

Smog: How do they know the air is dirty?

By Mark Grossi

Smog Blog, FresnoBee.com, Wed., Jan. 14, 2009

Does the San Joaquin Valley have enough air monitors to really know what's going on? Does your neighborhood need one?

I count 22 sites on the California Air Resources Board's ozone page.

I know there are others around the Valley. Mostly, they're in cities.

The San Joaquin Valley Air Pollution Control District board will be asked tomorrow to expand the region's network with proposed monitors in Madera, Tranquillity and Lebec in the Tehachapi Mountains.

I've heard the experts describe the way the network functions. But I've also heard members of the public who wonder why there are not more monitors -- near freeways, farms and Sierra communities, such as Oakhurst.

What do you think?

By the way, the board meeting starts at 9 a.m. Thursday. The address is 1990 E. Gettysburg Ave. And if you really want to see it but can't get there, hook up via the internet and watch.

Case dismissed

Judge sides with county, developer in city's suit against West Park

Written by James Leonard

Patterson Irrigator, Wednesday, Jan. 14, 2009

The city of Patterson's lawsuit against a proposed industrial development at the Crows Landing Air Facility was dismissed last week, erasing a major legal hurdle for the controversial project.

Judge Tyler Tharpe of the Fresno County Superior Court ruled that the Stanislaus County Board of Supervisors did not — as the city had claimed — violate state law by moving forward with a proposal by PCCP West Park LLC for a 4,800-acre industrial park in and around the county-owned air facility.

The city's suit claimed the county committed to the project on April 22, when supervisors entered into a memorandum of understanding (MOU) to choose a master developer for the site and create a project description before an environmental impact report was complete. The environmental review is currently under way.

Tharpe's ruling was not entirely unexpected. A tentative ruling issued last month seemed to indicate he was leaning in favor of the county and West Park.

The county apparently thought the decision was never in doubt, though. County attorney John P. Doering said after the tentative ruling was issued that because the MOU was completely nonbinding and only valid for a six-month period — meaning it expired in October — there were talks of eliminating it to avoid the lawsuit.

He said the MOU was not a commitment to the project, but rather a written description of the project designed to facilitate the environmental review.

"We could have proceeded without the MOU," Doering said. "We considered rescinding it. But we felt the lawsuit was pointless and would ultimately fail, so we thought it was worth fighting a little."

The county turned out to be right, but that doesn't mean city officials regret opting for litigation.

“I feel it was worth it,” Patterson Mayor Becky Campo said. “We made them aware that we meant business when it came to defending our rights as West Siders. It did make them pay attention to us.”

Patterson’s argument

In his ruling, Tharpe cited California Environmental Quality Act guidelines that indicate a full environmental review cannot be completed on a project before the project has been fully defined — nor done so late that irrevocable decisions have already been made by governmental bodies.

The city’s argument was that the environmental impact report came too late, because the county has already committed to the project by way of the MOU and other circumstances. But Tharpe ruled that the MOU explicitly details conditions that must be met for the project to move forward and spells out clearly that the county can back out of the deal at any time.

“We were pleased that the judge agreed with most of our most central arguments,” said Sabrina Teller, the PCCP West Park attorney guiding the project through the CEQA process. “In our view, this just puts the matter behind us.”

The city’s case went beyond the MOU and to an application the county turned in for bond money from the California Transportation Commission in January 2008 — an application the city said contains language that shows the county’s strong commitment to the project.

The city claimed that commitment should have triggered the full environmental review, and it used a recent state Supreme Court decision as support.

On Oct. 30, the state Supreme Court ruled in the case *Save Tara v. City of West Hollywood* that the city violated state law by joining two developers and obtaining a federal grant for a senior citizen housing project before an environmental review had been completed.

But Tharpe ruled that Stanislaus County’s actions merely indicated its support of the project, not an irreversible commitment that would preclude the county from ultimately selecting a different project or taking any measures necessary to mitigate environmental concerns.

“It’s very clear that the court is ruling on the entire merits of the city’s case,” Teller said. “That kind of clear ruling is helpful. For now, we’re focused on being happy that the legal cloud is gone, and we’re going to keep moving forward on the EIR.”

More to come?

The West Park development is still the subject of an unsettled lawsuit brought by opposition group WS-PACE.org in September.

The language of that lawsuit appears to be very similar to that of the city’s, but it remains to be seen what affect last week’s ruling will have on the WS-PACE.org suit.

“We will be conferring with our consultants and our attorney, as well,” said Ron Swift, president of WS-PACE.org. “Our suit is sufficiently different from the city’s, but we will be weighting our options.”

