

Kings biosolids facility appeals die

County supervisors reject 3 challenges as plan nears approval

By Denny Boyles

The Fresno Bee

(Updated Wednesday, April 21, 2004, 6:14 AM)

HANFORD -- Kings County's first biosolids composting facility moved one step closer to operation Tuesday after the Board of Supervisors voted unanimously to reject three appeals to the project.

The appeals -- two filed by local resident groups and the third by an environmental group -- challenged elements of the facility's environmental impact report. Kings County Supervisor Tony Oliveira said that after listening to testimony, he still believed the project would be safe and beneficial.

"Today we focused almost entirely on the environment, which was good because we have a legal responsibility to do that. But we also need to realize that we have a moral and social responsibility to the county to watch over the economic health of our people as well," Oliveira said. "I think this project is environmentally sound and economically beneficial to us."

Ceil Howe Jr., president of Westlake Farms near Kettleman City, proposed the project as a partnership with the Sanitation Districts of Los Angeles County.

The facility, to be located at 23294 Utica Ave. in Hanford, would combine 500,000 wet tons of Class B biosolids with at least 200,000 tons of bulking agents, such as agricultural waste products, to produce as much as 900,000 tons of compost material each year. The compost produced by the facility would be used as a soil amendment on Westlake Farms cropland.

Howe said the project, which must get operating permits from the San Joaquin Valley Air Pollution Control District, is vital to the future of his family's farm.

"We've put our heart and soul into this effort for a reason. If this project hadn't gone through this process, if the county had turned it down, we would have had to do a lot of soul-searching about the future," he said.

Howe said his farm has had to lay off several hundred workers in recent years, and his hope is that this facility will allow some of them to be hired back.

"The facility itself will employ at least 120 workers, and the soil amendment it produces will allow us to bring more than 4,500 acres of currently fallow land back into production," Howe said.

The facility, at least 18 months from opening, would be operated by the sanitation districts. The districts will purchase 14,500 acres of land from Westlake Farms for the facility.

The compost facility would be established on 1,500 acres. The additional land, where the compost material would be used, is to be leased back to Westlake Farms.

Jim Stahl, a spokesman for the districts, said his group prefers to own the land on which it operates facilities.

"Our philosophy is that by being the owners, it is clear who is responsible for our products. We do this because we are confident in our ability to design and operate facilities with minimal impact to the local community," Stahl said.

Richard Harriman, a Fresno attorney who represents one of the groups whose appeal was denied, said he thinks a compromise will be reached to keep the project out of the courts.

"We are all reasonable people, and I think we can talk to each other and find some way for everyone to get what they want," Harriman said.

His group, the Franklin Tract Land Owners Association, had asked Westlake Farms to set aside additional land to create a buffer for the composting facility and a nature conservancy.

Kerry Vows Business-Friendly Programs to Reduce Pollution

By James Rainey, Times Staff Writer

Los Angeles Times

April 21, 2004

TAMPA, Fla. - Dismissing "the same tired, old arguments" that environmentalism and commerce cannot coexist, Democratic presidential candidate John F. Kerry said Tuesday that he would embark on a new era of pollution protections while simultaneously promoting business and industry.

Standing beside a haven for manatees and herons along Tampa Bay, Kerry told an audience of about 150 that President Bush had reversed three decades of environmental gains while relying on eco-friendly slogans that "would make George Orwell rise up in fear."

The event was the first of several over three days in the South that will stress Kerry's commitment to environmentalism - a theme picked to coincide with Thursday's Earth Day commemorations.

Kerry tried hard to use his setting to drive home his criticisms of Bush's environmental policies. Spotting a dolphin off the pier at Tampa's Ballast Point, he said: "There he is, over there. He says, 'Help, help, help!'"

The Massachusetts senator said he heard in the calling of the gulls another message for Bush: "Why don't you get off the stick and do something?"

Kerry said that as president, he would restore many Clinton administration initiatives Bush had reversed, including ones that would lead to greater preservation of open space.

He said he also would embark on new programs in four areas: improving the quality and health testing of public waters; reducing mercury and other harmful emissions from power plants; decreasing pollution runoff from farms, factories and residential neighborhoods; and increasing spending to form coastal preserves.

