

## **Activists say they stopped rule rollback**

By Mark Grossi, FresnoBee.com, Thursday, Feb. 19, 2009

The budget battle in Sacramento almost wound up gutting pesticide air regulation, according to a coalition of air quality and farmworker advocates.

The proposed language for the rollback would have relaxed the state's obligations to reduce smog and fine particle-forming emissions from pesticides, said the coalition. But the language was dropped before the budget was passed, and the group says its opposition was instrumental.

"Axing pesticide protections would have had a devastating effect on the health of rural communities," said Teresa DeAnda, president of El Comité Para el Bienestar de Earlimart, a community group in the San Joaquin Valley.

## **VALLEY'S FUTURE ON AGENDA**

Modesto Bee, Friday, February 20, 2009

Thursday's inaugural Valley Futures Forum drew 20 participants from backgrounds including municipal planning, architecture, business and the League of Women Voters of Stanislaus County. The only self-described "average person," Modesto's Elaine Gorman, said she enjoyed the vigorous round-table discussion on reducing greenhouse gas emissions, led by a state Air Resources Board official. The board is developing "cap and trade" rules allowing companies to buy and sell emission allowances. Planning consultant George Osner said, "My interest in climate change is primarily driven by the fact that I have grandchildren." Transportation consultant Jerry Walters is slated to lead the next forum, scheduled for March 19 at the Great Valley Center in Modesto.

## **Highlights of plan to close Calif. budget deficit**

By The Associated Press

In the Contra Costa Times, Tri-Valley Herald and other papers, Friday, Feb. 20, 2009

The California Legislature adopted a package of bills Thursday to fill California's \$42 billion budget deficit through June 2010. It calls for a midyear fix to immediately reduce state spending and raise taxes.

From the plan:

### **Economic stimulus**

- Removes environmental hurdles and accelerates permit approval for 8 state road projects through 2010.
- A 2007 off-highway diesel regulation requires bulldozers, airport baggage trucks and ski resort snowcats to begin reducing emissions from their fleets in 2010. The rule phases in the regulation through 2020 for fleets of large vehicles. The budget proposal would delay the initial phase-in requirements, requiring fewer vehicles to comply in the early years.
- Exempts environmental reviews for selling surplus state property.
- A state grant program offers funding to companies that take steps to reduce harmful emissions from their vehicles before state air pollution requirements go into effect. The budget proposal would allow farmers to access that money even if the requirement has already taken effect.

## **Peninsula residents get extension on high-speed rail comment period**

By Will Oremus, Palo Alto Daily News

In the Contra Costa Times, Tri-Valley Herald and other papers, Friday, Feb. 20, 2009

Responding to a growing chorus of calls for more public input, California high-speed rail officials have agreed to extend by a month the environmental planning process for the San Jose-to-San

Francisco portion of the line. Residents and officials worried about the 125-mile-per-hour trains' impact on Peninsula neighborhoods will now have until April 6 to lodge their comments, concerns and suggestions as to what the environmental analysis should take into account.

The move came on Tuesday, when more than 100 Palo Alto residents packed a school board conference room for a question-and-answer session about the project. Dozens signed a petition stating they were "unequivocally opposed to elevation of the tracks in residential neighborhoods" and calling for a popular vote to ratify the California High Speed Rail Authority's plans for the Caltrain corridor.

A few people called for Palo Alto to join neighboring cities Menlo Park and Atherton in a lawsuit challenging the authority's decision to run the tracks up the Peninsula rather than through the East Bay.

Though Peninsula voters generally favored the \$40 billion Los Angeles-to-San Francisco project in a November bond measure, anxiety is growing among those close to the Caltrain tracks, fueled by rumors of eminent domain takings and 40-foot-high electrical lines. Some are pushing for the rail authority to put the tracks underground, others for the line to stop in San Jose, forcing passengers to transfer to Caltrain to reach San Francisco.

The authority, meanwhile, is trying to reassure residents that it will listen to them before making any final decisions. Dan Leavitt, deputy director of the California High Speed Rail Authority, said the current comment period is only the first of several on the path to eventual approval of the environmental documents. He said the authority will use the extension to sponsor additional information meetings in several cities.

"The Peninsula has always been pretty supportive of this notion" of high-speed rail, Leavitt said. "The key is they want to make sure it's done in a way that benefits their communities, and we believe it will."

The extension came in response to a formal request from Palo Alto Mayor Peter Drekmeier. He was echoing calls for more time from City Councilwoman Yoriko Kishimoto and officials in other cities.

Kishimoto said she was pleased with the authority's decision.

"I think it shows they're being responsive to public concerns," she said. "It will definitely help us with putting together a more comprehensive response" to the authority's request for input on the scope of the upcoming environmental study.

