

## **2 new voices to join air board**

Fresno has representation for first time in 13 years.

By Mark Grossi / The Fresno Bee

Friday, Feb. 23, 2007

Two minority candidates have won an election for local air board seats, defeating the Clovis mayor and a retired Tulare County farmer from Woodlake.

Local air activists called it a major victory after weeks of campaigning for minority candidates who emphasize health issues and alternative energy.

"We're hoping there will be a lot more questions during board discussions now," said Liza Bolaños, coordinator of the Fresno-based Central Valley Air Quality Coalition.

Fresno City Council Member Henry T. Perea and Arvin Council Member Raji Brar were elected Wednesday night by the California League of Cities.

Perea's election marks the first time in 13 years that Fresno -- the largest city in Central California -- is represented on the board of the San Joaquin Valley Air Pollution Control District.

Clovis Mayor Nathan Magsig and Woodlake City Council Member Jack Ritchie had been recommended for the two seats by the executive council of the league. The league's general membership votes on candidates and often follows recommendations of the executive council.

Activists swayed a majority of league members to vote for Perea and Brar, who are expected to take their seats on the 11-member board next month.

Perea is known to support alternative energy, particularly solar. Brar has a graduate degree in health-care administration. Her academic work included a study of lung capacity in children.

The newcomers will be thrust immediately into one of the Valley's hottest issues -- a possible lengthy delay in cleaning up smog. The Valley last summer tied the Los Angeles area with the most smog violations in the country.

Both new air board members said they oppose extending the Valley's smog cleanup deadline from 2013 to 2024.

Air district staffers say it is physically impossible to wipe out enough pollution in the next six years to make the cleanup deadline. But an independent study by a Southern California research group disputed the finding.

Brar said she is not interested in an 11-year delay for clean air. She said the Arvin air monitor had the highest number of smog violations in the state -- a claim state records confirm.

"In Arvin, we live with the worst pollution," she said. "More illness and more death because of smog are not acceptable."

State Sen. Dean Florez, D-Shafter, who supported Brar and Perea, said the two will challenge the district to clean up the air faster.

Said Florez: "I think we need folks whose lungs and health are really on the line ... to be a critical voice and a demanding advocate for cleaner air."

## **Arvin councilwoman appointed to air board**

By Stacey Shepard, staff writer

Bakersfield Californian, Friday, Feb. 23, 2007

Air advocates on Thursday lauded the appointment of an Arvin City Council member to the governing board of the agency that regulates air quality in the San Joaquin Valley.

Raji Brar, who was elected to the Arvin City Council in November, was named to the position on the San Joaquin Valley Air Pollution Control District governing board by the League of Cities South San Joaquin Valley Division on Wednesday.

Arvin is the most smog-polluted city in the valley. It had the most violations for smog of any location in the state in the past five years. Most of the pollution in the largely Hispanic city drifts in from other locations throughout the valley.

"We finally got the city of Arvin on the air board and we have a voice now, a strong voice," Brar said. "We have such bad (pollution) but we've never had contact with the air board until recently. We feel like we were left in the dark on this issue."

Under current efforts to clean up the valley's air, Arvin would be the last location in the valley to reach safe pollution levels in 2023.

Brar's appointment was seen as a victory for valley air advocates who had been clamoring for a candidate who represented the heavily minority populations in many of the valley's smaller communities. The previous makeup of the board included no minorities, advocates said.

The league's executive committee had previously nominated Jack Ritchie, a farmer from Woodlake, to fill the position. Ritchie was selected over candidates who included Arvin Mayor Tim Tarver and Shafter Mayor Fran Florez.

"We are confident that Raji Brar ... will bring a new perspective and face to the governing board," Liza Bolanos, coordinator of the Central Valley Air Quality Coalition, said in a news release.

Brar, who is of Indian descent, said she was nominated from the floor at Wednesday's League of Cities meeting.

She holds degrees in biology and health care management and owns a Subway sandwich shop in Arvin.

## **Kern's first 'green' building certified**

By Stacey Shepard, staff writer

Bakersfield Californian, Friday, Feb. 23, 2007

The new Kern Schools Federal Credit Union headquarters is certifiably green.

Kern Schools Federal Credit Union President/CEO Vince Rojas in the boardroom with the U.S. Green Building Council award.

The Ming Avenue office complex west of the Marketplace was recently notified that it has met the strict standards for being an ultra-environmentally-friendly facility set by the U.S. Green Building Council. It is the first building in Kern County to receive the certification.

Obtaining the lofty status requires minimizing impacts on the environment, reducing energy consumption and ensuring a safe indoor environment for employees.

For example, one criteria of certification required there be no more than a certain amount of artificial lighting in the building, which required a detailed accounting of light bulbs and some last-minute adjustments, according to Loren Aiton, the building's lead architect from the architecture firm Taylor Teter Partnership.

"Every single watt in the building was counted," Aiton said. "We even made the interior design team reduce some lights in the CEO's office because they were putting us over the limit."

Some of the building's other green features include large windows made of specialized glass to provide ample natural light while not heating the building's interior, showers and bike racks to encourage employees to bike to work, a duct system that performs at 1 percent leakage and landscaping and irrigation that uses 50 percent less water.

The facility, which consists of twin three-story buildings that comprise about 70,000 square feet each, cost \$27 million to build. The enhancements came at a higher price but those costs are expected to be recouped in energy savings, according to Vincent Rojas, the credit union's chief executive officer.

The building opened in December 2005 but has already tallied major savings. Officials anticipated a 35 percent reduction in energy consumption compared with a similar, no-frills commercial office building. But the facility has shown a 50 percent reduction in the first year, according to Stacy Vergano, of Premier Management Co., which manages the property.

"There's a significant difference," said Vergano, citing a comparison she did between the energy costs of one of the credit union buildings to a building of similar size on California Avenue, which was built in the early 1980s and has had some efficiency upgrades.

The 12-month analysis showed the California Avenue building's energy costs were 32 cents per square foot compared to the credit union buildings' 15 cents per square foot.

Both buildings are occupied by about 200 people and pay the same utility rate, Vergano said.

That type of reduction was music to the ears of Penny Fulton, senior vice president of administrative services for the credit union.

It was Fulton, after all, who initially suggested the credit union attempt to make its new facility a green building.

She took the idea to her boss after reading a story in the Los Angeles Times about a "green" Toyota building in the Los Angeles area.

"It just seemed like the right things to do," she said.