A call to WS-PACE.org’s attorney earlier this week was not immediately returned. Teller said if the two lawsuits are “sufficiently different,” she doesn’t see how.

“I don’t think they are (different),” Teller said. “They’ve worded a few complaints slightly differently, but the central claims are, in my view, the same. And they want the same thing.”

There’s also the possibility that the city could appeal last week’s ruling. The City Council will discuss the case in closed session at a special meeting at 6 p.m. Thursday.

“We’ll continue to review and see what our options are,” said Cleve Morris, Patterson’s city manager.

Meanwhile, the West Park environmental review continues. Developer Gerry Kamilos said the draft EIR should be completed sometime this summer.

“We’re plugging away,” he said.

The ruling also will allow the county to continue the application process for the CTC bond money. Negotiations with Union Pacific Railroad regarding the short-haul rail lines needed for the project’s inland port had been on hold because Union Pacific was one of the parties in the city’s lawsuit.

Those negotiations should be the final step in securing the roughly \$22 million from the CTC for the rail lines, according to Keith Boggs, Stanislaus County’s deputy executive officer of economic development and its project manager for West Park.

Key players on both sides of the city’s lawsuit expressed hope that there would be no hard feelings as a result of the strategy.

Campo acknowledged the need for a positive working relationship between the city and the county and said there’s been no indication of any effects from the West Park case carrying over into other matters.

“Nobody wants to be in a lawsuit,” Campo said. “The tensions are not nice. But I can honestly say we’ve been trying to stay in contact with the (board of supervisors) through all of this. We have to maintain a good relationship with them, no matter what. We just have this one issue that we totally disagree on.”

Boggs indicated he’d like to see Patterson take more of a cooperative role with the county on the West Park project, rather than the adversarial stance it has taken so far. He said he looks forward to speaking with Campo and Morris and moving forward with the project.

“It’s unfortunate we had to go there, but I think there’s an olive branch,” Boggs said. “The county is eager to get to a place where everyone is constructive.”

Doering said even if the city doesn’t believe it, the county remains open to the possibility that the West Park project might not move forward without major alterations and could at some point be replaced by another project altogether.

“We’re committed to working with the cities and local community interests to make sure we’ve addressed their concerns,” Doering said. “That doesn’t mean we’re going to have a project everyone loves, but hopefully we’ll ultimately have a better project after receiving everyone’s input.”

Coastal power plants could face tougher rules

By Jane Kay, Environment Writer

S.F. Chronicle, Wednesday, January 14, 2009

San Francisco's Mirant Corp. power plant, under fire from the city attorney and environmental groups, is one of 19 power plants in California that could face tougher regulation under the Obama administration for killing billions of fish.

For now, state water regulators are allowing the Mirant plant in the city's Dogpatch neighborhood and the other power plants in California, including the huge Diablo Canyon Power Plant, to continue using a cooling system that sucks and grinds fish, flattens them on screens or boils them in hot water.

The coastal power plants withdraw cold water and discharge hot water at a rate of about 16.7 billion gallons per day, according to reports. The Mirant Potrero plant is blamed for killing hundreds of millions of fish larvae, including goby, northern anchovy, Pacific herring, California halibut and rockfishes.

Mirant also operates power plants in Antioch and Pittsburg. Dynergy of Houston runs the Moss Landing Power Plant, which takes and discharges water to the environmentally rich Elkhorn Slough on Monterey Bay.

California regulators could require the electric power plants to upgrade to fish-safe systems now under existing laws, environmental lawyers say, but instead are using legal questions over a 2004 U.S. EPA regulation to delay replacing the World War II-era technology, known as once-through cooling systems.

Two state agencies have objected to extending permits to operate the old systems, citing studies showing that 88 billion organisms are killed a year. Several of the state's power plants are moving ahead with projects to replace old systems - one on Humboldt Bay and others in Southern California. The technology at new power plants uses towers to cool boiling water and does not require cold seawater.

"We think California is long overdue for a state policy to phase out this antiquated, environmentally devastating technology," said Angela Haren, who works with the nonprofit California Coastkeeper Alliance. Studies show that larvae and small fish get pulled in with the water, while turtles, sea lions and seals get pulled onto the intake screens, she said.

Reid Cherlin, a spokesman for the Obama-Biden presidential transition, said the president-elect "has made it clear that his administration will uphold the principle of scientific integrity." Obama will work with his EPA administrator to "restore environmental protections ... and implement an aggressive agenda for clean water and healthy air," Cherlin said.

