

1,855 battle wildfire near Springville

By Tim Bragg, The Fresno Bee

Monday, Aug. 16, 2004

Fire crews continued their battle Sunday to contain a wildland fire in rough terrain northeast of Springville that threatened areas of giant sequoia trees in the Tulare County mountains.

The blaze, named the Deep fire, had burned 3,010 acres since starting Thursday evening near the Pacific Gas & Electric Co. powerhouse along Highway 190.

The fire was 31% contained Sunday, but officials did not know when it would be fully surrounded by fire lines.

The blaze is believed to have a human cause, but investigators still are trying to determine exactly how it started and whether it was an arson, said Denise Alonzo, a fire information officer with the Sequoia National Forest in Springville.

A reward is being offered for information about the fire's cause.

Flames continued to spread Sunday in a northeast direction, toward areas of giant sequoia trees near Mountain Home, said Alonzo. Incident commanders from the California Department of Forestry and U.S. Forest Service were taking steps Sunday morning to protect the trees.

"They're trying to keep it from crossing Bear Creek Road," said Alonzo. "The sequoias are in the national and state forest areas near there."

No structures have been destroyed by fire, but evacuation orders remained in effect Sunday for the Wishon Drainage, Doyle Springs and Wishon Camp areas. The day-use areas at both upper and lower Coffee Camp have been evacuated, as well as areas around Balch Park and Bear Creek Road.

The state's Mountain Home conservation and science camp also was evacuated. Highway 190 east of Springville remained closed Sunday, along with Balch Park and Bear Creek roads at the forest boundary.

An exact number of evacuated residents was not available Sunday, but Alonzo said about 50 homes in the Doyle Springs area were subject to evacuation orders. Campers also were evacuated from Balch Park, she said.

Tulare County sheriff's deputies and California Highway Patrol officers were enforcing the evacuation orders and road closures.

Alonzo said 1,715 firefighting personnel have been assigned to the blaze, along with 102 fire engines, 10 helicopters and 11 bulldozers. Five minor injuries to firefighters have been reported. So far, the fire has cost more than \$1.5 million to fight.

The main evacuation center was set up by the American Red Cross at the Springville Veterans Memorial Building and the Springville School.

The center will be open around the clock for those needing food and shelter.

Anyone with information on the cause of the fire is urged to call the Sequoia National Forest Dispatch center at (559) 781-5780.

Deep Fire 55 percent contained

By Sarah Villicana, The Porterville Recorder

Aug. 16, 2004

Firefighters are winning the war against Deep Fire - enough to allow some evacuated residents to return to their homes today. Four days after a wildfire began in the Tule River Canyon, fire officials announced Sunday that the fire was more than 50-percent contained and residents of Balch Park and Bear Creek would be allowed back into the area beginning at 10 a.m. today.

Those residents were among those evacuated on Friday as Deep Fire threatened several campgrounds and mountain communities.

More than 1,700 firefighters from around the state are currently battling the blaze in 12-hour rotating shifts, as the fire approaches areas near the Mountain Home State Forest. They are among the more than 3,600 firefighters who were combating seven significant fires totaling 34,000 acres throughout California on Sunday, said California Department of Forestry spokeswoman Karen Terrill.

According to U.S. Forest Service and the California Department of Forestry, seven firefighters have been injured while working to extinguish Deep fire.

Since Thursday night, Highway 190 east of Springville, Balch Park Road and Bear Creek Road have been closed at the Sequoia Forest boundary.

Fifty hand crews and 11 bulldozers are actively clearing brush on the ground while 10 helicopters, operating daily from 7 a.m. to 5 p.m., drop water and fire retardant on the most active portions of the fire.

"They are certainly worth their weight in gold," said Doug Johnston, an official with the Kern County Fire Department, referring to the swift and versatile helicopters. "They are very quick, very accurate and some carry a 1,500-gallon bucket."

State and federal officials are taking a proactive stance as they prepare for the possibility of flames reaching areas of the forest populated by Giant Sequoia trees.

No structures have been damaged by Deep Fire, which was threatening 80 homes and 20 commercial structures. The cost of the fire was estimated Sunday at \$1.55 million.

Investigators have said the fire was caused by human activity, but it is still not known whether or not the blaze was set intentionally.

As with most fires, weather conditions play a huge role in the fire's intensity, speed and direction of travel.

High temperatures, low humidity and steep terrain have made Deep Fire difficult to manage, but officials remain optimistic.

