

Education helps clean Valley's air

By Alex Gronke, The Record, July 29, 2003

How many commuters heard Sunday or Monday evening that the next day would be a Spare the Air Day and silently, perhaps guiltily, hoped the news would mean fewer cars to congest traffic during the haul over the Altamont?

While the San Joaquin Valley Air Pollution Control District doesn't know whether declaring a Spare the Air Day actually keeps drivers off the road, district officials do contend that public education has cleaned the air in the Central Valley.

"It has gotten better when you look at the ratio between air quality and growth," said Anthony Presto, a public-education representative for the Valley air district.

Spare the Air Days are announced when air pollution levels get dangerously high, usually because of hot weather and still air. The air district declared Monday and Tuesday to be Spare the Air Days this week.

The agency's decree had no effect on Tracy resident Charlie Hinterlang.

Hinterlang could be described as the quintessential Tracy commuter. He moved to the city four years ago. He works as a project manager for a high-tech company in Fremont, and every workday, he pilots a 2000 Ford Expedition over the Altamont Pass.

Hinterlang's ever-changing work schedule doesn't allow him to carpool, and as a manager, he can't telecommute. But driving his SUV to work by himself on Spare the Air Days doesn't faze him. "I don't feel guilty," Hinterlang said, adding that he has never been troubled by air quality in the Central Valley.

On the other side of the spectrum, Tracy resident Brenda Dean doesn't commute to Fremont from Tracy anymore, but she heeds warnings from the air district and parks her Dodge Durango.

"When it's Spare the Air, believe me, I'm inside," Dean said.

Presto said commuters with Dean's willingness to change their routine on particularly smoggy days can do several things: Namely, they can seek out carpool partners, sign up for a commuter vanpools, telecommute or stay in at lunch time.

Presto also said Californians should recognize their own contributions to air pollution in the Central Valley and elsewhere.

"Not enough people want to take responsibility to make changes and be truthful with themselves that they are contributing to the problem," Presto said. "Everyone is part of the problem."

Commuter Tip

According to the San Joaquin Valley Air Pollution Control District, nearly 60 percent of the Valley's pollution is caused by cars and light trucks. Here are ways motorists can help cut down on air pollution:

- * Carpool whenever possible.
- * Organize errands into one trip.
- * Shop by phone or Internet.
- * Use public transportation.
- * Keep your car in good working condition.
- * Keep car tires inflated to the proper pressure.
- * Don't top off your gas tank.

The sound and the fury

By MATT WEISER
The Bakersfield Californian
Thursday July 24, 2003, 10:45:11 PM



Casey Christie / The Californian
A worker in southwest Bakersfield
uses a leaf blower while doing
some yard work.

Sue Braman's home in northwest Bakersfield borders a large apartment complex, but it's not the neighbors who bother her. It's the weekly invasion of leaf blowers there.

"We've got over 100 units behind us, and they are there for a long time -- I'd say three or four hours or more," said Braman. "That, to me, has got to be one of the most irritating noises in mankind. It's the type that drives a person to just want to scream -- that constant droning."

Braman and many other Bakersfield residents believe leaf blowers have become a plague on civilization, and city officials are starting to listen. The city is working on a plan to regulate leaf blowers, following in the footsteps of many other cities that have already imposed restrictions.

A firm proposal has yet to emerge, but city officials are meeting with gardening industry representatives to draft a rule that will work for the hundreds of small businesses that keep Bakersfield landscaping leaf-free.

City Councilman Mike Maggard said the city is looking at regulations adopted in other cities and considering a number of ideas -- from an outright ban to restricting leaf-blower use to certain days, hours or seasons.

"With the growing concern over air quality, I think the time has come for us to deal with the issue," said Maggard, also an air district board member. "To some, it is an absolutely fierce issue. It's

very, very important to them. On the other side, it makes a significant difference in the efficiency and profitability of those in the gardening industry."

A 2000 study by the California Air Resources Board estimated there were about 1.1 million leaf blowers in use statewide. It found that about 100 California cities have imposed restrictions.