The federal regulation was adopted in 2004 and opens the way for 550 power plants nationwide to keep using the old system. Appearing in the Clean Water Act, it was partly struck down in court as a result of a lawsuit filed by national environmental groups led by Riverkeeper. The Stanford Environmental Law Clinic has a challenge pending in state court. The cases will be decided this year by the U.S. and California Supreme courts.

If the high courts rule to leave the matter to the EPA's discretion, the new EPA could rewrite the regulation or Congress could act, attorneys say.

EPA staff scientists wrote the regulation for the nation's 550 power plants, requiring for the first time those operating on sensitive estuaries and coastal waters to switch to a safer system. At the end of the rule-making, the White House removed that provision, and added a cost-benefit test, pitting the cost of upgrading systems against the worth of aquatic life destroyed.

Riverkeeper sued the EPA, charging that the added cost-benefit provision was illegal and that the EPA had to require a higher standard of "best available technology." The group won an appeal in federal court before an industry group brought the issue to the nation's high court.

In the meantime, the EPA advised local agencies to use "best professional judgment" when issuing individual permits on existing plants, EPA spokeswoman Enesta Jones said.

After negotiations, in 2006, the San Francisco Bay Regional Water Quality Control Board issued a permit to the Mirant power plant that lasted until Jan. 1 and said it was the intention of the board to prohibit the use of the harmful cooling system, unless Mirant demonstrated that it did no significant harm in San Francisco Bay.

Mirant has not demonstrated that in any study. Six months ago, it requested an extension of the permit, which the regional board granted. Bruce Wolfe, the regional water board's executive officer, said Tuesday that the pending Supreme Court decision has been slowing the regulation process.

He and other regional regulators are waiting for a policy clarification from the state water board, Wolfe said. The state water board is allowing most all of the state's electric power plants to keep operating the old cooling systems.

Chip Little, a Mirant spokesman, said the company will comply with its current permit, which allows it to use the same cooling system, until the water board issues a new permit.

San Francisco City Attorney Dennis Herrera said he was "extremely disappointed" in the regional board's response, adding: "I'm going to do everything in my power get this old, polluting power plant shut as quickly as possible."

Last week, state Sen. Ellen Corbett, D-San Leandro, introduced a bill aimed at phasing out old cooling technology.

Wal-Mart environmental report should rekindle debate on distribution center Merced expected to unveil the findings next month.

By Scott Jason

Merced Sun-Star, Wednesday, Jan. 14, 2009

The report detailing how the proposed Wal-Mart distribution center will change Merced's landscape will probably be released next month.

It will end more than three years of speculation about the proposed 1.2-million-square-foot warehouse's impact on the city. It will also formally launch the debate about whether it'll be a much-needed economic boost or an environmental nightmare.

Both sides, gearing up for the report's release, will use it to further their cause. They hope to persuade the City Council, which will decide the project's fate.

City planner Kim Espinosa said Tuesday that she's giving the report, an inch-and-a-half thick with double-sided pages, one more look before sending it back to EDAW, the firm writing it.

A release date should be set within the next week, she said. A year ago, the city hired an outside second company to review the report to make sure it's bullet-proof and can be defended in court. Wal-Mart is reimbursing the city for the second review.

An environmental report with omissions or mistakes can stall a project in court for months or years.

The study, required under state law, analyzes how the center will affect the environment, which includes air quality, traffic and water.

Wal-Mart plans to build the center on 230 acres between Childs and Gerard avenues. At capacity, more than 450 trucks will come and go each day.

The center, set to employ 600 people and run day and night, takes on added importance, given the recession and Merced's rising unemployment rate.

In 2005, when Wal-Mart proposed the warehouse, 10,000 residents, or 10 percent of the population, couldn't get a job.

Four years later, 14,500 people, or 13.3 percent of the county, can't find work.

"People need jobs," said Doug Fluetsch, chairman of the Merced County Jobs Coalition. "There's no other way around it. If we don't have people employed, crime increases, graffiti increases."

The coalition, which includes business leaders, was formed to support the distribution center. He said he's seen broad support for the project from e-mails and phone calls, which he expects to show at public meetings.

Besides hundreds of jobs, Fluetsch said the city's economic future is on the line. If the project is turned down he believes the community will get tagged as anti-growth and unwilling to change.

"It would be very difficult, if Wal-Mart doesn't succeed, for other businesses to succeed," he said. "Unfortunately, a lot is riding on this decision."

The opposition, meantime, is hoping the council will listen to the voices of residents who would live near the center and the ones who believe it will ruin the environment.

The Stop Wal-Mart Action Team, which has collected close to 4,000 signatures from people opposing the center, has been surveying residents in Southeast Merced about the project. Among other questions: whether they feel that city leaders listen to their concerns and take them seriously.

