

Controlled burn in works for plateau

By MATT WEISER, Californian staff writer
The Bakersfield Californian, May 27, 2004

The U.S. Forest Service is proposing a controlled burn on 4,600 acres of the Kern Plateau, above Kernville, to improve habitat and avoid future wildfires.

The proposed burn area runs roughly from Pine Flat north to Cannell Peak. It lies near the western edge of the boundaries of the Manter Fire, which burned more than 74,000 acres in 2000.

The proposed burn is part of an effort to restore fire to the nation's forests. For more than 100 years, state and federal officials suppressed fires, creating dangerous accumulations of brush. This helped cause wildfires that are much hotter and more damaging than natural fires.

The prescribed burn would be conducted as 60 smaller burns over five years, said Scott Williams, district fire management officer for Sequoia National Forest. Some trees smaller than 6 inches in diameter would be removed beforehand to help contain the fires, while some large trees may have limbs removed up to a certain height to keep fire out of tree crowns.

It is estimated the fires will remove up to 80 percent of the underbrush and trees less than 5 inches in diameter. Up to 60 percent of trees smaller than 10 inches in diameter could be burned. Larger trees will naturally survive the controlled fires.

Williams said the result will be a more open-looking forest, which is how the area would appear if fire had not been excluded all these years. He said it is natural for fires to move through the area, on average, every 15 years.

"Partly because of fire exclusion, we have more small trees than would have occurred in a lot of this area had there been natural fire," said Williams. "So we're saying it's OK to kill a lot of those small trees, because a lot of them wouldn't have been there if there had been recurring natural fire in the area."

He stressed that controlled fires are especially important to the area because the McNally and Manter wildfires in 2002 and 2000 burned more than 225,000 acres in the region. The blazes destroyed habitat important to rare wildlife like the spotted owl, Pacific fisher and northern goshawk.

Keeping what's left, Williams said, means preventing future fires of that magnitude.

"We've had a huge loss of high-value wildlife habitat since 2000," he said. "We're trying to protect the remaining high-value habitat in that area and also restore the ecosystem and reintroduce fire at the same time."

Ara Marderosian, executive director of the environmental group Sequoia ForestKeeper, said he supports the proposal for the prescribed burn.

But he hopes the Forest Service takes pains to keep the fires from spreading out of control. He worries that if a fire does get out of control, it will bring a call for more logging in the forest.

"Basically, the project appears to be doing proper things," he said. "Trying to get fire back into the natural ecosystem is a good thing."

Forest officials hope to start the first of the prescribed burns this fall after completing an environmental review of the proposal. Public comments may be submitted by June 21 to: Jim Yearwood, Cannell Meadow Ranger District, P.O. Box 9, Kernville, 93238.

For more information, call Yearwood or Williams at (760) 376-3781.

Government sued over air cleanup - Activists say the anti-pollution plan is full of problems.

By Mark Grossi, The Fresno Bee

Also published in the Modesto Bee and Tri-Valley Herald, May 27, 2004

Activists sued the federal government Wednesday over the San Joaquin Valley's new plan to clean up airborne specks of dust, soot and chemicals, saying the effort is riddled with flaws.

Earthjustice Legal Defense Fund, which petitioned the 9th U.S. Circuit Court of Appeal, said the plan's approach to farm pollution was particularly disappointing.

Starting July 1, about 8,000 farmers will begin air-reduction measures, choosing from an unprecedented list of more than 100 options, such as watering unpaved roads or harvesting at night, when moisture holds down the dust-borne particles.

"Farmers can select the least-effective controls or practices they already employ," said Earthjustice lawyer Susan Britton, representing Latino Issues Forum, Medical Advocates for Healthy Air and the Sierra Club. "It defies logic."

The lawsuit is directed at the U.S. Environmental Protection Agency, which last month approved the plan from the San Joaquin Valley Air Pollution Control District. The cleanup deadline is 2010 for controlling particulate matter, or microscopic particles. The Valley, hampered by a bowl shape that holds pollution, has missed every particle cleanup deadline since the 1990s, the latest being 2001. Only Phoenix and Los Angeles are considered worse for particulate matter.

The tiny specks, less than one-seventh the width of a human hair, can evade the body's defenses, lodging in the lungs. The pollution has been linked to heart and lung problems, contributing to the deaths of 1,200 people annually in the Valley, according to state figures.

