

## **Tailpipe transfers a dirty business**

### **Improper inspections using 'clean-piping' play a role in Valley's air crisis.**

By Tim Eberly / The Fresno Bee

Sunday, Jan. 15, 2007

There are people committing a crime that makes the air around us dirtier.

They do it out of greed, out of laziness and out of indifference to the air pollution crisis that hangs like a dirty blanket over the San Joaquin Valley.

These people work at smog service stations — businesses that are supposed to help keep gross-polluting vehicles off the road or fix them until they meet or beat the state's smog emission standards.

Every year, a handful of smog-shop technicians or owners are caught cheating the system by falsifying smog certificates for the owners of high-polluting vehicles. The most common way to do it is called "clean-piping" — using the emission results from the tailpipe of a "clean" car in lieu of a dirty one.

"Clean-piping is the worst crime in the smog program," says Bill Malone, supervisor of the Fresno office of the state Bureau of Automotive Repair, which monitors smog stations. "Through greed, all it causes is dirty air in the Valley."

The majority of the Valley's air pollution — it runs neck and neck with Los Angeles as the nation's worst — is caused by cars and trucks.

And 10% of those vehicles — the dirtiest of the bunch — create half of all vehicle-related pollution.

Those are the gross-polluting vehicles — cars that would fail the smog test badly. One of them emits as much pollution as 20 cars that pass smog tests, Malone says.

It's difficult to say exactly how many illegally smogged cars and trucks are on Valley roads. Malone estimates it at 5% of registered cars that need to be smogged.

And, according to the latest figures, there are 1.2 million registered cars and trucks in Fresno, Madera, Tulare, Merced, Kings and Mariposa counties. Using Malone's estimate, nearly 60,000 don't meet the state's smog emission standards.

#### **Most shops obey law**

There are 196 smog stations and about 450 licensed smog technicians in Fresno County, according to the Bureau of Automotive Repair.

Most of them, Malone says, abide by the law. "It's a small percentage that do bad things."

Each year, an average of six to eight smog technicians or smog-station owners are charged with performing fraudulent smog tests.

Some initiate the illegal smog test or do it without the car owner's knowledge; others accommodate motorists who go shopping for a clean-pipe.

Either way, it's a felony crime that usually results in a brief jail stint and probation. Offenders also lose their licenses to perform smog tests and auto repairs.

Smog technicians cheat for several reasons.

They do it for money: Some charge as much as \$300 for a "clean-pipe" — about \$250 more than a legal smog check.

It's ironic, Malone says; some people pay more for an illegal smog than what they would have paid in repairs to pass the test.

Often, smog technicians work in cahoots with used-car dealerships that don't want to spend the time or money playing by the rules, Malone says.

But DMV officials could only find records of one auto dealership in Fresno County that has been charged with clean-piping since 1999, DMV spokesman Mike Miller says.

When dealerships perform illegal smogs, it creates another victim: people who unwittingly buy a car that is in need of repair.

Smog stations also clean-pipe vehicles out of laziness, frustration or convenience.

Frustration appeared to be the case in August 2005 with D&D Automotive Services in Easton, according to Jerry Esmay, a lead investigator with the bureau.

Investigators watched as co-owner Dean Gardner, 56, tried to get a 1997 Chevrolet truck to pass the test, Esmay said. He appeared to be tinkering with the truck to get it fixed.

Gardner apparently gave up. Minutes later, he drove a different Chevrolet truck into the bay to finish the job.

Gardner and his co-owner, David Silva, were placed on probation and no longer may do smog tests or smog-related repairs. They still can do auto repairs while their license to do so is on probation.

Gardner declined to comment when reached by phone Wednesday.

### **Techs trained to investigate**

In the bureau's smog-check program, 10 investigators handle cases from Tulare to Stanislaus counties. Malone says they know their way around an auto shop.

"We're automotive technicians trained to be investigators. We all came from the automotive repair industry."

Two brothers, Rojeh and Jora Barseghian, once owned two smog shops, Costlow Smog and Costlow Smog #2, in the 2500 block of North Blackstone Avenue.

They were caught in October 2005 doing clean-pipes for used-car dealerships, Esmay said.

The Costlow stations were what investigators describe as a "cert mill," shops that dole out falsified certificates.

"Their business is to perform illegal smog tests constantly," Malone says.

Investigators from the bureau nabbed another certificate mill — Total Care Smog Repair on East Belmont Avenue — in April 2004.

Surveillance showed the shop's owner, 50-year-old Daniel Duenes, and technician Joseph Silva, 38, clean-piped 13 vehicles in three days.

When authorities showed up to arrest the duo, Duenes was certifying a 1997 Chevrolet Cavalier — except there was a Ford Escort on the smog treadmill and no Cavalier in sight.

Undercover surveillance is necessary to prove clean-piping cases, but investigators also rely on a data trail from a critical witness: smog machines.

The machines record the exact time and date that cars are smogged, and the information is sent to a state database. Investigators use that information to their advantage: Smog machines will, for example, receive input that a Honda is getting smogged while investigators are covertly videotaping a technician working on a Chevrolet.

"So when we match the data with the video," Malone says, "we know that's a clean pipe."

And the investigators will soon go wireless, checking data recorded by the machines on laptops as they sit in undercover cars.

### **Valley growers try to weather a hard freeze, protect crops**

By Dennis Pollock / The Fresno Bee

Saturday, Jan. 13, 2007

As growers in the central San Joaquin Valley prepared for still lower temperatures this morning, some freeze damage was reported in citrus, vegetables and nursery stock Friday.