In many cases, those restrictions arise from quality-of-life concerns. Leaf-blower noise, considered "uncomfortable" at over 100 decibels, has been shown to cause hearing loss for gardeners and unwavering annoyance for many others. Cities like Newport Beach and Davis have passed rules limiting noise levels within 50 feet of homes. Foster City goes further, banning leaf-blower use entirely within 100 feet of homes. Others ban them during morning and evening hours.

Impact on air quality

But in Bakersfield, leaf blowers present another concern because the city has the nation's third-worst air quality, according to the American Lung Association. Pollution from leaf blowers is why the San Joaquin Valley Air Pollution Control District plans its own studies, possibly leading to valley-wide restrictions.

"We do get a lot of inquiries about leaf blowers," said Scott Nester, air district planning manager. "We do know that people are bothered by dust emissions from leaf blowers. There's no question about that. It's affecting their health, it's affecting their hearing. How much does it contribute to the regional (pollution) problem, though? That's one of the questions we have to ask ourselves as a regional agency."

According to the same state study, a single leaf blower run for 30 minutes emits as much hydrocarbon pollution as an average 1999 passenger car driven for 7,700 miles at 30 mph. A leaf blower's carbon monoxide pollution equals another 440 miles of driving.

Carbon monoxide is easily absorbed into the bloodstream through the lungs, where it reduces the blood's capacity to carry oxygen, causing headaches, dizziness and tissue damage. Carbon monoxide levels statewide have declined steadily since 1975 due to cleaner fuels and cars, and the San Joaquin Valley currently meets state and federal standards for carbon monoxide pollution.

Hydrocarbons are a broad category of chemicals that include fuel byproducts. Such chemicals released by leaf blower operation include toluene, benzene, acetaldehyde, formaldehyde and 1,3-butadiene. All are cancer-causing chemicals that also cause breathing problems and irritation of the eyes, nose, throat and lungs.

Leaf blowers got a lot cleaner starting in 2000 when new state emissions regulations were imposed. The rules cut hydrocarbon emissions by two-thirds and carbon monoxide by one-third. A tightening of these rules expected in September will cut hydrocarbons another 10 percent starting in 2005.

But the service life of leaf blowers varies widely, and it's likely that older, dirtier leaf blowers will remain in use for a long time. Chris Parker, president of the Bakersfield Gardeners Association, said a couple of his own leaf blowers are still in service after more than 10 years because he maintains them well.

Parker said his association will reluctantly consider controls on leaf blowers, but an outright ban would be harmful.

"It's a vital tool in our industry, that's all there is to it," said Parker, owner of Parker's Landscape Services. "We're willing, as an association, to work with the City Council to keep our tools. We would be all for limiting the hours of use. I don't think it's right, but I guess in a growing city we have to deal with these things."

Kicking up dust

Leaf blowers, like most gardening equipment, are heavy polluters because their two-stroke motors don't burn fuel completely. They are also lubricated by mixing motor oil into the gasoline, which adds additional pollutants to the exhaust.

Electric leaf blowers would eliminate all of these emissions. In 2000, the state estimated about 60 percent of all leaf blowers in California were electric. But nearly all are small models that are lightly used by homeowners. Commercial gardeners almost exclusively use gas-powered blowers for their portability.

But electric models stir up just as much dust, producing hurricane-force winds just like the gas models. The Air Resources Board estimated the dust stirred up by leaf blowers statewide could represent up to 5 percent of all particulate pollution in California, or as much as 260 tons per day. A separate 1996 study in the South Coast Air Quality Management District estimated 8.6 tons per day for that region alone.

In comparison, particulate pollution caused by fireplaces in the San Joaquin Valley is estimated at 12.7 tons per day. The valley air district last week adopted rules to ban fireplace use during winter pollution episodes.

Bakersfield has the worst particulate pollution of any city in the San Joaquin Valley. Paula Waigand, another northwest Bakersfield homeowner, said this is why the dust raised by leaf blowers is a bigger concern to her than the noise they make.

"They don't pick it up, they just kind of move it around," she said. "You come home from work and your neighbor's yard looks really nice, but you get all their leaves in your yard. And the next day it's the other way around. I think the dust is definitely an environmental concern."

Parker said leaf blowers are important to the gardening industry because customers demand a certain appearance in their landscaping. Many want a clean look, and leaves and yard trimmings left behind just isn't acceptable.