"They feel like their interests aren't being taken to heart," SWAT leader Nick Robinson said.

The survey is halfway done, with the group planning to talk with another 200 residents.

Once the environmental report is released, the group plans to present the survey results and tell people about how they can speak out about the center.

Some residents, regardless of their take on the project, feel as if the city's forcing the project on the community.

"It's not so much that (supporters) want a distribution center," Robinson said, "it's that they don't have any other options."

And so another chapter in the familiar economy vs. ecology debate opens next month. This time, the stakes are higher than ever.

Science, law will rule at EPA, Obama pick says

By DINA CAPPIELLO - Associated Press Writer

Tri-Valley Herald, Contra Costa Times, USA Today and other papers, Wed., January 14, 2009

WASHINGTON—Lisa Jackson, President-elect Barack Obama's pick to head the Environmental Protection Agency, pledged Wednesday that decisions at the agency will be based on science and the law and not politics.

Jackson's statement, prepared for her Senate confirmation hearing, was the clearest signal yet that the Obama administration plans to take the agency in a different direction. The Bush administration at times ignored the advice of scientific experts on decisions ranging from global warming to air pollution.

"Science must be the backbone of what EPA does," said Jackson. "EPA's addressing of scientific decisions should reflect the expert judgment of the agency's career scientists."

The Senate Committee on Environment and Public Works is also considering the nomination of Nancy Sutley, Obama's choice to chair the White House Council on Environmental Quality.

Sutley also vowed to rely on science as she helped to "move the nation to greater reliance on clean energy and increase energy security."

Senators are expected to press both candidates for details on how the incoming administration plans to tackle global warming and water pollution. They also could be asked whether they plan to redo Bush administration rules that Senate Democrats say have weakened environmental protections.

Obama has called for legislation to curb the gas emissions blamed for global warming. But it is unclear whether he will pursue a new law first or use existing statutes to more quickly address the problem. He could immediately grant states like California the right to regulate emissions from automobile tailpipes, or trigger controls under the Clean Air Act.

Democrats will want Jackson, the former head of New Jersey's environmental department, to commit to regulating the disposal of toxic coal ash after two recent spills at power plants in Alabama and Tennessee.

If confirmed, Jackson, 46, would be the first black person to lead the EPA—an agency with 17,000 employees and a \$7 billion budget.

Before running the New Jersey Department of Environmental Protection, Jackson worked at the EPA for 16 years. She served under Carol Browner, President Bill Clinton's EPA chief and Obama's pick for a new White House position coordinating energy and climate policy.

Sutley, 46, is the deputy mayor for energy and environment in Los Angeles. She is the daughter of Argentinean immigrants and is a gay rights activist. She also worked at the EPA during the Clinton administration.

If confirmed, Sutley will coordinate energy and environmental policy from the White House.

On the Net:

Senate Environment and Public Works Committee: <http://epw.senate.gov>

Environmental Protection Agency: <http://www.epa.gov>

White House Council on Environmental Quality: <http://www.whitehouse.gov/ceq/>

Study to examine effects of pollution on children's health

By DAVID COFFEY, McClatchy Newspapers
Modesto Bee, Wednesday, January 14, 2009

WASHINGTON — The largest study of children's health ever undertaken in the U.S. kicked off on Tuesday.

In an effort to learn more about the effects of pollution on American children, the National Children's Study will track up to 100,000 children's exposure to environmental factors from their first trimester before birth until they're at least 21.

Researchers will look for preventable factors in children's environments, said Dr. Philip Landrigan, the study's principal investigator at the Mount Sinai School of Medicine in New York.

The study, which took several years to plan and fund, is sponsored by the National Institutes of Health with support from the Centers for Disease Control and Prevention and the Environmental Protection Agency.

Information leading to advances in diagnosis and treatment for conditions such as autism, asthma, cerebral palsy and attention deficit disorder could be available in three to five years, said Dr. Peter Scheidt, the study's director.

Pregnant women who are invited to take part in the study will be asked to commit themselves and their children to 38 hours of examinations in the first two years. After that, only the children will be examined every three years.

Exams will consist of the confidential collection of blood, urine, hair and other physiological samples as well as environmental samples of the dust, water and air in the children's home environment, Scheidt said.

Participation in the study is limited to pregnant women living in specific areas selected by a mathematical model. Women can't volunteer, but they will be contacted by representatives of the study and given the option to participate. Those who participate will be given compensation.

For the next 18 months, study representatives will contact selected pregnant women in Queens, N.Y., and Duplin County, N.C. Afterward, the trial study will expand nationwide to include up to 100,000 children from 105 diverse locations in an effort to represent environmental and demographic differences.