The damage did not appear to be widespread, but it could be days before it is assessed.

A Fresno nursery owner said he may have lost as much as \$30,000 because some of his plants were harmed by the cold, and will not be in good condition for sale in March, when many homeowners gear up for planting.

A principal in a Del Rey-based farming operation said some of his daikon, an Oriental radish with a large leafspread, was frosted from the leaves to the roots. And ice was found in some fruit on the edges of citrus orchards, including a very young citrus orchard not protected by wind machines in the Exeter area, said Tulare County Agricultural Commissioner Gary Kunkel.

U.S. Sen. Barbara Boxer, D-Calif., on Friday called on Agriculture Secretary Michael Johanns to monitor losses from the impending frost and — if it is as extensive as predicted — to immediately issue a disaster declaration.

And Gov. Schwarzenegger declared a state of emergency in California, noting that low temperatures create "conditions of extreme peril" for people and property.

The good news for citrus growers is that crops are slightly more mature and rinds are tougher than they were during the freeze of 1998, said A.J. Yates, undersecretary of the state Department of Food and Agriculture. That freeze cost an estimated \$700 million in agricultural losses statewide.

But with 75% of fruit still on trees — amounting to about \$960 million in revenue — there still is risk for significant damage should temperatures stay below 25 degrees for six hours or longer, he said.

Officials on Friday began cutting open fruit to inspect damage. If the situation worsens, officials said, the state will request federal assistance for growers and for farmworkers who might be put out of work.

Temperatures were forecast to be in the 20- to 26-degree range Friday night throughout the citrus-growing areas, said Bob Blakely, director of grower services for California Citrus Mutual in Exeter.

Thursday night, he said, temperatures dipped lower than originally forecast, with Fresno County registering the lowest reading — 23 degrees — in places such as Tivy Valley in the foothills east of Sanger.

Kunkel said cloud cover unexpectedly dissipated Thursday night about 10 p.m., resulting in a temperature drop for a couple of hours. Clouds returned around midnight and temperatures moved higher.

"It was isolated and not widespread by any means," he said.

Citrus growers' worries are compounded by the nature of the cold front moving through the Valley, Deputy Fresno County Agricultural Commissioner Dennis Plann said. With no cloud cover or inversion layer, the wind machines that growers use to draw down warmer air into their orchards will be less effective, he warned.

Usually growers can gain about 3 degrees from a combination of wind machines and running irrigation water, he said. But "I don't anticipate any cloud cover tonight or tomorrow morning. It's kind of a wait-and-see now."

Citrus growers increased picking of fruit all week in advance of the cold front, he said.

Seedling vegetables planted on the Valley's west side still are undamaged, Plann said. "But a lot's going to depend on what happens" over the weekend.

Some citrus growers have taken extraordinary steps to deal with the expected lack of a cloud cover. They include Keith Nilmeier, a Fresno grower who intends to ring his grove with bins of peach pits — each 1,500 pounds and 100 feet apart — that will be set on fire.

The San Joaquin Valley Air Pollution Control District permits burning of some materials — such as almond hulls, peach pits and firewood — as an emergency measure when heavy frost is forecast and no orchard heaters are available.

Orchard heaters are devices that typically burn diesel fuel.

John Reelhorn, owner of Belmont Nursery in Fresno, said workers there have been scrambling to move plants out of harm's way and into any available greenhouse space and covering what is left outside.

"We started losing some last night," he said. He estimated losses to frost damage at between \$20,000 and \$30,000 and said the freeze could hamper nursery sales in March.

As a precaution, he said, some plants are being covered with sawdust, bark or mulch.

Tzexa Lee, an owner of Cherta Farms in Del Rey, said his company has spent between \$10,000 and \$20,000 on plastic used to cover about 20 acres of lemongrass, which can be very vulnerable to frost damage.

## **Officials blame glitches in refinery's alert system**

### **Richmond residents told to 'shelter-in-place' more than hour after fire started**

Marisa Lagos, Henry K. Lee and Jim Herron Zamora, Chronicle Staff Writer  
S.F. Chronicle, Monday, Jan. 15, 2007

RICHMOND -- Contra Costa County officials are blaming glitches in the emergency alert system for a delay of more than an hour between the time a fire broke out at the Chevron refinery this morning and the time residents began receiving automated phone calls instructing them to stay indoors.

Officials say they suspect the sheriff's department may have waited as long as 30 minutes to notify the company hired to make the calls, Dialogic Communications Corp. Then, Dialogic's software system apparently failed to immediately recognize the sheriff's department as a client, delaying the calls another half hour.

The fire started around 5:15 a.m. Sirens sounded at 5:32 a.m. and calls began going out about 6:30 a.m.

Dialogic officials could not be reached for comment today.

Contra Costa County Supervisor John Gioia, who lives just outside the affected area, said the Sheriff's Department didn't tell Dialogic Communications Corp. to call residents until 6:02 a.m., and the company didn't begin making the calls until 6:30 a.m.

"We did have a technical problem with the vendor," sheriff's spokesman Jimmy Lee said. "All the other components of the emergency alert system worked fine. But we had an issue with the system here (with the phones) and we're going to take a close look at that."

Local officials said that even though the fire was relatively small, the glitches in the notification system raise troubling concerns.

"We need to look at both issues -- what was the response ... and what caused this fire?" Gioia said. "Any fire at Chevron poses a great public health risk."

The fire broke out at about 5:15 a.m. after the seal on a pump in the facility's crude oil unit failed, sending a plume of smoke into the sky. The resulting fire slightly injured one employee, who has since been released from the hospital, company officials said.

