

## EPA will handle farming permits

By Mike Jensen, Merced Sun-Star, October 3, 2002

The federal Environmental Protection Agency announced Thursday that it is taking over the job of issuing permits to farmers who pollute the air in the Central Valley.

How the federal permitting program will work remains up in the air, however.

EPA officials indicated Thursday that the agency has not figured out which farmers will be affected, how much they will have to pay for permits or how the Valley's air quality will be improved.

The federal involvement is the result of a lawsuit settlement in May between three environmental groups and the EPA.

In December 2001, the EPA approved allowing California air districts to issue federal Clean Air Act permits. At the same time, the EPA gave agriculture a three-year exemption to study how agriculture sources contribute to air pollution.

Soon after, the EPA was sued by Earthjustice, the Environmental Law and Justice Clinic and the Center on Race Poverty and the Environment.

The groups argued that agriculture should not be exempt from Clean Air Act requirements.

The EPA and the groups settled the lawsuit in May, and the agency agreed to take over agriculture permitting.

The federal permitting does not include agriculture burning, and it applies only to "non-mobile" sources, such as irrigation pumps, manure ponds and ventilated buildings housing confined animals.

The EPA's takeover of the permitting may not be the last word, however. The California Farm Bureau Federation has filed a suit to block EPA involvement.

As things stand now, however, the EPA is moving ahead with the permitting, and within the next couple months, the agency said, it will send out information to various farm organizations, notifying them of which farmers need to apply for permits.

Kerry Drake, an EPA associate air director, said Thursday that the permitting is expected to apply to agricultural operations emitting 25 tons or more of ozone-creating pollutants per year.

"We're talking about major sources. I would probably say larger farms," he said.

Drake said the cost of a federal permit is expected to be about \$36 per ton for each of the first 25 tons and then \$36 per ton after that, but it could be less. "We're still considering whether that's an appropriate fee," he said.

The EPA said that the quality of the Valley's air will be improved but that the extent of the improvement isn't known.

Gerardo Rios, the EPA's chief of permits, said, "We couldn't really speculate on that."

During a conference call, EPA spokeswoman Lisa Fasano added that the permitting is "really an accounting tool."

She said the permitting is expected to help local air districts identify pollution sources, and that information can then be used to prepare clean-up plans.

Some farmers will have to apply for an EPA permit by next May, and others will have to apply by August.

Brent Newell, an attorney with the Center on Race Poverty and the Environment, said the permitting eventually will lead to air quality improvement. "This is the very first step of a series of important steps," he said.

Newell said that once agriculture comes under permitting and monitoring requirements, local air districts can impose mitigation and offset measures on agriculture.

But before that can happen, Fasano said, the state Legislature will have to do away with a law that has given agriculture its exemption from Clean Air Act requirements.

Richard Varenchik, a spokesman for the California Air Resources Board, which is charged with cleaning California's air, said Thursday that he is not aware of any proposed legislation to remove agriculture's exemption. He also said the air board has not proposed such legislation.

"I don't think that we took a position on it," he said. "There's a legislative exemption, and the legislature has to deal with it."

The federal permitting could have been avoided if state legislators had passed a bill in the session just ended, but they didn't.

Assemblyman Dennis Cardoza, D-Merced, said that more time was needed to understand and address the issue, and he speculated that that's why a bill wasn't introduced this year.

"Air quality is a complex issue," he said.

Andrew House, legislative director for state Sen. Dick Monteith, R-Modesto, agreed. "It's a complex issue" that needs further study, he said.

House also added, "It's an election year."

The EPA's Drake said that if California legislators had passed a law to end the exemption this year, "we would not have disapproved it."

Because of the exemption, the state is facing federal sanctions for areas considered to be in non-compliance with Clean Air Act requirements, according to Fasano.

By November 2003, those areas, including the San Joaquin Valley, could be forced to comply with more stringent offset requirements for pollution.

And if the exemption is not removed by May 2004, the Central Valley could face a freeze in federal highway dollars.

## **Exemption bill seeks a sponsor**

By Mike Jensen, Merced Sun-Star, October 7, 2002

To avoid federal penalties, the California legislature must pass a bill next year ending a decades-old air pollution exemption for agriculture.

Failure to pass a bill could result in a freeze on federal highway dollars to the San Joaquin Valley and tougher air pollution regulations for Valley businesses.

The question is: Who will sponsor the legislation, and who will support it?

The California Air Resources Board is taking a hands-off approach on the matter.

"We certainly will offer our aid, but we're really sort of side players," said CARB spokesman Jerry Martin. "This is something that has to be solved by the legislature."

Josette Merced Bello, a spokeswoman with the San Joaquin Valley Air Pollution Control District, said advocacy efforts are being coordinated by the California Air Pollution Control Officers Association.

Calls to the association Thursday and Friday were not returned. But according to a Web site, the organization "actively participates in the development and implementation of air quality bills."

The agricultural air pollution exemption dates back to the 1940s, according to Cynthia Cory, director of environmental affairs for the California Farm Bureau Federation.

In February, three environmental groups sued the federal Environmental Protection Agency, challenging agriculture's three-year exemption from federal Clean Air Act requirements.

In May, the environmentalists and the EPA settled the lawsuit. It was agreed that the EPA would take over federal permitting of agricultural air pollution until the state removes the exemption.

Also in May, two federal sanction clocks were started for areas currently in non-compliance with clean air requirements, according to EPA spokeswoman Lisa Fasano.

If the agricultural exemption is not removed by November 2003, business could be forced to comply with more stringent offset requirements for pollution, Fasano said.

If the exemption still has not been removed by May 2004, there could be a freeze in federal highway dollars, she said.

Fasano said the permitting is expected to be turned over to local air districts when the state legislature passes a bill removing the exemption, and at that point, the sanction clocks will be turned off.

Candidates seeking to represent Merced County in the state legislature have mixed views on the subject.

Assemblywoman Barbara Matthews, D-Tracy, is running for re-election in the redrawn 17th Assembly District, which will include Merced County.

She said Friday she would be willing to sponsor legislation removing the ag exemption. "I certainly want to be part of the solution," she said.

Matthews said she couldn't speculate on whether she would support another legislator's bill to remove the exemption, explaining she would have to see how it would affect agriculture and the economy.

"If it's a consensus solution, I'm going to support it," she said.

Matthews, chair of the Assembly's Committee on Agriculture, said the issue will be discussed in her committee in the next legislative session.

Brian McCabe, a Merced attorney who is challenging Matthews for the 17th Assembly seat, said he would be reluctant to sponsor the legislation or support other legislation removing the agriculture exemption.

"I'm not in favor of wrecking havoc on agriculture in search of a solution," he said.

He said he hasn't yet seen adequate evidence from the federal EPA that farmers should have to purchase permits, and he said the EPA's permitting will only lead to more money for a large bureaucracy.

"The money has nothing to do with cleaning the air," he said.

Rusty Areias, who is on leave from his position as California director of Parks and Recreation, is running for the 12th Senate District seat, now held by Sen. Dick Monteith, R-Modesto.

