

FARM SCENE: California farmers have until year's end to turn in plans to clean the air

JULIANA BARBASSA, Associated Press Writer
In the *S.F. Chronicle and Modesto Bee*, Monday, Dec. 27, 2004

FRESNO, Calif. (AP) -- The Central Valley's dairy, cotton, fruit and vegetable farms are the newest front in the fight to clean up one of the nation's dirtiest air basins.

The San Joaquin Valley Air Pollution Control District is requiring large-scale farmers to submit plans by the end of the year showing what they're doing to reduce the microscopic particles of dust, chemicals or other substances that come from their land.

Farmers with more than 100 contiguous acres and dairies with more than 500 cows meet the requirements to participate in the plan; that translates into more than 6,400 farms and dairies in the 270-mile-long valley between San Francisco and Los Angeles.

The farmers can choose from dozens of dust-fighting options. They include measures many already practice, such as watering unpaved roads, switching to organic farming and working at night when winds are lighter.

Environmental activists lauded the new requirements, saying it was about time farmers joined local governments and other industries in controlling dust. But critics said the requirement asks for too little and gives farmers too much room to count measures they already were taking as part of their improvement package.

Despite the concerns, more than two-thirds of farmers with enough land or cows to fall under the new rules had complied and submitted their two-year plans by early December, said Rick McVaigh, the regional air board's permit services manager.

Health advocates said asking farmers to do their part is an important step in addressing the region's pollution problem. Farms raise 51 percent of the tiny specks of dust that help give the valley one of the nation's highest asthma rates.

Farmer John Pucheu said the requirement has raised farmers' awareness of the need to keep dust down. Like many farmers, however, he said the air among the cotton fields where he lives feels a lot cleaner to him than what he sees when he goes into Fresno, the valley's largest city.

"In these urban areas, you have hundreds of thousands of cars," said Pucheu, who farms 3,500 acres in the west Fresno County town of Tranquillity. "Out here, most days the fields are just sitting there, growing."

The latest cleanup plan proposes reducing particulate pollution by 23 percent, or 34 tons a day, by 2010. To date, the region has missed a series of federal deadlines to reduce pollution -- and residents in the area are paying for it with the nation's highest asthma rate.

Medical research has shown that the particles that concern the air regulators and health workers -- called PM10 because they are under 10 micrometers, or one-seventh of a human hair in width -- can lead to chronic respiratory problems.

According to the American Lung Association, the tiniest particles -- those smaller than 2.5 micrometers -- can lodge themselves deep inside lung tissue. They have been linked to heart attacks, strokes and a shorter life expectancy.

The particles can consist of diesel exhaust, soot, ash and organic compounds from dairies such as ammonia, in addition to the dust that can rise from fields during harvest or tilling.

"No one likes to get regulated," said Josette Merced Bello, chief executive officer of the American Lung Association of Central California. "Ag is not the only source, and this is not the only solution. But it's important for everyone to get involved."

On the Net:

San Joaquin Air Pollution Control District: www.valleyair.org <<http://www.valleyair.org>>/

Plan to Cut Port Smog to Be Unveiled

Potential new rules and initiatives to reduce air pollution could require widespread changes and cost billions of dollars

By Deborah Schoch

[Los Angeles Times, Monday, Dec. 27, 2004](#)

In an effort to put a lid on Southern California's largest single source of air pollution, local, state and federal experts this week plan to unveil dozens of potential new rules and initiatives to cut smog from the fast-growing Los Angeles port complex.

In all, the proposals could cost billions of dollars and demand widespread changes at the nation's busiest seaport.

One of the most novel ideas: a trade-in program to replace all trucks calling at the port with cleaner models built in 2004 or later. Replacing 1,000 trucks would cost \$35 million to \$40 million, and officials estimate that several thousand older trucks could be affected.

Other ideas would employ technology rarely, if ever, used in the United States, including new power sources for ships docked at the port or idling near shore. Some ideas, such as restrictions on fuels for ships and trucks, might require new state or federal legislation.

For the last two months, as they crafted their plan, which is scheduled to receive its first public airing Wednesday, experts from the port and state and federal air quality agencies have been meeting for six hours a week or more via telephone conference calls, huddled over spreadsheets, graphics and calculators in offices and conference rooms. One call in late November was expected to last two hours but lasted seven, interrupted only by a half-hour lunch break.

The experts, conscious of California's reputation for innovative environmental rules, hope to produce a model of how to cut pollution at U.S. seaports, even as Asian imports continue to drive shipping to record levels.

"I can't think of anything that's more important for us to do right now," said Ed Avol, a professor of preventive medicine at USC who is helping to prepare Wednesday's presentation to a task force appointed by Los Angeles Mayor James K. Hahn. "This will really set the tone for how other ports deal with pollution."