County health officials said Monday afternoon that they had received no reports of any serious injuries.

Gioia said the county was notified of the fire at 5:26 a.m., 11 minutes after Chevron says it began. The county gave residents their first "shelter-in-place" order, via sirens, at 5:32 a.m., he said.

"That seems reasonable, six minutes," he said, adding that it usually takes a few minutes to determine which direction the wind is blowing, and therefore which neighborhoods are being affected.

Many residents who heard the sirens said they got their first details from the media. KCBS radio, which is part of the emergency network, was notified the same time as the county and ran continual updates through the morning.

But many residents said they didn't receive a phone call until 6:30 a.m. or later.

Gioia called Dialogic's lag time "unacceptable" but said the county needs to evaluate whether the first 30-minute delay was also a mistake.

"It does take time to evaluate what areas being impacted -- we don't want to make calls to the areas that are not impacted ... but it's still important to look at the first 30 minutes and determine whether or not 30 minutes was too long," he said. "I would say having the phone calls occur one hour after notification was too long."

"That's ridiculous, if you're being exposed to it for an hour," said Kent Kitchingman, 59, as he walked his dog, Wiley, in Point Richmond later in the morning.

"I don't think they've ever got it right," Kitchingman, a 12-year area resident, said of previous incidents at local refineries. "I use my eyes and nose to protect me, and the emergency system is a big piece of crap."

Another Point Richmond resident, Rick Pasterchik, 67, said he tried to call 911 but couldn't get through. He, too, heard sirens, but said, "We don't know what it is."

The 6:30 a.m. phone call simply told him to stay indoors and didn't provide specifics about what happened at the refinery, he said.

Pasterchik, whose home overlooks the refinery at 841 Chevron Way, said Chevron officials have provided information quickly in previous incidents.

"I can't complain about them as a neighbor," Pasterchik said.

Another resident, Rebecca Beal, said she heard the sirens at about 5:30 a.m., opened her window and heard a woman's voice on a loudspeaker in the distance advising residents to shelter in place. Even though she did not receive an automated telephone notification until 7:03 a.m., she wasn't angry.

"My feeling is that living in Richmond, if the sirens go off, you shelter in place," Beal said. "I know some people are angry. But I thought the system worked well."

Richmond Councilman Tom Butt, however, called the community warning system "a joke."

Butt, who lives within the shelter area, said he heard the siren warning system go off but did not receive a call until 6:38 a.m. advising him of the order to stay inside.

At issue are "huge public safety consequences," Butt said. His biggest concern, he said, is people ignoring the sirens.

"Unless they can smell it or feel it, they don't believe it," he said, adding that residents in his neighborhood appeared to be going about their business as usual during the shelter-in-place order. "We have huge, unresolved problems with this system."

Even after it was contained, the fire continued to burn this afternoon, as firefighters waited for residual chemicals -- most likely those included in diesel -- to burn off, said Randy Sawyer, director of Contra Costa County's Hazardous Materials Programs.

Chevron spokeswoman Camille Priselac said firefighters had determined it would be best to let the chemicals burn off slowly. Officials did not know how long the process would take.

Priselac said the fire did not endanger the community, and did not affect production at the rest of the facility.

A Chevron contractor who asked not to be named said that many employees and contractors were not notified about the fire before coming to work.

"We are supposed to have a phone tree to warn each other of an emergency," the contractor said. The system did not work at all."

The county, which should receive an incident report from Chevron within 72 hours, will release the results of air sample tests from the impacted area in two to three days, officials said.

Local law dictates that the county Health Department oversee the official investigation into the incident, Gioia said, but the county Board of Supervisors and Richmond City Council most likely will conduct probes into the fire as well.

Dialogic's contract with the county will soon be up, Gioia added, and the board will be issuing a request for proposals from vendors.

Although the refinery is California's third-largest, analysts said today that the fire probably wouldn't cause a spike in the state's gasoline prices -- at least not at first.

The part of the refinery that caught fire, the crude-oil separation unit, had already been shut down for planned annual maintenance. Chevron already had replacement gasoline supplies lined up, Priselac said.

In addition, California's other refineries have been cranking out about 5 percent more gasoline than they did last January, with inventories about 8 percent higher than they were at this time last year, according to state statistics.

Wholesale gasoline markets were closed today for the Martin Luther King Jr. holiday, preventing the kind of panic-buying that often follows a refinery accident.

Denton Cinquegrana, West Coast markets editor with the Oil Price Information Service, said traders on Tuesday would be waiting to see how much gasoline Chevron buys on the spot market, where companies purchase short-term supplies.

If the company buys a lot, that could indicate that the Richmond refinery will be closed longer than expected. A long closure could, in turn, push up the gasoline prices that California drivers face at the pump.

"You're going to have, for lack of a better term, sharks circling in the water to see what Chevron's going to do in the market," Cinquegrana said.

Priselac today said it was too soon to know the extent of the damage or the timetable of repairs.

"As soon as it's safe to do so, we'll get in there and start our investigation with all the state and local officials," she said. "But we've just got to wait until that happens."

On Dec. 29, there was a small, half-hour long fire in a process pump at Chevron's refinery in El Segundo. But that fire did not stop production, the company reported at the time.

It's not the first time in recent years that a fire has broken out at the Richmond refinery, but the last blaze, in 2005, did not require a "shelter-in-place" order.

The prevailing winds from the northeast carried most of the smoke and pollution out over the bay, where it dispersed more quickly, according to Karen Schkolnick of the Bay Area Air Quality Management District.