Areias said Friday that he would be willing to sponsor legislation to end the exemption, and he added, "We have to do it in a way that won't destroy local business and our local economy."

He also said, "If that's the only way I can control how this is implemented, I would be willing to carry the legislation."

Areias is being opposed for the 12th Senate seat by Republican Jeff Denham, an agricultural businessman.

Denham could not be reached, and one of his campaign staff members declined to comment.

## **Air district streamlines almond permitting**

Hanford Sentinel, October 6, 2002

FRESNO -- The San Joaquin Valley Air Pollution Control District recently adopted a policy designed to streamline permitting requirements for the almond processing industry.

The new policy promises expedited processing for permit modifications during the almond hulling season, eliminating potentially expensive delays for the huller. In addition, standardized permit conditions and testing requirements have been established for each of the major hulling processes.

"Like other permit streamlining measures developed by the Valley Air District, this policy addresses the industry's need for expedited permits without sacrificing environmental safeguards," said Dave Warner, a District Permit Services manager who worked with the Almond Hullers and Processing Association to develop the policy.

Gene Beach, manager of the Almond Hullers and Processors Association, agreed. "This policy is beneficial to both permit applicants and to the Air District, in that everyone understands what is required for applications and permits," Beach said.

Several years ago, the District developed a similar policy for cotton gins, with the assistance of the California Cotton Ginners Association.

In all cases the District's policies have been developed to ensure compliance with clean air regulations, while also streamlining permitting requirements. The policies are available online at [http://www.valleyair.org/policies\\_per/policies\\_per\\_idx.htm](http://www.valleyair.org/policies_per/policies_per_idx.htm)

## **Growth patterns a problem**

### **Central Valley an emerging trouble spot for traffic**

**By Jim Wasserman, The Associated Press**

Double-deck the freeways. Widen the roads. Tunnel through mountains, run trains down the highway medians, pay workers to take the bus.

Virtually every community in California is wrangling with solutions to its snarled streets.

Yet in a state where millions of people spend more time commuting than anywhere else in the country, California is careening into a collision of three traffic trends that add up to more time behind the wheel for just about all drivers, wherever they live.

It's not only sheer numbers driving California's worsening traffic, though those are bad enough: By 2020, forecasters say, Californians will drive 55 percent more miles per year and add 10 million more cars, trucks and SUVs to the 24 million already on the road.

To the driver, traffic most often hits home as a local problem, an equation of job location, home address and the route between.

But conditions across the state are hit by three factors common to every region of California:

\* Growth is highest on the frontiers of suburbia, communities that lack the roads to handle more cars and the money to lay more pavement, and where public transit and other options are most expensive and least efficient.

\* The state faces new threats to highway funding.

\* Political control over transit has become so diffuse that the buck doesn't really stop anywhere when it comes to fixing statewide traffic woes.

Pile those trends on top of California's inexorable population growth and the experts unanimous: The roads that are already jammed will crawl closer to gridlock, and the roads that flow now are probably headed for trouble.

"Go look at L.A. 30 years ago and what you'll find is people said it was impossible then and it couldn't possibly get worse. It's grown and they're saying the same thing," says Martin Wachs, director of the University of California-Berkeley Institute for Transportation Studies. "I don't expect it to be solved."

#### Boomtown Traffic

Already, the most unlikely places are growing real rush hours.

"In the last six years here I think traffic has probably doubled," says John Burdette, who commutes into Sacramento from suburban Rocklin.

Burdette tries to leave home by 6 a.m. for Interstate 80 and a job 25 miles away. An early departure means a 40-minute drive. Much later and it stretches to over an hour.

"On the way home it takes me an hour and fifteen minutes no matter what route I take after 3:30 p.m.," Burdette says.

Demoralizing traffic jams are spreading far outside the cities as Californians seek affordable homes and trail ever-longer commutes along with them.

It's an irony in a state where every new community's unofficial motto is "Not Another Los Angeles."

California already has five of the nation's 20 most congested metro areas, and traffic jams statewide cost \$21 billion a year in lost time and wasted fuel, according to the Texas Transportation Institute.

Angelenos already waste more time in traffic jams than anyone else in the country, according to the institute, and there's much more on the way: The state's official forecast says the number of miles driven on Los Angeles and Orange county roads will swell 40 percent by 2020.

San Francisco is right behind L.A. on the institute's list of congestion-plagued cities, and No. 2 in the nation.

About the only good news is that the City by the Bay is so jam-packed already there's not much room for more cars. The number of miles driven there is forecast to grow a mere 11 percent in 20 years.

#### Trouble in 'Edge City'

As bad as the big cities are, the most dramatic traffic increases will be on the outskirts, in places like Hemet and Temecula on L.A.'s suburban frontier; Fairfield and Hollister in San Francisco's outer orbit, even Manteca and Fresno in the Central Valley's farm belt.

The emerging trouble spots:

\* The San Joaquin Valley, where double-trailer rigs hauling tomatoes or nectarines were once more common than Toyota Camrys on Highway 99. Now 99 is the spine of a long, continuous city forming between Bakersfield and Sacramento and the valley has eight of the state's top 25 counties for traffic growth.

Fresno plumber Charlie Arnold, a regular on Highway 99, says the city's sprawling housing tracts are spilling cars onto the highway, triggering backups never seen before.

"Every week at least there's collisions that occur there because of bottlenecks," Arnold says.

\* The "Inland Empire." In Riverside County, 60 stop-and-go miles out "The 10" or "The 60" from downtown Los Angeles, Caltrans says the number of miles driven each year will jump 103

percent by 2020. In neighboring San Bernardino County, driving will grow 86 percent, but officials say they can afford just 10 percent more highway capacity.

\* Once-sleepy Sacramento is spinning off suburbs into the surrounding farmland and Sierra foothills at a pace where even \$15 billion in road improvements won't head off a predicted 400 percent increase in congestion over 20 years. The region's new transportation plan finds "neither the funding nor the community will to increase road capacity by 40 percent" -- the amount it says is needed.

\* San Diego County is bracing for half a million more cars by 2020. Regional transportation planners have identified \$29 billion in needed improvements -- but expect only \$17.9 billion to spend.

\* Bay Area growth patterns also point to gridlock. The urban core has a scant 750 acres available for new housing, so the 1 million new residents expected by 2025 will be shoved to the edges in San Benito, Alameda, Contra Costa, Solano and Sonoma counties and join the line of cars on Highway 101 and I-580.

All this growth creates a snarl of suburb-to-suburb commuting patterns that's hard to untangle with traditional hub-and-spoke highway or rail routes.

Solutions elusive

The state is becoming a laboratory for high-tech solutions like sensors in the pavement to monitor and direct the flow of traffic, and on-board sensors that will allow cars and trucks to travel in tightly packed platoons to make better use of existing lanes. But so far, the improvements are incremental.

Californians are parking their cars and climbing aboard commuter trains and buses in record numbers. Ridership on most of the state's 29 largest transit systems showed double-digit growth between 1995 and 2000.