"Over the weekend, the humidity level was around 20 percent," said Johnston. "We are supposed to be seeing levels around 30 and 40 percent, which will make it much harder for the fire to burn."

On Saturday night, crews were successful in creating a clean fire line around Camp Wishon to protect it from approaching flames. Now that the fire has moved past the camp, several crews remain to monitor and extinguish spot fires that can emerge after the fire has been contained.

Currently, Deep Fire has scorched 3,172 acres and is 55 percent contained. The wildfire began shortly before 6 p.m. Thursday near the PG&E powerhouse along Highway 190 in the Tule River Canyon. Officials have made no predictions on when the fire will be fully contained.

Fire spreads to 2,500 acres

Storms could hamper efforts to contain blaze near Springville.

By Denny Boyles

[The Fresno Bee, Saturday, Aug. 14, 2004](#)

SPRINGVILLE -- A fire in the Tule River Canyon of the Sequoia National Forest has spread to more than 2,500 acres since it started early Thursday evening.

Denise Alonzo, a spokeswoman for the Sequoia National Forest, said the cause of the fire remains under investigation.

The first reports of the blaze, which ignited near the PG&E powerhouse along Highway 190, came in at 5:48 p.m. Thursday.

Firefighters, the bulk from Tulare and Kern counties, were battling the blaze with support from the Tulare County Sheriff's Office and the California Highway Patrol.

More than 800 firefighters, 19 aircraft, 19 fire engines, two water tenders and two bulldozers fought the fire Friday, which started in the Coffee Camp area about four miles above Springville.

About 30 families from the mountain community of Doyle Springs and nearby Camp Wishon were evacuated, along with the areas of Balch Park and Bear Creek.

No injuries were reported.

"I have been trying to get back home but no luck. I am lucky in that I had someone working up at my place, and we had been in contact via phone," said Bob Goings, who lives seven miles up along Bear Creek Road. "He was able to get my important papers out when he left."

His neighbor, Sherry Foot, was more concerned for her animals that are loose on her property. "I asked if I could make arrangements with someone in town to go get them rather than let them loose, but that's not possible now," she said.

Five wildlife biology researchers were evacuated from the Bear Creek area at Mountain Home Conservation Camp.

"We started our research project on the hawks in the forest in May and have three weeks to go," said Todd Larson, who hails from Canada.

"With this interruption, we may just conclude the program or may leave for a few days and return when the fire is controlled and contained."

The main evacuation center was set up by the Red Cross at the Springville Veterans Memorial Building and Springville School.

It will be open around the clock to those needing food and shelter.

Margie Clack, fire prevention officer for Sequoia National Forest, said the fire became more active because of an inversion layer that lifted Friday morning.

The blaze continues to burn northeast with 10% contained along Highway 190.

"The objective now is to keep the fire south and east of the Bulk Drainage and north of the Middle Fork of the Tule River and west of the North Fork of the Tule," Clack said.

A 30% chance of thunderstorms in the area may cause havoc along the fire lines, bringing with it gusty, erratic winds.

"If this happens, then the fire will become more active and we don't want it to get to communities and populated areas," Clack said.

Friday's wildfire also prompted the San Joaquin Valley Air Pollution Control District to issue a health cautionary statement Friday morning.

The statement warns residents of Springville, Porterville, Camp Nelson and surrounding areas to exercise caution for the next few days to avoid adverse health effects from the fire.

"We urge all residents in these areas to be aware of local conditions, and if you notice smoke, adjust your activities accordingly," said Gary Arcemont, an air quality specialist for the air district.

Arcemont said that, in general, if you can smell smoke, it's likely that you're in an area with poor air quality.

Tulare County officials declared a local emergency on Friday, according to county spokesman Eric Coyne.

Supervisors will take up the declaration during their Tuesday meeting.

Coyne said the local declaration is the first step in receiving state emergency status.

Shell confirms refinery deal

Oil company tells attorney general it will keep plant in Bakersfield open at least until Dec. 31.

By CHRIS KNAP

Monday, Aug. 16, Orange County Register

Shell Oil confirmed Friday that it has agreed to keep its Bakersfield refinery open until at least the end of the year, possibly longer if it can get a waiver of clean-air rules.

"This allows the sales process to mature," Shell spokesman Stan Mays said. "We are in active discussion with several parties, some of whom are just now getting information. We want to make sure that all parties have ample time to review that information and see the facility and make an informed decision."

Shell's reversal had been expected. The company had drawn broad criticism for its plan to close the 2.7 million gallon-per-day refinery, which provides 2 percent of the state gasoline supply and 6 percent of its diesel.