"It is a very regrettable incident," she said. "But it is certainly the best-case scenario for the pollution to move away from population center."

On Monday, Emergency officials did not ask the California Highway Patrol to close any roads, said CHP Officer Kevin Kroncke .

The Coast Guard set up a 500-yard perimeter in the water around the Chevron plant to monitor any chemical spillage, said Petty Officer Jonathan R. Cilley.

## **Fire at Richmond oil refinery, residents asked to stay inside**

By MARCUS WOHLSEN - Associated Press Writer  
Sacramento Bee Monday, January 15, 2007

A fire broke out at an oil refinery Monday morning, burning one employee, sending flames as high as 50 feet into the air and prompting an order for residents to stay indoors, authorities said.

The blaze broke out at about 5:24 a.m. at Chevron's Richmond Refinery, a 2,900-acre facility on San Francisco Bay, said Contra Costa County hazardous materials specialist Maria Duazo.

Emergency sirens started blaring 10 minutes later when the company raised the incident's danger level to the highest category, said Eric Jonnson, another hazardous materials specialist with the county.

The fire was under control by 7 a.m. and the worker's injury was minor, Chevron spokesman Dean O'Hair said.

About 1,200 employees were in the refinery when the fire broke out, but they were cleared to return to their jobs after the blaze was contained to the pump where it started when a seal failed and leaked oil, a plant spokeswoman said. The pump was being shut down for maintenance at the time, she said.

Residents in nearby neighborhoods received telephone calls alerting them to the emergency starting at about 6 a.m. and were instructed to stay inside with their doors and windows shut to avoid breathing toxic fumes, officials said.

Some area residents complained about the 30-minute time lag between when the blaze broke out and they were notified by phone. A private contractor provides notification services for the county, and officials said they were investigating the delay.

"There was some kind of a mechanical glitch or computer glitch that we are looking into at this point," Jonnson said.

The warning was lifted at 8:45 a.m. after air samples showed no unsafe levels of harmful chemicals from the fire.

"There is nothing to look for anymore," Jonnson said.

Toll booth workers on the nearby San Rafael Bridge were evacuated until 8:30 a.m., though motorists got a free ride into Marin County since the bridge remained open to traffic, Duazo said. Highway patrol officers directed vehicles over the bridge.

Located 19 miles northeast of San Francisco, the refinery is the largest in the Bay Area and is more than 100 years old, according to Chevron's Web site. It has a refining capacity of 240,000 barrels of crude oil per day and a plant spokeswoman said production would not be affected.

Richmond is home to several oil refineries, and toxic releases in the area have been common enough that officials installed 26 sirens to warn of danger and tell residents to go inside.

A March 1999 explosion and fire at the Chevron refinery sent hundreds of residents to hospitals. There was also a fire there in Sept. 2003, but it was too small to trigger the warning system.

## **Fiery train derailment near Louisville causes evacuations**

Dylan Lovan, Associated Press

Contra Costa Times, Tuesday, January 16, 2007

SHEPHERDSVILLE, Ky. - Several CSX train cars derailed in a fiery heap Tuesday south of Louisville, shutting down a nearby highway and forcing evacuations of nearby homes, businesses and a school, authorities said.

A CSX spokesman said the train from Alabama was carrying hazardous materials, and the blaze produced a massive column of black smoke in the mostly rural area. Television footage showed several blazing cars stacked across the rail lines and flaming liquid flowing down ditches from the mangled tanker cars.

"We had a train derailment with some type of an explosion," said Kentucky State Police dispatcher Joey Mattingly.

There were no immediate reports of injuries from the wreck that occurred about 8:50 a.m. EST.

CSX spokesman Gary Sease said the train consisted of four locomotives and 80 cars headed from Birmingham, Ala., to Louisville. At least three cars carried liquid propane gas, he said. Forty-one cars were loaded with freight and the rest were empty, he said.

He said authorities didn't yet know what caused the derailment.

The immediate area, including Brooks Elementary School, was evacuated, said state police Maj. Lisa Rudzinski. She did not give the radius of the affected area, which has a mixture of residential, industrial and rural properties.

Authorities also shut down an 18-mile stretch of Interstate 65, Mattingly said.

Bullitt County resident Daymon Strange, who lives less than a half-mile from the crash, said he was outside feeding some ducks when he heard a boom.

"I turned around and looked and there was fire at least 500 feet in the air," he said in a telephone interview. "I've never seen such a fire. It was huge."

Strange said he smelled the fumes even though they were blowing away from his home.

"You can taste it and feel it in your lungs when you go outside," he said.

Authorities shut down an 18-mile stretch of Interstate 65, Mattingly said.

The Kentucky National Guard said it mobilized about 20 soldiers and airmen to check air quality.

It was the second fiery train crash in Kentucky in the last two days. On Monday, four runaway rail cars struck two parked locomotives in central Kentucky, causing a fire and spilling a chemical that prompted a limited evacuation.

## **Schwarzenegger proposes 'revolutionary' energy plan**

By Ian Hoffman and Janis Mara, Medianews Staff

Contra Costa Times, Monday, January 15, 2007

In the state's biggest, immediate step toward cutting global warming pollution, Gov. Arnold Schwarzenegger this week began shifting California's 26 million cars and trucks off petroleum-based fuels and toward alternatives that emit less greenhouse gas.

The governor said his new greenhouse-gas standard for transportation fuels -- the world's first -- "leads us away from fossil fuel" and would help "in moving the entire country beyond debate, denial and inaction" on global warming.