While this trend takes some of the pain out of commuting in the biggest cities, the bottom line is that statewide, just 5.4 percent of the workforce takes public transit. Even fewer -- 3.7 percent -- telecommute, according to the Census.

Architects, environmentalists and urban planners see the solution in "smart growth" -- the notion that new communities should include commerce and industry from the start, that blighted big-city real estate should be improved with "infill" housing, that apartments built over storefronts are both practical and chic.

But the bulk of new homes go up in single-family sprawl, and the cars follow a migration trail of drivers seeking houses they can afford.

"It's at least 100 years of a particular development pattern that just keeps replaying over and over again, except that we keep moving farther and farther out," says Chris Carson, a political science professor who led a two-year study of Los Angeles County transportation problems for the League of Women Voters. "We don't know how you reverse that trend."

Who will pay?

All these new regions face turning their two-lane rural roads into highways, their highways into freeways and their train tracks into light rail systems, without the massive state and federal funding that grew California's transportation backbone in the 1950s and 1960s.

That more-is-better approach to freeways, epitomized by Gov. Pat Brown, gave way in the 1970s to forces from both ends of the political spectrum.

Gov. Jerry Brown rejected his father's legacy and declared an era of limits, giving voice to a liberal backlash against giant public works projects like nuclear power plants, dams and highways. From the conservative side came Proposition 13, the tax revolt that slashed government income and required voter approval for new taxes.

Now there are new threats to highway funding.

Experts say the state gasoline tax of 18 cents per gallon -- source of nearly \$5 billion a year -- is falling behind because, at a fixed rate, it doesn't match inflation in highway building costs.

Revenue is further eroded by growing use of the gasoline additives MTBE and ethanol, which have federal tax subsidies, or reduce the amount of taxable gasoline going into the tank.

Numerous half-cent county transportation sales taxes that steer nearly \$3 billion a year to local needs are potentially jeopardized as well. These taxes, approved with 50 percent voter majorities during the 1980s and early 1990s, now require more formidable two-thirds majorities for renewal.

In all, a state commission found, California is \$117 billion short of transportation funding needed through 2010.

Gone, too, is the once-awesome power of a centralized state transportation planning system. In the name of local control, California has diffused responsibility -- and accountability -- for most transportation planning to 46 largely faceless regional agencies.

"There's no cohesive structure for these issues," says Bill Reinert, manager of advanced technology at Torrance-based Toyota Motor Sales USA.

Business advocates worry that traffic could someday damage the economy by hampering the flow of goods and driving away workers and employers, says William Hauck, director of the California Business Roundtable.

Why hasn't traffic chased Californians away? Berkeley's Wachs says it's because congestion is the most visible sign of prosperity, that the attractions of living in the Golden State outweigh the inconvenience.

"I know everyone complains about congestion," he says, "but obviously they must benefit from the social, educational and recreational opportunities."

### **S.J. transportation**

Several transportation projects are planned for San Joaquin County in the next several years. Here's a partial list:

#### **2002:**

- \* Addition of concrete barriers along Interstate 5

#### **2003:**

- \* Construction begins on downtown Stockton transit hub

#### **2005:**

- \* Widen I-205 to six lanes from Highway 120 to Arch Road

#### **2006:**

- \* New interchange at I-5 and Louise Avenue in Lathrop

#### **2007:**

- \* Widen Mossdale I-205 interchange bridge to five lanes

#### **2015:**

- \* New interchange at Olive Road and Highway 99 in Ripon

- \* **2020:** Widen I-5 in Stockton from Monte Diablo Avenue undercrossing to Eight Mile Road

- \* **2020:** Widen I-580 from Mountain House Parkway to Alameda County line

- \* **2021:** Widen Highway 120 to six lanes

### **-- The Record**

*Growth is California's defining issue as the 21st century opens. The Associated Press examines the consequences of that growth in stories in this occasional series. Today: the future of commuting in the state that created the freeway culture.*

## New permit is sought for garbage plant

By JOHN HOLLAND, Modesto Bee, October 6, 2002

Air pollution regulators will hold a hearing Monday on a proposed new permit for the garbage-burning power plant near Crows Landing.

West Side activists plan to use the event to express concerns about emissions, but representatives of the plant and the San Joaquin Valley Air Pollution Control District said the hearing is mainly a formality.

The hearing is part of the process for considering a new five-year permit for the plant, operated by Covanta Energy for Stanislaus County and the city of Modesto.

The new permit, showing how the plant would comply with the federal Clean Air Act, would not add major conditions or allow expansion of the operation, said Rick McVaigh, permit services manager for the district. Rather, he said, it would incorporate conditions already placed on the plant through other proceedings.

The plant has drawn criticism from the Grayson Neighborhood Council and an Oakland-based group called Greenaction for Health and Environmental Justice.

John Mataka, a leader in the Grayson group, said activists have had trouble getting information about what the plant has been emitting, including substances that might cause cancer or birth defects.

He said the district is requiring the public to file a request under the state Public Records Act to obtain details.

"We know that anytime you burn anything plastic, dioxin goes into the air," Mataka said.

Jami Aggers, air quality compliance manager for the district, confirmed that a formal request is needed for detailed information.

Brief summaries available Thursday said the plant has had nine violations since 1995 for sulfur dioxide, nitrous oxide and other indicators, but these records did not show the magnitude of the pollution.

Karen Henry, business manager at the plant, said its overall performance is strong.

"We have hundreds of limits we have to meet every day," she said. "We think our record is pretty good."

The company, which operates 27 garbage-to-energy plants in the United States, notes that combustion at more than 1,800 degrees Fahrenheit reduces the waste to inert ash that is about 10 percent of the volume going in. The plants have devices for monitoring and controlling emissions from their stacks.

Supporters of the plant say it will greatly extend the life of the adjacent landfill by burning up to 800 tons of garbage a day. The plant turns out up to 22.5 megawatts of electricity, earning money that the city and county use to keep garbage-collection rates in check.

City and county officials have been looking at ways to attract garbage from other areas to the plant, which opened in 1989. West Side activists are skeptical of this, and they had a victory early last year when a proposal to burn medical waste was withdrawn in the face of protests.

Monday's hearing will be at 5 p.m. at Bonita School, 425 Fink Road, Crows Landing. It is separate from a Tuesday night meeting of the county Board of Supervisors on the draft environmental report on expanding the landfill, which will be at 7 p.m. in Harvest Hall at the county Agricultural Center, 3800 Cornucopia Way, off Crows Landing Road south of Modesto.

## Raising a Stink

Clovis' plans for a new plant trigger a vehement protest by sites' neighbors, and kindle the interest of Fresno in joining a cooperative venture.

By Marc Benjamin, George Hostetter, The Fresno Bee, October 6, 2002

Clovis is in the midst of a bitter fight over a proposed sewage plant that, if built, will change the way the Fresno area receives some of its most basic urban services.

Clovis officials want to build a state-of-the-art sewage treatment facility near the Reagan Educational Complex in east Clovis. They believe it is vital to the city's continued growth.

The plant would cost more than \$50 million to build and would treat up to 8.3 million gallons of sewage a day. That's enough capacity to handle what Clovis churns out in sewage today -- with about 2 million gallons to spare.