"They pay a lot of money and they want it done correctly and they want it detailed," he said. "I can't afford to hire a bunch of people to take the place of the blowers."

Others don't see a problem with having leaves and grass trimmings around. Sue Braman wants leaf blowers banned. Period.

"I've never understood why they use them except to stir up the dust, and the minute they leave, the wind blows the dust right back where it was," she said.

"I don't see a solution. I think they ought to do away with them because they're not serving a purpose other than to just stir that stuff up."

Local Poll

The Bakersfield Californian

Saturday July 26, 2003, 04:05:08 PM

"Do you think use of leaf blowers should be limited?"

No. That's it! Enough! These air quality improvement efforts are getting ridiculous. What's next, no driving? (42.58%)

Yes. They cause both air and noise pollution. Get rid of them. People can go back to using rakes and brooms. (41.29%)

Yes. Ban use during certain times or days when air is bad, but don't let restrictions get out of hand. (16.13%)

Readers respond to possible leaf blower regulations

The Bakersfield Californian

Thursday July 24, 2003, 11:45:11 PM

Participants of The Californian's Readers Respond program were posed with the question: "The city of Bakersfield is proposing to regulate the use of leaf blowers. Do you think they should be regulated, and if so, how?"

"I do not believe that the leaf blowers should be regulated!!! I think it is time to stop butting into peoples' lives. A leaf blower is used for about 15 minutes on average per house. The leaf blower helps the gardner do his job and do it well.

"The leaf blower is a tool like the lawn mower. Are we going to stop lawn mowers next and bring in sheep to cut our lawns? Then people would complain about the flies from the sheep. Does this sound ridiculous? Sure it does."

-- Irene Edmonds, Bakersfield

"I really don't know how the good gardeners could do their job if they cannot use leaf blowers. If there is a way to control the noise and other distractions, it would be welcome, but I just can't see that happening. But then, I'm far from an expert on such devices, so I must temper my response.

"I strongly feel that the noise factor is one of the greatest negative features of leaf blowers. If there is a way to curb that raucous effect I would be all for it. Otherwise, I can't imagine how they could regulate those noisy machines."

-- Hal Edwards, Bakersfield

"Absolutely regulate them. They are nothing but a nuisance:

* They certainly are a noise polluter.

* I would imagine they contribute to air pollution.

* They are a senseless concept -- blow some stuff around so that the yard looks pretty for a few minutes, until the next time the wind blows?!? Absurd!

Tax them to the hilt, \$500 a year sounds about right. And if that doesn't get rid of them, make it \$500 per month."

-- Gary Bartels, Bakersfield

"Noise pollution is a problem. If the city wants to quiet things down, they need to start with the ambulances and fire equipment sirens that wake everyone up three to four times a night, and I'm talking between 11 p.m. and 6 a.m. when traffic is at a minimum. At least the leaf blowers are only operated during the day"

-- Fred Evenson, Bakersfield

"As a person with asthma, I would love to see leaf blowers regulated, especially on days with poor air quality. The dust created by the blowers is terrible for this asthma sufferer. I believe breathing should take priority over convenience."

-- Sam Jenkins, Bakersfield

"Leaf blowers should be banned entirely! All that happens with their use is that the debris is distributed onto others' properties. This aside from the incredibly annoying noise they make."

-- John Cove, Bakersfield

"NO!! We have enough regulations."

-- Sharon Crane, Arvin

"YESSS! Those things wake the dead and make more mess than they clean. The yard caretakers that I have personally seen using them are very sloppy."

-- Mary Jo Riccomini, Bakersfield

"I don't know what's worse: the noise or the dust from leaf blowers. I think the only people who like them are those who use them in making their living.

"I would rather pay more to have leaves swept away by rakes. Why ban wood fires and keep the dust from blowers? It's all PM10."

-- Mary K. Shell, Bakersfield

"This has been a problem, along with the 'blasters' from automobiles. Noise pollution is one of my pet peeves.

Leaf blowers are used in the course of labor, and I am sure there is a 'noise limit' already in place, whereas the blasters from autos should be outlawed! Some of them you can hear from a mile away!

"Don't we have any rights anymore, when it comes to 'peace and quiet?'