State air-pollution regulators expect to work out the details during the next 18 months. The policy would limit the amount of greenhouse gases released for each bit of energy in fuel, then gradually shave those emissions down 10 percent by 2020.

Fuel producers could choose how to meet the new limits, at first probably by blending in more home-grown fuels such as ethanol, biodiesel or biobutanol, or purchasing credits from producers of lower-carbon fuels, such as electricity for plug-in electric-gas hybrids. In time, they could team with automakers to bolster the supply of hydrogen vehicles, electric cars and the like.

Environmentalists called the new plan revolutionary, and energy experts said it would be watched closely by policymakers from Washington to London and Berlin, where similar policies are under consideration. Greenhouse gases from cars, trucks and aircraft are a powerful contributor to global warming, but each mobile source is small and notoriously difficult to regulate. The new policy reaches past those difficulties to take effect at the refinery, the fueling station and perhaps the electrical outlet in the household garage.

Given California's appetite for oil, the policy stands to affect 10 percent of the nation's transportation fuel and ease the leading source of greenhouse gases in the world's eighth-largest economy. Those reductions would start at least two years before California launches mandatory cuts in stationary sources of greenhouse gases, such as refineries, cement plants and electrical power plants.

"This is a big deal. This is the world's first greenhouse-gas standard for transportation fuels," said Eric Heitz, president of the Energy Foundation, a San Francisco-based nonprofit group that monitors energy policy. "This policy will be noticed worldwide."

Several experts predicted a flush of capital for California-based green energy technologies and, for consumers, a dazzling menu of automotive choices from plug-in hybrids to cars running on hydrogen, natural gas and plant-derived biofuels -- to as many as 7 million more such vehicles in 2020, or 20 times more than are on the road now. "The policy will motivate new investment in California in alternatives such as biofuel, electric vehicles and hydrogen fuel and related products including electric motors and batteries," said Daniel Sperling, director of the Institute of Transportation Studies at UC Davis.

"It will stimulate the California economy and reduce oil imports," said Sperling, who is analyzing the policy's impact.

## **Researchers go block by block for L.A. insight**

### **Survey aims to improve health**

BY LEE PETERSON, Staff Writer

LA Daily News Mon., Jan. 15, 2007

From sidewalks and air quality to family troubles and neighborly trust, how does where you live affect your health and well-being?

In a reprise of the biggest study to ever try to understand greater Los Angeles, researchers are going block-by-block through 65 county neighborhoods conducting thousands of interviews and making detailed observations.

Tree-lined or graffiti-plagued? Low-income or wealthy? Neighbors who trust one another to watch their kids in an emergency? Residents who lack health insurance? Children who do well in school or children who argue constantly with their parents?

By charting the characteristics, researchers with the second round of the Los Angeles Family and Neighborhood Survey are hoping to discover the insights into how to improve the health of children and adults. As a follow-up to the survey in 2000-01, the data-gathering is expected to also determine whether neighborhoods have improved or declined - and why.

The RAND Corp. survey will create a database of 4,000 households that scientists can review for social trends and the affect of government policies. Respondents' identities are kept anonymous.

"I think it's actually a very ambitious enterprise because what we are interested in is understanding the whole picture of people's lives," said Anne Pebley, co-director of the Los Angeles Family and Neighborhood Survey.

Survey interviews can take up to two hours and will cover everything from income levels and frequency of family arguments to children's grades and family stress.

Interviewers, organized for RAND by RTI International, started in September and have at least a year to complete this go-round. Ultimately, the study could determine what programs work and how public money can best be used in Los Angeles.

"What is the most cost-effective strategy that's going to make significant improvement in the lives of kids and the health of adults and the well-being of families that live in Los Angeles?" said Pebley, who is also UCLA's Bixby professor of population studies.

### **Pesticide agency gets \$3M budget increase**

By Bob Krauter, Capital Press California Editor  
Capital Press Weekly Friday, Jan. 12, 2007

SACRAMENTO - Gov. Arnold Schwarzenegger's 2007-08 proposed state budget will mean a boost to regulate pesticides and promote reduced-risk pesticide and worker safety programs across the state. The California Department of Pesticide Regulation's budget will swell by \$3 million to \$68.9 million to include funds for programs that have suffered from lean budgets in the past few years.

Paul Gosselin, DPR chief deputy director, said the new budget reflects some high priority areas in terms of prevention, better regulations to protect people, and better compliance and enforcement "that will hopefully build a better future" for California.

The DPR staff has been pared to 320 from 450 a few years ago. The proposed budget will mean additional staff, but Gosselin said an increase in program funds is most notable.

The new budget reflects \$780,000 to revive the Pesticide Alliance Grant Program, which was suspended by budget cuts in 2002.

"We have had a three-year hiatus in having any grants program to move pest managers in the agricultural and urban settings away from highly toxic materials," Gosselin said. "So this is exciting and important that our Alliance Grant Program is going to come back and be restored after the budget cuts in 2003."

Programs to improve protection for workers, including providing them information on how to file confidential complaints, are getting an additional \$634,000.

Gosselin said additional funds will be used on the local level with county agricultural commissioners to aid in pesticide enforcement. The state's 58 counties will share an additional \$715,000, and the state will add six new positions, at a cost of \$667,000, to increase oversight of local enforcement.

"It is going to allow us to increase our work with county agricultural commissioners in terms of training and oversight," he said. "The responsibilities over the past year with enforcement initiatives with the counties have increased and our responsibility to be there shoulder-to-shoulder with the counties is reflected in this budget."