The first two locations chosen for the study are "worlds apart," said Dr. Barbara Entwisle, the principal investigator at the University of North Carolina at Chapel Hill. Queens is densely populated, while Duplin County, in eastern North Carolina, is "rural and proudly southern," she said.

Court: TVA must install pollution controls near NC

The Associated Press

Tri-Valley Herald, Wednesday, January 14, 2009

ASHEVILLE, N.C.—The Tennessee Valley Authority must install pollution controls at four coal-fired power plants that spit emissions into North Carolina, a federal judge ordered Tuesday, siding with the state in its lawsuit against the nation's largest public utility.

The lawsuit filed in January 2006 by North Carolina Attorney General Roy Cooper argued the TVA wasn't doing enough to control emissions of sulfur dioxide, nitrogen oxides and mercury that drift east into North Carolina's mountains.

"This will help our air, our health and our travel and tourism economy," Cooper said in a statement.

Cooper's lawsuit asked the court to order the TVA—a federally owned corporation that serves 9 million customers in seven Southeastern states—to lower emissions from 11 coal-fired plants in three states to levels that would meet North Carolina's Clean Smokestacks Act by 2013.

Doing so, the state argued, could reduce premature deaths by 1,400 annually across the region.

U.S. District Court Judge Lacy Thornburg, who heard testimony during a 12-day trial last summer, ordered the four plants closest to North Carolina—three in Tennessee and one in Alabama—to install scrubbers and other controls, as well meet specific emissions caps.

In his ruling, Thornburg detailed the pollution controls the TVA has already installed, or has plans to install, at the plants. He ordered the utility to complete those, then maintain them year-round.

"TVA is disappointed by the court's decision. We are continuing to analyze it. In the meantime, TVA is committed to continue its work to improve the region's air quality," TVA spokesman John Moulton said from agency headquarters in Knoxville, Tenn.

The cost for TVA to make the four plants comply with the ruling was not immediately known. At trial, experts from both sides pegged the cost of installing the requested pollution controls at all 11 plants between \$3 and \$5 billion.

Before the trial started, the TVA said it had already spent some \$4.8 billion during the past few decades to improve air quality and emissions, with another \$1 billion in the works and plans for \$3 billion more in the next decade.

The four plants covered by the ruling are the closest to Great Smoky Mountains National Park, which straddles the Tennessee-North Carolina state line. The Bull Run plant now has a \$277 million smokestack scrubber. Two scrubbers costing \$500 million at the Kingston plant will come online later this year and in 2010. Engineering has begun on a \$300 million scrubber to start in 2013 at its John Sevier plant.

The fourth plant, Widows Creek in Alabama, has had scrubbers in operation for about 20 years on the two largest of its eight boilers. There are no immediate plans to add more.

Thornburg denied the state's request to add controls and caps at the seven other plants cited in Cooper's lawsuit, finding North Carolina failed to prove emissions from those facilities hurt the state's air quality.

"We're thrilled," said Molly Diggins, the North Carolina director of the Sierra Club. "Certainly we would like all of the plants to have to reduce their emissions. But these four plants, the judge made a good case that these have the most impact on North Carolina's air quality."

The ruling is the latest environmental blow for TVA, which is still reeling from a major coal ash spill at one of the Tennessee power plants covered by Tuesday's court ruling.

More than 1 billion gallons of toxin-laden sludge spewed into a lakeside neighborhood on Dec. 22 after a coal ash pond breached at the Kingston plant. The spill covered nearly 300 acres several feet deep in grayish muck, destroying three homes and damaging others. The cleanup tab could reach hundreds of millions of dollars.

Then last Friday, waste leaked into a creek from a retention pond at a coal-burning plant in Stevenson, Ala. TVA officials said the discharge—water laced with calcium sulfate, a component of a material known as gypsum—presented no danger to people or the environment. But environmentalists and some lawmakers said it was more evidence Congress needs to overhaul coal waste regulations.

Financial incentives mean home solar is hot

By Ramon Coronado

Sacramento Bee, Wednesday, January 14, 2009

While many in this troubled economy worry about making investments, Doris Dobkins didn't think twice about sticking her money on her roof.

"Instead of paying PG&E, I'm paying myself," said Dobkins, a Placer County homeowner who recently spent \$36,000 for an electricity-generating solar system.

Based on projected savings in her electricity bills, a state rebate and a new federal tax credit, Dobkins expects to recoup her investment in six years.

The family anticipates saving \$100 to \$150 a month on Pacific Gas and Electric Co. bills, and the utility company will credit them for excess electricity generated, she said.