Shell President Lynn Elsen has conferred with California Attorney General Bill Lockyer by telephone last week to discuss an independent consultant's report on profitability of the refinery.

Shell had argued that the refinery showed poor economic performance in recent years, required heavy investments exceeding \$30 million and faced a dwindling supply of Kern River crude oil.

Critics challenged all of those explanations, suggesting Shell wanted to cut supply to boost prices and profits at its larger Martinez refinery.

But internal company documents showed that the Bakersfield refinery has been profitable, on average, going back five years.

This year, Shell has conceded, the refinery has been very profitable, earning net income that the company estimated at \$11 million in May.

The consultant, Malcolm Turner of Dallas, is a former Shell contractor retained by Lockyer to make an independent appraisal of the refinery's viability.

Lockyer declined to release the report, saying it contains confidential financial figures.

"I was convinced that this refining operation can be profitable," Lockyer said. "I think it doesn't meet the global investment objectives that Shell uses."

Shell has reserved the right to close the refinery at the end of December unless it can obtain a waiver of a court order that will subject it to financial penalties if it does not reduce air pollution from the refineries' heaters and boilers by the end of 2004.

Shell's Mays said those environmental upgrades were just part of the investment Shell had been reluctant to make in the 1932-era plant, which employs 250.

On Friday, Lockyer characterized Shell's decision as a welcome show of cooperation with his office's attempt to keep the refinery open.

"The drivers of this state need the gas produced by this refinery," Lockyer said.

Refinery workers get change in plans

Shell confirms facility will stay open until Dec. 31 -- and possibly longer

By ERIN WALDNER, Californian staff writer
[Bakersfield Californian, Saturday, Aug. 14, 2004](#)

Employees at the Shell Bakersfield Refinery were thrown for a loop Friday when the company confirmed it would continue to operate the plant at least until Dec. 31.

And it may stay open longer.

The company pledged to keep the refinery running until March 31, 2005 -- if it can meet certain environmental obligations.

The general manager at the facility, Aamir Farid, said Shell will close the plant Dec. 31 if the company can't obtain necessary air pollution variances and a new owner hasn't surfaced.

Farid said Shell agreed to delay the closure of the Rosedale Highway facility past the original Oct. 1. shuttering date to allow time for it to sell.

The California Attorney General's office, which is investigating Shell's plans for the refinery, and U.S. Sen. Barbara Boxer -- who had pushed for a delay in the closure -- were pleased.

California Attorney General Bill Lockyer said the postponement is good news for California motorists and other fuel consumers. The supply-and-demand balance is so fragile in the state that any loss in fuel can result in shortages and price spikes.

The refinery generates 2 percent of the state's gasoline supply and 6 percent of California diesel fuel.

It also has 235 employees and uses about 150 contractors.

Employees' reactions to the delayed closure are "all over the ballpark," said Ed Huhn, secretary treasurer of the union that represents refinery workers.

Some employees, he said, have already bought homes in other towns while others were expecting a severance package from Shell.

"For the most part," Huhn said, "I think people will be glad."

Farid said he met with about 70 employees Friday to brief them on Shell's new plans. He said he will talk with more today and Monday and begin going over each worker's situation.

Farid said about 125 employees had accepted offers to transfer to other Shell facilities, including refineries in Texas and Washington state. About 10 of them have already started their new jobs.

"Obviously, it (the closure delay) has an impact on our employees," Farid said, adding that the company will strive to minimize resulting difficulties.

Farid said Shell will honor all the relocations, but that those employees will be asked to stay at the Bakersfield refinery another three or six months, depending on when the plant sells or is shut down.

"I need employees to run the refinery," Farid said.

Farid said Shell will offer bonuses as a way of encouraging employees to stay. The union and Shell will have to hammer out specifics.

The company will offset temporary living expenses for employees who have bought homes in other Shell towns if they choose to stay in Bakersfield.

Employees whose families have moved can fly to visit them every two weeks, and the company will pick up the tab.

Finally, employees who were planning to retire Oct. 1 and take Shell's severance package will still receive the benefits, but not until the refinery closes or is sold, Farid said.

He said individual severance packages will be scratched if another company purchases the plant and offers comparable positions.

Outside the refinery, people including independent fuel marketers were pleased at the developments.

"I think it's great," said Ed Guess, an office manager and dispatcher at CL Bryant Inc., an independent fuel marketer that distributes all over the valley.

Guess said he is concerned about where his five truck drivers were going to get fuel after Oct. 1.