County agricultural commissioners issue pesticide use permits and local staff are responsible for

monitoring fields to ensure worker safety and that pesticides are being used properly.

The other budget areas within DPR to see increases are \$255,000 for the surface water monitoring program, and \$149,000 to support reduced-risk pest management in schools and day care centers.

"The workload to put protections in place has really increased and we haven't been able to keep pace with the growing needs that are out there to manage those risks to protect people and the environment," Gosselin said. "We have some staffing resources to do better outreach to workers so they can be better protected out in the field and also allow us to put the rules in place to protect people, and air and water quality in the state and to do it in a way that is more open and consultative with people on the outside."

Among the other highlights of the Governor's new budget for environmental initiatives are \$36 million to help implement the state's new Global Warming Law, AB 32, and \$6 million to the California Air Resources Board to develop the state's Hydrogen Highway.

More information on the 2007-08 DPR budget can be found at [www.cdpr.ca.gov](http://www.cdpr.ca.gov).

## **It's Not Easy Staying Green**

By Perdita Buchan

N.Y. Times, Saturday, Jan. 14, 2007

ONCE I floated through life in a haze of good fellowship. I believed in recycling and saving the planet; I wasn't an activist out on the barricades or sitting at the top of a threatened redwood tree, but I certainly supported the people who were. I recycled back in the days when going to the recycling center meant a 20-mile round trip. I used cloth napkins and unbleached paper towels. I didn't use disposable coffee filters. I shopped with string bags to keep plastic out of the landfill and embarrassed my daughter by packing her school lunch in reused bread bags. I bought my cleaning products at the health food store, refilling bottles to save on packaging.

I liked to feel that I trod lightly on the earth — that is, until eight years ago, when I bought a little house at the Jersey Shore and became someone I wouldn't even have wanted to know before. It was a gradual metamorphosis — I didn't wake up a cockroach, but I did wake up considering the use of serious pesticides to get rid of the huge ones in my kitchen. Not to mention the termites the house inspector told me had chewed a sill in the crawl space or the carpenter ants leaving little piles of sawdust in the bathroom.

I, who believed in nothing stronger than pyrethrins and who had previously controlled pests with an organic, orange-peel-based spray, was confronted by an army of pest-control agents with vans full of toxic chemicals and a nuclear attitude toward the insect kingdom. It kept me awake nights. How could I put chemicals into the air and ground, maybe the water table? But how could I not? This house was the biggest investment of my life to date — the previous big-ticket item being a two-door Ford Fiesta. In a panic, I researched lower-impact alternatives like termite bait stations, but in the end I gave in to the pest-control guys with the best environmental spiel. I know they were winking when my back was turned.

Then demolition began on the back part of the house. As the work crew passed by toting wood and wallboard, I wrung my hands and asked exactly what they were going to do with it. Oh, they assured me, it would all be dumped in the right places. But dumped? Not salvaged? (I seemed to have forgotten that I had a humble, jerry-built seaside cottage with little worth salvaging, not some antebellum plantation house with hearts of pine floors.) Suddenly I was the cause of destruction and questionable renovations. Should I really have demolished the owner-built enclosed side porch with the five-foot ceiling? The house did look different. Had I trespassed on its cottage

nature? I couldn't even look at the wreckage in the Dumpster; I imagined it multiplied by the Dumpsters all over town, then the state, the country.

Meanwhile, I was still locked in a battle with the natural world, whose cause and future I had so firmly espoused. Maybe roaches and termites had never been a big part of it, in my view, but trees! Having bought the house in the spring and being a little vague about tree species, I thought the Norway maples might be sugar maples and waited hopefully for the blaze of color that never came. Now, after years of bagging leaves and pulling up seedlings, I refer to the maples as weed trees and find myself planning their demise. I have already gotten rid of the gone-wild privets that were sucking up nutrients from my garden.

I had such plans for my garden. Nature and I would work hand in hand. I would plant only native plants at home in the acid, sandy soil. I would maintain a Xeriscape. I would not be prodigal with water like my neighbors with their fancy watering systems, their total disregard for so precious a commodity. I guess I hadn't counted on the power of garden books and glossy magazine articles. How could I resist those twining roses, the huge stars of clematis, billowing lilacs? It was hard to work up the same enthusiasm for chokeberry and Jersey tea. The lilacs sulk and have to be fed lime, which creates a stifling dust. The roses do well, with constant feeding and watering. I use organic fertilizer and soaker hoses, but I know it isn't really right. At least, I tell myself, I'm not planting anything invasive: no porcelain berry for me, and no wasteful attempts to grow more grass. Yet I can't see how to get rid of my scrap of front lawn, the buffer between my porch and the sidewalk.

At least I planned to get a push mower to cut the lawn, like my friend Linda in Boston who mows a grassy space at least twice the size. Instead I got a lawn service. I didn't mean to do it. My neighbor recommended it when I was overwhelmed by my efforts to reclaim the neglected garden. Years later, I still have it, the workers spewing noise and smoke, adding to the cacophony and pollution that is suburbia. I hide in the summer when the men pull up with the big trailer and unload a machine almost the size of my lawn. I cringe in the fall at the racket of their leaf blowers as they generate a cloud of leaves and exhaust that all but dims the sun. But who else will clean my gutters?

Back when I was first looking at houses, my real estate agent took me to see a tiny cottage. We looked around as the owner stood anxiously by. It was too small for me, but neat as a pin and lovingly restored.

"Why is she selling?" I asked when we were outside.