Dobkins is one of many residents motivated by new financial incentives that help bring the cost of a home solar system within reach.

In December, more than 1,200 Californians applied for the state's solar rebate program, according to the California Public Utilities Commission.

Since the program began two years ago, more than 18,000 state homeowners and businesses have filed for rebates.

While the explosive increase in solar installations is good news for the environment, the growth has caught some by surprise.

"The solar issue got out there in front of the fire service," said Roseville Fire Marshal Dennis Mathisen.

In April, the first draft of state guidelines for solar systems was released by a task force of fire officials, solar companies, planners and home builders.

This summer in Roseville, the city expects to break ground on a regional training center for solar firefighting.

"It is important to educate (firefighters) in how these solar systems work and the additional steps that must be taken," Mathisen said.

The need for punching holes in a roof of a burning home requires sufficient spacing between solar panels, and even after utilities are shut off, some panels can be dangerous because they remain loaded with electricity, Mathisen said.

Last year, Roseville and Sierra College were given a \$468,000 state grant to encourage solar development.

The money came from a fund aimed at encouraging cities to reduce greenhouse emissions.

The city and Sierra will use most of the grant to fund a new solar training program offered through the college for firefighters, solar-system installers and building inspectors in the new center.

The Photovoltaic Program's first class will instruct in solar installation, design, business practices and safety lessons.

Kirk Uhler, a vice president of SolarPower Inc., said business was good last year.

"We had a threefold increase," said Uhler, whose Roseville-based firm has installed the solar system at the Staples Center in Los Angeles.

Uhler's company, one of the largest solar businesses in the Sacramento region, specializes in the manufacture and installation of systems for commercial and government clients.

"We are expecting an explosive growth on the residential side, based upon what we have seen on the commercial side," said Uhler, who is also a Placer County supervisor.

Steve Hansen, general manager for Solar Universe based in Loomis, specializes in retrofitting solar systems on homes.

He also expects the skyrocketing growth to continue.

"It is the hottest energy job going today," Hansen said.

The latest motivation to go solar may be a larger federal tax break that went into effect the first of the year. It gives homeowners a tax credit of as much as 30 percent of the cost of their systems.

The tax break was previously capped at \$2,000 per system.

The state rebates, paid for by utility ratepayers across the state, can range from 20 percent to 50 percent of the cost of a system.

The \$3 billion state rebate program is part of the California Solar Initiative, the 2007 measure aimed at reducing greenhouse gas emissions.

Sacramento Municipal Utility District also pays homeowners in Sacramento County \$2.20 per watt from their retrofitted solar systems.

Last year and the year before, there were 60 to 70 retrofitted SMUD homes, said Jim Barnett, a solar energy expert with SMUD.

Barnett also expects that Sacramento County will see more solar systems because of a new funding model that involves a third party who pays for the equipment and installation and leases the system to the homeowner.

"That model is coming to our area, and it is going to increase the activity because it will take the bite out of the upfront costs," Barnett said.

As a homeowner, Dobkins said she researched the solar systems for two to three years before taking the plunge.

But a radio advertisement describing the federal tax credit Congress passed last fall pushed her into action.

"That was all I needed," said the mother of two who with her husband has lived in their home for the past 15 years.

Last week, the solar panels went up on the Dobkins family's home in Lincoln.

"All of my neighbors are watching," Dobkins said. "Someone had to take the first step."

Schwarzenegger accused of doing bidding of big business

By Steven Harmon, MediaNews Sacramento Bureau
Tri-Valley Herald, Wednesday, January 14, 2009

SACRAMENTO — Gov. Arnold Schwarzenegger has chastised Democrats as being too firmly in the grasp of special interest groups and his fellow Republicans for hewing too closely to their anti-tax pledges.

But as he portrays himself as standing above the warring factions, Schwarzenegger has held fast to his own loyalties — to the business community — while claiming to seek a solution to the budget crisis that will simultaneously stimulate the economy.

Critics say his business-first ideology has clouded budget negotiations. Though both sides say progress has been made in the last several days, a number of obstacles remain, including the governor's demands that Democrats roll back some worker and environmental protections.

Schwarzenegger wants to eliminate the eight-hour workday to allow employers scheduling flexibility and is seeking to exempt a handful of major construction projects from environmental standards, saying exemptions from the California Environmental Quality Act would speed up job production for projects such as the \$420 million Caldecott Tunnel Fourth Bore expansion on State Route 24.

"This confirms that when the chips are down, the governor goes to bat for wealthy contributors and friends," said Jamie Court, director of Consumer Watchdog, which monitors campaign contributions to the governor. "His heart is with big business."