Loron Hodge, who heads the Kern County Farm Bureau, expects local farmers will be glad to hear the refinery will continue to produce diesel fuel.

"We're in the midst of our harvest and a lot of diesel is being used. Any shortage would be hard to deal with," he said.

The California Energy Commission also applauded Shell's decision to keep the refinery open longer.

"We want to make sure there's an adequate supply of fuel in the Bakersfield region," said Bill Keese, chairman of the commission.

Boxer has been a vocal critic of Shell's plans to shutter the refinery Oct. 1.

"This is an important victory," she said Friday, "but I won't be satisfied until this plant is kept open on a permanent basis."

Farid said about 10 companies have signed confidentiality agreements with Shell. That gives them access to data they otherwise wouldn't be allowed to see.

He said Shell has not found a buyer and he does not know if the refinery will sell by March 31.

Lockyer said he hopes delaying the plant's closure gives potential buyers time -- with the ultimate goal of selling the refinery and keeping it running.

However, a consent decree, or contract, that Shell entered into with the U.S. Environmental Protection Agency stipulates it must reduce air pollution from its eight refineries by a certain amount before Dec. 31 or face stiff fines.

Shell may be able to meet the requirements with existing and impending programs, according to Lockyer. He said Shell believes it can obtain a modification to the consent decree.

Lockyer said he's confident the refinery can be sold before the end of the year.

A report prepared for the attorney general found the refinery is profitable. Lockyer's office is not releasing that report.

Keese is hopeful the refinery will sell, but he's not optimistic.

"It will take somebody that has a long-term supply of heavy crude and that has the resources to make the major alterations that are required to keep it operating. This is an old refinery," he said.

Some have wondered why ChevronTexaco doesn't buy the refinery, given that it operates the Kern River oil field, which feeds into the refinery.

Lockyer said his office would need to evaluate whether there are antitrust implications in such a transaction, but ChevronTexaco has said it's not interested.

Efforts to reorganize Valley air quality board dead for this year

Saturday, Aug. 14, Modesto Bee

[BEE STAFF REPORTS](#)

SACRAMENTO -- Ripon, with a population of 12,300, has a representative on the valley air board. Fresno, with 456,100 people, and Modesto, with 206,872 people, do not.

Sen. Mike Machado, D-Linden, has introduced legislation to change that, by guaranteeing board seats for the valley's largest cities: two for Fresno, and one each for Modesto, Stockton and Bakersfield. He also proposed the addition of nonelected officials to the board of the San Joaquin Valley Air Pollution Control District.

But Machado's bill is dead for this year. "There just weren't the votes at this point where people were comfortable going forward with these changes," he said.

Opponents, mostly from county governments and the agricultural and oil sectors, said the air board works well and should not be changed. "We saw this as a solution for a problem that didn't exist," said Tom Jordan, a project adviser for the air pollution control district.

People behind Machado's legislation criticize the board as narrow-minded, beholden to local politics and underqualified to tackle complex air pollution issues.

Carolina Simunovic, a member of the Central Valley Air Quality Coalition, said the existing setup results in members who largely represent rural areas. "The attitudes of people in the urban centers (tend to) be more favorable to air quality regulations," she said.

Today, the board has 11 members -- one from each of eight county boards of supervisors in the valley and three from cities of varying sizes: Ripon; Madera, population 48,350; and Bakersfield, population 279,700.

Senate Bill 999 would establish a 15-member board: seven county members, one each from San Joaquin, Stanislaus, Merced, Fresno, Tulare and Kern counties, and one representing Kings and Madera counties; five city members; and three public members chosen by the board.

Fresno Sierra Club member Kevin Hall called SB 999's failure a serious blow.

"We don't have a science problem," he said. "We have a political problem. The board is our problem in the valley -- it always has been."

With each board member tied to a specific city or county, Hall said, they lack the capacity to act regionally to clean up the valley's air. "That is the critical flaw."

Debbie Jacobsen, president of the Fresno County Farm Bureau, said her organization opposes Machado's bill because it would bar membership by business owners, farmers and anyone else subject to air quality regulations, and it would cost money.

"We thought the dollars would be put to better use resolving air quality issues rather than reconfiguring the board," Jacobsen said.

Air quality advocates say the board cares more about the cost to industry than about the health of valley residents. "It has never paid attention to the concerns of well-respected groups like the American Lung Association," Simunovic said.

The board, created in the early 1990s, is in charge of planning ways to meet state and federal air standards.