"I'm for enforcing the laws already in place on noise pollution."

-- Barbara Casas, Lake Isabella

Group fuming at smog proposal

By MATT WEISER

The Bakersfield Californian

Thursday July 24, 2003, 10:45:11 PM

The Shafter-based Association of Irrigated Residents on Thursday expressed its irritation with a pollution control plan approved last month for the San Joaquin Valley, filing suit against the California Air Resources Board to get the plan withdrawn.

The phone book-sized plan aims to control particulate pollution in the valley -- the dust and soot particles raised by farming, fireplaces, construction and demolition. Such pollution is blamed for an estimated 1,600 deaths annually in the valley, according to the group, along with a variety of breathing problems and heart trouble.

The plan includes a number of new control measures designed to slash 275 tons of particulate pollution from the valley's air by 2010. It was approved June 19 by the San Joaquin Valley Air Pollution Control District, then approved the following week by the Air Resources Board, which has final authority for the plan.

Particulate pollution is caused two ways: directly released particles from wood-burning and plowing, for example; and by chemical combinations that occur in the atmosphere. And therein lies the dispute.

The Association of Irrigated Residents claims the district's plan achieves the mandated 5 percent annual reductions by adding percentages in each category of pollutant. This adding of percentages, they say, is "bad math" that doesn't really achieve 5 percent annually.

"The bottom line is they're just using a lot of smoke and mirrors here to say they're getting a 5 percent reduction," said Tom Frantz, association chairman. "This is people's health we're talking about. They're playing with numbers because they don't want to do any real (pollution) reductions."

The group says the district should have first added the raw-number reduction in each pollution category, then computed the percentage.

Air Resources Board spokesman Richard Varenchik declined to comment.

"We don't comment on lawsuits," he said. "If people want to file lawsuits then we can deal with it in court."

Air district officials defended their methods when the calculations were called into question before the plan was adopted. They said they followed federal rules for calculating ozone pollution reductions because there was no precedent for particulate calculations.

The association was one of many health and environmental groups that criticized the plan when it was adopted in June, claiming officials did not go far enough to control pollution from farms and industry. They also called the Air Resources Board's approval of the plan a "rubber stamp" action aimed at avoiding federal sanctions.

The valley air district has never had a federally approved particulate plan, despite several attempts over the last decade. The valley could lose \$2 billion in federal highway funds and face other penalties unless the current plan wins EPA approval by Aug. 28.

County tweaks general plan

By DAVIN McHENRY

The Bakersfield Californian

Monday July 28, 2003, 10:30:19 PM

County planners have unveiled the latest proposed changes to their general plan, a 300-page outline of how and where the county should grow.

The latest update adds guidelines for preserving agricultural land, protecting air quality and retaining business.

It also adds "smart growth" provisions and changes to everything from transportation maintenance to coordination between different governments.

The last time the plan was overhauled was 1982. The current revision has been in the works since 1998 and was the subject of numerous public meetings last year.

Planners will show off the results at a series of workshops across the county, held over the next several weeks. They will also give the public a chance to sound off on the plan.

Overall, the changes are mainly found in the policy sections of the plan, which spell out how development should be handled, often in general terms.

For instance the revised plan calls for the conversion of prime agricultural land to be "discouraged." Land owners should also be encouraged to keep their lands from being built out, according to the plan.

But in other areas the recommendations are more specific, such as smart growth. An entirely new smart growth section calls for higher density development, promoting infill projects and mixed use development, which places homes near businesses.

Another new section in the plan covers air quality, something not included in the 1982 general plan.

The two-page air quality section includes several suggested ways to minimize air pollution from future development, such as imposing idling time limits on projects that will draw many diesel trucks.

Also, the plan suggests some projects be required to do everything from using alternative fuel vehicles for their fleets to providing bicycle lockers and showers.

Many of the new policies were inspired by controversial projects or recent attention, said Ted James, county planning director.

"We've seen a lot of talk about air quality and how we can preserve farmland," James said.

The plan also contains a new policy aimed at dairies, another hot issue locally. The plan calls for future leaders to take into account the proximity of schools and homes when approving dairies or other feedlots and to include them in any environmental studies.

