

## **Feds to buy greener vehicles**

Terence Chea - Associated Press  
Tracy Press, Friday, Dec. 2, 2005

SAN FRANCISCO — Four federal agencies have settled a lawsuit with environmental groups and agreed to buy thousands of vehicles that run on natural gas, electricity, ethanol, propane and other alternative fuels.

Under the settlement filed Wednesday in federal court in San Francisco, the Commerce Department, Labor Department, Transportation Department and Veterans Administration admitted that they violated the federal Energy Policy Act and agreed to buy enough alternative fuel vehicles to meet the law's requirements.

Signed by President Bush's father in 1992, the Energy Policy Act requires that 75 percent of the new cars and light trucks purchased by federal agencies run on alternative fuels. The law was intended to reduce dependence on foreign, reduce air pollution, spur technological innovation and stimulate the market for such vehicles.

"These purchases will help these technologies mature into the mainstream so that eventually the consumer has a broader choice of alternative fuel technologies," said Peter Galvin, conservation director for the Center for Biological Diversity. "The public deserves environmentally sound technology that will allow us to have clean air and stem the tide of global warming."

Attorneys for the Justice Department, which represented the federal agencies, did not immediately respond to calls seeking comment Wednesday.

In April, the Tucson, Ariz.-based Center for Biological Diversity and the San Francisco-based Bluewater Network sued 14 federal agencies for failing to buy enough alternative vehicles to comply with the 1992 energy law.

Since the lawsuit was filed, nine of the federal agencies have met the law's requirements or taken action to meet them, and the Central Intelligence Agency still hasn't fully reported its vehicle purchases, Galvin said.

The four agencies that settled Wednesday had the lowest percentage of alternative fuel vehicles. For example, only 3 percent of the Labor Department's new vehicles ran on alternative fuels, according to the settlement.

Under the settlement, each of the four agencies agreed to specific plans to boost alternative fuel vehicle purchases over the next three years, and to provide the plaintiffs with the purchasing reports they submit to Congress. The plaintiffs estimate the four agencies will buy an additional 5,000 environmentally friendly vehicles, Galvin said.

The federal government currently owns about 600,000 cars and light trucks. It's unclear exactly what percentage of that fleet is required to be alternative fuel vehicles because some agencies are exempt from the purchasing requirements of the 1992 energy law.

The environmental groups still are waiting for the federal court's decision on another part of the lawsuit that seeks to force the Energy Department to require large private fleets, such as those run by FedEx or UPS, to buy alternative fuel vehicles.

## **Madera Co. sues city over project**

### **Suit claims Fresno violated laws in its approval.**

By John Ellis / The Fresno Bee  
Friday, December 2, 2005

Madera County sued Fresno this week, saying the city violated state and local land use and environmental laws in approving a zoning change for a north Fresno project.

Developer Cliff Tutelian has already started moving dirt for Park Place, a mixed-use development that will bring almost 200,000 square feet of office space, restaurants, retail and a George Brown fitness center to the edge of the booming Palm Bluffs Corporate Center, along the San Joaquin River.

Madera County's suit seeks to stop the project, citing aesthetics and alleging that the city violated its own general plan, which calls for consultation with Madera County officials on actions affecting regional traffic needs.

The development at Palm and Nees avenues is a possible site for a bridge across the San Joaquin.

The suit also claims that Fresno violated the California Environmental Quality Act in approving the rezoning.

Fresno City Council Member Tom Boyajian, a constant critic of Fresno's development process, thinks Madera County has a case.

"The only thing that stops Fresno is lawsuits," he says. "Fresno doesn't do it right, so they're going to get sued."

Boyajian, who voted for the project but later unsuccessfully tried to withdraw the vote, constantly chides city staffers and his fellow council members for not taking broader views of the environmental impact of development.

Council Member Brian Calhoun disagreed. "I think the city of Fresno has done a very, very good job on this, as had the developer. I just see this as kind of a petulant action on [Madera County's] part."

Tutelian said he's worked closely with Fresno officials on the project and it complies with all city requirements. "Park Place is going to be a great project for Fresno," he said.

Madera County Supervisor Frank Bigelow said the "county's position is to recognize there are [transportation] corridors that have to be looked at in the permitting process."