Since its inception, the board has reduced pollution from sources such as oil refineries and gas stations by 47 percent, Jordan said. He said the board has enacted about 500 rules and changes to rules, and better air is the result.

Machado said he plans to try again next year to revamp the air board.

But there is no guarantee that Machado will have his Senate seat then. He is in a tight battle for re-election Nov. 2 with Stockton Mayor Gary Podesto. Gov. Schwarzenegger is backing Podesto, a fellow Republican.

Even if Machado does not return, the air board fight will go on, said John White, representing the Sierra Club in Sacramento.

"The challenge of cleaning up the air in the valley is going to take longer than the term of any one member," White said. "The issue isn't going away."

Smoke's effect on air hasn't spread far

By Patricia Jiayi Ho, Staff Writer

[Tulare Advance-Register and Visalia Times-Delta, Saturday, Aug. 14, 2004](#)

Smoke from the 2,500-acre fire near Springville may be cause for concern for neighboring areas, according to the San Joaquin Valley Air Pollution Control District.

Residents of Springville, Porterville, Camp Nelson and surrounding areas could be affected by high levels of particulates in the air. Exposure to high concentrations can increase the risk of heart attacks, aggravate lung conditions such as asthma and bronchitis, irritate throats and sinuses, and trigger headaches and allergies.

In areas affected by smoke, residents are encouraged to:

• Avoid or limit strenuous outdoor activities

• Try to remain indoors until the smoke clears

• Keep doors and windows closed and recirculate indoor air.

Air quality will likely worsen during evenings and mornings when there is less wind.

Jill Kemmerling, floor manager of the Springville Inn, said effects from the fire have not been great.

"So far so good this way," she said. The inn is in southwest Springville, while the fire is in foothills northeast of Springville. "Right now all day the breezes blow up the hill. Maybe we'll smell it more tonight."

It is unlikely air in Visalia will be much affected, said Brenda Turner, public outreach representative of the Air District.

"Overall, the levels [of pollutants in the air] have been getting better today," Turner said. She said there are no Spare the Air days forecast for Saturday or Sunday, partly because of cooler weather. Heat reacts with chemicals in the air to create ozone pollution.

"We're going into a cooling trend next week," Turner said.

State boards may face demise Review team calls for change in regulatory powers

By Jane Kay, Chronicle environment writer

S.F. Chronicle, Monday, August 16, 2004

There are three dozen specific recommendations for improving environmental protection in the recently released report by the California Performance Review team -- but the most dramatic change is a major philosophical shift that would take the regulation of business away from quasi-independent boards and put it under the direct control of the governor.

Under the plan, several powerful state boards would disappear -- the Air Resources Board, the State Water Resources Control Board and the regional water-quality boards, among others -- and be replaced by a centralized state Department of the Environment. The new department would have five divisions --

air quality; water quality; pollution prevention, recycling and waste management; site cleanup and emergency response, and pesticide regulation.

The state Board of Forestry and some others would be folded into a Department of Natural Resources.

The performance review team says abolishing some 118 boards -- of 339 that it evaluated -- and eliminating 1,150 appointees would promote government efficiency and responsibility. No estimate was made of the money it would save. "There is a value judgment here. We're trying to enhance accountability and increase efficiency," said Chris Reynolds, a policy analyst for the Board of Forestry who led the team making the environmental recommendations.

But many legislators and environmental groups say Gov. Arnold Schwarzenegger, who ordered the review, is responding to campaign promises to forge a "business-friendly California" by getting rid of some of the most effective boards, which have routinely set national precedents with their policies cracking down on air and water polluters.

Abolishing the boards would require legislative approval -- but if the governor were to prevail, the critics say, environmental protection would be subject to the political whims of the chief executive in office, and California might lose its reputation of leading the nation in progressive environmental regulation.

"The Air Resources Board is recognized throughout the country as the pre-eminent regulatory agency on air issues. It's led the fight on mobile source emissions as well as stationary sources," said Sen. Byron Sher, D-Palo Alto, who leaves the Legislature after 24 years at the end of this session because of term limits.

"What we do in California through this regulatory agency is followed by other states, particularly in New England. It's led to changes in air quality nationwide."

Sher has successfully carried more than 60 major environmental bills -- including the California Clean Air Act of 1987.

Under the leadership of the air board, California was the first state in the nation to demand less-polluting cars, trucks and buses as well as lead-free and cleaner-burning gasoline. The 11-member state Air Resources Board, made up of representatives of the most populous air districts, public members and experts in medicine, science and engineering, regulates vehicle engines and fuels.