"Staff is going to be scrambling to put together a fairly detailed technical response, involving everything from public works to utilities," Kishimoto added. "I'm sure all the cities face that same challenge."

In fact, Atherton this week is submitting a 28-page letter detailing its concerns, including a request to send the tracks through an underground tunnel rather than lifting them above residential cross streets. High-speed rail has been the subject of contentious meetings there and in Menlo Park since early last year, a time when it hardly registered on the radar of officials and residents in Palo Alto.

In many other cities, there is still no controversy. A presentation by high-speed rail officials at a Burlingame City Council meeting Tuesday drew little comment from either residents or council members.

Palo Alto, along with Redwood City, faces an additional question beyond how to integrate high-speed trains with the residential neighborhoods: whether to compete for one of two potential Peninsula stops on the line. Millbrae, with its proximity to San Francisco International Airport, is most likely going to receive the other stop.

Some at Tuesday's meeting expressed reservations at the prospect of a major station in Palo Alto, which could require an 800-car parking garage and serve as a focal point for high-density development. Sara Armstrong, a resident of the Charleston Meadows neighborhood, worried a

Palo Alto station could endanger El Palo Alto, the historic redwood tree that gave the city its name.

Leavitt said that while it's good for residents to help shape the design of the line, they shouldn't forget that it presents benefits as well as challenges. It will reduce air pollution and traffic, make the Caltrain line more safe by eliminating crossings and be quieter than Caltrain's diesel-powered trains.

"I think that's why, if you look at the vote on high-speed rail, the Peninsula was one of the most positive in the state," Leavitt said.

The next high-speed rail meeting in Palo Alto will be on Feb. 26 at Mitchell Park Community Center, 3800 Middlefield Road.

## **NM releases ozone nonattainment list**

By Susan Montoya Bryan, Associated Press Writer

In the Contra Costa Times, Tri-Valley Herald and other papers, Friday, Feb. 20, 2009

ALBUQUERQUE, N.M.—New Mexico air quality officials said Thursday the northwestern corner of the state—home to one of the nation's largest natural gas fields and two coal-fired power plants—isn't meeting the federal government's new standard for ozone pollution.

Neither is Sunland Park, a rural area in the southern part of the state that sits near a major international population center that includes El Paso, Texas, and Ciudad Juarez, Mexico.

The New Mexico Air Quality Bureau is recommending that San Juan County and part of Rio Arriba County in the north and a portion of Dona Ana County in the south be classified as nonattainment areas because ozone levels there have surpassed the standard.

All states must turn in their recommendations next month to the U.S. Environmental Protection Agency, which will decide which areas need to reduce their ozone levels.

Ground-level ozone, the primary component of smog, forms when sunlight mixes with emissions from vehicles, industry and other pollution sources. The colorless gas can irritate the respiratory system, reduce lung capacity and aggravate asthma.

Mary Uhl, director of the Air Quality Bureau, said federal regulators will have a difficult task.

"I think EPA will be faced with a lot more nonattainment areas than it's used to facing for ozone and a lot more areas that are not the traditional nonattainment areas," she said, pointing to rural places in New Mexico and Wyoming that have seen levels as high as some major metropolitan areas.

The EPA last March lowered the health standard for ozone from its previous level of 0.08 parts per million to 0.075 ppm.

Agency officials have estimated that 345 counties will not be able to meet the standard and implementing it nationwide will cost around \$8 billion per year by 2020.

New Mexico's draft recommendations imply that the high ozone levels in the northwest and southern parts of the state are part of a regional problem.

In the Four Corners, for example, oil and gas operations extend across the state line into southwestern Colorado and the potential for future energy development throughout the San Juan Basin remain high.

Uhl said other sources of ozone pollution include vehicle tailpipes, coal-fired power plants and industry in general.

"How far sources in that area are actually contributing to issues at our monitor in San Juan County, that's going to be an interesting question for the EPA to decide," Uhl said. "It's certainly our position that probably there are sources in the region that are not under New Mexico's jurisdiction that will affect the nonattainment area."

Colorado's recommendations say the southwestern part of that state meets the federal standard and that most of the oil and gas development is south of the state line. It also says many natural gas support facilities and two coal-fired power plants are on New Mexico's side of the border.

Jeremy Nichols, climate and energy director for the environmental group WildEarth Guardians, accused Colorado of thumbing its nose at New Mexico.

"States are starting to realize the interstate nature of this problem. You would think they'd want to try to work together on this," he said. "... This is the basin that we need to be focusing on and to cut off that northern chunk, it's going to put New Mexico in a bind."

Paul Tourangeau, director of Colorado's Air Pollution Control Division, said Colorado has worked with New Mexico in establishing the Four Corners Air Quality Task Force to evaluate the region's air quality issues and come up with strategies to reduce emissions.

