

Air exemption sought

3 counties want break from Valley pollution rules

By Audrey Cooper

Record Staff Writer

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San Joaquin, Stanislaus and Merced counties should be exempted from upcoming air-pollution sanctions that will drastically increase the cost of doing business in the San Joaquin Valley, some local officials say.

To prove their point, a group of Stockton politicians, business leaders and regional planners is pushing ahead with a proposal to separate the three counties from aspects of the San Joaquin Valley Air Pollution Control District.

Their argument goes like this: Since the air is cleaner in the northern part of the Valley, businesses here shouldn't have to endure sanctions that result from the foul air in Fresno, Tulare or Bakersfield.

Many local officials want the three counties to become a separate planning area. In such a scenario, the northern counties would still have to follow the same rules that limit pollution in the southern counties. However, the northern area would be judged separately as to whether it met federal health-based air standards.

Many local politicians assume that the northern Valley would be able to meet health standards more quickly than the southern Valley. Areas that don't meet air standards face hefty sanctions that include increased costs for businesses seeking air-pollution permits.

The air district is expected to ask federal air regulators in September to consider the entire Valley an "extreme" pollution zone. That gives the district until 2010 to meet air standards but comes with increased sanctions that northern counties want to avoid.

The San Joaquin Council of Governments is expected to vote Thursday to spend \$40,000 on consultants who will build a scientific justification for such a separation. Next week, COG planners will ask San Joaquin County supervisors to endorse the effort and solicit help from officials in Stanislaus and Merced counties. The Greater Stockton Chamber of Commerce has also signed on with support, chamber CEO Douglass Wilhoit said.

COG's executive director, Julia Greene, said the effort will be laborious but should turn out to be a win-win solution.

"There are serious doubts about whether the air district will be able to meet its (federal) goals. With a separate planning area, they can point to us and say there is a region that is meeting standards," she said.

"Plus, there is a bad stigma for us in being included in the 'extreme' designation. We have businesses that are looking to move out of here because they won't be able to afford the cost," Greene said.

Greene declined to say what businesses are considering relocation. A move to consider the three northern counties a separate planning area would have to be approved by the air district, the state Air Resources Board and the U.S. Environmental Protection Agency. Officials from those agencies have said granting such a separation is unlikely.

Eastern Kern County was separated from the rest of the Valley air district in October 2000. The Valley was bumped up to a "severe" designation, but the remote area of Kern County was not. The "severe" designation is one step down from "extreme."

But that part of Kern County is separated by a mountain range and has few pollution sources. The northern Valley's situation is different, EPA spokeswoman Lisa Fasano said.

"I think it would be very difficult to justify this," she said.

Air district spokeswoman Josette Merced Bello said it's not certain the northern area would meet air standards on its own, especially once the EPA adds new, tougher air standards next year.

The northern area also has not recently met current smog standards, Merced Bello said.

Officials in the southern part of the Valley say they understand the fear of increased sanctions.

"I'm glad they're not trying to totally divorce the district. I wish them the best. I think we're all looking for ways to save ourselves," said Fresno County Supervisor Bob Waterson, who recently helped start a Valleywide air coalition.

"These counties are only as strong as they can be when we stick together. And these businesses, if they leave, they'll have to leave California, because the impact is going to hit everywhere," he said.

* To reach reporter Audrey Cooper, phone **546-8298** or e-mail acooper@recordnet.com <<mailto:acooper@recordnet.com>>

City officials address budget, Valley air issues

Clash over Convention Center privatization sets tone for mayor's proposed \$726m spending plan.

By Pablo Lopez

The Fresno Bee

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Mayor Alan Autry stepped into the City Council chambers Tuesday expecting a fight over a key element of his \$726 million spending plan -- the privatization of the Convention Center Department.

He got one from Council Member Brad Castillo, who suggested forming a council-run authority to oversee the Convention Center complex and Selland Arena.

To ensure the authority is successful, Castillo contended the council should have control over the hotel-room tax, estimated to be \$8.7 million this fiscal year, which ends June 30.

Autry bristled: "Privatization is the only option. There are no other options."

The mayor then ordered City Manager Dan Hobbs not to waste time researching a council-run authority, even though a majority of the council had voted months ago to direct Hobbs to investigate the idea.

City Attorney Hilda Cantu Montoy said the mayor, by authority of the city charter, can't direct Hobbs to dismiss the council's requests for information. But Hobbs said he works for the mayor, thereby leaving the issue at a standstill.

Afterward, Castillo said, "This is not a dictatorship. This is a democratic society. The council has the right to receive information that affects our constituents."

Autry, in response, said: "I did not take this action out of obstinance or anger. I cannot have my city manager pursue a phantom option that does not exist."

The exchange between Autry and Castillo lasted only a few minutes, but it set the tone for what will be a bitter fight over the mayor's proposed \$726 million spending plan for the fiscal year beginning July 1.

A year ago, the mayor built a \$746 million budget on the assumption that the council would approve fee increases and an utility rate increase. After months of bickering, the council narrowly approved the budget

Autry has publicly stated that he doesn't like or trust Castillo because of past differences over key issues, such as Castillo's rejection of the utility rate increase. Like last year's blueprint, Autry's budget is based on four cornerstones: maintaining essential city services, investing in job creation, pouring money into neighborhood infrastructure and protecting a \$10 million reserve.