## **Car dealers urged to quit smog suit**

By John Ellis / The Fresno Bee

Friday, Feb. 23, 2007

Three environmental activists on Thursday delivered dozens of letters to a Madera auto dealership, urging it to pull out of a lawsuit that seeks to stop California from enacting new emissions standards.

Marty Mayfohrt, dealer principal and general manager of Madera Auto Center, politely accepted the letters but made it clear that his dealership remains committed to the litigation. "We're the most regulated industry in the world, and I don't want another layer of regulations," Mayfohrt said.

Angela Price, an activist with the Union of Concerned Scientists, a national group, tried to engage Mayfohrt in a debate on the issue. "Cars and light trucks make up almost 40% of global warming emissions," she told him in the showroom.

The exchange was a minor skirmish in the ongoing battle between the state and environmental activists and the automotive industry over the new regulations, which would set tailpipe emission standards for greenhouse gases.

Scheduled to take effect with the 2009 model year, the regulations are expected to cut exhaust emissions in cars and light trucks by 25% and in larger trucks and sport-utility vehicles by 18%.

In December 2004, more than a dozen San Joaquin Valley auto dealers -- including Madera Auto Center -- joined DaimlerChrysler Corp., General Motors, the Alliance of Automobile Manufacturers and others in filing suit to block the new rules.

Attorneys for the automotive industry maintain California's new rules are fuel-economy standards, which can only be set by the federal government.

Last month, U.S. District Judge Anthony W. Ishii halted the lawsuit until the U.S. Supreme Court rules on a case brought by Massachusetts against the Environmental Protection Agency in which similar legal issues are being argued. The automotive industry also hopes it can win a similar lawsuit in U.S. District Court in Vermont. That case is scheduled to go to trial in March and is almost identical to the California lawsuit, said Alliance of Automobile Manufacturers spokeswoman Gloria Berg-quist.

Locally, environmental activists emphasized the fact that three Valley dealerships had withdrawn from the California lawsuit -- Kitahara Pontiac GMC Buick of Fresno, Merle Stone Chevrolet of Tulare and Merle Stone Porterville. It is unclear why Kitahara withdrew in December. Calls for comment were not returned.

Larry Stone of Merle Stone said he still supports the lawsuit, though his dealerships are no longer part of it. He declined to say why. "I am concerned about ," Stone said. "It could have a devastating economic impact on the Valley. I wish I still could be a part of ."

Price said getting dealerships to withdraw from the lawsuit likely won't stop the California litigation, but she said she hopes it would raise awareness about global warming and increase support for California's new emission proposals. Even if the lawsuit fails, California must obtain a waiver from the federal government before it can enforce the tougher regulations. If the state gets a waiver, other states could follow California's standards or those of the federal government.

That is what worries Mayfohrt, who drives a hybrid Toyota Prius -- by choice, he said. "We don't need the state of California doing what the federal government already does," he said.

## **Low emission locomotion**

Union Pacific's new locomotives produce 40% fewer emissions with same power.

By Sanford Nax / The Fresno Bee

Thursday, Feb. 22, 2007

Eighteen Union Pacific trains glide through the central San Joaquin Valley each day, and many of them are powered by the railroad's newest and most energy-efficient locomotives.

"This is a lot different than your father's railroad," Scott Moore, Union Pacific general manager of public partnerships, said Wednesday as he showed off the company's GE Evolution Series locomotives.

Equipped with 12-cylinder engines, the new locomotives produce 40% fewer emissions than the previous 16-cylinder models but have the same power.

By the end of 2007, the railroad will have spent \$5 billion buying new locomotives and invested millions more to test technologies that reduce emissions from older engines.

The company, like other railroads, is investing heavily in more environmentally friendly and fuel-efficient technology to meet or exceed EPA requirements.

Union Pacific showcased much of that "green" technology in a rolling tour that started in Colton in Southern California on Tuesday, stopped in Fresno and Stockton on Wednesday and heads into Roseville today.

Union Pacific also operates hybrid locomotives in switching yards. Designed to cut air emissions by 80% and fuel use by 16%, Fresno got its first so-called "Green Goat" from UP in 2005.

Other railways are taking similar steps. Burlington Northern Santa Fe, which runs up to 50 trains through Fresno daily, has hybrids and liquefied natural gas locomotives.

The railway is acquiring new locomotives and retiring older ones. Between 1996 and 2004, BNSF acquired more than 2,250 cleaner-burning, fuel-efficient locomotives representing about half its fleet.

Fresno is home to two BNSF "Gen-Set" switchers, which are low-emission locomotives. That railroad also is installing automatic start-stop technology to reduce idling, retrofitting older engines and reducing resistance, or drag, said spokeswoman Lena Kent.

But Union Pacific was the star of the show Wednesday with its Green Locomotive Technology Tour that it staged with GE, which spent \$300 million and eight years developing the new engine.

UP also brought along an Oxicat long-haul locomotive, which is a guinea pig for an experimental oxidation catalyst filter. The device is similar to a catalytic converter on a car. During static testing, emissions were cut 50%. A yearlong field test is under way.

In addition, the rail company retrofitted a 25-year-old locomotive with a special filter that uses silicon carbide blocks to trap particulate matter. Union Pacific said it is the first experimental use of after-market technology on a rail-yard locomotive in North America.

Union Pacific is investing in other technologies, too. In addition to cutting emissions, the company is investing time and money in ways to cut fuel consumption. Diesel is the second-largest operating expense behind labor. In 2006, the company saved more than 50 million gallons of diesel fuel, 40 million of it through the company's new "fuel masters" conservation program, which rewards engineers who cut consumption.

The program compares performance against fellow engineers in the same territory, and employees in the top 15% to 20% of each territory are awarded fuel cards.

As part of that program, UP uses a simulator similar to those used by airline pilots to teach new engineers how to conserve fuel. Engineers learn how to operate the throttle and brakes efficiently in different types of terrain and weather conditions.

"Fuel is money," said Jim Westman, manager of yard operations in Colton who was on the trip. "You always want to save as much fuel as possible."

## **Farmers may grow greener**

Project near Fresno shows Southeast Asians how to cut dust, fuel and labor.

By Dennis Pollock / The Fresno Bee

Friday, Feb. 23, 2007

Southeast Asian farmers could end up farming in a more environmentally friendly way -- kicking up less dust and using less fuel and labor -- thanks to a project unveiled Thursday on a blustery day at a farm south of Fresno.

Just before heavy rains pelted a tent under which project participants gathered at Chia Lee's farm, members of the federal Natural Resources Conservation Service talked of how changes can be made by growers of vining vegetables that range from cherry tomatoes to squash.

