ethanol LLC, a \$105 million ethanol-production plant, near Alexandria, about 40 miles northeast of Indianapolis. Production could begin early next year.

The Madison County Planning Commission and county commissioners approved the plan over opposition from area residents who expressed concern over air quality and pollutants such as lead, carbon monoxide and sulfur dioxide the plant will produce.

The Indiana Department of Environmental Management addressed some of those concerns during a two-hour meeting Dec. 14 at Alexandria City Hall, attended by about 30 people. IDEM officials stressed that any change in operations at Ultimate Ethanol will cause air permits to be reconsidered.

Besides the Clossers, other residents have filed separate suits in recent weeks claiming that the rezoning was illegal.

"I know that there have been some pleadings that have been filed," said Jerry Shine, attorney for the Madison County Planning Commission and Board of Zoning Appeals. "I think there was some motion for change of judge filed, so we're waiting for a judge to qualify."

[Sacramento Bee, Letter to the Editor, Tuesday, January 23, 2007](#)  
**Wood burning smoked out**

Re "A case for wood burning," letter, Jan. 19: So a typical Davis resident justifies fireplace smoke because it is "natural" and cleaner than fossil fuels, but is it as clean as hydroelectric energy?

Tens of thousands suffer from asthma and other respiratory problems from particulate matter in the air, and the writer trivializes pollution from fireplace smoke, clearly a modern day luxury.

He supports fireplace burning because forest fires are natural. So does he also support floods because they are natural? If he likes smoke, I bet he opposes building dams and levees to stop flooding.

- Kenneth Lauszus, Sacramento

[S.F. Chronicle commentary, Tuesday, Jan. 23, 2007:](#)

**OPEN FORUM**

**Trading away coal-fired power pollution**

By Dianne Feinstein

A great debate has raged for the past two decades over the question of whether global warming is real. But an overwhelming body of evidence has been gathered. A consensus forged. And an inescapable conclusion reached: Global warming is real. It is happening. And it is caused by human activity, namely the combustion of fossil fuels. The reason is this: Carbon dioxide does not dissipate. It stays in the atmosphere for 30, 40 or 50 years or more. The simple truth is that global warming cannot be stopped, but it can be slowed. So, if we act boldly and quickly, then perhaps we can make a difference. Global warming can be contained to 1 to 2 degrees Fahrenheit. But if we do not act, and temperatures spike by 5 degrees or more, the world around us will change forever. There's no going back.

Congress has a window of opportunity to act. The question is: What to do? I've spent the last year trying to answer this question. And the conclusion I've reached is that there is no single answer. No silver bullet. No one thing to turn the tide.

But rather, we need many answers in many different areas. More important, we need people of common purpose, working together, to find innovative solutions.

California has been leading the charge. The state recently enacted a landmark bill to reduce emissions across the economy. But we will have an uphill battle to get a bill passed at the national level. That's because 40 states are dependent almost exclusively on coal for their power. The problem is this: The generation of electricity, as a whole, is the largest piece of the global warming puzzle. It is the source of 33 percent of all U.S. greenhouse gas emissions and burning coal accounts for two-thirds of that 33 percent. Therefore, the generators aren't going to give up this cheap fuel easily.

The electric utility cap-and-trade bill I introduced last week, however, provides the financial incentives to implement clean-coal technologies and reduce electricity sector emissions 25 percent below projected levels by 2020. It does so in a manner fully consistent with what the state of California is seeking to do. This legislation keeps our economy strong, gives the electric industry the time and flexibility it needs to embrace clean technology, and also encourages farmers, foresters and other landowners to implement greener practices.

Six major companies have signaled a new willingness to tackle global warming. They endorsed this bill, making it the most aggressive emissions reduction legislation supported by the industry to date. The endorsement comes under the auspices of the Clean Energy Group, a coalition of power generators and distributors, which includes: Calpine, Entergy, Exelon, Florida Power & Light, PG&E Corp. and the Public Service Enterprise Group. Together, these companies operate in 42 states and supply more than 15 percent of U.S. electricity needs. So their support is critical.

Here's how it would work: A cap on the electric-power sector emissions would be set at 2006 levels in 2011. This is a 6 percent reduction from projected business-as-usual levels. There is a clear timeframe to then incrementally tighten, or ratchet down, the cap: In 2015, the cap would be ratcheted down to 2001 levels -- a 16 percent reduction from anticipated levels. From 2016 to 2019, there would be an additional reduction of 1 percent of the cap each year. By 2020, emissions would be reduced 25 percent below anticipated levels. And after 2020, emissions will be reduced even further -- by an additional 1.5 percent a year. The federal EPA would decide, based on scientific evidence, whether the rate of reduction needs to be increased to avert the most dire consequences of global warming.