If the budget is left intact, Autry said there would be no layoffs, utility rate increases or reduction of city services.

The budget, however, could crumble if the current state budget crisis is resolved by cutting revenues to the state's cities, the mayor said.

To help keep the budget balanced, Autry wants the council to institute or increase more than 200 fees, ranging from paying a dollar more to get into Woodward Park to paying \$183 an hour for a hazardous-material incident.

Autry warned the council that the budget would unravel if it rejects his plan to have a private company run Seland Arena and the Convention Center complex, which the mayor characterizes as a \$6 million-a-year drain on city finances.

Two companies -- SMG and Global Spectrum -- have expressed a desire to manage the Convention Center. Fresno State hired SMG to run the Save Mart Center.

Autry contends the city spends \$6 million annually to pay the debt on the new Exhibit Hall and to cover operating costs of Seland Arena and the Convention Center complex. Privatizing the Convention Center would save the city about \$940,000 next year, Autry said.

But the council hasn't seen details of the privatization plan, so it must seek other options such as a council-governed authority, Castillo said. Autry plans to reveal the privatization plan to the council on June 3.

Castillo's suggestion for a council-run authority is controversial but not novel; the council voted in January to reorganize the Redevelopment Agency, which left Hobbs and Autry out of the loop.

The hotel-room tax is a huge issue because it is funneled into the general fund, which Autry's staff controls to pay for police, fire, parks and other services. Directing it to the authority would cause Autry's staff to scramble for another revenue source.

City officials expect the hotel room tax to be about \$8.7 million by the end of this fiscal year, and forecast \$9 million for the coming fiscal year.

Before the confrontation with Castillo, Autry said his budget agreed with the priorities given to him by a council budget committee of Mike Dages, Tom Boyajian and Henry T. Perea. Among the priorities is making public safety a top concern.

The Police Department's budget gained about \$2 million -- from \$101,486,800 this fiscal year, to \$103,151,500. The department plans to add 67 new officers on the street, bringing the force to 778.

The council appears to agree with Autry's plan to set aside more than \$1 million for programs that help seniors and to fund after-school programs at 20 parks that serve 50 schools.

Autry also proposes spending \$11 million on clean-air projects such as traffic-light synchronization, and more than \$5 million on 25 natural-gas buses and 12 clean-fuel-burning garbage trucks.

In addition, Autry said he will spend a record \$18.3 million on neighborhoods for repairs, traffic signals and bicycle routes. The sum includes \$175,000 in discretionary money for each council district.

The key issue, Perea said, is whether the majority of the \$18.3 million will be spent within the neighborhood or on major streets. Funds for the Convention Center also come from the general fund, money spent at City Hall's discretion, slated to be \$178 million in the coming budget.

By privatizing the Convention Center, the city would end a long relationship between the city and the Fresno Convention and Visitors Bureau. The city paid the bureau \$827,000 this fiscal year to bring tourists, conferences and special events to the city.

In return for the city's investment, bureau officials said they have helped the city's hotel-bed tax increase every year. Autry proposes giving no money to the bureau in the coming budget.

In other action, the council will debate next month whether to amend an ordinance that could give Club One Casino control over all 50 gambling card tables in the city. Currently, Club One has 35 card tables, but it has agreed to purchase 15 more for \$385,000 from Diamond Sports Bar and Casino, which shut down in April

Council lends its support to a package of bills aimed at cleaning up San Joaquin Valley air.

By John Ellis

The Fresno Bee

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The Fresno City Council on Tuesday brushed aside the concerns of Valley agriculture and voted to support a series of seven clean-air bills that target the state's farms, ranches and dairies as well as emissions from cars and trucks.

State Sen. Dean Florez, D-Shafter, the author of the bills, spoke on behalf of his proposed legislation, brought props to illustrate his main points and lined up local asthma sufferers to testify before the council.

His bills in turn were supported by five council members -- Henry T. Perea, Brad Castillo, Mike Dages, Cynthia Sterling and President Tom Boyajian. Jerry Duncan voted against supporting the bills, and Brian Calhoun abstained.

Florez said his legislative colleagues ask him where Bakersfield, Fresno and Visalia stand on his legislation. He in turn praised the council's action, saying it was "imperative" that the major cities in his district support the bills.

Castillo said the council "should act on things that are in our control. This is very much in our control."

Boyajian added that he "hates to see farming as the whipping boy" because he believes the pollution problem is driven by urban sprawl. Still, he said it is sometimes important to make "symbolic and leadership votes."

Opponents, however, said it was too early to take a position on legislation that has already been amended and will likely go through further changes as it winds its way through the legislative process. One, Duncan noted, had yet to have its first hearing.

"It's premature to ask the City Council to take a position on any of these bills at this time," he said.

Karla Kay Fullerton, executive director of the Fresno County Farm Bureau, added that the bills will allow government "carte blanche to put fees on things and don't get to cleaner air."