While policies have been changed, the revised plan does not change the county's general plan maps, which spell out specifically where development should occur. It also does not change the county's housing plan, which is a separate document.

How environmental and smart growth groups will react to the changes is uncertain. So far, few have had time to analyze the entire plan, which was mailed out last week.

"We got it on Friday, but this isn't the kind of thing you can go through really quick," said Pauline Larwood, executive director of the Smart Growth Coalition of Kern County. "We'll be looking at it eventually."

Other environmental groups also have said they plan to comment on the plan but have not had time to read the document, including the Center on Race, Poverty and the Environment and the Center for Biological Diversity.

Those groups and the general public have until Sept. 5 to submit any comments on the plan. The plan is expected to go to the county planning commission in October and then the Board of Supervisors in December for a final approval.

Bill offers tax break for clean vehicles

By Linda Hughes-Kirchubel

The Stockton Record

Published Thursday, July 24, 2003



CARDOZA:
Proposes
clean-air bill.

A local congressman has proposed legislation offering tax credits of up to \$4,000 to those who purchase clean-burning, alternative-fuel vehicles.

Rep. Dennis Cardoza's legislation, the Clean Air Incentive Act, is expected to be introduced today and, he says, is an effort to cure poor air quality like that in the Central Valley.

The bill would provide tax incentives for people who purchase the clean-running vehicles and live in areas where ozone levels are deemed serious, severe or extremely poor by the Environmental Protection Agency. A similar bill has been proposed by Sen. Joseph Lieberman, D-Conn.

Those living in EPA-designated "seriously" polluted areas would receive a tax credit of \$2,750. Those living in "severely" impaired areas would receive \$3,500. Those living in "extremely" impaired areas would receive \$4,000.

Cardoza, D-Merced, expects most of those who take advantage of the tax credit will own hybrid vehicles, which combine the internal combustion engine of a traditional gas-powered car with the battery and electric motor of an electric vehicle.

Owners of hydrogen-powered and other low-emissions vehicles could be eligible, he said.

The EPA has designated the Central Valley as "severely" polluted, one of only 10 such areas in the nation. Los Angeles is the only area in the nation designated "extremely" impaired.

"The Central Valley has some very serious air-quality issues, and this is a voluntary program that might be able to improve the quality of life and the Central Valley's air," Cardoza said. "No one solution will fix the Central Valley's air, but enough cumulative, small solutions can have a big impact."

Cardoza hopes the incentive will help convince taxpayers to purchase alternative-fuel vehicles, which typically cost thousands more than traditional gas-fueled vehicles.

Fuel emissions help form ozone, which is the primary ingredient in smog.

"It's actually really harmful to human health. It basically corrodes lung tissues (and) ... is not a gas that we should be breathing," said Kelly Malay, a San Joaquin Valley Air Pollution Control District representative.

Legislation like the bills proposed by Cardoza and Lieberman is a key ingredient to lower pollution levels across the Valley, Malay said.

"The air district and residents of the Valley have been saying for a long time we can't do it alone," she said. "It's this type of legislation that will help clean up the air in the Valley."

The bills are designed to take the place of a tax deduction built into the Energy Policy Act of 1992, which included a \$2,000 tax deduction for consumers who purchased clean-burning, alternative-fuel vehicles. That deduction is scheduled to begin a three-year phase-out in 2004 and will fully expire by 2007.

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Lenient air rules rethought by EPA Environmentalists

The Business Journal (Fresno)

July 29, 2003

(Chamber of Commerce) - Just when it appeared that the nation's manufacturers and refineries had won a major relaxation of air pollution rules, the Bush administration agreed late last week to reconsider provisions of the new regulations in response to legal pressure from state attorneys general and environmental groups.

The decision represents an extraordinary retreat by the Environmental Protection Agency. The agency had announced final revisions to the Clean Air Act's "New Source Review" enforcement policies last New Year's Eve that would enable tens of thousands of smokestack plants and refineries to update or expand without having to install expensive anti-pollution equipment, as they now are required by law.

EPA officials and industry advocates said the new rules would encourage plant improvements and investment, provide greater regulatory certainty and reduce dangerous emissions.