At a groundbreaking for the demonstration plot near South and Chestnut avenues, spectators joked, "Don't make too much dust," as several people shoveled dirt in a symbolic gesture.

On a more serious note, district conservationist Dave Durham said changing the trellises on which vines are grown and using drip systems instead of flood irrigation could cut down on dust that helps contribute to the region's poor air quality.

Durham explained that most growers of crops that include sinqua, bittermelon, moqua, opo and luffa use wooden trellises that must be dismantled each year. In the past, growers would disc residue from vines into the ground or burn it. Burning is no longer allowed.

The new trellises have a V-shape and are metal. They can continue to hold the residue as new vines are planted. The residues break down over time. The changeover would be less time-consuming and would mean less of a need to disc the ground, which stirs dust.

"There is a higher initial cost up-front," Durham said.

Richard Molinar, a University of California small farms adviser, said metal stakes cost about \$4, wooden ones are about \$1.

John Beyer, California air quality coordinator with the Natural Resources Conservation Service, said there is little doubt the metal trellising system will reduce dust.

Loxing Kiatoukaysi, executive director of Hmong American Community, said growers will have to assess whether a changeover merits the economic return.

"We should have the two systems compared side by side," he said.

Beyer said it is natural that "the grower has to look at the economics."

Lee, along with three other families, farms 15 leased acres at the demonstration site.

He said he believes the trellises and drip irrigation "will save our labor and money. We used to use flood irrigation, and we would have to spend a lot of time watching the water -- like baby-sitting."

The demonstration plot was established through a \$25,000 grant from the NRCS, which is part of the U.S. Department of Agriculture.

NRCS engineer Jon Chilcote and soil conservationist Sam Vang said the drip irrigation system also will be used to deliver fertilizer to plants, further cutting down on tractor trips across the field.

Bill Green, education manager with the Center for Irrigation Technology at California State University, Fresno, said he will help with the irrigation project, advising on pump efficiency and proper use of chemicals.

Tzexa Lee, president of Cherta Farms Inc. in Del Rey, talked of his experience as a result of similar NRCS efforts that started in 2004. He said he has used "galvanized U-shaped trellises"

that resulted in "better fruit quality because it allowed more sunlight that helped bring better color."

He said the trellising system reduced labor costs and cut discing trips across a field from seven crossovers to one.

## **Railroads roll out eco-friendly locomotives**

By Alex Breitler, staff writer

(Stockton) Record, Friday, Feb. 23, 2007

STOCKTON - A 12-day-old Union Pacific diesel locomotive that chugged through town this week still has that new car smell.

Better than that old grimy train smell.

Trains in the San Joaquin Valley are responsible for nearly 25 tons of nitrogen oxide emissions each day; the oxides are a major precursor to smog. Union Pacific and General Electric, which manufactures the huge locomotives, are on a whistle-stop tour through California parading five of their newest "green" locomotives.

The tour is part of a massive public relations campaign taking place as the federal government considers new emissions standards for railroads, which some conservationists and health officials say should face tougher regulations.

"The communities near the railroads and ports have been extremely vocal about the public health tragedies of lung illness and asthma attacks," said Bonnie Holmes-Gen, a spokeswoman for the American Lung Association of California, which was not involved in Wednesday's tour stop at the UP yard in Stockton.

"I think the railroads are hearing a lot more public outcry over diesel pollution issues and are responding in some way," Holmes-Gen said.

About half of Union Pacific's 8,500 locomotives are certified under existing EPA laws passed in 2000. But the availability of cleaner-burning diesel fuel makes stricter emission rules practical in just a few more years, the agency says.

It could cost several billion dollars in technology upgrades but would lead to fewer premature deaths and health problems, the federal officials say. Railroaders do not dispute that.

"We've invested large amounts of money into an environmentally friendly fleet," said Scott D. Moore, a UP spokesman who took the train to Stockton on Wednesday.

GE last week denied reports that it is pushing the government to weaken the new rules. The company says it merely differs with the EPA over how much emissions can realistically be reduced.

Wednesday's Stockton visit featured long-haul locomotives and switchers, smaller engines that help assemble and disassemble trains at rail yards. A combination of technology upgrades - new cooling systems, filters and cleaner-burning engines - accounts for a significant drop in emissions from these locomotives, the railroad officials said.

The upgrades are promising, said Don Anair, an engineer for the Union of Concerned Scientists in Berkeley. Anair has studied diesel vehicle pollution in the San Joaquin Valley.

He said the important thing is that similar improvements are made to existing locomotives, which otherwise could continue to pollute for decades to come. "It's great to show off that technology," Anair said.

"We want to make sure it's actually out there and being used."

### **Study: Bay Area suffers from environmental inequality**

#### **Report shows more minorities live near air pollution than whites**

By Denis Cuff, MEDIANEWS STAFF

Tri-Valley Herald, Friday, Feb. 23, 2007

People of color bear an unfair burden of exposure to air pollution in the Bay Area because they make up nearly two-thirds of the population living within a mile of refineries, chemical plants and other sources of toxic air contaminants, a new study reported Tuesday.

A coalition of health and environmental groups called their report the first comprehensive attempt to document unequal access to clean air in the Bay Area.

In the Bay Area, we have a problem with the degree of environmental inequality ... even though we regard ourselves as a region that is very progressive, said Manuel Pastor, a Latino studies professor at UC Santa Cruz who helped conduct the study.

Authors of the report said it shows that government agencies need to change their policies to provide environmental justice in the approval of new industrial plants and regulation of existing ones.

The report, titled Still Toxic After All These Years: Environmental Justice in the San Francisco Bay Area, was released at a press conference in a Richmond industrial area where diesel trucks rumbled past.

Researchers for the Bay Area Environmental Health Collaborative combed through census records and federal records on industrial pollution emissions to search for racial and economic trends in neighborhoods exposed to pollution that can increase risks of asthma, cancer and heart problems.

They found that Latinos, African Americans and Asians or Pacific Islanders made up 62 percent of those living within a mile of plants or industries that reported toxic air emissions to the federal government. Whites made up 33 percent of residents in those neighborhoods.

The racial breakdown changed dramatically in neighborhoods further from the plants.

Minorities made up 33 percent of the population living 2.5 miles or more from the plants, and whites made up 63 percent, the study found.

North Richmond, West Oakland and Bay View Hunters Point among the areas with high pollution exposure.

The relatively cheap price of housing near industrial plants attracted many people there, researchers said.