The five-member State Water Resources Control Board approves plans and regulations promulgated by the seven regional boards involving pollution control and allocation of surface water for agriculture, cities and wildlife. In the mid-1970s, the San Francisco Bay Regional Water Quality Control Board, one of the regional offices, was the first regulatory agency in the country to make toxicity a standard in waste-discharge permits and to limit harmful chlorine as a disinfectant in effluent. Groundwater surveys in Silicon Valley in the early 1980s were the first in the country to discover toxic plumes coming from semiconductor manufacturers.

"If we had been following directions from Sacramento," said Larry Kolb, the assistant executive officer of the San Francisco board, "none of this would have happened. Gov. Deukmejian was not sure he wanted to get involved at all."

Although the review team had its eye on cutting the cost of state government, Reynolds said the move to abolish the boards was not so much a money-saving measure as a proposed change in the management structure. The savings from eliminating the air board, for instance, would amount to about \$250,000 a year.

"The Air Resources Board has done a good job, and has been a world leader in cleaning the air. The question is: Is the success achieved fundamentally inherent because it's a board structure? We don't believe that's the case," he said. "There are other states that don't have a board structure."

The review team wasn't driven by business interests, he said. When a group of business people was asked whether they objected to the boards, the response was mixed, Reynolds said.

Although the governor has influence over most of the boards because he appoints the members, the members serve for fixed terms and have a good deal of autonomy. In contrast, the staff members in state departments are part of the executive branch and work for cabinet officials, picked by the governor.

Kolb said he believes many of the past successes were due to the board structure.

"The fact that the boards are quasi-independent gives them the ability to be flexible and be responsive. They don't have to run every decision through headquarters. In a state as big as California, we need more decentralization and not rule at the home office," he said.

In Washington, Gloria Bergquist, a spokeswoman for the Alliance of Automobile Manufacturers, a group that has talked about suing the air board over its groundbreaking draft rules to cut greenhouse gas emissions in vehicles 30 percent by 2016, said, with a laugh, "It would hardly be prudent to say anything except positive things about the board. We're right in the middle of a CO₂-ruling making. Regardless, it's up to California to decide its regulatory structure, and we'll work with it."

Critics of the proposed change also fear that Californians would lose their voice in forging governmental policy if it goes through. Currently, public hearings precede board votes on policy -- decisions that would now be made in one of the new departments.

"People just have a better opportunity to express views to boards than they would trying to reflect their views before a department head," said Sher, who is against eliminating many of the major boards. "There will be plenty of industry groups that will object to the proposed changes."

Assemblyman Leland Yee, D-San Francisco, who sits on the 21-member California Performance Review Commission, which is charged with obtaining public comment on the plan, agreed.

"Under the guise of a more efficient government, our environment would most definitely suffer because there would be no review, and no oversight in regard to industry's behavior and practices," Yee said.

The commission will hold a hearing on the environmental aspects of the 2, 500-page report Sept. 17 in Fresno.

But Reynolds said the review team asked a simple set of questions.

If you don't have a board, would you have the same level of (public) participation? Even if you don't have a board, there are public participation elements written into the law. Most of the regulations that come before the board have come before public workshops."

Second wind

Air-quality champions shouldn't give up the fight for a better board.

[Fresno Bee editorial, Monday, Aug. 16, 2004](#)

The state Legislature sided with special interests last week, maintaining an unfortunate hurdle in the fight to clean up the San Joaquin Valley's air.

Senate Bill 999 by Sen. Mike Machado, D-Linden, would have remade the board that governs the San Joaquin Valley Air Pollution Control District. Unfortunately those with a stake in the status quo were successful in stalling the bill in an Assembly committee. It was a vote for dirty air.

This bill would have helped the Valley make progress against air pollution by adding four more members to the air district board and changing the way they are selected. This would have made the board more regional in its perspectives and give urban interests better representation.

The advantages of Machado's bill seemed obvious. Currently, the cities of Fresno, Stockton and Visalia have no representatives on the board. However, the San Joaquin County city of Ripon, population 10,100, is represented. That snapshot alone should be enough to rethink the board composition.

Machado ran out of time this year to address the concerns of the opposition but he is not giving up on his bill. He has plans to bring the measure back next year. However, politics could intervene. He faces a tough re-election race in the November election against Stockton Mayor Gary Podesto. Machado is not standing alone. John White of the Sierra Club in Sacramento says

the effort to make the board more representative of the Valley is not dead, regardless of whether Machado is re-elected.

"The challenge of cleaning up the air in the Valley is going to take longer than the term of any one member," he said. "The issue isn't going away."