It would generate treated water for public landscaping while saving precious drinking water for the nearly 70,000 people expected to move into Clovis over the next three decades.

But a skeptical group of rural residents calling itself Families Protecting Neighborhoods has other ideas. Group members say they understand the need for a treatment plant but are adamant that it not be built within smelling distance of their schools and homes.

They worry about odors, air pollution, ground-water contamination and falling property values.

Both sides can boil down their stands to a few choice words.

Without the plant, says Council Member Lynne Ashbeck, Clovis "cannot meet its destiny."

Families Protecting Neighborhoods member JoAnn Eaton, who lives near the Reagan complex, says having a sewage plant for a neighbor "scares the daylight out of me."

The Clovis tempest could soon engulf residents in Fresno and portions of Fresno County.

A new sewage plant would fly in the face of a decades-old, state-mandated policy requiring all sewage in the Fresno metropolitan area to be treated at a plant on Jensen Avenue some eight miles west of downtown Fresno.

The Clovis plant could be followed by similar plants in Fresno for its planned growth to the southeast. Fresno's own NIMBY -- not in my back yard -- fights most likely would follow.

These plants would give residents a new method of watering public green spaces -- parks, golf courses, roadside landscaping. For decades, river water pumped from aquifers has been the primary source.

Before all that can happen, the Clovis City Council will discuss Oct. 21 whether to move ahead with the necessary environmental studies for the plant. The plant itself is probably five years away from beginning operations.

The Fresno City Council will vote this month on whether to approve a plan that would allow Clovis to have control over a new sewage treatment plant in southeast Fresno that could be used as one

of Clovis' proposed sites. For some 30 years, the two cities have been partners in the Jensen Avenue plant.

And earlier this month, Fresno and Clovis city halls resumed talks about building a sewage plant together in rural south Fresno and scrapping the proposed Clovis plant.

One thing is certain: If the Clovis plant is built, the ramifications will be felt far beyond its city limits. Says sewage plant opponent Chuck Eaton Jr.: "This is going to set all sorts of precedents."

Clovis expects growth

Officials in Clovis say they would have preferred to build a satellite plant in a joint venture with Fresno. But Fresno is growing more slowly than Clovis and figures the current sewage system meets its needs.

Clovis is expected to nearly double its population to 135,000 by 2030. The Fowler Avenue trunk line, one of the main pipes taking Clovis sewage to the Jensen Avenue plant, isn't big enough to handle the projected growth.

Clovis decided to move ahead without Fresno.

In the late 1990s, City Hall began considering a new sewage plant in east Clovis. After investing \$750,000 in several years of study, Clovis came up with three possible sites outside the city limits but within the city's sphere of influence (the area likely to be annexed someday). All three lie in an area of about two square miles bounded by Shaw, McCall, Ashlan and DeWolf avenues.

The area is downhill from much of east Clovis, allowing gravity to bring the sewage to the plant free of charge.

Water would be separated from solid matter and disinfected. The remaining sludge would be trucked away to be used on non-edible crops such as alfalfa and cotton.

The headworks, where raw sewage enters the plant, is a primary source of potential odors. With this plant, it would be fully enclosed. Here, sewage would be treated with sludge injected in the pipeline, removing 90% of odors. Inside the headworks, an exhaust system would pull air through special scrubbers, eliminating more than 90% of the remaining odor.

A golf course irrigated with the treated sewer water would form part of a buffer between the plant and homes. Clovis would build the plant in phases as the city grows to the east. The first phase would cost about \$30 million, city officials say.

City Hall's pitch is simple: No odors, lots of reusable water, the Clovis way of life moving ahead unimpeded.

The plan has supporters outside City Hall. One of the strongest is James McFarlane, general manager of McFarlane and McFarlane, a farming outfit that owns the three potential sites. The land is now mostly orange groves and almond orchards, but the McFarlane family has visions of a community replacing the fruit and nuts.

Says McFarlane: "We will fight like hell to make sure the city specifies the very highest quality facility man can make. If this thing doesn't run right, our investment will be harmed, and we don't want that."

Clovis homebuilder Kevin Castanos says he plans to build his highest-end houses -- prices at about \$400,000 -- next to the plant. "I have no hesitation," he says.

Fresno County Supervisor and former Clovis Council Member Bob Waterston, who represents the area, is more cautious, saying he is sure Clovis would build a "Cadillac system" but thinks city officials still have many questions to answer.

Clovis Unified School District, which operates the Reagan complex, plans to hire a consultant to conduct a study after the city selects a site. The complex is a three-school campus that includes Clovis East High.

Another key player is the Central Valley Regional Water Quality Control Board, a state agency that must issue a permit before Clovis can build its plant. The board has a decades-old policy that all Fresno-Clovis sewage be treated at the Jensen Avenue facility.

The policy was born in the late 1960s, when federal, state and local officials realized the Fresno area no longer could afford its hodgepodge of outdated and ineffective sewage plants.

Clovis must explain why an exception should be made to this policy before the board will issue a permit, says board Supervising Engineer Bert Van Voris.

Clovis officials say they will answer all the questions, then build something that will transform the way the central San Joaquin Valley views sewage plants. Says Public Utilities Director Alan Weaver: "We are proposing to do a plant that is virtually invisible."

Guarantees demanded

Sewage plant opponents present an equally compelling case.

Developer Jerry Cook and former United Parcel Service executive Deborah Saffell, both of whom live within several miles of the Reagan complex, first heard about the proposed plant in January. They had received postcards from the city inviting residents to a meeting at Reagan about a proposed "water reuse" facility.

"I talked to some friends and they said, 'You know what that means, don't you? It's a sewer farm,' " Cook says.

The January meeting and another in February inspired Cook, Saffell and several other Reagan-area residents to start Families Protecting Neighborhoods. It now represents more than 500 people.

The group's demands can be boiled down to one word: Guarantee.

"Guarantee me," Saffell says, "that it won't stink."

And while Clovis officials are at it, she adds, they should guarantee the sewage plant won't contaminate the ground water, won't pollute the air and won't reduce property values.

Clovis might offer Saffell's group a deal that could answer the financial concerns. City officials are considering a "Good Neighbor Policy" in which the city would buy property around the plant that drops in value because of a problem attributable to the plant.

Opponents also say the development process has been undemocratic. People who live east of the Clovis city limits say politicians who don't represent them are forcing them to embrace a sewage plant against their will.

Opponents say the final bill for the plant, after expenses such as interest are included, would be closer to \$150 million than to the \$50 million the city predicts.

Clovis officials point to a similar plant at Discovery Bay, a planned community west of Stockton, as an example of how on-site sewage treatment and residential development can live together harmoniously. Cook says he visited Discovery Bay and spoke to residents who told him they can smell odors from the plant at their homes.

Cook doesn't believe Clovis can find enough thirsty green space every year to handle 1.3 billion gallons of treated wastewater. He wonders why Clovis and Fresno are ignoring their 30-year-old mandate to cooperate on regional sewage treatment plans: "I don't think anybody in their right mind would say this is good regional planning. It would be a sick joke if it wasn't so serious."