The location has been cited as a possible future river crossing. That was "glossed over or not even addressed" by Fresno officials in approving the project, Bigelow said. He said it is vital to preserve such corridors.

Fresno officials also say the Madera County suit is retaliatory.

In June 2004, the Fresno City Council voted to sue Madera County over River Ranch Estates, the first planned Rio Mesa neighborhood across the San Joaquin River.

Rio Mesa is roughly 15,000 acres east of Highway 41 and north of the Fresno County line. In 1995, Madera County authorities approved the idea of up to 30,000 homes and 100,000 people on that stretch of rural land.

Madera County has sued over the Fancher Creek project, saying Fresno's environmental review did not address potential regional impacts on [air quality and traffic](#).

Fancher Creek is a mixed-use proposal by developers Ed Kashian and Tom Richards for 424 acres roughly bounded by Clovis, Belmont and Armstrong avenues and Kings Canyon Road.

Fresno City Council President Mike Dages said he had not seen the Park Place suit, but said it was clearly retaliatory.

"There's no other purpose than that," Dages said. "It's a shame that they're doing that."

Tutelian, the developer, said he hoped that wasn't the case: "I respect the Madera County Board of Supervisors and I am confident that they would never use our project as an object of retaliation against the city of Fresno."

Bigelow denied retaliation was at work. He said litigation is not the answer between Fresno and Madera County. He said now is a prime time for both sides to "sit down collaboratively" and develop a regional plan for both sides of the San Joaquin River and to deal with transportation impacts that will affect both counties.

## **EPA seeks to cut back details on emissions Some polluters could skip public reports**

Marla Cone, Los Angeles Times

in the S.F. Chronicle. Friday, December 2, 2005

Thousands of companies throughout the United States would no longer have to provide the public with details of toxic chemicals they release into the environment under a Bush administration proposal to streamline the nation's environmental right-to-know law.

Congress established the Toxics Release Inventory in 1986. For nearly 20 years, the inventory has allowed people to assess detailed data about chemicals that are used and released in their neighborhoods. In about 9,000 communities, the annual reports identify which industrial plants emit the most toxic substances, whether their emissions are increasing and what compounds may be contaminating their air and water.

Seeking to ease the financial burden on industries that pollute, the U.S. Environmental Protection Agency has proposed elimination of some requirements for smaller facilities that currently must monitor their emissions and file complex annual reports. The EPA will make a decision on the proposal next year, following a public comment period.

Under the agency's proposal, 922 communities would lose all inventory information detailing emissions, according to a report released Thursday by the environmental group National Environmental Trust.

Nationwide, under the proposal, 3,849 industrial plants would no longer be required to file detailed reports.

Top EPA officials laud the inventory program as an essential public tool but say its reporting requirements have doubled over the past decade with U.S. industry now spending \$650 million a year to comply.

Kim Nelson, an assistant administrator at the EPA, said the companies that would benefit from the proposal were "tiny, tiny businesses, mom-and-pop shops operating on Main Street that, in an aggregate, amount to less than 1 percent of the emissions in this country."

But according to the agency's electronic inventory, many of the facilities are near residential areas, in communities with large low-income or minority populations. Moreover, many of the small scale emitters are owned by large corporations. Under existing rules, facilities that release 500 or more pounds of toxic substances must reveal how much of each chemical is emitted into the air or in waterways and taken to landfills or other disposal sites.

But under the EPA proposal, unveiled in September, that threshold would be raised to 5,000 pounds. The smaller emitters would be required to list only chemical names without any data on environmental releases, such as amounts discharged into the air. Among the industries that could benefit are metal-plating plants, electronics firms, pharmaceutical companies, foam manufacturers, food processors and petrochemical and oil facilities.

Community activists and hazardous material experts assembled by the National Environmental Trust said Thursday that eliminating data from small plants would weaken a powerful tool that communities use to make people aware of risks and persuade businesses to reduce their chemical use.

"In individual neighborhoods, the difference between 500 pounds and 5,000 pounds is significant," said Idell Hansen, Washington state's director of hazardous waste and toxics reduction.

## **Imported electricity fails state standards**

### **Coal-fired plants harm environment in West, report says**

Mark Martin, Chronicle Sacramento Bureau  
S.F. Chronicle, Friday, December 2, 2005

Sacramento -- California increased its dependence on polluting, coal-fired power plants during the past decade while renewable energy use remained stagnant, according to three environmental groups that released a report Thursday highlighting what one clean-air advocate described as "California's dirty little secret."