Administration officials insist the governor has not offered any special favors to the business community, pointing to his proposed tax increases in current negotiations, as well as past efforts such as limiting [greenhouse emissions](#), raising the minimum wage and attempting to reform the health care system.

"We're facing a \$42 billion shortfall, and the governor's priority is to get people back to work," said Aaron McLearn, the governor's spokesman. "His job creation measures do just that."

The administration estimates that 22,000 new jobs would be created with the exemptions and permit streamlining. CEQA is the state law that requires construction projects to minimize environmental impacts. It also allows the public to raise concerns. In addition to the CEQA exemptions, Schwarzenegger wants to create a Cabinet-level board that would have the authority to overrule state agencies' decisions on how quickly to issue building permits.

"I've not had a single conversation with big business in all the weeks I've been engaged in discussions," said Will Kempton, director of the California Department of Transportation, which has played a central role in pushing for the CEQA exemptions. "We maintain that the economic urgency compels us to create new opportunities for jobs through CEQA relief and permit streamlining."

Kempton acknowledged that a streamlined CEQA process could allow CalTrans to sidestep a decision on a pending appeal before the Alameda County Superior Court. CalTrans would be able to reapprove the project with a CEQA exemption.

A group of environmentalists, the Fourth Bore Coalition, is seeking stronger environmental protections to be put in place before allowing the Caldecott project to move forward.

Critics say "shovel-ready" projects — and tens of thousands of jobs — could have been protected if Schwarzenegger had agreed to the Democrats' \$18 billion deficit reduction plan. He vetoed it last week. Nearly 2,000 infrastructure projects were put on hold last month when a state agency that handles financing for bond-funded projects, the Pooled Money Investment Board, had to suspend the allocation of \$3.8 billion to avoid running out of cash.

"That's the part that makes me angry," said Paul Mason, deputy director of Sierra Club California. "The standoff is making the problem worse. People are losing jobs with projects that are funded by

PMIB dollars. There's more than enough good projects where you don't have to waive environmental protections. It's holding the state hostage to weak environmental protections in a way that doesn't even provide economic benefit in the short term."

Instead, Schwarzenegger appears to be using the budget crisis to sidestep environmental safeguards, said Ann Smulka, chair of the Fourth Bore Coalition and a member of Berkeley's Transportation Commission.

"It seems shortsighted to do something that would have an impact for the next 20 to 30 years for jobs that may be created in the next five years," Smulka said. "Especially when mitigation would provide jobs and should be done. This just shows the power of government versus the little guy, and CEQA is there to protect the little guy."

Developers have long sought to weaken CEQA, which they contend delays construction and increases costs. Developers and others in the construction industry have contributed \$21.6 million to Schwarzenegger since he took office in 2003 after promising to take moneyed influence out of Sacramento. He's taken another \$15 million from banks and other businesses, according to Consumer Watchdog.

Eliminating the eight-hour workday would reduce overtime pay for workers, which means less money going into the economy, said Art Pulaski, executive secretary-treasurer of the California Federation of Labor. "It's just more money in the pocket of big business and has nothing to do with spurring on the economy," Pulaski said. "And it only makes budget negotiations more complicated when you add extraneous things that have nothing to do with the budget."

The governor is merely trying to reduce costs for employers, which will enable them to hire more employees, said Allan Zaremborg, president and CEO of CalChamber, which represents more than 16,000 businesses.

"The governor knows that without a robust private sector, there's less money for essential government programs," Zaremborg said. "To say protecting jobs means he's in the pocket of big business is a misunderstanding."

Environmental group wins oil and gas appeal

By Susan Montoya Bryan, Associated Press Writer
Contra Costa Times, Wednesday, Jan. 14, 2009

ALBUQUERQUE, N.M.—U.S. Forest Service officials, in a rare move, have granted an appeal by a Western environmental group concerned about the impacts of potential oil and gas development on tens of thousands of acres in northern New Mexico.

The Santa Fe National Forest amended its land and resource management plan last summer to give forest officials more guidelines for dealing with oil and gas exploration and development on forest land that borders the San Juan Basin, one of the largest natural gas fields in the nation.

WildEarth Guardians asked regional forest officials to overturn the plan, saying the Santa Fe Forest failed to safeguard [air and water quality](#) and wildlife.

The group argued the forest's decision would have cleared the way for the Bureau of Land Management to lease more than 113,000 additional acres of the forest, resulting in more development and more emissions.

Deputy Regional Forester Gilbert Zepeda granted the appeal, saying the forest's plan lacked analysis required by the Endangered Species Act and did not include current air quality data.