But nine northeastern states ranging from Maine to Maryland and led by New York Attorney General Eliot Spitzer immediately sued, claiming the administration's rule-making far exceeded its legislative authority and would neutralize one of the few effective programs for combating industrial pollution and dirty air. The EPA announced Friday evening that it had agreed to review six aspects of the new rules, while stressing that this "does not mean that EPA had decided to change any aspect of the rule at this time."

The reconsideration process will include a 30-day public comment period and a public hearing. "Even though we don't agree with the petitioners and believe we provided ample opportunity to comment, we believe public comment is an integral part of the New Source Review process, so we've allowed them some additional time," EPA spokeswoman Lisa Harrison said Sunday. "That does not mean we are reconsidering all portions of the rule at this time."

Environmental groups and some Democratic critics of the EPA hailed the announcement and said it would embolden efforts to try to derail the administration's three-year effort to weaken clean-air regulations governing aging coal-fired industrial plants and utilities and refineries that are a source of unhealthy pollutants.

Northeastern states are concerned about the rule changes, because they blame much of their air pollution on utilities and other industrial sites in the Midwest that spew smog and acid rain-forming pollution into easterly winds.

"I think the significance of this announcement is that the Justice Department looked at the case and realized they were very likely to lose in court because the rules changes are flatly illegal," Frank O'Donnell of the Clean Air Trust said Sunday. "We think the rule changes would just illegally grant exemptions from the Clean Air Act that would allow smokestack industries to pollute more."

Environmentalists have disputed EPA analyses showing that the rules changes would help reduce emissions. They cite studies that show plant pollution would increase under the new rules.

The Clean Air Act requires new plants and utilities to install the best available pollution control technology.

Air pollution district approves wood-burning restrictions

The Business Journal (Fresno)

July 23, 2003

Wood-burning restrictions designed to improve wintertime air quality were adopted on recently by the Governing Board of the San Joaquin Valley Air Pollution Control District.

Rule 4901 includes a mandatory no-light program for winter nights when the air quality is forecast to be unhealthy for the general public. The curtailments will be in effect starting in November. The

air district expects that wood burning will be prohibited during about 25 days during the winter months.

The rule also includes a change out requirement to ensure that wood burning stoves and fireplace inserts are as clean as possible prior to the sale or transfer of a property. The new rules will require the removal or retirement of non-EPA certified wood stoves prior to the sale or transfer of a property. It would also limit the number of wood stoves per acre in new developments to two per acre.

These regulations will take effect at the beginning of the new year.

The district adopted a voluntary no-light program in 1993 to protect Valley residents from serious health effects of airborne particulates. However, last year the EPA determined that this rule doesn't fully comply with the Clean Air Act and must be strengthened.

[Merced Sun-Star editorial, July 29, 2003:](#)

Incentives to save energy needed

Some trends or practices are slow to catch on - take conservation, for example.

Americans have been slow to embrace efforts to conserve energy. There still hasn't been widespread public acceptance of less-polluting vehicles and there's no timetable when this thinking will become more acceptable in Merced or anywhere else in the United States.

Sometimes it takes incentives to capture the public's interest in things like preserving precious resources. Merced County's congressman, Dennis Cardoza, has introduced legislation that would provide tax breaks for people buying less-polluting vehicles in the San Joaquin Valley.

These tax breaks could become available for those purchasing alternative fuel vehicles in areas failing to meet federal health standards for air pollution.

Guess what, folks, that's us. The San Joaquin Valley's air pollution is rapidly getting a reputation as one of the worst in the nation. Something must be done soon to clean up our air and these tax breaks certainly could be one option.

Under the Cardoza legislation, a credit of between \$3,500 to \$4,000 for buying less-polluting vehicles would be provided in areas considered to be in severe or extreme noncompliance with federal pollution standards.

The Cardoza bill has the blessing of Valley air pollution control officials who welcome anything that will see our skies clearer. Providing a public subsidy certainly could be regarded as an incentive for people to abandon gas-guzzling forms of transportation.

There's another part of the Cardoza proposal that also could make an even more significant impact in cleaning up the air. That would provide a \$8,500 to \$10,000 credit for purchasing lower-pollution commercial trucks and vans in areas such as the Valley. We know a large source of the Valley's pollution comes from so-called mobile sources, like diesel trucks, trains or airplanes.