While the researchers said they cannot fully explain all the reasons behind the high proportion of minorities in the most polluted neighborhoods, their report calls for changes aimed at addressing the inequities.

Bay Area cities and counties need to consider the cumulative impacts of all pollution in a neighborhood when reviewing plans for new plants, the study recommended

We cant add pollution to these communities that already have more than their share, said Henry Clarke, executive director of the West Contra Costa Toxics Coalition.

Clarke also said the Bay Areas air quality agency must do more to consider cumulative pollution impacts in setting emission limits on industries.

Officials at the Bay Air Quality Management District board said they had not seen the study, but they agreed that air pollution impacts have not been felt equally throughout the region.

Environmental justice is part of our mission, said Mark Ross, a Martinez city councilman who chairs the Bay Area air pollution board. We need to be sensitive to people living near plants.

Ross said the air district has begun a multiyear study to estimate which communities in the Bay Area are at most risk from the cumulative effects of industrial and auto pollution.

The district plans to use the study results to set priorities for awarding grants to reduce pollution, such as subsidizing replacement of diesel engines in businesses near highly polluted neighborhoods.

### **Speaker backs nukes in Fresno**

By Jeff St. John / The Fresno Bee  
Friday, Feb. 23, 2007

Patrick Moore, a co-founder of Greenpeace turned nuclear power advocate, spoke Thursday in Fresno in support of a group that hopes to make Fresno the site of the state's first new nuclear plant in more than 30 years.

Facing an audience of about 200 people -- some of them vocal opponents of nuclear power -- at Warnors Theater, Moore said nuclear power is an important piece of the world's energy future.

"Nuclear energy is the only nongreenhouse gas-emitting energy source that can effectively replace fossil fuels and satisfy global demand," Moore told the audience near the end of an hourlong speech interrupted several times by catcalls from the audience.

Moore was invited to speak by the Fresno Nuclear Energy Group LLC, a group of prominent Fresno businesspeople who announced in December they had signed a letter of intent with a major power-plant developer to build a \$4 billion, 1,600-megawatt nuclear plant in Fresno. John Hutson, president and chief executive of Fresno Nuclear Energy Group, said a nuclear power plant could bring thousands of high-paying jobs and hundreds of millions of dollars in tax revenue to the region.

"Why should it be in Fresno? Because we have the water, we have the location, and we have the economic need for it," Hutson said before Moore's speech.

But anti-nuclear activists point out several roadblocks to a nuclear plant being built in Fresno or anywhere in California. The state has banned the construction of nuclear power plants until the federal government comes up with a plan to permanently store or recycle spent nuclear fuel.

But plans for a permanent storage site at Yucca Mountain in Nevada face an uncertain future in Congress, where new Senate Majority Leader Harry Reid, D-Nev., has been a long-time opponent.

One way to get around that problem, Moore said, is to lift a 30-year-old ban on recycling spent fuel in the United States. Originally meant as an anti-nuclear proliferation measure, the ban "was

a very wrong-headed policy," he said, suggesting that Congress is prepared to take another look at the issue.

But David Weisman, outreach coordinator for the San Luis Obispo-based watchdog group Alliance for Nuclear Responsibility, said he doubted Congress was eager to change the policy, given fears of nuclear material falling into the wrong hands.

Another barrier to recycling fuel could be economic. In a 2005 report, the California Energy Commission concluded that recycling spent fuel was "still substantially more expensive than waste storage."

To Weisman and other anti-nuclear activists, even if it could be built, a Fresno nuclear power plant is a bad idea.

"To continue to throw money down the nuclear hole is to squander resources that could better develop energy solutions that won't saddle future generations with stockpiles of highly radioactive waste," Weisman said.

Michael Becker of Fresno agreed as he stood in protest outside Warnors Theater on Thursday.

With solar power, "we can provide more power that will be clean and safe," he said.

Protesters also questioned Moore's environmental credentials, noting that he has spoken in support of the chemical and mining industries in the past and last year became co-chairman of the nuclear industry-funded Clean and Safe Coalition to promote nuclear power's environmental friendliness.

In his speech, Moore agreed that solar, wind, biomass and other renewable energy sources are also critical.

But renewables can't meet all future power needs, and nuclear power, with very low greenhouse gas emissions, is better than coal- or gas-fired power, he said.

## **GAO: Fuel Tank Cleanup Could Cost \$12B**

By John Heilprin, Associated Press Writer  
In the S.F. Chronicle, Thursday, Feb. 22, 2007

WASHINGTON, (AP) -- It will cost at least \$12 billion to clean up contamination from tens of thousands of gasoline storage tanks that are leaking underground, congressional auditors say.

That is far more than the \$72 million that Congress and the Bush administration have provided each year, according to the report Thursday from the General Accountability Office.

The Environmental Protection Agency, which oversees the cleanups, has already spent more than \$10 billion to reduce the contamination over the past 20 years caused by hundreds of thousands of leaking tanks, many of them found at gas stations and convenience stores.

Yet some 117,000 faulty tanks still await cleanups, according to the latest figures current as of September 2005.

The GAO's \$12 billion estimate would pay to remove 54,000 leaks from underground storage tanks that are either abandoned or no one can be held accountable for cleaning up. Another 63,000 leaking tanks would be paid for by pump stations, store owners or other operators of the leaking tanks, along with insurers and state funds, according to the GAO.

The problem is growing, however. Forty-three states said they expect to find 16,700 new leaks in the next five years, many requiring at least some federal money for the cleanups.

The lag in cleanups isn't necessarily due to lack of money, according to the GAO.

Every time a motorist pays for a gallon of gas, a tenth of a penny goes into a trust fund to remove the contamination. The fund now has about \$2.6 billion and is expected to reach \$3 billion before the end of 2008. Congress created the trust fund in 1986 because of concerns about contamination from leaking tanks at gas stations, but annually only a small fraction has been appropriated for cleanups. Most has sat in the Treasury to help counter federal budget deficits.

Rep. John Dingell, D-Mich., who chairs the House Energy and Commerce Committee and who released the GAO report on Thursday, called the situation an "inexplicable failure to use available resources to speed the cleanup of pollution that is likely to spread."

The failure to clean up the tank waste is "contaminating our water supplies with MTBE and other carcinogens, unnecessarily risking public health," said Rep. Hilda Solis, D-Calif., who along with Dingell had requested the report.