Cook says a misguided sense of independence is driving Clovis officials to push for the plant: "We want to go our own way, in a self-centered way."

If Clovis insists on a plant for water reuse, Cook says, then the best site might be east of Fresno-Yosemite International Airport and north of the E&J Gallo Winery near Clovis and Olive avenues. The area is in Fresno and not scheduled for residential growth.

Treated water could be used on Airways Golf Course, landscaping for Freeway 180 and nearby industries, he says.

Cook acknowledges he owns several pieces of land near the airport. For months, he says, he has been hearing "allegations" that he is fighting the Clovis plant for personal gain. He denies the allegations, saying he is motivated by logic and the community's best interests.

Plant opponents, particularly Cook, have stacks of paperwork they say support their arguments and outline their worries. In the end, though, their passion may be fueled most by the instinctive aversion people have toward being around the stuff they flush down their toilets.

Saffell says people in east Clovis aren't squeamish about the facts of life. Many deal with the waste generated by animals they keep on their rural lots. "But human waste," she says, "somehow, that's different."

Weaver, Clovis' public utilities director, has been a lightning rod for much of the opponents' wrath.

In March, someone filed a state Fair Political Practices Commission complaint against Weaver because he and his wife's family own property north of one potential site. In September, the commission told Weaver there was no conflict of interest.

Clovis City Attorney Tom Riggs says Weaver first discussed the potential conflicts nearly two years ago. Riggs says he told Weaver he could work on citywide policies and criteria for site selection.

Cook says he did not file the complaint with the commission. However, he doesn't hide his displeasure with Weaver.

Weaver says people at City Hall have told him Cook went to top Clovis officials and demanded that Weaver be fired. Weaver says he had asked Cook to stop spreading "disinformation" about the plant, only to have Cook say Weaver was calling him a liar.

Cook declined to say whether he asked that Weaver be fired but says he has spoken to some influential city people about the "appropriateness" of Weaver continuing in his current position. Weaver denies he called Cook a liar.

Cook also is a player in a proposal that would take control of a new sewage plant out of Clovis' hands.

On Aug. 20, government and business leaders met in the office of developer Ed Kashian, where they discussed plans to form a special utility district. Cook, Clovis City Council Member Nathan Magsig and a representative of state Sen. Jim Costa, D-Fresno, were among those attending. Participants revealed few details, saying only that they looked at the feasibility of a special district to provide public services such as sewage treatment.

The prospect of this special district worries some Clovis officials.

"One of the problems we have faced as a partner in a regional plant is we have not been able to choose our destiny and do things in a timely fashion that will lower costs of operation," said City Council Member Harry Armstrong. "A [special district] would be another layer of bureaucracy."

Costa says he has yet to decide if he will assist the formation of a district, but does plan to advise the others to move future meetings into the open: "The one thing you can't do is give the impression that the public is excluded."

Joint project possible

The struggles of the past nine months over the proposed Clovis plant will be moot if Clovis and Fresno agree to build a plant in south Fresno. After years of inactivity on this front, the two cities resumed talking late last month about a possible plant on North Avenue between Locan and Fowler avenues.

Weaver says a joint venture was Clovis' goal all along so Fresno would bear some of the cost. The downside to the North Avenue site is it is too far south for Clovis to pump treated water cheaply to its growth areas.

People outside Clovis are starting to pay attention to the sewage plant fight.

The concern is perhaps greatest among the several hundred members of the Fancher Creek-Sunnyside Homeowners Association, formed last April to give residents a collective voice as Kashian and partner Tom Richards build their Fancher Creek development.

The association fears Clovis and Fresno will settle on the Gallo site for the new sewage plant. The winery on Clovis Avenue, between McKinley and Belmont avenues, is a short distance upwind from many association members.

Southeast Fresno residents have complained for decades about the smell coming from east-side wineries during the fall grape crush. Corrective measures have been tried over the years, but even now a distinct and unpleasant odor drifts downwind from Gallo.

The smell is unmistakable from the front yard of association chairwoman Cynthia Palacio, who lives about a mile away. "People in Clovis don't want [the sewage plant], so where are they going to put it? Where they put everything else, in southeast [Fresno]. We already have the winery."

Fresnans long active in environmental issues also are keeping a close eye on the Clovis fight.

On one hand, they are strong advocates of anything that recycles a scarce resource such as water. Says Fresno lawyer Patience Milrod: "There's not a drop of water in the world that hasn't passed through someone's kidneys."

On the other hand, they wonder if the Clovis plant will only lead to bigger environmental troubles.

Fresno County Planning Commission member Kevin Hall says the air around the Reagan complex is particularly filthy, even in a region long plagued by bad air.

He questions the logic of building a sewage plant to jump-start more growth: "When you take the dirtiest air pocket and put as much traffic in there as you can, you undermine your clean-air efforts."

Plant began in 1891

A new plant in Clovis could be a boon to the plant Clovis already shares.

The Fresno-Clovis Regional Wastewater Reclamation Facility is owned by both cities through a joint-powers agreement. Clovis owns slightly less than 12% of the system and has been sending its sewage there since the early 1970s.

Operated by the Fresno Public Utilities Department, the plant sits on 3,000 acres off Jensen Avenue. It has come a long way since it was born on a 40-acre plot in 1891.

At first, the city simply spread sewage on the ground and let the sun dry it. Liquid from the sewage seeped into the ground and was pumped to irrigate nearby crops.

Two themes have emerged over the years. One is size. Fresno never stops growing, which means city officials have never stopped thinking about the next sewage plant expansion. The site was 812 acres in the 1930s, then grew by 480 acres in 1948 and another 148 in 1954.

In 1947, Fresno built a new plant providing primary sewage treatment. Secondary treatment was added in 1975. Peak daily capacity is currently 88 million gallons; the daily average in late September was about 73 million gallons.

Sewage plant officials are proud of what they have. Says Wastewater Manager Stephen Hogg: "This is the largest concentration of municipal infrastructure in any one place in the Central Valley."

The other historic theme is odor. In the past, the stench could be unbearable, especially in the fall, when wineries sent their grape crush. Residents 11 miles away used to complain, and in the early 1970s a desperate city hired a crop duster to spray odor-dampening chemicals on the evaporation ponds. Plant modernization has reduced the problem.

Even now, a distinct odor lingers in some areas of the regional plant. The headworks is one. This is where some 1,700 miles of metropolitan sewer pipes converge to three trunk lines, the biggest 8 feet in diameter.

At the system's front end, sewage goes through screens that take out all sorts of junk -- a Big Wheel tricycle and traffic safety cones, for example. At the back end, after going through clarifiers and aeration basins and digesters, the sewage is transformed into water and sludge.

The sludge, 250 tons a day, goes mostly to farmers who are paid \$23 a ton to take it off Fresno's hands.

It's the treated water that is causing Fresno officials so much grief. It can total 80,000 acre-feet a year -- enough to fill Millerton Lake to the rim of Friant Dam in less than seven years. All of the treated water is sent to the sewer farm's 1,400 acres of holding ponds, where it evaporates or percolates into the ground.