The stakes are high. Although toxic emissions from cars and other sources have dropped dramatically in recent years, the Los Angeles area is still beset with the worst air pollution of any U.S. metropolitan area.

The fast-growing Los Angeles-Long Beach port complex is not only the largest air polluter in Southern California, it is one of the few where emissions are "large and growing," said Michael Scheible, deputy executive director of the state Air Resources Board.

In 2001, ships and other sources of pollution at the Port of Los Angeles produced an estimated 1,000 tons of particulates, specks of dust and soot that can be inhaled deep into the lungs and increase the risk of cancer and heart disease. By 2025, as port traffic continues to soar, the amount of particulates, much of which comes from diesel exhaust, could more than double, to 2,724 tons, according to worst-case projections.

Similarly, emissions of nitrogen oxides, a key component of smog, could increase from 20,000 tons in 2001 to 39,700 tons in 2025, the projections show.

Hahn has pledged to keep emissions from the port at 2001 levels -- a level the port already has far exceeded. When residents complained last summer that city and port officials were doing little to achieve the goal, Hahn assembled a 28-member task force including representatives from the shipping industry, labor, the community and environmental groups and charged them with deciding by the end of this year how to reduce port pollution.

For the last two months, out of public view, the team of experts that will report to Hahn's task force has been studying how to reduce pollution at the port and along freeways and railroad lines across the region.

Aside from its sheer scope, what makes the initiative so unusual is that experts from local, state and federal regulatory agencies are working closely with the port staff. Typically, the port would produce a plan that would then be reviewed by those agencies.

"What it shows is there's a sense of the importance of this, and a sense that we have to move quickly," said one of the experts, Peter Greenwald, a senior policy advisor at the South Coast Air Quality Management District.

The bulk of the work has been done by a group of technical experts from the port and the three major agencies overseeing air quality: the South Coast air district, the state Air Resources Board and the U.S. Environmental Protection Agency.

Showcasing an array of measures, from the use of low-sulfur fuel to cleaner-burning engines, the experts hope to show the task force how to close the gap between the amount of pollution three years ago and the amount expected by 2025.

Both the shipping industry and Hahn have incentives to support the cleanup effort. In the last two years, growth of the port and the neighboring Port of Long Beach have sparked an intense debate over how to weigh the economic benefits of moving goods through the Los Angeles region against the costs to public health. Residents from San Pedro to Riverside have castigated government and business leaders for what they see as an emphasis on moving goods rather than cleaning the air. Industry officials fear the outcry could derail key transportation projects such as the Long Beach Freeway expansion or lead to no-growth campaigns directed at the ports.

The political implications are significant for Hahn, who faces stiff competition in the March mayoral primary. Hahn's opponents sharply criticized the mayor during a recent televised debate for what they termed his slowness in dealing with port pollution.

Air quality regulators say their unusual involvement in the project stems from their own concerns about increasing port pollution. The biggest polluters at the ports are diesel-burning ships. They are largely foreign-owned and unregulated by state or federal agencies. Other major sources, such as trucks and railroad locomotives, are bound by far less stringent regulations than cars.

The course of the debate over port pollution may hinge on the control methods the experts identify and how those measures are viewed in coming weeks by a variety of interests, including community groups and the shipping and railroad industries.

After Wednesday's presentation, the task force will study the proposal and prepare a draft report for the mayor to be followed by public hearings. An array of government agencies and business groups would have to agree to the plan.

No one expects smooth sailing. Residents remain wary, although task force member Noel Park of San Pedro, a longtime port critic, said he is guardedly optimistic that the panel will produce useful information about how to control pollution.

"I'm less optimistic that programs will be implemented without some fierce budget fights," said Park, who fears the effort will be undermined by what he describes as "political and legal maneuverings" by port officials and industry leaders.

Business representatives on the mayor's task force also are taking a cautious approach.

Michele Grubbs, who represents the Pacific Maritime Shipping Assn., a trade group of shippers and terminal operators, wonders if the team is overestimating its pollution projections. Newer cargo ships are cleaner and carry more containers, meaning fewer ships emitting less pollution will be calling at the port, she said.

One major issue is how to pay for new control measures. Some task force members would like to see subsidies to industry to speed the adoption of controls. Others hope the federal government will step in, since the Los Angeles-Long Beach complex handles more than 40% of the nation's international container trade.

The Wednesday presentation will include models of how the amount of pollutants might be reduced to 2001 levels by the years 2008, 2010 and 2012, said Christopher Patton, a port staff environmental expert on the technical team.

Some team members were planning to work through the holiday weekend to complete those models, Patton said. "Everyone is holding their breath, wanting to see how close we get," he said. "I am cautiously optimistic that we'll have something that demonstrates that it can be done, without some draconian measures like putting growth caps on, but that's always in the wings."