Leaking underground gasoline tanks for years have been blamed for much of the MTBE — or methyl tertiary-butyl ether — found in drinking water supplies in at least 36 states. More than 150 lawsuits have been filed seeking damages because of problems with MTBE, which until recently has been a widespread gasoline additive that helped curb air pollution.

The GAO report found some states' financial assurance funds lack the money to pay for timely tank cleanups. It said tank owners covered under the state programs usually pay only a small deductible when tanks leak, with the government picking up most of the tab.

The Energy Policy Act of 2005 required underground storage tanks to be inspected every three years. The EPA is drafting guidelines for how the agency and states should comply with the new inspection requirements, said Susan Parker Bodine, head of EPA's Office of Solid Waste and Emergency Response, in a written response to the GAO report.

Only about one-third of states currently assure the EPA they are checking to see if tank owners are covered by insurance, the GAO said. Bodine said the agency also will consider studying better ways to distribute money from the trust fund and whether the state funds and insurance are effective enough.

### **Facing the future will take true grit**

Transportation grows more costly as demand for sand, gravel, crushed stone outstrips supply  
By Katherine Conrad,, MediaNews staff  
In the Contra Costa Times, Friday, Feb. 23, 2007

California is running out of sand, gravel and crushed stone -- the building blocks of construction used in every road, house, school and hospital.

In a report released this month and welcomed by the state's mining industry, the California Department of Conservation issued a warning to local planners that these aggregates, as they are called, are dwindling, even though California is sitting on at least 74 billion tons of the materials.

The challenge is getting them out of the ground.

Currently, only one-third of the supply of these resources is allowed to be mined in the state because the deposits often are located near where people live or in rural areas inhabited by

endangered species. The state report urges local planning officials to consider access to aggregates when planning for residential and commercial development.

"This is not a manufacturing plant. You go where God put it," said state geologist John Parrish. "So the issue is for the planning departments to make informed decisions about where mines should be and where housing should be."

It's not easy. Mining has earned a poor reputation in the state for destroying forests and streams back when quarry operators were not required to reclaim and restore the damage done to the land after a mine closes.

The local chapter of the Sierra Club and the Greenbelt Alliance could not be reached for comment. But environmental groups have been vigilant to ensure land is protected when mining operators seek permits for new quarries.

"Nobody wants to live next to a quarry," said newly minted San Jose City Councilman Pete Constant, who has rock quarries in his West San Jose district. "I don't know if I would want the noise and dust that a quarry creates in my backyard, but we need them somewhere."

### **Quarries as neighbors**

Still, he acknowledges that San Jose needs the gravel as it replaces its aging commercial buildings and encourages high-density housing. "We need these products and services. And it's in the (quarries') best interest to be a good neighbor," he said. "We have to have the will to make it work."

Parrish said California will need 13.5 billion tons of aggregate in the next 50 years, but just 4.3 billion tons have been permitted to be mined. At the present rate of consumption, he said, the state has enough for the next 13 years. "We're running pretty thin," he said.

That means that already skyrocketing construction costs will climb even higher as suppliers are forced to import from as far away as Canada and Mexico to meet the supply in a state that just approved a massive \$42 billion bond package to rebuild California's infrastructure.

The South Bay is one of the regions identified by the state as having the greatest need of aggregates. According to the report, issued Feb. 7, the area is projected to require 1.2 billion tons of aggregates during the next 50 years, but only 458 million tons can be mined from regional quarries.

Although the region is short on supply, it's long on demand.

It takes 229 tons of aggregate to build a house, and that adds up when you consider that San Jose has planned 32,000 new high-density residential units along North First Street alone in the coming decades.

To meet demand, the resources must be imported from elsewhere and then transported to a construction site on heavy trucks that clog freeways and belch diesel fumes into the air for a product that costs \$1.30 a ton when it's loaded on a truck, and about \$11 after it has been transported just 30 miles.

"Aggregate is low value and high weight," said Sharon Prager, a consultant for the industry. "If you don't obtain the supplies locally, the transportation costs can exceed the value of the aggregate." So the closer the quarries are to the construction sites, the fewer trucks on the freeway.

"We're all concerned with air quality and global warming, and the farther these trucks have to travel, the greater the air pollution and the particulates that are released into the air regionally," Prager said. "People don't stop to think about that."

### **Long process**

Mining operators and owners say the process of obtaining a permit for a site usually means an uphill battle that can last from four to seven or even 10 years, and frequently involves a lawsuit.

"California is in dire straits," said Jeff Brummert, head of Hanson Aggregates for Northern California. "It's very, very difficult to open greenfield sites or expand existing sites. The not-in-my-back-yards are everywhere and it's costly."

Hanson, which owns a quarry in Cupertino, has just begun mining a rock quarry in Sunol, next to Interstate 680, in Alameda County. The \$15 billion company, one of the largest in the world, imports aggregates internationally even though it's cheaper to mine the resource than import it.

Brummert said the company is trying to be as good a neighbor as it can be to the tiny town of Sunol. Water is sprayed to control the dust, berms are built and trees planted to control the noise and screen the pit operations from residents.

"We go a long, long way to make sure the operations are as environmentally sensitive as we can. We try to step as lightly as possible," Brummert said. "We're getting smarter as an industry."

### **Permit renewals**

The industry had no choice. Mining operators must get a permit from government officials to open a quarry and that permit periodically comes up for renewal. If neighbors are unhappy, the permit can be revoked or severely restricted.

"We understand we can be made to go away if we don't make the neighbors go away," Brummert said. "Or they can put more restrictions on us."

Doug Raisch, CEO of Raisch Products in San Jose, is the fifth generation in his family to operate quarries. His company mines three urban Bay Area quarries in San Jose, Fremont and Sunnyvale, and is looking for more sites.

"You will spend millions of dollars and there's no guarantee the quarry will happen. Once you get permitted, more than half of those projects face a lawsuit," he said. "Many sites we looked at and backed away from because of the obstacles."

### **TVA delays scrubber at Ala. plant, takes \$17M writedown**

Duncan Mansfield, Associated Press

In the Contra Costa Times, Thursday, Feb. 22, 2007

KNOXVILLE, Tenn. - The Tennessee Valley Authority has deferred construction of pollution control scrubbers for an Alabama coal-fired power plant and will take a \$17 million writedown for engineering work done there.

The decision comes as the nation's largest public utility adjusts its multibillion-dollar strategy for cutting smokestack emissions against the threat of potentially tougher environmental requirements.

TVA officials insist scrubber plans for the Colbert plant in Tuscumbia, Ala., aren't dead.