The regional plant pumps as much as 25,000 acre-feet of treated water a year and sends it to farms via Fresno Irrigation District canals. The rest seeps into the ground table and over the years an immense "mound" of water has grown under the sewage plant. Worried Fresno officials wonder when they will run out of room down there.

That is where the proposed Clovis plant comes in. Anything -- satellite sewage plants, irrigation, water meters -- that reduces the intake of sewage at the Jensen Avenue plant will reduce growth in the "mound," say Fresno officials.

### Competing visions

How will the fight over the Clovis plant end?

City officials see a future where a trend-setting, environmentally sensitive sewage treatment plant exists harmoniously with one of the city's most dynamic and beautiful new neighborhoods. Says Council Member Ashbeck: "I think our council has a real clear vision about the kind of community we want."

Families Protecting Neighborhoods sees a future where regionally planned satellite sewage plants are located far from schools, homes and churches. Says Cook: "I don't want our kids to come back in 30 years and say, 'What were they thinking when they put it here?'"

But Palacio, chairwoman of the Fancher Creek-Sunnyside Homeowners Association, may have the best read on the situation: "It'll come down to who can raise the biggest stink."

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## Ozone level up in Valley areas

Most inland parts of state show increase in pollution.

By Laura Wides, Associated Press, Published Friday, October 4, 2002 in the Fresno Bee

LOS ANGELES -- Ozone pollution increased or remained stagnant through much of California's inland valleys during the summer of 2002 as compared to the previous year, according to a state board that regulates air quality.

Experts at the California Air Resources Board say population growth and development may have slowed a positive trend in air quality gains. Over the last 20 years, the state's ozone levels had dropped 40%, due mostly to stricter industry regulations.

But in the last three years they have improved little.

Ozone levels were collected through September 2002.

"You're constantly throwing more people, more automobiles and more industry into this situation," said board spokesman Richard Varenchik. "If we don't keep looking for ways to continue to make reductions in ozone emissions, you could start to see backsliding."

But environmentalists say officials have followed population trends for years and shouldn't be surprised by continued growth.

They say the state needs stricter vehicle emissions standards.

Vehicles are responsible for about three-quarters of the smog that causes dangerous ozone levels in the state.

California has passed tough regulations to force automakers to produce cars and buses that run on electricity and natural gas, but the industry has tied up that legislation in the courts.

Whether one suffers from high ozone levels -- irritated eyes, coughing, wheezing and permanent lung damage in some cases -- depends on geography, said Varenchik.

"We have these mountainous valleys, and you get hot stagnant air. In the summer, you've got the situation like a big hot kettle with a lid on top and the pollutants pouring in."

In coastal areas with cooler temperatures, such as Monterey, Santa Barbara and San Diego, ozone levels met federal health standards virtually throughout the summer, according to the ARB.

But in the San Joaquin Valley and Sacramento regions, the number of days when ozone levels exceeded health standards increased. San Joaquin had 32 days over the standard, up from 30 days in 2001.

Sacramento jumped to nine days in 2002, up from two days in 2001.

And in the South Coast region, an area that covers Los Angeles and includes nearly half of the state's population, the number of days exceeding the health limit hovered around 40 for the second year in a row.

Southern California air quality officials say the lack of change is due to unusual weather patterns and widespread wildfires.

## **Lodi pollution lawsuit dismissed**

The Record, October 5, 2002

LODI -- A federal judge dismissed a suit Wednesday that accused Lodi of contributing to the city's underground pollution.

U.S. Circuit Judge Frank C. Damrell Jr., in granting Lodi's request, ruled the Odd Fellows Hall Association did not have the right to bring the May 2000 claim under federal environmental law.

The suit contended Lodi parks and recreation employees, in preparing 55-gallon drums for use as trash cans, had dumped toxic chemicals on the ground, causing a portion of the city's soil and groundwater pollution.

Damrell ruled the Odd Fellows group -- later named as one of 15 parties responsible for Lodi's pollution in the city's November 2000 lawsuit -- did not suffer any injury and is merely a corporation without standing to bring the citizen suit.

"Judge Damrell's decision is not unlike other cases whereby he has based his rulings on the underlying merits of the case," City Attorney Randall A. Hays said in a city-issued statement.

Odd Fellows attorney Aaron Bowers said the failed suit was primarily a defensive strategy and said Damrell's ruling would not benefit the city in its pending federal case.

"I don't consider it much of a loss," Bowers said.

## **Carpoolers can enter to win vacations**

By Audrey Cooper, Record Staff Writer, October 4, 2002

The snakelike line of cars that clogs highways during rush hour is the focus of an upcoming effort to get people to think about commute alternatives.

And if promises of cleaner air and less traffic aren't enough to lure commuters out of their cars for just one day, transportation officials hope the possibility of a free vacation will be an adequate bribe.

From Monday through next Friday, people who sign up with the San Joaquin Council of Governments and pledge not to drive alone to work for at least one day will be entered to win a

trip to Hawaii, Monterey Bay or Lake Tahoe. The special offer is part of California Rideshare Week, and anyone who lives or works in San Joaquin or Stanislaus counties is eligible to win.

"Most people in our area don't even know what's out there as commuting alternatives," said Steve Mayo with the San Joaquin Council of Governments, a regional transportation-planning agency that helps drivers with alternative commutes.

"It's far easier than everyone thinks to rideshare," he said.

Last year, about 800 people participated in rideshare week, Mayo said. This year, COG officials hope even more people will agree to ride the train or bus, bike or walk, or carpool with colleagues to work. Working from home also counts.

Eddie Franco, a supervisor at El Concilio, the Council for the Spanish Speaking, frequently carpools from Stockton to Tracy with three colleagues.

The commute saves money, is less stressful, is easy to arrange and ensures reliable transportation for workers, Franco said.

"It's really neat, because when we drive, about 90 percent of the people we see going toward San Francisco are alone. When we carpool, everyone enjoys it," he said.

According to the AAA, it costs more than 26 cents per mile to drive a car if you consider gasoline costs, depreciation and wear-and-tear on the car. For example, Tracy residents who commute to jobs in Livermore pay more than \$1,300 annually -- \$5.24 a day -- to drive alone. That figure doesn't include car payments and insurance.

The same residents could ride the Altamont Commuter Express for less -- \$4 round trip -- avoiding the white-knuckled drive. It also prevents pollution: the average car traveling 20 miles each way to work puts out an estimated 403 pounds of pollution each year.

Rebecca Ring escaped that Tracy-to-Livermore drive when she joined a vanpool about 18 months ago.

"I just cannot deal with the stress of driving anymore. It's just not worth it. (The vanpool) is such peace of mind," said Ring, a nurse at the Veterans Affairs Department hospital in Livermore. "I would just encourage more people to get out from behind the wheel and save their sanity, get over the road-rage thing and let someone else do the driving."

The federal government offers a \$100 commute subsidy for employees who take alternative modes of transportation to work. That means Ring pays only \$60 for her chaufferlike service. Other volunteers in her vanpool do the driving.