The energy companies would have two ways to meet the cap: Either implement new, clean technologies, or purchase credits from others who have reduced their emissions, including clean utilities that have more credits than needed to meet the cap, as well as farmers, foresters and other landowners, who employ practices that remove carbon from the atmosphere. These practices could include no-till or low-till farming, planting trees or orchards or conserving the land and preventing it from being developed.

The program will also generate billions of dollars of revenue annually for clean, electricity-generating technologies, such as wind or solar. This funding would be raised through an EPA auction of credits created by the bill similar to the one that exists in Europe. The trade part of the bill really provides flexibility and rewards innovation -- not just from energy companies, but across the economy, as well as building support for the program in the United States.

Now this bill is only one part of the answer, one piece of the puzzle. During the next weeks and months, I will also be introducing four other pieces of legislation to target the global warming problem:

- A cap-and-trade bill for the industrial sector;
- A bill that increases vehicle fuel economy standards from 25 mpg to 35 mpg by model year 2019;
- A bill to promote bio-diesel and E85 (a blended fuel of 15 percent gasoline and 85 percent ethanol), and other low-carbon fuels; and,
- An energy efficiency bill modeled after California's programs.

It is an ambitious agenda, but I believe it is the right way to go. My colleague, Sen. Barbara Boxer, D-Calif., now serves as the chairman of the Environment and Public Works Committee. She has announced that she will hold hearings to find the best solutions to tackle global warming. And she has pledged that the legislation I have offered will be one of the options under consideration. I look forward to working with Sen. Boxer in the weeks and months ahead to find a way to slow global warming.

*Dianne Feinstein represents California in the U.S. Senate.*

[Visalia Times-Delta, Letter to the Editor, Tuesday, Jan. 23, 2007:](#)

### **Benefits of NASCAR track outweigh problems**

Tulare wake up, those who are against NASCAR because of the air quality need to take a look around your fair city. Perhaps you can't see very far because of that house next door and the thousands of other homes that have been built in the last two years alone.

Along with all those homes come people, and people have cars, usually two or more cars per household.

Now very few of those cars are smog free, and the smog that these cars emit, is in my estimation a whole lot more than any one NASCAR event would produce.

Now let's talk about revenue, let's ask the hotel owners, coffee shops, restaurants and local businesses and rental companies; not only car companies but rental equipment.

These businesses would tell you that the profit they make in these few days is as much as they make in a whole year.

NASCAR is a good thing, and I bet there are many local racers who would agree with me and relish the chance to race at a beautiful new hometown track as would all the local NASCAR fans with a chance to attend a NASCAR race in their own hometown.

Tulare, this is a chance to improve your city without costing the homeowner and businesses a large amount of money.

GARY COLE, Visalia

[Fresno Bee Editorial, Sunday, January 21, 2007](#)

## **Park and Ride lot is deserving of support**

By Bill McEwen

Our not-so-secret hope is that technology will save us from choking on the air scarring lungs young and old in the fast-growing San Joaquin Valley.

This is the gamble many of us take for refusing to give up the comfort and convenience of driving by ourselves. So, we wait and cross our fingers that the Technology Wheel of Fortune will bring home a winner. It could be ethanol, biodiesel, hydrogen fuel cells or a fantastic fuel-sipping hybrid that goes zero to 60 faster than you can take that first sip of Starbucks.

Meanwhile, we have to deal with asthma, heart disease and early death. And that requires a real effort to improve the air while the Valley grows 65% faster than the state average. The efforts can be both big and small.

For example, a Valley delegation backed by Sens. Barbara Boxer and Dianne Feinstein seeks \$100 million annual funding to clean up the counties that make up the San Joaquin Valley Air Pollution Control District. The district is getting just \$500,000 this year, says Seyed Sadredin, the district's executive director.

In addition, the district is lobbying for a \$1 billion cut from Proposition 1B, the \$19.9 billion state transportation bond passed in November. Justification for the \$1 billion: The Valley is responsible for 28% of the state's vehicle miles. Moreover, 12% of the Valley's vehicle miles are rung up by out-of-area trucks zipping to destinations elsewhere, Sadredin says.

Talk about a bad deal. Big rigs belch their fumes, and all the Valley gets is a little money in the till when drivers stop for fuel and a burger.

Fresno City Council Member Larry Westerlund has a simple idea that doesn't involve technology. He wants the city to partner with the air district and Union Pacific Railroad on a Park and Ride lot at Herndon Avenue and Golden State Boulevard. If the parties agree, Fresno would get its first Park and Ride — an achievement of better-late-than-never distinction.

Before you dismiss the Park and Ride, which would cost \$400,000, and predict no one will use it, you should know people already are parking on a dirt shoulder and car-pooling from there. One of them is Richard Westerlund, father of the council member. Westerlund is still working at 71 in sales and car-pools up and down the Valley on Highway 99. He believes more people would ride together if they could park in a paved lot and not have to tiptoe through mud and water after rain.

"It's a great way to help the ecology," Richard Westerlund says. Not to mention your wallet.