"They are still going to build a scrubber at Colbert," TVA spokesman John Moulton said of the 1,350-megawatt power station. "But it is going to be delayed until 2014."

In 2002, TVA announced a \$1.5 billion program to slash sulfur dioxide emissions that cause haze and acid rain. Five power plants would get scrubbers by the end of the decade. Colbert was the last on the schedule.

Now Colbert has been pushed back four years behind another plant, the John Sevier station in Rogersville, Tenn. TVA announced last week that work on Sevier's \$350 million scrubber would begin in 2008 and be completed by 2012.

The Sevier station is the last of three TVA fossil plants near the pollution-prone Great Smoky Mountains National Park on the Tennessee-North Carolina border without a scrubber under construction. Two are being built at TVA's Kingston, Tenn., plant and one is under construction at its Bull Run station near Oak Ridge, Tenn.

The state of North Carolina has sued Knoxville-based TVA over air pollution believed to come from the agency's coal-fired power plants on the other side of the Smokies.

"The lawsuit didn't influence our decision," Moulton said. "Our position on this is that we will continue to look at our strategy and see where we are going to get the most reductions (in pollution). And John Sevier was the most cost-effective path."

The scrubber for John Sevier will handle all of its four boilers, which together generate 712 megawatts. The Colbert scrubber project only would be for the largest of the plant's five boilers - the 473-megawatt Unit 5.

Environmental groups have cited modifications TVA made to Colbert Unit 5 in a 2002 federal lawsuit now on appeal. TVA has won in the lower courts, but "if the decision is reversed on appeal, there is a reasonable possibility that TVA will be ordered to install additional controls on Colbert Unit 5," TVA wrote in its first-quarter financial statement.

That statement, released Feb. 15, also revealed the agency has decided to take the \$17 million writedown against \$51 million in profits for the quarter because of the "uncertainty of future benefit that would be realized from the work" done on the Colbert scrubber project.

Moulton said the \$17 million wasn't wasted and the delay "does not negate the value of the engineering performed to date."

Colbert's situation is eased somewhat by other technologies in place at the plant, including burning low-sulfur coal, that have reduced sulfur dioxide emissions 50 percent over the last decade, Moulton said.

TVA operates 11 coal-fired power plants in Tennessee, Kentucky and Alabama. It has spent \$4.6 billion on pollution controls since 1977 and plans to spend \$1.2 billion more. It has seven scrubbers on its largest generating units and will add three more by 2010.

To date, TVA's sulfur dioxide emissions are down 80 percent since 1977 and smog-forming nitrogen oxide emissions during summer ozone season are down 81 percent since 1995.

TVA provides electricity to 8.6 million consumers and several large industries in Tennessee, Kentucky, Alabama, Mississippi, Georgia, North Carolina and Virginia.

[Hanford Sentinel commentary, Thursday, Feb. 22, 2007 \(1:01 pm\):](#)

## **Global-warming hysterics strike again**

By William Rusher, The Conservative Advocate

The media have recently been blaring what they depict as the latest grim warning from the practically unanimous ranks of the world's climatologists concerning global warming. It is time to take two aspirin, lie down and consider the matter calmly.

The global-warming controversy is powered by three mighty engines, which are almost never recognized. The first is the natural human impulse to fear allegedly forthcoming disasters, especially if they are clothed in the raiments of scientific certitude. The media can be depended on to ferret out and wildly overhype any potential negative development that any so-called scientist is willing to predict and deplore. Remember "acid rain"? The factories of the American Midwest are supposedly belching enormous quantities of sulphurous gases into the air, which then drift eastward, pollute our pristine lakes and lay waste the Appalachian forests. We had barely had time to digest this awful news when the same media introduced us to the ghastly phenomenon called the "ozone hole," a gap in the Earth's protective layer of ozone that had developed (thanks to human pollutants) over the Antarctic and threatened to increase hugely the amount of deadly interstellar radiation reaching the planet's surface, causing millions of fatal skin cancers. The subsequent news that the ozone hole was actually diminishing was lost in the gratifying burst of terror over the discovery of global warming.

The second engine (which was also influential in the flaps over acid rain and the ozone hole) is the traditional liberal hatred of "American corporations," which is mobilized whenever some new misfortune can be laid, however speciously, at their door.

All sorts of manufacturing operations emit carbon dioxide, which are thus responsible for some uncertain part of the seven-tenths of one degree Celsius by which the earth's surface temperature rose in the 20th century.

Actually, believe it or not, cows emit far more greenhouse gases (from their rear ends) than corporations do, but corporations are easier to hate than cows. So the ancient cry has gone up, "Stop the corporations!"

The third and final engine is, as you might expect, money. Do you have any idea how many billions of dollars the United States paid "scientists" (mostly in universities) last year to study this or that aspect of global warming? They are raiding this El Dorado with both hands, and you can imagine their attitude toward any colleague who dares to doubt their warnings.

The latest incitement to panic over global warming is the recently released summary of a 1,400-page report by the U.N.'s Intergovernmental Panel on Climate Change (IPCC). We won't get to see the actual report till May, but the IPCC's chairman, Rajendra Pachauri, says "I hope this report will shock people."

Given the media's hype concerning the human causes of global warming, it undoubtedly will. But the actual figures, when compared to those in the IPCC's last report in 2001, are downright encouraging.

Christopher Monckton, a British analyst, points out that the new summary "more than halved its high-end best estimate of the rise in sea level by 2100 from 3 feet to just 17 inches." (Al Gore predicts 20 to 30 feet.) Monckton adds that "The U.N. has cut its estimate of (the human) net effect on climate by more than a third."

Part of the problem is that the earth's temperature is always in motion, up or down. At the moment, it is trending slightly up - three-hundredths of a degree Celsius since 2001.

Before that, in the midyears of the 20th century, it was actually falling - providing grist for the media's hysterical predictions of a "new Ice Age" back in the 1970s.

Meanwhile, you can count on the liberals to demand savage cutbacks in the output of America's "greedy" corporations (never mind what that does to the economy) and on the opportunistic hacks in the science faculties of our universities to carve still bigger grants for themselves out of the federal and state budgets to finance more justifications for the panic.

*William Rusher is a Distinguished Fellow of the Claremont Institute for the Study of Statesmanship and Political Philosophy.*

[Tracy Press, Guest Commentary, Thursday, Feb. 22, 2007:](#)

### **Get hard facts on bio-lab right**

By Clif Schofield

I found Tuesday's Tracy Press Their Voice quite amusing. Writers Dr. Judith Flanagan and Loulena Miles state in their commentary, "We would like to add hard facts to the discussion" regarding the proposed Lawrence Livermore National Laboratory's Site 300 bio-lab.