\* To reach reporter Audrey Cooper, phone **546-8298** or e-mail [acooper@recordnet.com](mailto:acooper@recordnet.com)

#### **To learn more**

For more information on public transit, Rideshare Week prizes and activities, or for a list of vanpools and carpools in your area, call COG at **468-3913** or go to **[www.commuteconnection.com](http://www.commuteconnection.com)**.

## **Critics pan planned Wal-Mart**

By **JAMES BURGER**, Bakersfield, October 03, 2002

A rowdy crowd of grocery union members, city residents and Wal-Mart foes from out of town vented their disgust before the Bakersfield Planning Commission Thursday night.

The target of their scorn is a Super Wal-Mart planned in a shopping center on Panama Lane east of Highway 99.

Thursday's hearing on the development was held to collect comments on an environmental report -- not approve the project.

But a flood of public speakers used the venue to assault Wal-Mart.

"I'd rather have a (strip)-bar there than a Wal-Mart," said Edgar Greene, a longtime resident of the area. "Go over to Deja-vu -- the parking lot is clean. Go over to the Wal-Mart on White Lane and pray your stereo is still there when you leave."

Sheryl Kingsley, who was visiting relatives in Bakersfield, came to the commission meeting carrying a sign that labeled Wal-Mart the "al-Qaida of retail."

She hates the trash and traffic she thinks the super-sized Wal-Mart will bring to town.

"I figure Bakersfield needs another Wal-Mart like it needs more pollution," she said.

Shelia Stubblefield, a former resident of the area, is president of the hastily organized Bakersfield Citizens for Local Control. The group, which has yet to get its own phone line, was created to oppose the new Super Wal-Mart.

Stubblefield's group blanketed Bakersfield with between 40,000 and 50,000 slick fliers last weekend -- trying to get city residents to "stop the Bakersfield City Council from shoving another Wal-Mart in your neighborhood."

She said the city's own environmental report shows the Wal-Mart will have a significant impact on the area's traffic, air quality and noise levels.

"I am deeply concerned that the city is considering putting a Super Wal-Mart on top, literally on top, of that neighborhood," she said.

Thursday's hearing -- full of waving signs of protest, laughter and heckling aimed at commissioners -- was far more wild than the average commission meeting.

Commission Chairman Ron Sprague tried, in vain, to keep the crowd from cheering every insult hurled at the Wal-Mart project, and two Bakersfield police officers prowled the chambers to keep the overflow crowd out of the aisles.

A large number of audience members, some wearing uniforms from national grocery chains like Vons and Foods Co., were part of the United Food and Commercial Workers Union.

The union has called on its members to boycott Wal-Mart and fight the Super Wal-Marts planned in Bakersfield as part of a nationwide campaign against the retailer.

Dorothy Montgomery, a local grocery clerk, said she worries the Super Wal-Mart's grocery store will undercut the wage she earns by creating a large pool of minimum-wage jobs.

"We have plans to go into Wal-Mart to organize," she said.

Tom O'Hanlon, who works for Albertsons, said he is afraid competition from the grocery side of the Super Wal-Mart will blunt the benefits he gets from his union job.

"We're concerned about our livelihood," he said. "To compete with Wal-Mart, Albertsons is going to have to cut wages."

Wal-Mart representative Peter Kanelos said the unions are attacking Wal-Mart because they're scared.

"The labor unions have tried to organize our associates because their membership numbers have dwindled, and time and time again our associates have said we don't need third-party representation," Kanelos said.

Stubblefield said the Bakersfield Citizens for Local Control organization is not affiliated with the United Food and Commercial Workers.

It is, she said, a grass-roots community organization formed since the first news of the Super Wal-Mart hit the pages of *The Californian* about two months ago.

Stubblefield said she doesn't believe the union helped pay for the fliers her group sent out.

She also said she was unaware that Jim Dantona, a Simi Valley lobbyist and consultant who is the media contact for her group and is loaning it a phone line, also works for the grocery workers' union.

"He's an acquaintance through this," Stubblefield said. "I am non-union."

Lee Jamieson, the Bakersfield developer of the Panama Lane project, said he expected Thursday night's out-pouring of concern, and said he is willing to handle the impacts on his project's neighbors.

He expects to hear a different tune from supporters of Wal-Mart in December.

"I've had dozens of people who have called me supporting Wal-Mart," he said. "I told them to wait until December when this comes up for a vote."

That environmental document, a zone change and approval of the project are currently scheduled to come before the commission Dec. 19.

[Viewpoint, Bakersfield Californian, October 05, 2002](#)

By Dianne Hardisty:

## ***Math wizards fuming over gas can clamp-down***

The minute **David C. Koble's** letter to the editor popped into *The Californian's* e-mail system, I knew it would be trouble. The Bakersfield man was railing away at those California Air Resources Board dummies for placing vapor controls on gas cans you know, those cannisters that clink around in our garages.

"According to a recent article posted in *The Californian*, the state Air Resources Board has determined that gas cans stowed in garages throughout the state are a source of air pollution. Using the air quality board's own figures, 87 tons of emissions per day are being produced from 12 million gas cans," he wrote.

"A little bit of simple math applied and we find that each can is producing 68.9 pounds of pollutant per day. If a gallon of gas weighs roughly seven pounds and the average gas can holds five gallons, then it stands to reason that each container holds 35 pounds of gas. Considering the pollutant is a vapor or unburned gasoline, this would mean that each can of gas is producing nearly double its own weight in fuel every day.

"This is too good to be true. All I have to do is go out to my garage and design a vapor recovery system (kind of like grandpa's still) attach it to my gas can, and I'll never have to pay for gas again!"

### ***Oh, man, I hate math.***

I turned to reporter Gretchen Wenner, who wrote the story, and she bounced Koble's letter through cyberspace to **Richard Varenchik** at the air board. His response:

"Using 9.2 million residential gas cans as a base. Each gas can would have to put out .015 pounds of smog forming emissions per day or, put another way, 6.8 grams per day, to make 69.1 tons per day. The rest of the tonnage of fumes comes from commercial gas cans. We keep the stats on commercial use separately because of the vastly different use patterns.

"Residential cans may be used once a week to fill a lawnmower and then sit in the garage for the rest of the week. However, it is safe to say that the commercial use patterns result in vastly higher emissions release each day from each commercial can. They are filled more often at the gas station and used more often to pour gasoline into lawn mowers, weed wackers, chain saws etc.

"With the old-type cans this results in a tremendous amount of gasoline spillage and thus evaporation of fumes into the air. The process of having the cans shake around in the back of trucks while they are hauled from place to place also results in the escape into the air of much more volume of fumes and sometimes more spilled gas.

"In both commercial and residential use you get fumes from filling the cans and using the cans to fill lawn mowers and other equipment. You also get spillage of gasoline during these processes. You also get fumes leaking from the cans 24/7, even if they are just sitting in a garage or other structure."

Hoping that would quiet Koble's concerns, I forwarded Varenchik's response to the letter writer, asking: "Whatcha think?"