The Earthjustice lawsuit is no surprise. Representing Valley activists, the watchdog organization has filed eight lawsuits in the past three years. The organization submitted 60 pages of comments on the new particulate-matter plan.

EPA officials said they believe the district's new plan is the best way to attack the problem. Kerry Drake, associate director of the EPA's regional air division, said the agency stands by its approval of the plan.

"We have addressed all the issues related to this plan," Drake said, noting that the EPA won't know all the legal points in the Earthjustice lawsuit for many weeks until briefs are filed.

In 2002, the same activists sued the EPA over the Valley's particulate-matter plan, which the agency had not addressed for five years after the local district submitted it. The EPA agreed to take over the Valley's cleanup by August if there were no approved plan.

But activists think the plan that the EPA approved contains too many promises and not enough solid measures with verifiable pollution reductions attached.

"Similar plans in other parts of the country have about 5% of the reductions coming from commitments or promises that aren't defined," said lawyer Britton. "For the Valley, it's 70% to 90% of the plan."

The district's new farm-pollution program, adopted last week, will account for more than half of the reductions by 2010, officials said.

In August, the district board is expected to accept a rule reducing dust from businesses and industry -- which will account for another quarter of the 2010 reductions.

"I don't know why they're harping on those numbers," said district Planning Manager Dave Mitchell. "Those rules account for a huge percentage of the total."

But activists contend many of the reductions from farming will not be new, because many pollution-reduction methods already are common practice. The activists said they want a more aggressive approach.

"Particulate matter is a killer," said Rey León, a Fresno-based policy analyst with Latino Issues Forum.

"And it's especially hard on rural communities."

Group sues over plan to clean air

By Juliana Barbassa
The Associated Press

Published in The Stockton Record and Visalia Times-Delta, May 27, 2004

FRESNO -- A plan to clear the Central Valley's air of a dangerous form of pollution has been challenged in court by environmental organizations that say it will not result in the changes mandated by law.

Earthjustice filed the lawsuit against the U.S. Environmental Protection Agency in San Francisco's 9th Circuit Court of Appeals on behalf of Latino Issues Forum, Medical Advocates for Healthy Air and the Sierra Club.

The organizations are challenging the plan's ability to rid one of the nation's worst air basins of particulate pollution. These pollutants are called PM 10, because they are made of particulate matter smaller than 10 microns, or less than the width of a human hair.

PM 10 can be diesel exhaust, dust, soot, animal waste or smoke. This fine dust lingers in the air and sinks deep inside the lungs. Medical research has linked it to premature deaths, asthma, strokes and heart attacks.

The Central Valley missed its latest deadline to rid the air of the harmful particles, and activists argue that under the current plan, the area will miss its next deadline -- 2010 -- as well.

"This plan is not as aggressive or as comprehensive as it could or, or should be," said Susan Britton, with Earthjustice. "The San Joaquin Valley is a serious non-attainment area, and the plan should provide for the implementation of the best available control measures. It doesn't do enough."

The local air district was supposed to have submitted a regulatory plan by 1994, implemented it in 1997, and reached national air standards by 2001.

So in 2002, these same group sued the EPA, charging it with not addressing the valley's air pollution problems.

A court order resulted from the lawsuit requiring the agency to come up with a plan to regulate particulate matter in the air by August 2004 if the regional agency did not do so in time.

But the San Joaquin Valley Air Pollution Control District came up with a plan last year that proposed cleaning the air within six years, at a rate of 5 percent a year. The federal agency published their approval Wednesday, saying it met Clean Air Act requirements, and would lead the valley toward attainment on time.

The EPA still has not received a copy of the suit, but officials said they're confident the plan's provisions will clean the valley's air.

"We believe the agency addressed all the issues they've raised in our approval," said Lisa Fasano, a spokeswoman for the EPA. "We stand by our action."

Some of the plan's provisions are already being implemented. Air quality was monitored last winter, and people were told not to burn wood on days with a high level of particulate matter in the air.

But members of the environmental organizations involved in the suit argue that the measures proposed are not tough enough, and six years from now, the valley will miss another clean-up deadline. In the meantime, residents' health will continue to suffer, they said.

The organizations behind the suit are particularly concerned the plan does not do enough to regulate agriculture, an important source of particulate matter. The air district has asked farmers and ranchers to implement at least one less polluting practice in each of five types of agricultural activities that raise dust, like preparing the land and harvesting. But many of those measures are not new, advocates said, and will not result in a significant decrease of microscopic dust in the air.