Here are some of the hard facts that they produced:

"It was apparently only a small amount of weaponized anthrax that escaped from Severdlovsk, Russia, in 1979 and killed up to 100 people and many animals." When did apparently become a hard fact? Killed up to 100? Did it kill 100 or did it kill two, or did something else do the killing? In 1979 Russia, it would be hard to know these facts.

Regarding detectors at the LLNL, "we cannot say whether such a detector exists in theory or actual form, but we can say that no existing technology can be 100 percent effective against accidental release." What part of that is a hard fact?

They state that people might be infected by escaped "clouds of bio-agents," but they never point out one incident of proven escape from any Level 4 bio-lab in the U.S. because there haven't been any. They state that large animals that are infected with bio-agents "will produce and host extremely large quantities of very dangerous viruses and bacteria." My understanding is that these dangerous viruses and bacteria will be studied in Petri dishes, not animals.

They continue to discuss Ebola escaping and killing people, but how many Americans have been killed by Ebola? None! Not one case reported in the U.S.

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hey state, "Even in the confines of high-level U.S. bio-safety laboratories there have been documented episodes of equipment malfunction." But they fail to show hard facts of that occurrence. They follow with this statement: "Finally, the culture of high-level alert under which this work would be carried out at Site 300 is hardly conducive to frank admission on the part of a worker if accidental release of a biological agent is discovered." These seem more like guesses than hard facts.

Anyone interested in knowing what is studied at bio-labs, Levels 1, 2, 3 and 4 can go to <http://bmbi.od.nih.gov/sect3bs13.htm>. There is even a procedure for dealing with insects and rodents that might infiltrate such labs.

*Clif Schofield, a 15-year Tracy resident, is a retired custom-home builder and a 2006 Tracy City Council candidate.*

[L.A. Times commentary, Friday, Feb. 23, 2007:](#)

## Airing a pollution solution for the ports

By Rick Wartzman

Luis Ceja's orange Freightliner is rumbling down Ferry Street near the Port of Los Angeles, spewing diesel fumes.

As a tiny, plastic hula girl shimmies on the dashboard, Ceja starts fuming too — about how hard his job is, about how little he earns and about the fact that he and his fellow truckers can't bear the burden of improving the air quality here.

"I hate that my truck pollutes," he says. "But I don't have the money to retrofit it or replace it. If they put the bill on us, it's just not going to happen."

In the coming weeks, you're going to start hearing a lot more about folks such as **Ceja**, who move a good portion of the more than \$300 billion (and growing like mad) worth of merchandise that passes through the ports of L.A. and Long Beach each year.

Sometime in March, port officials say, they will begin to make public the nitty-gritty of how they'd like to implement the truck portion of the Clean Air Action Plan, which was approved by both ports in November. The historic accord aims to approximately halve port-related emissions of diesel particulates, nitrogen oxide and sulfur oxide over the next five years. Choking soot from the harbor complex is a major cause of illness and death, including from cancer, in the L.A. Basin.

The details to be put forth are "fairly dramatic," says S. David Freeman, president of the Los Angeles Board of Harbor Commissioners and an ally of Mayor Antonio Villaraigosa.

That could well be an understatement. If Freeman and his commission colleagues go as far as they should, it would mean a total transformation of the way truckers do business at the ports, turning them from outside contractors to company employees and requiring the firms that hire them to meet new environmental and labor standards.

Those who profit from the current system will, of course, cry foul. But nothing short of an 18-Wheel Revolution is needed to fix the problem.

The Clean Air Action Plan doesn't take aim at dirty trucks alone. It will also tackle pollution from ships, trains, cargo-handling equipment and harbor craft. But the trucks, about 16,000 of them, are the trickiest to deal with because of the way the industry has been structured since it was deregulated in 1980. Perversely, the system makes those with the shallowest pockets responsible for absorbing most of the costs.

In all, the antipollution plan is expected to require up to \$2 billion for the purchase of new, clean-burning trucks (as much as \$120,000 a pop) or to retool existing ones (by adding, say, a \$20,000 filter system).

The ports, along with the South Coast Air Quality Management District, have promised \$200 million toward the effort. There's also the possibility of obtaining state bond funds to help. And state Sen. Alan Lowenthal, a Long Beach Democrat, is expected today to introduce a bill — similar to one the governor vetoed last year — that would raise about \$500 million annually by imposing a \$30 fee on each container shipped through the ports. Half of that would go to mopping the air, the other half to upgrading infrastructure.

Yet that's still not enough to completely clean up the trucking fleet. So who will pay for the rest? And once these vehicles are all in compliance, who will service them?

Right now, such expenses fall to guys like Ceja, who is technically an "independent contractor" but might as well wear the mantle of "minimum wage worker."

The 49-year-old father of three drives for a Carson company called Southern Counties Express Inc., one of about 600 trucking outfits that operate at the ports. Because of his contractor status, Ceja must pay for his fuel, insurance, taxes, licensing and repairs. He figures that, when all is said and done, he nets about \$8 an hour, typical of many port truckers.

In fact, study after study has found that many truckers work exceedingly long hours — often 60, 70 or more a week — to bring in a mere \$25,000 to \$30,000 a year. They have no pensions or health coverage.

"You're a slave to the truck," says Ceja, who began driving at the waterfront 25 years ago.

To try to change things, Ceja has become part of the Coalition for Clean and Safe Ports, which includes community and religious organizations, environmental groups and labor unions. It has been lobbying government officials to address "persistent structural problems" in the trucking industry, as it states in a filing. Achieving "meaningful, long-term solutions" for air quality, the alliance says, demands "a new business model."

Here, in a nutshell, is how that might look: The ports would put out bids and establish direct contractual relationships with trucking companies, spelling out what's expected of them. If they hoped to pick up loads at the harbor, the trucks they'd dispatch would have to be in compliance with environmental rules and their drivers would have to be full-fledged employees — ending the shadowy arrangements that have relegated truck cabs, in the words of a researcher, to "sweatshops on wheels."

The advantages are numerous. Even if the drivers continued to own their own trucks, they'd be on sounder financial footing as employees because they'd not only collect rent on their rigs but draw regular salaries. That would make it easier to maintain their vehicles.

At the same time, the revenue generated from the contracts could provide additional funding to help cleanse the air. This setup would also spark new efficiencies and make it a lot easier to keep track of who is going in and out of the ports — a much-needed security enhancement.