He also said Colorado has adopted numerous policies to reduce emissions from oil and gas activities and other sources on its side of the border.

Uhl said once the EPA designates those areas that fail to meet the standard, states will have until 2013 to come up with a plan to reach attainment and that could have far reaching consequences for some areas.

"That's the problem with nonattainment. Not only does it affect public health, it can also affect the economics of a region," she said. "That's why we want to bring the areas back into attainment to protect the public health but also to protect the economic interests."

### **BP to pay almost \$180 million in pollution case**

Modesto Bee, S.F. Chronicle and other papers, Friday, February 20, 2009

WASHINGTON — The international energy giant BP has agreed to pay almost \$180 million to settle a pollution case with the government.

BP Products North America Inc., a unit of British oil company BP PLC, agreed to spend \$161 million on pollution controls, pay another \$12 million in penalties, and spend another \$6 million on a project to reduce air pollution near its Texas City, Texas refinery.

The settlement with the Department of Justice and the Environmental Protection Agency follows a deadly explosion and fire in March 2005 that killed 15 people and injured more than 170 others.

In the incident, the company has already pleaded guilty to violating the Clean Air Act and agreed to pay a separate fine of \$50 million.

The settlement addresses what the government identified as the company's failure to comply with a 2001 consent decree requiring tight controls on benzene during the refining of petroleum.

Benzene is a hazardous air pollutant known to cause cancer, damage the nerve and immune systems, and affect reproduction and development.

BP spokesman Daren Beaudou said the company has spent more than \$100 million over the past 15 years on benzene emission controls for the refinery.

"We are pleased to have achieved this settlement and will work to continue reducing emissions and to ensure regulatory compliance at Texas City," Beaudou said.

The government says the new efforts will reduce emissions of benzene and other volatile organic compounds at the site by 6,000 pounds a year.

BP has also agreed to eliminate roughly 51,000 pounds of ozone-depleting hydro-chlorofluorocarbons, often referred to as HCFC's, by modernizing industrial cooling appliances at the refinery.

## **Hashem Akbari's cool anti-global-warming plan**

Justin Berton, staff writer

S.F. Chronicle, Friday, February 20, 2009

If Hashem Akbari's plan to stave off global warming is realized, it will come one rooftop at a time.

Akbari, a senior scientist at the Lawrence Berkeley National Laboratory, and a group of fellow geoengineers who are trying to counter the effects of climate change, have developed a relatively simple idea to offset carbon emissions and cool the Earth's urban surfaces: Make all rooftops and paved surfaces white.

Or at the very least, convert them to cool gray colors to reflect the sun's rays, instead of attracting and absorbing heat.

"We won't be solving the problem of global warming, by any means," Akbari said, "but we will be buying ourselves a little bit of breathing time."

Akbari, 59, who has published several papers and studies on the cooling effects of white surfaces, is hoping to launch a 100 Cool Cities program in which the hottest urban municipalities internationally would convert government-owned buildings to white roofs and offer homeowners incentives to make the switch.

"There are billions of roofs out there we'd have to change," Akbari said inside his office at the Lawrence Berkeley campus, beneath a roof that converted two years ago at Akbari's suggestion. "So this cannot be purely an informational program. This would have to be an action program, where the entire world organizes under one winning flag."

The concept of painting homes and buildings light colors to reflect heat is an old one, Akbari said. Growing up in Tehran, Akbari recalled large white structures in the desert that captured night wind to cool the building, keeping the people inside comfortable. Homes built along the banks of the balmy Mediterranean are still painted white to this day, Akbari noted.

In one study of a "heat island" - a densely packed urban area - Akbari and his team focused on the Los Angeles Basin and found that if all black surfaces were converted to white, the surface temperature could drop as much as 5 degrees. With cooler and cleaner air, a domino effect would occur: Less smog and pollution means fewer health problems, which lead to savings in medical bills. A cooler temperature also means less air conditioning, lower energy use, lower utility bills and so on.

In September, Akbari and his team published a study in the academic journal *Climatic Change*, which found for every 100 square feet of black rooftop converted to white, a building owner could offset about 1 ton of carbon dioxide.

Add to that all the world's paved urban surfaces (Akbari recommends converting black asphalt to an aged concrete color instead of white), and the team concluded enough cooling benefits to offset 44 billion tons of CO<sub>2</sub>.

Put another way, that's roughly the same amount of CO<sub>2</sub> the planet emits every 18 months.

Arthur Rosenfeld, a co-author of the study and a commissioner with the California Energy Commission, said the team estimated a worldwide conversion to white rooftops would take at least 20 years.

Rosenfeld added that California is the only state to embrace white roofing, at least on commercial projects.