Kerry stressed that he would proceed deliberately, saying at least half a dozen times over 25 minutes that he would be "reasonable." He went on at some length about how he supported oil drilling in most areas - but not in ecological preserves.

"The same old, tired arguments keep coming at us," Kerry said, "that if you want a strong economy you have to stop doing some of these things that they call extreme. I have always believed in reasonableness. And so do you."

Bush's campaign responded practically before Kerry was done speaking.

"John Kerry's false attacks on the president's strong environmental record are purely political and ignore the progress that has been made under President Bush," campaign spokesman Steve Schmidt said. "Our air is clearer and our water is cleaner than before the president took office."

Joining Kerry at his event were Carol Browner, who headed the Environmental Protection Agency under Clinton, and Florida's two Democratic U.S. senators, Bob Graham and Bill Nelson.

Kerry told his audience that the names of Bush's key environmental proposals were underhanded - the Clean Skies Initiative and the Healthy Forests Initiative would degrade the air and forests, he charged.

Kerry claimed that the Clear Skies Initiative actually would allow 21 million tons more pollution into the environment than if existing Clean Air Act guidelines were followed. The Kerry camp claimed that Bush's plan would result in 100,000 more premature deaths compared with an alternate EPA plan.

Bush's campaign called that charge false, saying the administration's proposals to allow "efficient pollution control technologies" were little different than those proposed by Browner.

On power plant emissions, a report issued by the Kerry campaign says Bush seeks to cut emissions by 70% by 2018, compared with the 90% reduction by 2008 that the Clinton

administration had targeted. This lowering of standards, the report says, came despite an EPA finding that one in six children could be at risk of developmental disorders because of mercury exposure in the womb.

Kerry cited several other Bush policies he said were hurting the environment: a refusal to ban the gasoline additive MTBE, which has polluted groundwater across the nation; a reduction of the cleanup of Superfund pollution sites by 40%; and a reduction in the money available to states to clean up polluted storm water.

As with the other charges, Bush's campaign called the claims false or misleading, saying the president had included \$210 million in his 2005 budget request for cleaning up abandoned industrial "brownfields." The Bush aides said that was a 24% increase over the current spending.

Turning to his own program, Kerry pledged that he would:

- Work harder than Bush to enforce a 1990 law, the Beaches Environmental Assessment and Coastal Health Act, that increased standards for measuring water pollution and warning the public about health threats. Kerry said he would spend the money to allow local governments to conduct the studies, but he did not give a cost.
- Create a "toxics task force" at the EPA to identify the sources of contaminants entering the food stream. He said he would insist that when toxics were identified, federal officials moved quickly to reduce them.
- Develop a program of incentives to encourage farmers, developers and others to reduce the amount of pollutants they release into streets and storm drains - so-called "non-point" pollution that has been difficult for government to control.

As the campaign moved from Tampa to Miami for two evening fundraisers, Kerry was joined on his plane by Graham, Nelson and Sen. John Edwards (D-N.C.), Kerry's last major challenger in the party's presidential race. That put three potential choices for a running mate with Kerry on the short trip.

Schwarzenegger puts a (hydrogen) tiger in the tank

By Alexa H. Bluth -- Bee Capitol Bureau

The Sacramento Bee

Published 2:15 am PDT Wednesday, April 21, 2004

It may be a rare occasion when Gov. Arnold Schwarzenegger pumps his own gas, but when he does, it makes quite a splash.

Schwarzenegger cruised up to the University of California, Davis, on Tuesday in a hydrogen-fueled sport-utility vehicle to trumpet his plans for a "Hydrogen Highway" and then topped off the tank at a new fueling station on the campus.

He then formalized his calls for a "Hydrogen Highway" stretching the length of the state, signing an executive order directing state government to help make hydrogen-powered vehicles and fueling stations more readily available to California drivers and businesses.

He has pledged to build a "Hydrogen Highway" by 2010 that would include hydrogen fueling stations every 20 miles along California's major highways.