Not everybody is ready to swallow this strategy, and the fight is sure to be fierce. One trucking company owner I spoke with contends that it's all a backdoor attempt by the Teamsters to organize the drivers.

Matt Schrap, a regulatory specialist with the California Trucking Assn., says that any attempts by the ports to mandate a contracting relationship with the companies could trip over federal law. He also says it's simplistic to assume that having more truckers become company employees would make for better conditions. Some, he says, are thrilled at being independent and setting their own hours.

With unending gridlock at the ports, Schrap adds, the companies aren't raking in big bucks either. "It's not these motor carriers lining their pockets with gold on the backs of immigrant labor," he says. "Nobody is getting rich doing this."

Plenty of the particulars still need to be sorted out, including finding ways to make the shipping firms and those that own the cargo (the Wal-Marts of the world) pay their fair share of the clean-air plan. Meanwhile, Freeman clearly isn't fazed by the idea of a fundamental restructuring of the trucking sector.

It's "one approach," he says, "that seems to have a lot going for it."

It may be the only way, really, to get this important environmental initiative out of first gear.

[Letter to the Modesto Bee, Friday, Friday, Feb. 23, 2007:](#)

### **Rail line may work with changes**

Although I prefer the Hillwood proposal over West Park, I see some advantages to West Park's proposed rail use.

From the meetings I've attended and the reports that I've read, the biggest problem with the West Park proposal is the use of rail which will go through the center of Patterson, disrupting traffic, businesses and increasing noise and air pollution. From experience in downtown Modesto, we know the disadvantages this presents.

Although it would cost more, I suggest rerouting the rail lines along Rogers Road, under Sperry Avenue and continuing on down to the airfield. Rerouting the rail in this way has several long-term advantages:

It doesn't disrupt the historic downtown or cross-town traffic.

It would pass through Patterson's business-industrial area, providing more opportunities for the business communities.

It would pass the future Modesto Junior College West Side campus and shopping areas.

Commuter trains would run between Diablo Grande and Patterson.

No disruption to the historic downtown and advantages to the business park -- I can live with that.

*Gordon Barbosa, Patterson*

[Letter to the Fresno Bee, Friday, Feb. 23, 2007:](#)

### **Let's use roundabouts instead of traffic lights**

As my husband and I sit at nearly every stoplight when we go from place to place in the Fresno/Clovis area, I began to think why don't we do like Australia, New Zealand and England. The majority of their intersections are roundabouts.

We should consider all intersections from this point on that are designated to have stoplights should instead have roundabouts. This way the traffic would be constantly moving, no stopping and waiting for the light to change green, emitting toxic fumes while we sit there, and we would actually save on gasoline. I know we could get the knack of the roundabout because we all seem to be doing quite well at the roundabout in River Park.

It just seems to make sense.

*Genevieve Peterson, Fresno*

[Letters to the Contra Costa Times, Friday, Feb. 23, 2007:](#)

### **Curb wood fires**

Thank you for your Feb. 2 article "Board urges targeted ban on wood burning."

I was diagnosed with Chronic Obstructive Lung Disease 16 years ago. My lung disease requires me to take bronchodilators every day, conserve my energy and watch out for environmental

triggers that make my already labored breathing even more difficult. Like many people with lung disease in our community, the worst pollution I have to endure is fireplace smoke.

My neighbors cause this situation because their fireplaces and stoves are inefficient, they may be burning unseasoned wood and they are most likely unaware of the purpose of spare the air nights.

We need to regulate pollution from wood burning for the same reason we regulate pollution from automobiles and factories. According to the American Lung Association, wood smoke is harmful to our health.

With all the new wood burning technologies available, there is no reason to tolerate clouds of smoke coming out of our chimneys.

I am confident that with education about the harmful effects of wood smoke pollution, the public will support measures to reduce this harmful toxic substance so we can all breathe healthier air.

*John E. Bess III, Martinez*

### **A senior dilemma**

Councilwoman Jean Quan announced at a Feb. 15 community meeting that she will definitely support city approval of a 115-unit, low-income, senior housing development at the southeast corner of MacArthur Boulevard and High Street. The apartments of the five-story complex will be arranged in bowl fashion around a large, recessed concrete courtyard. Amenities will include community, computer and recreation rooms, with public transportation at the door. All this and subsidized rents. What's not to like?

Nothing, if one has no concern for his health. The triangular site of this development is completely pavement-locked, bounded by High Street to the northwest, MacArthur Boulevard to the northeast and Interstate 580 to the southwest. The combined daily traffic count is 220,000 vehicles. Lined bumper-to-bumper, these cars would extend all the way to Tijuana.

The building is approximately 25 feet from the freeway. Prevailing winds will blow the auto emissions directly against the rear wall and into the courtyard onto which the apartments open. Air to ventilate the apartments will be drawn in part from vents in this rear wall.

Recent research has indicated that fine particulate matter is the most dangerous part of auto emissions. These particles are so fine they resist exhalation. They accumulate in the lungs forming irritated tissue ripe for cancer growth or enter the blood stream by osmosis and become accelerants to heart disease.

Studies of emission effects on the general population by the Southern California Particle Center, an EPA-funded pollution research center, have found "decreased lung function, increased hospital visits for people with respiratory diseases, increased absenteeism from work and school and increased morbidity (illnesses) and mortality (deaths) associated with exposure to particulate matter."

For seniors, it's worse: "In the elderly, fine particulate pollution is strongly associated with most types of respiratory illness, circulatory and cardiovascular disease leading to heart disease, strokes and death," according to Dr. Matthew Fraser of Rice University's Environmental Engineering Department.

The health risk is compounded geometrically by proximity to the pollution source and duration of exposure. In 2003, California passed a law prohibiting the construction of a school within 500 feet

of very busy roadways. While children have only 180 six-hour school days per year, seniors at this complex will be right next to the freeway most of every day.

It also appears probable that this site does not meet federal standards for ozone and fine particulate pollution and shouldn't be considered for any residential use. Despite warnings at three meetings, Quan refuses to recognize any threat. This project is for low-income seniors without the resources to consider more expensive housing options. This vulnerable group should not be forced to choose between their limited pocketbooks and their health.

The city Planning Commission hearing on Feb. 28 is a concluding hurdle for this project. Would you want your grandparents to risk their longevity and quality of life by living in this complex? If not, please ask the Planning Commission today to deny this application. Find commission contact information at [www.orpn.org](http://www.orpn.org).

*Jim Forsyth, Oakland*