In 2005, with the aid of Akbari's research, the state passed Title 24, a new building standards law that requires all builders and owners of commercial flattop roofs to first consider cool colors for major retrofits or new buildings.

The roofing industry has responded well, Akbari said, designing new materials and cooler colors to appeal to builders and home owners who are seeking cost savings and ecological benefits.

Some homeowners may wonder if they can paint their roof white today, and if it will have immediate benefits.

"I wouldn't stop you if you wanted to paint your rooftop white right now," Akbari said with a smile, adding that the proper materials may be more cost-effective in the long run.

"However, it will be good for you, it will be good for your neighbors, and it will be good for society."

[L.A. Times editorial, Friday, Feb. 20, 2009:](#)

### **A dumb diesel deal**

**A backroom deal to restrict emissions for off-road diesel vehicles, such as construction equipment, was put off two years. For pollution and health reasons, the Legislature should pass a bill to get tough.**

The Republican lawmakers who held up the state budget for months showed a profound disregard for democracy, the government's fiscal health and the environment -- but for those who have followed the state party's antics over the years, that's hardly surprising. What really boggles the mind is that one of their key backroom deals came at the expense of their own constituents and big-business allies.

Regulators spent two years holding public hearings and conducting studies before adopting rules in 2007 restricting emissions from off-road diesel vehicles, particularly heavy construction equipment. The state Air Resources Board estimated that the rules, which go into effect starting next year, would avert 4,000 premature deaths by 2030 and save up to \$26 billion in healthcare costs. Yet without a hearing or debate, GOP lawmakers attached a "trailer bill" to the budget that delays key retrofitting requirements, reducing by 17% the emissions savings the rules would have produced by 2014.

It isn't just that this thwarts the democratic process, runs counter to the public interest and contradicts the priorities of the governor and the majority of the Legislature. Nor is it just that people may suffer and die of asthma and cardiovascular disease as a result -- especially in the polluted Central Valley, where many GOP districts are headquartered. It's that it won't even ultimately benefit the construction industry, or any other.

California is required to meet federal Clean Air Act standards, and the off-road diesel rules were part of a comprehensive plan to bring the state into compliance by a 2014 deadline. Regulators will now have to find other ways of attaining the same pollution cuts, but air board chief Mary D. Nichols says there aren't any good options. There are two possible outcomes: Regulators will have to mandate cuts by other industries that would be far more economically damaging than the off-road diesel rules, or the state will be out of compliance in 2014 and face federal sanctions, including a cutoff of funding for transportation projects. Who will suffer if that happens? The construction industry.

It may not be too late to undo the damage. The Legislature could pass a bill, by majority vote, reinstating the former deadlines. That should be a top priority.

[Note: The following clip in Spanish discusses California is accused of not following air regulations in order to come to an agreement in determining the budget. For more information on this or other Spanish clips, contact Claudia Encinas at \(559\) 230-5851.](#)

### **Acusan a California de pactar en detrimento del ambiente para alcanzar presupuesto**

Manuel Ocaño

Noticiero Latino

Radio Bilingüe, Friday, February 20, 2009

El Fondo de Defensa Ambiental reveló hoy que California habría cedido reglamentos de protección del aire para negociar y lograr un acuerdo presupuestal. Kathryn Phillips, una de las codirectoras de este fondo, dijo que el acuerdo presupuestal tal y como pactado exenta de revisiones a diez proyectos de transporte y reduce límites a la contaminación de equipo de construcción. Advirtió que esas decisiones son contraproducentes en términos económicos, pues la contaminación provoca miles de casos de enfermedades respiratorias que cuesta mucho atender, además de contribuir a unas cuatro mil muertes prematuras anuales en California. Dicho concepto de prematuro es restar unos cinco años al promedio de esperanza de vida en el estado.

[Note: The following clip in Spanish discusses EPA presents a new national plan against carbon dioxide emissions.](#)

### **EPA presentaría nuevo plan nacional contra las emisiones de bióxido de carbono**

Manuel Ocaño

Noticiero Latino

Radio Bilingüe, Thursday, February 19, 2009

La administradora de la Agencia federal de Protección Ambiental (EPA), Lisa Jackson ordenó un análisis de las condiciones actuales de gases que provocan el cambio climático en Estados Unidos. Se espera que Jackson presente el próximo dos de abril, aniversario en que la Corte Suprema reconoció autoridad a la EPA para actuar nacionalmente contra la contaminación, para presentar un nuevo plan uniforme contra el dióxido de carbono y otros gases. A menos de un mes de ocupar el cargo, la administradora pidió a su personal todas las pruebas científicas y estimaciones sobre las emisiones en el país. De decretar se estas restricciones, sería la primera vez que la EPA dictaría nuevas medidas en los últimos ocho años.