My agent shrugged.

"She's one of those people who shouldn't own a house. It makes her too nervous."

I imagine myself in that homeowner's place one day. The question is asked. The agent shrugs.

"She's one of those people who shouldn't own a house. It makes her feel too guilty."

### **Private money keeps Park Service afloat**

Corporate donations, other outside financing make up 12 percent of budget, a trend that is likely to increase

By Mary Clare Jalonick, Associated Press  
Contra Costa Times, Sunday, January 14, 2007

WASHINGTON - The National Park Service's new director says the agency will increasingly look to outside sources for money to help maintain parks.

"We're much more business-savvy than we used to be," said Mary Bomar, a career employee who became director in October, in one of her first interviews as head of the agency.

A Government Accountability Office report last year said the Park Service is increasingly cutting back on visitor services, education programs and protection of natural and cultural resources because funding has failed to keep pace with operating costs. The agency also has a huge maintenance backlog.

Bomar said the Park Service acknowledges it has challenges, including a shrinking staff, aging facilities and a diminished visitor experience. Parks have also lost some of their relevancy and connections to younger generations, she said.

She said philanthropy will be a big part of a plan to revitalize and restore parks for the agency's 100th anniversary in 2016, announced this year as an effort called the "centennial challenge."

The agency wants to "look at projects where we could match and leverage funding," she said. "Why not?"

The agency is bringing in around 12 percent of its budget from outside sources, whereas a decade ago almost all of the budget was federally appropriated. Officers have been holding meetings with private interests to increase awareness of the agency's fundraising efforts.

Much of the private support for national parks comes through the National Park Foundation, chartered by Congress in 1967. In past years, companies such as American Airlines Inc., Discovery Communications Inc., Eastman Kodak Co. and Ford Motor Co. have each donated millions to parks.

Some critics have been concerned that more private funding could cross a line. In 2004, the agency proposed letting some employees solicit donations, accepting alcohol and tobacco company donations for the first time and giving donors the right to put their names on rooms, benches and bricks.

Those proposals were scuttled last year after criticism, and Bomar said she has no plans to revisit them.

As part of the centennial challenge, the parks plan several "signature projects," including a new visitor center at Pearl Harbor in Hawaii and restoration of Ellis Island in New York Harbor.

The Park Service has acknowledged that the aging Ellis Island complex has been neglected over the years, and the agency hopes to use some private dollars to restore the historic immigrant gateway.

Bomar said she has no plans to reopen the Statue of Liberty's crown, however, which has been closed to visitors since the Sept. 11, 2001, attacks.

She was less forthcoming about other park policies, saying it would be "inappropriate to discuss" the issue of snowmobiles in Yellowstone National Park.

A temporary plan caps the number of snowmobiles entering Yellowstone at 720 a day and allows 140 snowmobiles a day to enter Grand Teton National Park and the John D. Rockefeller Jr. Parkway, which connects the two parks.

Critics say the vehicles contribute to noise and [air pollution](#) in the parks.

Late last year, the agency issued a draft statement proposing to maintain the current plan. A final decision is expected by the winter.

## **2007 brings new laws**

By Coalinga Record Staff  
January 16, 2007

California expanded its campaign against greenhouse gases and global warming when several landmark laws took effect with the new year.

It also boosted its minimum wage, implemented a prescription drug discount program, gave or restored rights to tenants, domestic partners and pets and will give many youngsters an early

taste of one of life's little travails -- a trip to the dentist.

Those are just some of the changes contained in hundreds of new state laws.

The biggest is legislation by Assembly Speaker Fabian Nunez, D-Los Angeles, that makes California the first state in the nation to limit greenhouse gas emissions from power plants, oil refineries and other industries.

The measure requires the state Air Resources Board by July 1 to begin implementing a program to reduce the [emissions](#) 25% by 2020. Nunez hopes the legislation will start a trend.

California's roughly 1.4 million minimum wage earners got their first raise in five years Jan. 1.

The state's minimum wage was \$6.75 an hour and climbed to \$7.50, tying California with Massachusetts for the fourth highest minimum wage in the country behind those in Washington, Oregon and Connecticut.

A second increase boosting the wage to \$8 will take effect Jan. 1, 2008.

Here are some of the other laws that took effect with the arrival of 2007:

A measure by Sen. Carole Migden, D-San Francisco, gives domestic partners another of the rights of married couples -- the ability to file joint income tax returns.

Legislation by Assemblyman Alberto Torrico, D-Fremont, revives a law that, with some exceptions, requires landlords to give 60 days notice before evicting month-to-month tenants who have lived in the rental for at least a year and haven't done anything to warrant eviction.

Laws creating new penalties for tethering dogs for long periods of time and risking animals' health by leaving them unattended in motor vehicles also took effect Jan. 1. Both measures could result in fines or jail terms of up to six months.

Another new statute requires that California merchants sell only so-called fire-safe cigarettes after they've depleted supplies bought before Jan. 1.

Fire-safe cigarettes are designed to prevent fires by going out quickly when they're not being puffed.

[Fresno Bee editorial, Tuesday, Jan. 16, 2007:](#)

### **A dirty trick**

#### **Valley pays a price in air quality for fraudulent smog checks.**

Cleaning up the Valley's dirty air is a difficult task. It's made all the harder by people who cheat on vehicle emissions rules, either to rake in ill-gotten profits or just to avoid the hassle of doing things by the book.

"Clean-piping" is the practice of falsifying smog check results by substituting data from a clean engine for the results produced by a dirty one. The vast majority of smog service stations are above-board in their work, but a handful are caught every year issuing fraudulent smog certificates for cars.