About 20 percent of the state's electricity needs are met by importing electricity produced in other Western states by power plants that would not meet air pollution standards here, according to the report.

That power use has measurable effects on the environment in states like Arizona and Nevada, the report says, noting that California's share of coal-burning plants accounts for more than 200 times the amount of mercury produced by all of the state's natural gas plants, and that the plants release 67 million tons of carbon dioxide annually into the air -- the equivalent of 11 million cars.

The plants also have contributed to growing air pollution problems throughout the Southwest, including once-pristine spots such as the Grand Canyon and Zion National Park.

The report comes at a crucial time for Western energy policy. California and the West face increasing pressure to meet surging electricity demand. Skyrocketing natural gas prices threaten to drive up the price of power. Gov. Arnold Schwarzenegger and state energy regulators appear poised to take aggressive steps to lessen global warming that may affect power production.

But for all of Schwarzenegger's talk about clamping down on air pollution, California has been relatively slow to develop extensive nonpolluting energy sources such as wind farms or geothermal power generators, instead relying on power produced by burning coal, complained V. John White, executive director of the Center for Energy Efficiency and Renewable Technologies and one of the authors of the report.

"It's California's dirty little secret -- we've had a decade's worth of rhetoric about renewable energy, and a decade's worth of growth in coal," White said.

Titled "Clearing California's Coal Shadow from the American West," the report is the first compilation of California investments in out-of-state power plants and includes arguments for creating more energy efficiency programs and renewable power to satisfy the West's thirst for electricity. Twenty-two new coal-fueled power plants are being proposed throughout the interior West.

Virtually all power plants operated within California use natural gas to turn turbines and create electricity. Natural gas creates less air pollution when burned than most other fossil fuels.

In other Western states, coal is the most typical source of fuel for power plants.

Utilities such as Southern California Edison and the Los Angeles Department of Water and Power long have been part-owners in coal-fueled power plants in states such as Arizona and Nevada, and even the state Department of Water Resources owns one-third of a similar plant near the Moapa Indian Reservation in southern Nevada. Other, smaller utilities also own stakes in some plants.

Pacific Gas and Electric Co., which delivers power to most of the Bay Area and Northern California, obtains about 3 percent of its electricity from coal, according to a spokesman.

An Edison spokesman did not return calls or comment.

According to an analysis of statewide energy sources by the Center for Energy Efficiency and Renewable Technologies, California's importation of coal-fueled power grew from 16.5 percent of overall electricity in 1995 to 21.3 percent in 2004. During the same period, the state's use of renewable energy hovered between 9.2 percent and 11.5 percent.

Schwarzenegger and many other California politicians have made a push in recent years to increase the use of renewable energy in power production. Current law requires the state's three largest utilities to obtain 20 percent of their power from sources like the wind and sun by 2017, and Schwarzenegger has said he wants to accelerate that process to require 33 percent by 2020.

The governor also garnered international headlines this summer by setting goals for the state to reduce the amount of greenhouse gases released into the air.

Last week, the California Energy Commission took a major step toward that goal as it relates to electricity production. The commission approved a new rule that will require new power obtained by California utilities to be produced by plants at least as clean as current natural gas-fueled power plants.

Joe Desmond, chairman of the commission and Schwarzenegger's top energy adviser, called the rule "the most aggressive standard in the nation" and argued that it would spark more investment both in renewable energy and in technologies that can make burning coal to create electricity much more environmentally friendly.

Desmond argued that because natural gas prices are rising, coal is an option that California must consider to keep energy affordable.

Schwarzenegger must still sign off on the rule before it goes into effect.

Authors of the report -- which include the groups Environmental Defense and Western Resource Advocates -- praised the Energy Commission's decision but warned that California had sent mixed signals about its energy future.

Schwarzenegger signed a pact earlier this year with the governors of three other states to create a new transmission line, dubbed the Frontier Line, connecting power plants in other states to California. Clean-air advocates worry that it could help spur the proposed coal-burning power plants without enough environmental safeguards, as leaders in other states have not voiced strong support for cleaner-burning coal.