Carolina Simunovic, a member of the Central Valley Air Quality Coalition, says this was a tough year to push this much-needed change, but adds, "we're optimistic that next year the conditions will be right to get this bill through."

Despite the setbacks, those who believe in cleaner air must persevere. The special interests have no problem putting their needs ahead of the Valley's health. That challenge can be overcome only if the rest of us are as relentless in pushing measures aimed at air quality.

This struggle is about the Valley's future. The setback on Machado's bill is a reminder that not everyone is acting in the region's best interest.

Hot air on global warming won't save lives

By Barry W. McCahill

[S. F. Chronicle commentary, Monday, Aug. 16, 2004](#)

Some California policy-makers believe they have divined a way to protect the planet from global climate change. But the pending regulations from the state's Air Resources Board will have no discernable effect on planetary temperatures, while wrecking havoc on our highways and lifestyles.

The board is implementing Assembly Bill 1493, signed into law by former Gov. Gray Davis, which was intended to reduce climate-change emissions from cars, SUVs, vans and light trucks. Golden State residents need to know that this course will substantially increase the number of fatalities and serious injuries on our highways. What's more, vehicles sold in California will cost more, and many of the larger, more useful SUVs and pickup trucks no longer will be available.

Why? Because the only way to reduce greenhouse gas emissions is to force vehicles to become more fuel efficient. Contrary to urban myth, no magic wand, no hidden technology will make vehicles go farther on a gallon of gasoline with no trade-offs. Fundamentally, there are only two roads to greater fuel efficiency -- and most Californians will not like either: Use very expensive technologies and materials or downsize the vehicles. So the upshot of the new fuel-economy regulation is that consumers will be burdened with more expensive, less useful and less safe vehicles. There is no free lunch.

Leaving aside cost for a moment, meeting the legislation's targeted 30 percent reduction in carbon dioxide would require vehicles to become roughly 30 percent more fuel efficient. This would be accomplished by becoming 30 percent less hefty. Consider this: A 30 percent more efficient four-wheel-drive Chevy Blazer is ... a two-wheel-drive Ford Escape, according to U.S. Environmental Protection Agency ratings. Think about that next time you're heading for Lake Tahoe with the family and a boat in tow.

But the most serious problem is that mandated fuel-economy increases have a bloody history. The laws of physics are enforced with brutal clarity when vehicles crash. They cannot be legislated away. Numerous academic, government and insurance-industry studies show that vehicle downsizing results in more deaths and injuries. The reason: Smaller cars inherently offer less crash protection than larger vehicles. Research supports this:

-- A Harvard School of Public Health-Brookings Institution study, found that vehicle downsizing, triggered by federal fuel-economy mandates, increased occupant deaths by 14 to 27 percent.

-- The National Highway Traffic Safety Administration found that an estimated 2,000 additional deaths and 20,000 serious injuries occurred every year, above what would have otherwise

happened, because of passenger-car downsizing in the late 1970s and early 1980s -- a finding recently confirmed by the National Academy of Sciences.

-- An in-depth analysis by USA Today, using NHTSA and auto insurance industry data, found similar results. Since the inception of federal fuel- economy regulations in the 1970s, vehicle downsizing has killed more than 50, 000 Americans - roughly equivalent to a sold-out Giants game.

The Legislature and former Gov. Davis relied on computer models that predict future global warming and resulting negative health consequences to justify this law. Yet, numerous studies such as those cited above were not factored into the equation. If health impact is the central basis for AB 1493, why aren't increased traffic injuries and deaths viewed at least as seriously - and I would argue, much more seriously?

All of this for what? Neither the Air Resources Board nor any other supporter of the new regulation can say it will have any real effect on global climate. Indeed, with carbon-dioxide emissions that are orders of magnitude larger on the rise in countries like China, this proposal is akin to using an eye dropper to drain a lake.

Californians with family, business or recreational interests requiring vehicles with hauling and towing capacity -- and anyone else who chooses not to drive a smaller, less safe vehicle -- should be outraged. Your SUV, pickup or minivan may be an endangered species. With so much at stake for so little, Gov. Arnold Schwarzenegger, legislators and others in government must reconsider their approach.

Barry W. McCahill is president of SUV Owners of America (www.suvoa.com), a nonprofit consumer organization, and a former official with the National Highway Traffic Safety Administration.

There's mystery in Valley's air

By Bill McEwen, columnist

The Fresno Bee, Sunday, Aug. 15, 2004

Walk to the crest of a trail bordering picturesque Shaver Lake, elevation 5,500 feet in the Sierra. Breathe deep.