Sadredin says adding Park and Rides also would get people thinking about how they can help the air.

"It's important for people to use alternative transportation — anything that isn't a single person driving a car a long stretch of miles," he says.

Westerlund the council member got the idea from his father. Both deserve our thanks for suggesting a path through the smog.

The City Council should thank them as well Tuesday by approving Westerlund's proposal and investigating other Park and Ride sites.

[Tracy Press, Letter to the Editor, Saturday, January 20, 2007](#)

### **Fulk overstates facts**

EDITOR,

When formulating a dose risk assessment, how much damage a radionuclide can do is only part of the equation. Equally important aspects are how much contamination would pose a significant risk, and the likelihood of that level of contamination being reached.

Marion Fulk either knows, or should know, this. The fact that he did not include this in his Jan. 9 commentary, "Uranium a big threat to Tracy" leads the reader to wonder just what his agenda is. Clearly, it is not public education.

Fulk states that depleted uranium "poses a serious health threat, especially if inhaled in finely divided particles like those created by open-air explosives testing." No mention is made of the likelihood of these particles remaining suspended long enough inhaled by Tracy residents, or anyone else for that matter.

He correctly labels uranium-238 an alpha emitter and describes the damage it can do "if lodged in the body." However, Fulk fails to mention that since alpha radiation can't penetrate the body's outer layer of dead corneous cells, it can only cause damage from inside the body.

Fulk cites the "nearly fourfold" increase, from 2.5 person-rem per year to 9.8 person-rem per year, but neglects to inform the reader as to whether either of these levels is significant relative to normal background exposure. By comparison, the population dose from cosmic radiation alone is 213,000 person-rem, and the total dose from all natural background sources (i.e. cosmic, terrestrial, food consumption and radon) is more than 2 million person-rem.

If it "pains" Fulk "when lab employees seek to understate the very real health risks that stem from inhalation of radioactive and toxic materials," why does he not find it equally disturbing when a former lab employee overstates the risk of inhalation of those materials

Steve Hall, Tracy

[Fresno Bee, Letter to the Editor, Saturday, January 20, 2007](#)

### **Thumbs up, thumbs down**

Thumbs down to the California League of Cities for its impending selection of Clovis Mayor Nathan Magsig to the San Joaquin Valley Air Pollution Control District board. Talk about a farce. Magsig is part of a group developers suing the air district over proposed development fees. There's not only a huge conflict of interest in having a board member suing the district, it also says a lot about whether the League of Cities is committed to clean air or helping its developer pals.

Thumbs down to both the city and county of Fresno for their petty little spat over which agency's film commissioner has the most juice with Hollywood producers. No wonder these people can't get law enforcement consolidation completed to save tax dollars and be more efficient. They're busy fighting



over all the Oscar-winning movies coming out of Fresno. The latest dustup occurred after Ray Arthur started work as the city of Fresno's new film commissioner. Not so fast, said Fresno County Board Chairman Bob Waterston. He fired off a press release saying the county is the "state-designated film liaison for the region" and the county's film commissioner, Gigi Gibbs, is in charge. So there.

Thumbs up to Hilary Chittick as she begins work as the first woman presiding judge of Fresno County Superior Court. The judge assumes responsibility for 500 employees and a \$50 million budget in an unprecedented season, when women are filling other high-profile justice system jobs in the county — all for the first time. District Attorney Elizabeth Egan was elected in 2002; Chief Probation Officer Linda Penner was appointed in 2005; and Sheriff Margaret Mims took office this month. In another few decades, Chittick said, she hopes "it would be unremarkable to have women in those positions." Until then, we take pleasure in marking this important milestone in the journey for equal opportunity.

[Tracy Press, Letter to the Editor, Saturday, January 13, 2007](#)

### **Site 300 test threat**

EDITOR,

Those of us who've lived in the rural area southwest of Tracy since the 1970s have known when underground detonations at Site 300 have gone off as windows shudder and millions of tiny fissures appear on the stucco exteriors of our houses.

The reason the Royster Tire fire of 1998 was not extinguished was because allowing the fire to smolder and eventually burn itself out would be safer as the ground would harden underneath (the kiln effect), thus not allowing toxic oil by-products to seep into the groundwater table.

The new owner who bought the Royster property under a distressed value faces the possibility that such harmful by-products did leech into the aquifer, similar to what happened to tritium, the underground detonation residue from Site 300. Meanwhile, three of my immediate neighbors have died from a cancer-related illness.

Lawrence Livermore National Laboratory admits that depleted uranium in aerosol form might accompany new Site 300 explosive testing. What obscure national agency is going to be held accountable for posing a threat to the health and safety of persons or property in and around these test sites

"Oh fear not ye' of frail heart," you may wish to hold on to your wallet instead, for it is we who will suffer the inequities of someone else's negligence.

K.L. Vosburg, Tracy