Officials in Wyoming have already hinted they will sue the state over the energy commission's new rule, believing it violates the commerce clause of the U.S. Constitution and will hinder power plant development in their state.

Plant developers in the West argue that their proposed coal projects are much cleaner than existing coal-burning plants.

## **Valley lagging behind in health**

**Adults meet targets in just one of 10 areas, agency's profile says.**

By Jim Steinberg / The Fresno Bee

Friday, December 2, 2005

Adult residents in the San Joaquin Valley are meeting federal health targets in only one of 10 categories, a Fresno State agency reported Thursday.

The 2005 profile, "Health in the Heartland: Responding to the Crisis," listed multiple indicators where adults have not met health targets. They include obesity levels, tobacco use, binge drinking, treatment for depression, immunization and access to health care.

Adult Valley residents are meeting federal health standards for physical activity, the study reported.

From Bakersfield to Stockton, the Valley failed to do better than the state overall in all 10 categories reported for adults. Adult health levels as measured in these categories was better than national levels in only two areas, tobacco use and binge drinking.

"The big story here is not a very happy one," said professor John Capitman, director of the Central Valley Health Policy Institute at California State University, Fresno. "We're not showing progress."

Valley adults scored worse than state residents in excess weight, tobacco use, motor vehicle injuries, air quality, flu shot immunization and prenatal care, the report said.

Rates of chlamydia and gonorrhea, two sexually transmitted diseases, are "way high" in the Valley and not getting the attention they deserve, Capitman said. Obesity is "way over the goal" for the region, he said.

The rate of Valley adults who smoke is more than 19% in every county but San Joaquin, which registered 17.7%, the report said. The smoking rate for adult Californians was 16.2%.

Treatment for depression is lacking in the region, and suicide rates are "scary," Capitman said.

The report showed the adult suicide rate per 100,000 people in 2003. California's rate was 9.6. The Valley's was 10.1. Madera County registered highest in the Valley at 12.7, followed by Stanislaus at 12.4. Fresno County's suicide rate was 8.8 per 100,000.

Motor vehicle death rates were also considerably higher in the Valley than in the state overall, based on figures from 2001 to 2003. The statewide rate was 11.9 deaths per 100,000 people. The Valley rate was 21.4. Fresno County registered 21.7 deaths; Kern, 20.7; Kings, 24.9; Madera, 28.6; Tulare, 23.1; Stanislaus, 20.2 and San Joaquin, 18.2.

The longer distances along county roadways sometimes obscured by fog contribute to Valley motor vehicle deaths, Capitman said.

Residents who suffer injury or illness are less likely to have health insurance in the Valley than in California in general, he said, and are more likely to rely on state Medi-Cal insurance. Ethnic disparities in access to medical care are higher in the San Joaquin Valley than in the state at large, Capitman said.

### **Shell Oil violates EPA laws by not reporting toxins**

Sarah Ruby and Ryan Schuster, Californian staff writers  
Bakersfield Californian, Friday, Nov. 2, 2005

Shell Oil Co. of Bakersfield faces \$16,500 in federal fines for not properly accounting for toxic chemicals at its former Rosedale Highway refinery, according to the U.S. Environmental Protection Agency. "It's basically a paperwork problem," Russell Frazer, environmental protection specialist for the agency in San Francisco, said Thursday.

Businesses that handle toxic materials have to account for every drop, whether that drop ends up in a product, up in the air or down the drain. Shell Oil didn't accurately report two refinery chemicals, cyclohexane and MTBE, in 2000 and 2001, according to the EPA.

The accounting errors appear unrelated to past environmental problems, Frazer said. In the past, the refinery had a 2,300-gallon spill of pure MTBE.

Shell Oil reported the problem itself, Frazer said. The company's fine is a small fraction of what it would be if the EPA had discovered the discrepancies, Frazer said.

When reached Thursday afternoon, Shell spokesman Stan Mays said he was unaware of the violation or fine.

Shell Oil no longer owns the Rosedale Highway refinery. Flying J Inc., a privately owned Ogden, Utah-based company best known for its truck stops, bought the refinery from Shell in March. The refinery is operated by Flying J subsidiary Big West Oil.

Refinery manager Gene Cotten said Thursday he was unaware of the EPA violation.