Depending on the time and day, you might have drawn more harmful air into your lungs than if you'd been in downtown Los Angeles, poster city for smog.

How can this be?

Population growth in Central California, the San Joaquin Valley's unique geography and political failure have turned a respite in the Sierra into a lung-damaging sojourn.

Given that Shaver Lake at times has some of the dirtiest air in the country, you'd think that officials entrusted with cleaning it would want to know whether their measures are working. But the state Air Resources Board, citing budget problems, closed the Shaver Lake monitoring station in 2002 after recording 211 violations of the eight-hour federal standard for ozone over seven years.

I guess the state believes we're better off not knowing what's killing us. According to the state's own figures, more than 1,200 Valley residents die prematurely from bad air each year.

When the air is as dirty as it is here -- we've been forever out of compliance with the Clean Air Act -- it's impossible to have too much information. When an air basin comprises 25,000 square miles -- as ours does -- you need more than 21 monitoring stations.

A good place to start would be in the Sierra foothills, where towns such as Oakhurst are rapidly adding people and vehicles -- and catching the ozone drift from the Valley floor.

When the state consulted the San Joaquin Valley Air Pollution Control District two years ago, everyone agreed on closing one station in Stockton. That left a decision between another location on the Valley floor and Shaver Lake, said David Jones, planner for the Valley Air District.

"It would be preferable to have a site up there," Jones said. "But when we looked at our choices, that was the one we had to do."

Earlier this year, physicist Thomas Cahill told a Valley Town Hall audience our air problems require unique solutions, not a one-size-fits-all approach.

"Clearly, we are doing something wrong," said Cahill, a University of California at Davis professor and internationally recognized air-pollution expert.

Part of what's wrong isn't a mystery. We're trying to clean the air with federal, state and local programs that have turned into a three-headed monster.

For example, the local air district -- which has done an excellent job cleaning up pollution from stationary sources -- has no authority to regulate vehicle emissions, the source of about 55% of the ozone in the Valley.

That said, the board that oversees the Valley air district doesn't have an appointee from the medical community and it tilts toward rural interests. As crazy as it sounds, the 11-member board has representatives from the small towns of Ripon and Madera, but not from Fresno, Modesto and Stockton.

As for the federal government, you have to question whether it really wants us breathing clean air. This year, the Bush administration began allowing older, diesel-belching big rigs from Mexico into California against the state's wishes.

So the next time a politician talks about helping the pollution problem, tell him you want more monitoring stations -- not more hot, dirty air.

Plant the right trees

[Bakersfield Californian, Letter to the Editor, Saturday, Aug. 14, 2004](#)

Last week, driving to a meeting in Fresno, I was impressed by the much greater number of trees along Highway 41 and the major streets there. Highway 58 and some of 178 seem more like a desert in comparison.

With several recent stories, the answer to some problems recently reported, may well be the right trees. Trees of each kind have a well known growth pattern. Trees that are planted near power lines should not be such that they cause the problems as on White Lane.

Even the people who ought to know, often don't take the future size into consideration.

Can the urban forester help to prevent this in the future? For sound mitigation at Mesa Marin, the the most environmentally solution may well also be the right kinds of trees, instead of some decrepit oleanders. It would certainly spruce the area up so much. A plus; the trees also would help to treat pollutants produced by all the traffic and and the races.

-- GERHARD SCHMIDT, Bakersfield

Shameful tactics

[Letter to the Fresno Bee, Friday, Aug. 13, 2004](#)

Recently, The Bee reported on a front group's ad campaign ridiculing the California Clean Cars law. SUV Owners of America, a mouthpiece for the auto industry, is playing the same, tired message -- this time cloaked in a clown suit -- that emission control regulations restrict freedom of car choice.

Contrary to the group's propaganda, the adopted California Clean Cars law doesn't require weight reduction in cars, impose taxes on driving or vehicle types and it doesn't ban the sale of any

vehicle category. The fact is that this law gives us more choices and opportunities to buy cleaner versions of every type of vehicle currently in the marketplace, including SUVs and full-size pickups.

Car companies can use clowns to poke fun at global warming emissions. But farmers don't think droughts are funny, poor Californians and seniors facing higher risk of heat stroke don't see the humor, and asthmatics are too busy gasping to laugh.

Automakers should stop clowning around and invest the money they're spending on lobbyists and this silly ad campaign into developing cleaner vehicles.

Josette Merced Bello President/CEO

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Fresno