The forest now has to prepare either a supplement with the required information or new environmental impact statement.

"We hope they recognize this as an opportunity to get it right, to make sure they're imposing stipulations that furnish a lasting protection of air quality and other values," Jeremy Nichols,

WildEarth Guardians' climate and energy program director, said Tuesday after learning of Zepeda's decision.

Santa Fe National Forest spokeswoman Dolores Maese said the forest is looking for the quickest possible solution because its current land and resource management plan doesn't include as many protections if oil and gas development were to occur.

The amended plan would have prohibited surface disturbance on steep slopes and in roadless areas on portions of the Cuba and Coyote ranger districts—about 2 percent of the Santa Fe National Forest.

The plan spelled out stipulations for development in riparian areas, wetlands and what it called high-visual quality areas. It also would have established timing limitations where needed for deer fawning and elk calving and the Northern goshawk and peregrine falcon.

"Those stipulations were so important," Maese said. "Right now, it's just a matter of getting them in place."

It's not often administrative appeals are granted, but Nichols said other federal agencies should take note of the decision by regional forest officials.

"Winning an appeal decision like this should put them on notice that we do have some power here and this is an issue that they need to start taking seriously," he said. "They can't just run roughshod over our public lands, polluting the air, and think they can just get away with it."

On the Net:

Santa Fe National Forest: <http://www.fs.fed.us/r3/sfe/>

WildEarth Guardians: <http://www.wildearthguardians.org/>

Serbian power grid overloaded amid gas dispute

The Associated Press

Merced Sun-Star, Wednesday, Jan. 14, 2009

BELGRADE, Serbia -- Serbia's government is warning that its power grid is getting overloaded, as thousands switch to electricity for heating amid gas shortages caused by the Russia-Ukraine energy dispute.

Authorities said the capital Belgrade is facing increased [air pollution](#) as residents and businesses switch from using natural gas to oil for heat.

The weeklong dispute between Russia and Ukraine has stopped gas flows to Europe. Serbia has imported gas from Hungary and Germany and switched to heating oil to overcome the crisis.

But residents also have turned heavily to electricity to heat homes in winter.

The government said Wednesday that "Serbia's power grid is on the verge of its technical capabilities" and appealed for residents to conserve electricity.

[Chowchilla News, Letter to the Editor, Wednesday, Jan. 14, 2008:](#)

Editor:

In December, Pick-n-Pull Auto Dismantler's in conjunction with the city of Madera and Madera County sponsored a Vehicle Amnesty Day. The intent of these events is to allow the citizens of the area to clean up their property by removing unused or junk type vehicles through a no-cost program. These vehicles are blight on the communities and are a major source of ground and air pollution if not properly dismantled. The average vehicle contains eight gallons of gas, two gallons of oil, two gallons of transmission fluid, two gallons of coolant, two pounds of Freon, all of which can be contaminated with water, other chemicals and heavy metals and two mercury switches, plus five tires, all of which has or will leak onto the ground or into the air.

Pick-n-Pull would like to congratulate everyone in the area that took advantage of this free program to rid their property of these vehicles and be a part of the solution for community clean-up. We would also like to commend Fraser from the city of Madera Code Enforcement and Eric Yancy from Madera County Code Enforcement for helping to get the word out and being proactive in this clean up effort.

If anyone missed participating in this event, we are planning a similar event for next spring Watch for the ads in the Chowchilla News announcing the next event.

Jan Daniels, Contract Vehicle Purchasing Manager, Pick-n-Pull Auto Dismantlers

[Note: The following clip in Spanish discusses senatorial audiences will be held for EPA's elected officials. For more information on this Spanish clip, contact Claudia Encinas at \(559\) 230-5851.](#)

Sostendrán audiencias senatoriales funcionarias electas para medio ambiente

Manuel Ocaño

Noticiero Latino

Radio Bilingüe, Wednesday, January 14, 2008

El Comité de Medio Ambiente y Obras Públicas del Senado entrevistará hoy a las dos nominadas del presidente electo, Barack Obama, para dirigir la política de su administración sobre el medio ambiente. La nominada para dirigir la Agencia federal de Protección Ambiental, Lisa Jackson, y la encargada del Consejo de Calidad Ambiental de la Casa Blanca, Nancy Sutley expondrán en entrevista con senadores cómo planean reducir emisiones, el fenómeno invernadero y combatir el cambio climático. El Senado confirmaría a ambas nominadas como nuevas secretarías de las respectivas carteras este miércoles. Se espera que la entrante administración comience por conceder a estados como California permiso para aplicar sus propias leyes ambientales.