He said Tuesday the UC Davis fuel port is "station Number One" of about 150 to 200 stations planned throughout the state. Officials already expect 21 stations to be in operation by year's end.

Schwarzenegger's order directs state agencies to work with private industry to build the hydrogen network and calls on the California Environmental Protection Agency to develop a blueprint "for the rapid transition to a hydrogen economy" by Jan. 1.

It also promises that the state will negotiate with car and fuel-cell manufacturers to help make hydrogen-powered cars, buses, trucks and generators more widely available to consumers.

Finally, the governor said that the "government will lead by example" by increasing the number of clean-burning hydrogen-powered vehicles in its fleet.

Meanwhile, Schwarzenegger aides said the governor has yet to fulfill his campaign-trail promise to retrofit his own gas-guzzling Hummer to use clean-burning hydrogen fuel, but he is reportedly working with the car's manufacturers to devise a way to make the change.

The order simply cements a message the governor has delivered since he was running for office in the fall and again in his State of the State address in January.

"This is a signal to both the automobile industry and the fueling industry that this governor wants to make this happen," said Michele St. Martin, California EPA communications director.

The "Hydrogen Highway" initiative is estimated to cost about \$90 million, most of which would be borne by private industry and investors.

As demand and uncertainty about the flow of foreign oil pushes gasoline prices toward record highs, the automotive and energy industries are joining Schwarzenegger's push for hydrogen as a long-term solution.

Companies including Honda and Toyota, which in 2002 became the first automakers to introduce hydrogen vehicles in the U.S. market, and Air Products and Chemicals Inc. are bullish on the emerging technology.

But they recognize a fueling infrastructure must be put in place and technological hurdles overcome before there is consumer demand for their products.

For now, hydrogen-powered vehicles remain out of the price range of the average consumer. The battery-powered vehicle that Sacramento-based Anuvu Inc. will begin delivering to customers this summer carries a \$99,995 price tag, not unusual in the current marketplace.

EPA: Air quality in Valley 'serious'

By Dave Myhra - SAN JOAQUIN BUREAU

Tri-Valley Herald

Wednesday, April 21, 2004

San Joaquin Valley air was placed in the "serious" non-attainment category by the Environmental Protection Agency last week.

The agency used a more stringent ozone standard to classify the air. The new standard measures ozone over an eight-hour period. To be in attainment, the Valley needed 84 parts ozone for every billion liters of air, which is considered a healthy level.

In 2003, the year that the EPA was using for its statistics, the Valley was at 115 parts per billion.

That number has only fallen 6 parts per billion since 1988.

"We have a unique air pollution problem here in the Valley where the topography and meteorology contribute to long periods of poor air quality, making it more difficult to meet the eight-hour standard," said Don Hunsaker, supervising air quality planner for the San Joaquin Valley Air Pollution Control District.

Non-attainment designations are moderate, serious, severe, severe-17 and extreme. Each different designation comes with a preassigned air cleanup deadline.

The Valley has nine years to get the air below 84 parts ozone for every billion liters of air or risk facing about \$36 million in penalties, and the loss of \$2.2 billion in federal highway funds to local governments.

The penalty fees would be spread out between businesses depending on how much pollution they put out.

But meeting the standards "won't be easy," Hunsaker said.

The district will be using computer and air-quality models to determine what steps in emission standards will be necessary to meet the requirements. "We likely will need more control measures to meet the eight-hour standard than those already in place to meet the one-hour standard," Hunsacker said.

The one-hour standard requires that the air have less than 124 parts ozone per billion liters of air. The test is considered less strenuous because ozone levels can vary hour to hour.

This is a separate action from the Valley's pending downgrade to the "extreme" classification.

In December 2003, the air district requested that the state downgrade the Valley air to the worst air classification.

This request was based on the one-hour ozone standard. The Valley was at 151 parts per billion for that standard in 2003. This action will give the district about five extra years to clean up the air, district officials said.

Kerry blasts Bush's record on protecting environment He says president weakened rules on air, water quality

By Zachary Coile, S.F. Chronicle Washington Bureau

Wednesday, April 21, 2004

Washington -- Sen. John Kerry launched a concerted attack on President Bush's record on the environment Tuesday, saying the administration had been "playing dirty" by weakening rules that crack down on polluting industries.