"We have a group of about six or eight people that audit our environmental compliance," Cotten said. "We aren't aware of any ongoing issues."

He said the refinery hasn't had any environmental issues since Flying J took over.

[Bakersfield Californian, Letter to the Editor, Friday, Dec. 2, 2005](#)

### **Don't wait to clean air**

News of the San Joaquin Valley's progress towards cleaner air comes as welcome relief to residents, many of whom suffer needlessly with inadequate or no health care. All of us working together have managed to reduce coarse particulate matter (also called PM10) to the point where the valley is on the verge of meeting the federal health-based standard.

When we are done congratulating ourselves, we should not forget that greater challenges lie ahead: the valley must meet additional federal clean air standards for ozone (smog) and fine particulate matter. Over the last five years, the valley has more days that violate the ozone standard than any other place in the country. Fine particulate matter (PM2.5) levels are among

the nation's worst, and according to the California Air Resources Board, more than a thousand valley residents die each year from long term exposure to this deadly pollutant.

The valley's Air District must develop plans to meet these standards during the next two years. As a long-time resident of the valley, I am tired of breathing this toxic air and want the district to act aggressively to solve this public health crisis. Every day that we delay results in unnecessary deaths.

-- TOM FRANTZ, Shafter

[Bakersfield Californian, Letter to the Editor, Friday, Dec. 2, 2005](#)

### **Doesn't appreciate Florez**

Now that the Kern County Board of Supervisors came forward publicly stating their support in favor of Beverly Beasley Johnson, what black person will Sen. Dean Florez go after next.

Maybe someone out there can help me. I am of the understanding that the people in Kern County elected Florez to represent us in Sacramento. And, the people in Kern County elected the members of the Board of Supervisors to represent us here in Kern County.

If that is fact, then why is Florez trying to tell the supervisors who to hire and fire and how to do their jobs? It appears to me that Florez does not have any work to do in Sacramento. He is here more than there trying to do everybody else job, Are we to think he can't find any waste, poor performance, corruption or bad politicians in Sacramento to go after?

How about finding money to fix our roads, clean our air, cut our taxes, provide affordable housing or reduce over-crowded class rooms? Maybe Florez has too much time on his hands. Perhaps his position should be part-time or during this budget crunch eliminated completely. What will he do? If the grand jury refuses to take his complaint or if it takes it and finds no wrong, will he take it to the California Supreme Court? We hope Florez will be a big enough person to apologize to Johnson and the people of Kern County.

Let our local elected officials, the Kern County Board of Supervisors, do its job. They are doing a great job. Florez should try to do the same in Sacramento. When he decides to come back, he should keep in mind that Kern County is not Burger King. He can't have it his way.

-- PHILLIP WILLIAMS, Bakersfield

[Letter to the Fresno Bee, Friday, December 2, 2005:](#)

### **Thoughtless people endanger everyone's health**

This is in response to the obviously learned young man Matthew Sciaroni [letter Nov.13] regarding cleaning up our air. I have a friend who lives in Old Fig Garden. She has complained for some years about leaf blowers.

I said, "They are banned in San Diego, let's get a petition to ban them here, I will help." Oh well, just complaints.

We also need to get a message across to these people who start up the car and let it run 10-20 minutes to warm up. They are doing more harm than good. It hurts the air and does not help the engine, plus it wastes gas.

Where are these people coming from? I am now a senior citizen and have known all this since a child.

Too much ignorance and self-centeredness abounds. As a taxpayer who values my lungs and other body parts, I am willing to pay for blanket media information, and then for prosecution of those who will not comply. Why should they be allowed to jeopardize anyone's health?

Andria Payne, Fresno

[L.A. Times editorial, Friday, December 2, 2005:](#)

## **Coming clean in China**

CHINESE GOVERNMENT OFFICIALS are quick to admit that the country's stunning economic progress is taking an ever-larger toll on the environment, with Beijing's skies looking like those over Los Angeles half a century ago during the worst of its bad air days, and too many lakes too foul. Last week's spill of benzene into the Songhua River outside the provincial capital of Harbin demonstrated not only the worsening of such problems but the need to let local governments know that the days of coverups are over.

An explosion at a government-owned factory on Nov. 13 released millions of gallons of poisonous liquid into the river, the major water source for most of the 9 million residents of the Harbin area. But the government only alerted the public when dead fish began floating on the surface. Officials shut off the water in the city with little explanation, causing panic.