"I think that the air quality board is trying to pull a fast one on the public. The letter that you forwarded to me was filled with assumptions that I'm willing to bet, cannot be quantified," Koble responded. "As far as the math goes, you can slice this pie up any way you choose and it still comes out the same. Mr. Varenchik is still saying that gas cans are producing double their weight on a daily basis. In any case I thank you for doing the research and for your response. I would still like to see my original letter in print."

### ***Oh, man. I hate math.***

I gave up. I ran Koble's letter and the responses have poured in:

"Why would *The Californian* print a letter to the editor that is so incorrect the error can be seen at a glance?" **Clarence Bartlett** of Bakersfield asked. "The person selecting the letter printed on Sept. 24 criticizing the state Air Resources Board should have realized that no agency would put out figures showing there is 68.9 pounds of pollutant per day from each container holding up to 5 gallons (approximately 35 pounds) of gas as stated by the author of the letter.

"The correct figure is the weight of the gas (87 tons) divided by the number of containers (12 million) which is 0.0145 pounds per day per container. This is a realistic amount that need not have been questioned, but 68.9 pounds per day per container should have been questioned."

**Laird Taylor** of Bakersfield chimed in: "Judging from what I've seen recently, anti-environmentalists can't even do arithmetic correctly. A negative review on amazon.com of Al Gore's book is absurd because of an elementary arithmetic blunder. And now we have a sarcastic letter in *The Californian* which is equally mathematically illiterate."

But the frosting on the cake was applied by Bakersfield College math instructor **Janet W. Tarjan**. ***Oh, man, now I was in big trouble. Her letter had equation thingies and choice one and choice two for doing the WORD PROBLEM.***

Tarjan echoed Taylor and Barlett's observations, adding, "Here are a few insights I enjoyed discussing with my mathematics students at Bakersfield College: Units are important! Units lend accurate meaning to data. Division is not commutative. (A/B does not necessarily equal B/A.) If you choose to round, do so correctly! If we round 68.96551724 to one decimal accuracy, we get 69.0 not 68.9. Just because you exude confidence and make fun of others doesn't make you right."

And after all this, I have a few suggestions for where the air board can stick its polluting gas cans.

**Fresno Bee Editorial, October 7, 2002:**

## **Give and take, Davis-style**

With governor, it's one step forward, two steps back for the Valley.

Valley residents had reason to take heart recently when Gov. Gray Davis signed a bill bringing Bay Area drivers under the same air pollution standards that drivers in the rest of the state face. That will help a bit to ease the terrible air quality problem in the Valley. Davis remarked at the time that he wouldn't "treat the Central Valley as a second-class citizen." That would be another pleasant change.

It didn't last. Three days later Davis had a chance to boost the Valley's presence in the planning of the proposed high-speed rail line, but he vetoed a bill by Sen. Charles Pochigian, R-Fresno, that would have mandated at least two Valley representatives on the nine-member California High Speed Rail Authority Board, the rail line's governing body.

Davis offered the rationale that he could not "support a measure that constrains my flexibility in making appointments."

Philosophically the governor's argument has some merit. California is increasingly ungovernable because so much of what we do is locked in by law. Flexibility is an important element in governing, and we already have very little of it here.

But Davis' argument must also be seen in the light of his record. The Valley will be home to the first and longest stretch of the high-speed line when it is built, and the route and siting of depots and other facilities are crucial to the Valley's economic development. Yet the high-speed rail board has five members from the Bay Area, three from Southern California and just one from the Valley.

Moreover, the governor's record with appointments in general is, well, spotty. The Agricultural Labor Relations Board, which will assume massive new duties under the recently signed a labor contract legislation, doesn't even have a quorum because Davis has been so tardy in filling empty seats.

And when appointments are made to those and other boards, they almost always seem to go to wealthy donors and political supporters from Los Angeles and the Bay Area. Rarely does the

governor tap the fertile ground of the Valley for expertise. Perhaps we should be more generous with campaign donations.

Davis is not the first, nor is he likely to be the last governor to shortchange the Valley. The Legislature likes to do it, too -- taxing Valley residents to pay for services elsewhere is an ancient art in the Golden State. But it's really starting to get old.

#### [Letters to the Editor, Fresno Bee:](#)

### What's ahead?

By Kevin Frye

Fresno

(Published Monday, October 7, 2002, 5:03 AM)

Thanks to the jet stream, I can breathe again. I took a couple of bike rides, it was great. **After the last few weeks of incredibly bad air, I wonder when we might actually attain air quality compliance, if ever, or how much worse will the air get. There are a number of variables that the local air pollution control district does not control, mostly vehicle pollution. And there other areas in which they feel they shouldn't be involved, e.g., pollution resulting from Copper River sprawl.**

I have requested that the district create and make public simple-to-understand air pollution projections for this air basin for the next 30 years. This would show the impact of such variables as population growth, sprawl, miles driven, increases in exhaust from older and poorly maintained vehicles, and existing or future corrective legislation.

These projections should also show the time frames associated with various courses of action from which we may or may not realize any benefits (attain compliance if possible).

Given the extreme nonattainment designation's time frame, it could be decades before we see air as clean as this last summer's -- RIP.

Those interested in seeing and breathing what is in our future and how we will get there should call the district office, (559) 230-6000, and request that it present this information, so we might pressure our representatives for a quicker, more-effective response.

#### [Letter to the Editor, The Record](#)

### **Lodi Lowe's project needs EIR**

I share the concerns of my fellow Lodians regarding the construction of the Vintner Square/Lowe's superstore project at the corner of Kettleman Lane and Lower Sacramento Road.

My primary concern is the lack of an environmental impact report. The city has responded to citizens' concerns by saying, "This is a done deal; it is too late to change things now." A project of this size anywhere in San Joaquin County, given the real environmental problems of our area, should never have made it to this point without an EIR.

The criteria used for the Negative Declaration for this project is both superficial and incomplete. The act states: *"When faced with a discretionary project which is not exempt from the California Environmental Quality Act (CEQA), a Lead Agency (City of Lodi) must prepare an 'initial study' to determine whether the project may have a significant adverse effect on the environment. If such an effect may occur, the Lead Agency must prepare an environmental impact report. If there is no*

*substantial evidence for such an effect, or if the potential effect can be reduced to a level of insignificance through project revisions, a Negative Declaration can be adopted (Section 21080)."*

It is my belief that there are enough concerns to merit an EIR before proceeding with this project. The Lodi Planning Commission and the Lodi City Council are entrusted by the voters to follow the law. I believe this project fully requires, both morally and under the law, an EIR.

Lodi is a very special and unique place. A city official stated recently that this project was part of the city's General Plan. The Land Use and Growth Management Element of that plan states: *"Throughout the General Plan update process, a recurring theme has been the desire to maintain Lodi's small-town community character."*

If officials declare that a 160,000-plus-square-foot superstore and a 90,000-plus-square-foot grocery warehouse fit into that theme -- and an unbiased EIR shows no impacts that cannot be mitigated -- then so be it. Only then will the letter of the law and the safeguards built into it have been followed.

By Barbara Williams

Lodi