The problem is serious. The cars and trucks involved are usually so-called "gross-polluters," typically older vehicles than can spew 20 times as much smog-causing emissions into the Valley's air as cleaner, well-maintained vehicles. They account for as many as 10% of the cars and trucks on Valley streets and roads.

Bill Malone, supervisor of the Fresno office of the state Bureau of Automotive Repair, estimated that 5% of registered cars that need to be smogged have been certified illegally. That would be about 60,000 of the 1.2 million registered cars and trucks in Fresno, Madera, Tulare, Merced, Kings and Mariposa counties.

"Clean-piping is the worst crime in the smog program," said Malone, and the punishment can be stiff. Falsifying emissions checks is a felony, and usually results in jail time, plus revocation of state licenses to perform smog tests and auto repairs.

So why run the risk? The motive for cheating is usually greed. Malone told The Bee that some technicians will charge as much as \$300 for a "clean-pipe" test, about six times the cost of a legal smog check.

We're all victims of this crime. Vehicle emissions create about 60% of the Valley's smog, which in turn causes higher rates of respiratory and cardio-vascular illnesses among Valley residents. Some 1,000 people die prematurely each year because of air pollution, and one child in six in the Valley suffers from symptoms of asthma.

State investigators, aided by improvements in technology, may soon be able to do an even better job of tracking down the cheaters. That's good news for us all. The sooner these miscreants are stopped, the closer we'll be to cleaner air for all of us to breathe.

[Fresno Bee editorial, Sunday, Jan. 15, 2007:](#)

### **Fueling the future**

#### **State must begin its transition to a low-carbon lifestyle.**

The signing of Assembly Bill 32 — California's landmark global warming law — brought loads of publicity to Gov. Arnold Schwarzenegger last year. The law requires California to reduce its greenhouse gas emissions 25% by 2020.

Ever since, supporters of AB 32 have been waiting to see what kind of "early action" measures Schwarzenegger would endorse to reduce greenhouse gas emissions in advance of a full program to cap such pollution.

This week, Schwarzenegger delivered. He announced an executive order that aims to reduce carbon emissions from transportation fuels by 10% in 13 years.

Schwarzenegger is smart to focus on California's transportation sector. It generates 40% of the state's greenhouse pollution. Reducing emissions from cars and trucks will be trickier than implementing reductions from power plants and manufacturers.

Major industries already have regulatory permits and their individual emissions can be readily quantified. Cars and trucks are more difficult to regulate.

Under the governor's order, petroleum refiners and gasoline sellers would have some flexibility in meeting the 10% carbon cut. They could invest in development of alternative fuels, and help businesses and government switch to alternative fuel vehicles. Instead of reformulating their products, they could also pay for emission reductions in other industries under a "cap and trade" system that AB 32 authorized.

Oil companies can meet part of the mandate by increasing the percentage of ethanol in gasoline, although this may not necessarily reduce greenhouse gases.

Most of the nation's ethanol now comes from corn that is grown in the Midwest with lots of heavy machinery and industrial fertilizers. If that corn or ethanol were exported here in large quantities, it

could result in a cradle-to-grave generation of carbon dioxide that exceeds what California is trying to reduce.

For Schwarzenegger's directive to be effective, farmers and fuel companies will need to make ethanol from environmentally sound crops, such as switchgrass, and grow more of it locally. This will mean a major transition for California's fuel industries and agribusinesses. Are they up to the task?

In the long run, the state must also advocate policies that reduce the number of miles driven by California's millions of motorists. That means more housing closer to jobs, more transit and alternatives to motor vehicles, such as bicycles.

If the governor truly hopes to break the state's dependence on imported petroleum, he will need to use all the tools in his toolbox.

[Letters to the S.F. Chronicle, Sunday, Jan. 15, 2007:](#)  
**Saving Allensworth**

Editor -- Regarding "Battle for piece of black history" (Jan. 8): It's vital for California to protect Col. Allensworth State Historic Park. The two proposed dairies would significantly and negatively impact the experience of visitors to this unique cultural and historic site. Beyond degrading water and air quality and increasing odor and noise pollution in the park, this issue would set a dangerous precedent for park protection across the state. The threat to Allensworth is one of more than 100 such threats to parks throughout California as our parks face the pressures of California's growth.

We must challenge ourselves to meet Californians' housing, transportation and commerce needs, while ensuring that our parks are accessible for future generations. In the case of Allensworth, the Department of Parks and Recreation has taken up this challenge. It is exploring the possibility of purchasing the development rights to adjacent lands to create a productive buffer zone which would minimize negative impacts on the park.

California State Parks make up the most diverse natural and cultural park system in the nation. Public education and participation is key, if we are to protect these precious and magnificent resources.

*Elizabeth Goldstein, president  
California State Parks Foundation, Kentfield*

Editor -- As an African American who is deeply concerned about protecting our proud cultural heritage, environmental integrity and people's health, I am appalled that the Tulare County Board of Supervisors unanimously supports placing two dairy farms with 9,000 cows right next to Col. Allensworth State Historic Park.

California taxpayers have dedicated millions of dollars to restoring and preserving this important piece of African American heritage. The tons of manure, swarms of flies, dust and acrid stench produced by the proposed concentrated animal feeding operations would surely destroy the unique visitor experience enjoyed by tens of thousands of people every year. We must not jeopardize our investment in keeping history alive merely to satisfy the whims of some reckless agribusiness.

*Kenneth G. Williams, San Rafael*