If China had waited any longer to own up to the magnitude of the problem, it might have resulted in a serious international incident: The contaminated river flows into another river that flows into Russia. On Thursday, China tried to ease Moscow's concerns by promising to send tons of activated charcoal to filter drinking water and monitoring devices to keep tabs on the pollution.

In Harbin, the taps were turned back on Sunday, although officials warned the water was not yet safe to drink. Provincial Gov. Zhang Zuoji appeared on TV drinking the first glass of water, but that photo-op is not likely to help residents forget the stonewalling. Nor should it. China still resists meaningful political liberalization, but in cities and villages people are far more aware of what is happening in the country than in the past. Even the normally timid state-controlled media criticized the silence about the explosion. Benzene is considered a cause of cancer; high levels in the water can cause illness or death.

The government's slow response to the disaster does not instill confidence that it will quickly broadcast bad news if bird flu becomes a widespread problem. Officials promised transparency after being caught playing down the SARS outbreak in 2003. The government must live up to its promises of quick disclosure of facts, no matter how bad, and treat pollution as the enormous problem it is. Local and central governments should also understand that modern-day communication means news travels fast, and it will do no good to stonewall when a disaster strikes.

[Letter to the L.A. Times, Friday, December 2, 2005:](#)

Your editorial concerning LNG terminals missed the major point completely. That is, we must stop shipping carbon fuels to California - period. We can't tolerate any more global-warming carbon dioxide to trap smog pollution in California.

British Petroleum is reforming methane natural gas using steam to extract the hydrogen and combining the carbon with oxygen to produce carbon dioxide as a byproduct, which is then pumped under pressure into oil wells to extract more oil.

Natural gas is now being wastefully flared into the atmosphere in Nigeria and the Middle East while it should be reformatted on site into hydrogen, liquefied and then shipped to California. Hydrogen is safer because it is lighter than air and burns vertically, while methane is heavier and burns laterally.

Methane shipped by pipelines should be reformatted into hydrogen at the wellhead in Canada, Texas and New Mexico to keep the carbon out of California.

Charles Griffin, Newport Beach

Editorial, Inside Bay Area, Dec. 1, 2005

## **Clearing the air (pollution) begins at home**

IT'S a time-honored tradition. On a cold winter night, you curl up in a chair next to the living room fireplace where flames from burning oak or pine heat the room and create a cheery atmosphere.

Sounds like a vision from a Norman Rockwell painting or a Currier and Ives lithograph.

But that glowing hearth likely is adding a significant amount of pollution into the air, which no amount of nostalgia can remove.

Smoke from fireplaces and other sources can be harmful, carrying soot and other airborne particulates that can cause asthma and other respiratory illnesses in children, the elderly or those who are sensitive to degraded air quality.

Smoky air is especially prevalent on windless nights when inversion layers trap the particles like a lid on a pot.

But air pollution control districts are taking action to discourage wood burning and are offering sensible solutions to those who want the heat or the ambiance of a crackling fireplace.

We support such measures and hope that they can be extended to all areas where fireplace smoke is a problem.

The San Joaquin Valley Pollution Control District, which monitors eight counties from San Joaquin south to Fresno, has a three-tiered warning system based on weather conditions.

On nights when the air is unhealthy for everyone, open burning of any kind is prohibited, with violators subject to fines.

When the air is unhealthy for only certain groups, burning is discouraged and residents are asked to use wood pellet systems or manufactured fire logs.

Burning is allowed on nights when air quality is good or moderate.

The Bay Area Air Quality Management District has a similar system but does not prohibit burning altogether, instead encouraging residents to "spare the air."

This year, the district extended its wintertime "Spare the Air Tonight" season until Feb. 17, with advisories at 10 a.m. daily when unhealthy air pollution levels are predicted for the next 24 hours.

For more information, call (800) HELP AIR or visit: [www.sparetheair.org](http://www.sparetheair.org).

We're not suggesting fireplaces be banned entirely. Pellets and other Environmental Protection Agency approved devices or fire logs are acceptable when weather permits.

But be considerate. Your cozy, living room blaze may be a holiday tradition, but under certain circumstances it can be a nuisance for everyone outside who has to breathe it.