Among the series of bills is SB 700, which would, among other things, end agriculture's exemption from the Federal Clean Air Act and require farmers to obtain air pollution permits for diesel-powered irrigation pumps and for confined-animal feeding operations such as dairies.

Others are:

SB 701, a proposed bond measure that would help industry pay incremental costs of clean-air retrofits. If approved, it would be placed on the ballot in 2004.

SB 703, which would reduce "standby" charges that ag customers must pay utilities to keep irrigation pumps connected to the electricity grid. That would reduce costs, which backers hope would encourage farmers to use electricity rather than cheaper but dirtier diesel fuel.

SB 704, which would require biomass facilities to burn mostly agricultural waste to produce electricity in exchange for state funding from the California Energy Commission.

SB 705, a proposal to phase out all open-field agriculture burning by 2010.

SB 708, which allows local agencies to set up "smoking vehicle" checkpoints alongside DUI checkpoints.

SB 709, which would expand the authority of the San Joaquin Valley Air Pollution Control District over mobile sources of emissions such as cars and trucks that pass through the Valley.

Manuel Cunha, president of the Nisei Farmers League, said he appreciated Florez's effort, but said air-quality issues are complicated and take time to understand. The council's action, Cunha added, will hurt Operation Clean Air, which seeks a voluntary air cleanup by local governments, industry and residents.

By contrast, Sophia Hinojoza offered emotionally charged testimony. Two of her three children have asthma, and she showed the council machines and medicine to fight asthma. Hinojoza said she spends \$100 a month on prescriptions and is \$9,000 in debt because of it. "If I could leave Fresno, I would," she said. But she can't afford to leave. Florez pointed to the emotional impact of such testimony. "As in Sacramento, it's the entire ag industry vs. real people."

The reporter can be reached at jellis@fresnobee.com or 441-6320.

Christie Whitman quitting EPA post

By JOHN HEILPRIN, Associated Press

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Christine Todd Whitman, 56, seen here last week in Boston, met with Bush on Tuesday to inform him of her decision.

WASHINGTON (AP) - Christie Whitman, who has often been at odds with the White House over environmental issues, submitted her resignation Wednesday as administrator of the Environmental Protection Agency.

Whitman said in a letter to President Bush that she was leaving to spend time with family. "As rewarding as the past two-and-a-half years have been for me professionally, it is time to return to my home and husband in New Jersey, which I love just as you do your home state of Texas," she wrote Bush. With Whitman's departure, Bush loses one of the most prominent women in his Cabinet - a moderate former New Jersey governor selected by the president to help soften his image as a political conservative, particularly on environmental issues. Whitman had a history of clashing with the White House, starting with the president's abrupt decision to withdraw from the international global warming treaty. She had been the administration's point person in rolling back environmental protections initiated by previous administrations.

As his re-election campaign gears up, Bush's senior staff and advisers consider the next few months as optimum time to leave the government; otherwise, they will be expected to remain aboard until after the 2004 election. White House press secretary Ari Fleischer announced Monday that he will resign in July.

Bush will be under pressure to replace Whitman with a nominee who will be acceptable to his GOP supporters without alienating swing voters who tend to be wary of Republicans on the environment.

Whitman, a former New Jersey governor, said her resignation is effective June 27. She met with Bush at the White House on Tuesday afternoon to inform him of her decision, the agency said.

Whitman, 56, joined the administration after seven years as governor of New Jersey, where she made preservation a priority but never managed to convince environmentalists she was one of them.

Critics said that in the name of attracting businesses, she compromised water pollution protections and cut spending for state offices that prosecute environmental abuses by industry. Whitman, an avid mountain biker and skier, insisted she retained needed protections while eliminating red tape.

When the Bush administration took office, Whitman had only the briefest honeymoon. Within the first three months, she had upset industry executives and conservationists, disappointed moderates who like her and angered conservatives who don't.

The conservation group Friends of the Earth wasted little time in urging her to resign, saying that Bush's decisions on the environment had undermined her credibility. But Whitman stood steadfastly behind Bush, even when their own disagreements became public.

As she did while New Jersey governor, Whitman frequently hit the road for official as well as political trips around the country. But she said her goal was to spend weekends, when possible, back home in New Jersey. "It's important for my sanity," she said.

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

'Adding pollution'?

By James R. Stone

Pinedale

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The other day was one of those magnificent days we get in Fresno from time to time, after a rain or when the wind blows out the smog. So I looked up and saw about six parallel trails of white exhaust all headed into the direction of the Bay Area. I suppose these are regular jets, carrying people and freight, but the exhaust is different from 20 or 30 years ago. Then these trails would quickly disappear, in contrast to modern exhaust that is visible as far as the eye can see and spreads into high clouds.

I wonder if this is a different fuel or whatever, but it should be checked out to see if it is adding pollution to our already poisonous air.

Go monorail

By Robert Romero

Fresno

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Concerning our air pollution problem: My biggest idea is for Fresno to outdo other cities with an extensive and efficient monorail system working various schedules on a 24-hour basis. How's that?

And if we run city buses on cleaner fuel, it's mass transit in the making.