"There are no requirements on effectiveness," said Britton. "There's nothing to prevent them from choosing practices they're already following, so we fail to see how this rule will result in any reductions."

Also, she said, the approved plan also has done nothing to regulate the ammonia that drifts from dairies and other livestock operation, and that in some parts of the valley are a significant portion of the particles in the air.

The suit also charges that the plan relies too much on unenforceable commitments to clean the air, and has no fallback provisions to rely on if little progress is made by 2005.

School districts get clean-air buses

By Jim Perez, Tracy Bureau Chief

The Stockton Record, May 27, 2004

TRACY -- The Jefferson and New Jerusalem elementary school districts have climbed on the clean-air bus.

Each district received a new compressed-natural-gas bus, which will share a fueling station at Jefferson School.

The 82-passenger buses and fueling station were unveiled during a morning ceremony at Jefferson School, 7500 Linne Road.

About 50 people, including a third-grade class from New Jerusalem School that was brought in on its new bus and an eighth-grade class from Jefferson, attended the event.

Jefferson's new bus refueled during the ceremony, providing a constant hum as speakers paraded to and from a podium.

Jill Egbert, clean-air transportation manager for Pacific Gas and Electric Co., said natural gas costs about three times less than gasoline at today's pump prices. The buses also have lower maintenance costs.

"Safety for our students. That's what it's all about," she said.

According to the California Air Resources Board, CNG buses can reduce pollution by 2.5 times inside the bus compared with diesel. The buses also cut air pollution outside the bus.

Lower exposure to air pollution in both cases can cut people's risk of cancer and reduce respiratory problems such as asthma.

Each bus cost \$136,000.

The buses were paid for with a combination of money from the San Joaquin Valley Air Pollution Control District, a government agency; and GWF Energy, a company that recently built a natural-gas-fired power plant outside Tracy.

GWF's contribution was intended to offset concerns about pollution from the plant.

Test rides on the buses were given after the ceremony.

Marina Olhovskaya of the San Joaquin River Club and Irene Sundberg of Tracy agreed the ride was quiet and smooth.

"No odor. None. Zero. It's quiet. It's kind of like driving a Cadillac bus," Sundberg said.

[Modesto bee editorial, May 27, 2004:](#)

Some bills will help, some won't

This is the busy season for state legislators, who have a month -- less if they meet the real deadline -- to settle California's budget for the fiscal year that begins July 1.

At the same time, they're sorting through dozens of bills, some of which appear reasonable, others harmful and some a lot like window-dressing.

All this means it is the most important time for Californians to let their representatives know what they think about the various proposals. Most lobbying is done through organized groups, such as the Chamber of Commerce or labor unions, but the views of individual Californians can -- and should -- carry significant weight.

That's why we provide below the contact information for those representing our region in Sacramento.

Finally, our quick thoughts on several of the high-profile bills:

Helpful: AB 2193 keeps teens out of tanning booths unless they have a physician's note. They might not thank us now, but wait 20 years.

Window-dressing: AB 2906 puts a warning label on cars explaining how much noxious gas the vehicles will create and how much ozone it depletes. This will just add to the price of vehicles without doing much to educate consumers about how their driving choices contribute to pollution.

Helpful: License small motorscooters and make modifying them (presumably to make them faster and louder) illegal. These so-called toys are regularly out on the streets.

Helpful: SB 1682 restricts homeowners' associations from foreclosing on properties for non-payment of dues. Associations should be able to enforce rules, but as a Lake Tulloch case proved, disputes can quickly get out of hand.

[Letter to the Visalia Times-Delta, May 27, 2004](#)

Trading in gas-guzzlers would save gas

Tired of these high gas prices? Want to significantly cut your gasoline bill immediately? Just dump that useless, gas-guzzling SUV (Stupid Useless Vehicle) and buy a more fuel-efficient car. You'll probably cut your gas bill almost in half. Imagine that.

KARL SCHOETTLER, Visalia

[L.A. Times correction, May 27, 2004](#)

FOR THE RECORD

Lawn mower emissions - An article in some editions of Sunday's California section about a South Coast Air Quality Management District program to exchange gasoline-powered lawnmowers for electric models incorrectly described the potential effect. The article said the exchange of 4,000 mowers could reduce hydrocarbon emissions by nearly 20 tons a year - or what 43 new cars, driven 12,000 miles each, would emit. In fact, 20 tons is the amount of pollution emitted by 172,000 cars driven 12,000 miles a year.