Sometimes it takes a public push to get things moving and this might just be the time to enact the Cardoza legislation. With the incredible engineering and computer sophistication we're witnessing in this country, we still have to wonder why a viable alternative hasn't been found already for our all-too-familiar cars and truck engines powered by fossil fuels.

The move to zero-polluting transportation seems to have stalled, so to speak, of late and the move to develop powerplants and fuel sources that do not pollute as much hasn't built as much momentum as it seems it should.

Knocking down those depressing pollution statistics may have to be accomplished by a series of small steps and public incentives to purchase cleaner-burning cars sound like a viable alternative.

[The Bakersfield Californian editorial, July 24, 2003, 06:25:09 PM](#)

Let ag catch its breath

Thursday Giving agriculture a brief and temporary regulatory breathing spell is a prudent move. At issue is a waiver from waste water runoff regulations agriculture has enjoyed since 1982.

At issue is the control of pollutants that potentially run off 7 million acres of irrigated crop land farmed by 25,000 growers from Bakersfield to Redding. The runoff can migrate into streams, rivers and canals.

The term "pollutant" covers a wide range of substances from silt to salts to pesticide residue.

The issue arose as a result of a lawsuit against the state's Central Valley Regional Water Control Board by environmental groups. Plaintiffs contend the waiver amounts to preferential treatment other water-discharge permit holders do not receive.

The board properly extended the waiver for between six months and two years. The waiver will be reviewed after the first of the year, although the resolution extending it is good for two years.

The board took the correct action for a number of reasons.

The most important is the flaw inherent in third-party, lawsuit-driven state regulatory actions -- they have no context that takes into account other matters. The suit, for example, does not take into account the burden on agriculture of new clean air regulations that are likely to result from legislative and other rules coming to a head now.

Clean air is perhaps the most pressing environmental and public health issue with which state regulators and growers must deal, and should take priority over less pressing matters.

It is simply not reasonable, and probably not possible, for any industry to cope with two major environmental matters at the same time. The environmental issues are compounded by two others facing agriculture:

- * New and unprecedented binding arbitration labor rules that will go into effect and likely escalate growers' costs.
- * Implementation of CalFed, a water allocation and resource sharing plan, in the next two to three years. The sharing plan benefits environmentalists at the expense of agriculture and will have significant impacts.

The resolution extending the waiver is not unconditional. It clearly states an intent to end the waiver in the relatively near future. It puts teeth into that statement of intent by directing the board's staff to begin drafting fees and control mechanisms the fees will help fund.

The board has also asked the state's growers to form groups to study and monitor problems and recommend potential solutions the industry itself can undertake.

These factors do not add up to a give-away to a favored industry. Rather, the board's action is a justifiable attempt to gradually ease into place reasonable proposals at a pace that a risk-laden and frequently thin-margin industry can be expected to cope with.

[The Bakersfield Californian Letters to the Editor, July 29, 2003:](#)

Monday July 28, 2003, 06:10:08 PM

Re-think city planning

Solving traffic problems is not something new, but is a problem that has plagued urban and suburban areas noticeably since the expansion and growth of population began its ever steepening upward curve.

The planners over the years have gone from single lane roads, to double lanes and on up to super highways (freeways). To add additional lanes to an existing road is only a Band-Aid solution (Rosedale Highway for example).

The bottom line for any and all these problems is an ever-increasing population.

Whereas Bakersfield, in the past, has relied on agriculture and the oil industry for a healthy slow growth community, we are now encouraging big business and heavy industry to transform Bakersfield into a fast-growing city.

At the rate we are progressing, there is no turning back. We will not have a moratorium on new construction, because the economy is in high gear due to the active work force. Nor will we have a moratorium on new births.

What is the answer? There is no cure-all answer. However, re-thinking zoning regulations, in an effort to make better use of the land, could slow down urban sprawl and save much of the farmland. Preserve good old open scenic land, therefore decreasing traffic smog and all of the problems associated with sprawl.

What I have mentioned here is not without merit and certainly not absurd. There are cities in the U.S. that do have a moratorium on construction, and cities and countries throughout the world that do regulate childbirth in an effort to meet the demands of space and congestion.

JOSEPH F. LICASTRO, Bakersfield