The presumptive Democratic nominee's attack came during the first of three days of events he planned this week to critique Bush's record on the environment leading up to Thursday's 34th anniversary of Earth Day. Kerry believes raising concerns about Bush's record could improve his support among eco-conscious Democrats and independents in November.

Bush's campaign team and his backers dismissed the Democrat's charges as "purely political" and rushed to put out a list of the administration's environmental accomplishments.

Recent polls suggest the environment trails far behind the war in Iraq, terrorism, the economy and health care as a major issue for voters. A national poll this week showed the environment just ahead of race relations and far down on a list of the public's concerns.

But Kerry and his supporters argue that a majority of voters support strong environmental protection and could be galvanized to back the Massachusetts senator if they knew more about the contrast between his views and those of the president.

"As more people get a better understanding of just how bad the Bush administration's policies are in ways that quite frankly impact their lives ... I think the public will start to turn its attention to the issue," said Carol Browner, the former EPA administrator under President Bill Clinton, who is now advising the Kerry campaign.

Kerry appeared in Tampa, Fla., for a rally Tuesday, where he blasted the administration for trying to weaken the Clean Water Act and cutting the budget of programs that allow states and local communities to control pollution from storm water runoff, agriculture and other sources.

"In three short years, this president has put the brakes on 30 years of environmental progress," he said. "They're using the same tired old argument that you can't have a clean environment if you want a strong economy. Well, they're wrong. You can have both."

Kerry is scheduled to appear in New Orleans today with sportsmen and environmental leaders for another coastal event, and he is planning an Earth Day event Thursday in Houston, a city with one of the nation's smoggiest skylines.

Kerry's campaign also is rolling out new television ads in five states that accuse Bush of failing in his role as an environmental steward.

"George Bush let corporate polluters rewrite our environmental laws, and he wants to roll back the Clean Air and Water Acts and drill in the Arctic National Wildlife Refuge," the ad says.

A Bush campaign spokeswoman said the Kerry campaign was using scare tactics to obscure the administration's achievements on the environment over the last three years.

"John Kerry and his surrogates are choosing negative, bitter rhetoric in an attempt to cloud the progress that has been made under President Bush," said spokeswoman Tracey Schmitt. "Our air is clearer and our water is cleaner than before President Bush took office."

A Gallup poll conducted March 8-11 and released this week found that voters' top concerns were health care, crime, terrorist attacks and the economy. The environment came in eighth, just ahead of race relations.

The poll found that 35 percent of Americans said they were concerned about the environment. But there was a clear partisan split, with 45 percent of Democrats saying they worried "a great deal" about the environment, while only 18 percent of Republicans said the same.

Barbara O'Connor, a political communications professor at Sacramento State University, said Republicans were generally more concerned that environmental protection would cut into economic growth or lead to tax increases.

"It's an issue that gets more treatment by the Democrats, and it's linked to the fact that most Republicans are not willing to raise taxes right now, and many Democrats are," O'Connor said. "That's an issue that if you are going to delve into it and try to craft solutions, it requires some funding. So it's a funding issue."

But environmental groups are convinced the issue could help Democrats in several battleground states. Three groups announced Tuesday they were forming the Environmental Victory Project to target swing voters in Florida, New Mexico, Oregon and Wisconsin with mailed brochures, phone calls and TV ads. The group expects to raise \$6 million for the effort.

Those states are among 17 states identified by both parties as major battlegrounds of the November election.

O'Connor said a focus on the environment could help Kerry in states such as California and Florida, where issues including offshore oil drilling or air pollution are major concerns. But in other states -- such as the coal-producing state of West Virginia or Michigan, with its auto industry -- Kerry's positions on global warming or fuel efficiency standards could hurt him, she said.

The latest effort by Kerry could "energize his base of loyal Democrats, fend off Greens who might go over to (independent Ralph) Nader and win over some independents who care passionately about the environment," said Herb Weisberg, a political science professor at Ohio State University. "But so far, I would see the environment as a marginal issue for 2004."