Air district's forecasts not always on the mark

By STEPHANIE TAVARES, Californian staff writer
[Bakersfield Californian, Sunday, Dec. 26, 2004](#)

Critics of no-burn days have been saying it for months: The San Joaquin Valley Air Pollution Control District doesn't accurately predict air pollution.

And they're right.

District inspectors doled out tickets on Nov. 20 to people violating the no-burn day ordinance in Kern County. They had predicted the air quality would reach 157 on the air quality index, or the "unhealthy" level.

But the actual air quality that day wasn't bad enough to warrant a no-burn day. The 24-hour average on the air quality index was 83 -- well below the 151 index points required to declare a no-burn day.

And yet those tickets will stand, district officials said.

"One thing to remember is that implementation of the rule actually helps to keep us from reaching those unhealthy levels," district public education representative Anthony Presto said. "If it is forecast to be unhealthy and everyone burns in their fireplaces, it will be unhealthy. It's a preventative measure."

Critics, many of whom don't believe their fireplaces are the real air pollution culprits, aren't buying it.

"I find it especially revealing that the district has the audacity to send out their inspectors to cite people when they know full well that the actual AQI is not even close to the 150 mark necessary for a violation," said Bakersfield resident Ken Gonder, who was ticketed Nov. 20. "Clearly these actions are indicative of an arrogant, out-of-control agency that needs some reining in."

It wasn't the first time the district's predictions were off. And it hasn't been the last. Since Nov. 1, the first day of this year's no-burn day season, the district has incorrectly predicted the air quality level (good, moderate, unhealthy for sensitive groups, unhealthy and hazardous) 19 times -- about 36 percent of the time. Twice its predictions have been off by more than 75 index points, enough to make a predicted "unhealthy" air quality day actually turn out to be "moderate."

Those figures have riled critics of the fireplace restrictions. They say if they are going to face restrictions, the district better be sure they're necessary.

"The estimates are great, but what are the actual numbers?" said Bakersfield resident and critic of the no-burn program, Bud Beurmann. "If you look at the actual numbers over the last few months, their predictions are almost always wrong."

District officials maintain their record is still pretty good.

"We do, generally, get the categories right: unhealthful, good or moderate," district air quality supervisor and meteorologist Evan Shipp said. "We do pretty well in those categories but there are days when we don't do so well and most of those days are transitory when a weather system comes in and changes things."

Shipp said predicting air quality in the San Joaquin Valley is tricky because their predictions depend heavily on weather, which often changes unexpectedly.

"The timing of weather systems in the West Coast is somewhat difficult because you have storms coming in to a land mass and you may have high air pressure inland and you don't know if those weather systems are going to be pushed off by the air pressure or whether they are going to push their way in."

The district also uses vertical air movement predictions, the previous day's actual air quality and wind predictions in predicting air pollution levels.

The air district has given out 17 notices of violation during the two no-burn days in Kern County this year. Ten have since been dismissed or appealed.

Florez sows seeds of reconciliation

Water rights bills reach out to farmers irked by his clean air measures

By VIC POLLARD, Californian Sacramento Bureau
[Bakersfield Californian, Sunday, Dec. 26, 2004](#)

SACRAMENTO -- By sponsoring new legislation to help farmers protect their water rights, state Sen. Dean Florez may be mending some important political fences.

Florez, a Democrat from the farming town of Shafter, alienated many farmers and dairy owners two years ago when he pushed controversial bills to require them to begin helping clean up the air.

All the major agribusiness groups lined up to oppose the bills, or at least try to get them watered down before they became law. The measures will cost farms and dairies considerable money and aggravation as they join the rest of the nation's industries in the clean-air fight.

But early this month, a number of agricultural leaders accepted Florez's invitation to come to Sacramento for a show of support for his water bills.

They included the biggest irrigation water agency on the east side of the valley, grape and fruit growers, and public officials representing vast farming areas.

One group was notably absent, however. That was the dairy industry, which is still smoldering over Florez's air bills as well as his campaign to keep dairies farther away from cities and towns.

Nevertheless, the number of agribusiness leaders who praised Florez for introducing the water bills was a far cry from the chilly reception he would have gotten from many of them a year ago.

"This is very important for the economy of the valley," said Barry Bedwell, president of the California Grape and Tree Fruit League.

One of Florez's bills would block a federal court decision that may take much of the water that now irrigates farms on the valley's east side -- from Chowchilla to Arvin -- and use it to restore year-round flows in the San Joaquin River.

The river, which for eons flowed to San Francisco Bay, was deliberately dried up below Fresno a half-century ago by the construction of Friant Dam. The water was diverted to save east-side farms that were then dying for lack of water.

Many years later, environmental groups sued, charging that the construction of Friant Dam was a violation of state law that requires dam builders to preserve natural fisheries.

Earlier this year a federal judge agreed with the environmentalists. Both sides are now anxiously awaiting a decision by the court on how to implement the decision.

Environmentalists contend there is enough water for fish and farms.

But farmers fear the worst, that the ruling will take away a substantial portion of their irrigation water, forcing them to find costly new supplies or put some of them out of business.

Florez's bill is an attempt to block that. It would allow the state to make exceptions to the fish protection law when water is being put to good use for other purposes.

His other measure would reform and reduce state fees being charged to farmers and other water users for their water rights.

Florez knew he was taking a political risk when he sponsored the clean-air bills. They require such things as cleaner-burning engines on water pumps, better dust control and a phaseout of open-field burning of farm waste.

"I have a big (political) bank account with agriculture," Florez once said when asked how he could afford to alienate the most important interest group in his district.

Indeed, in his first few years in the Legislature, Florez sponsored numerous bills to help farmers in one way or another.

His first major move as an assemblyman rattled the political establishment of Kern County by dramatically forcing planners of the future Kern River Freeway to take steps to protect agricultural water storage facilities in the river bed.

He insists he is not pushing the farm-friendly water bills only to rebuild his bank account with farmers.

But he acknowledged it won't hurt.

"This gives us an opportunity to work together with agriculture again," he said.

Kole Upton, a Chowchilla farmer and president of the Friant Water Users Authority that has long managed the irrigation water from the San Joaquin River, said the water bills will "absolutely" help Florez mend fences with agriculture.

But not with dairy industry leaders, at least not yet. Most people feel it may be too much to expect for them to shake hands with Florez, at least partly because most dairies in Kern County are aligned politically with outgoing county Supervisor Pete Parra. He and Florez are bitter political enemies.

Michael Marsh, chief executive officer of Western United Dairymen, said in polite terms that Florez has a long way to go with his members.

"I would hope that Senator Florez works with us, because he can be very effective on a number of fronts," Marsh said.

"Building bridges is a lot better than building fences," he said in a twist on the old political metaphor. "Senator Florez could play a role in building bridges."

But Upton said he and many other farmers are ready to make up with Florez.

"Personally, I've always liked Dean Florez because he's a straight shooter, said Upton, a registered Republican.

"He's also been a bit of a maverick, and I like mavericks."

No-burn advisory remains in effect Pollution is risky for residents with sensitive lungs

By Russell Clemings

[The Fresno Bee, Saturday, Dec. 25, 2004](#)

With the fog expected to continue hanging low in the central San Joaquin Valley sky for much of this holiday weekend, air-pollution regulators are asking residents of Fresno and Tulare counties to keep the home fires out again today.

"Meteorologically, the conditions are the same as they were yesterday," said San Joaquin Valley Air Pollution Control District spokeswoman Kelly Malay.

Today's air quality forecast isn't quite as bad as the one for Christmas Eve.

But the air is still expected to be polluted enough to pose hazards for children and adults with respiratory ailments - not to mention what a blazing yule log might do to anyone who might try to climb down the chimney.

So for now, the voluntary no-burn advisory will remain in effect. "This high-pressure system is still sitting over us, and the air isn't mixing," Malay said. "We've had excellent cooperation from the public, but if everybody lights up [today], we're back in the same situation."

Without a reduction in air-pollution emissions on days like these, Malay said, the air-quality index could creep past 150, at which point the air is considered unhealthy for everyone.

When that happens, the voluntary burn ban becomes mandatory, and violations can result in fines.

Today's air-quality index is predicted to be 114 in Fresno County and 124 in Tulare County, well past the "unhealthy for sensitive groups" threshold of 100.

Outlying counties will fare somewhat better, with moderate air quality and an index of 95 predicted in Madera County, 91 in Merced County and 83 in Kings County.

In each county, the pollutants of most concern at this time are tiny particles, including the soot produced by burning wood in a stove or fireplace.

Put off roasting those chestnuts **Voluntary burning cutback could avert Christmas ban**

By Mark Grossi

[The Fresno Bee and Modesto Bee, Friday, Dec. 24, 2004](#)

Dirty air might be the Grinch that stole the yuletide fire this year.

Air authorities today are asking all San Joaquin Valley residents not to light their wood-burning fireplaces, stoves or heaters in hopes that they can avert a burning ban on Christmas.

The stagnant weather that brought thick fog to Fresno on Thursday threatens to push air quality into the unhealthy range Saturday.

If it does, the San Joaquin Valley Air Pollution Control District will ban wood fires on Christmas.

"We want to very, very much discourage burning today," said supervising meteorologist Evan Shipp. "We have high pressure building and weak winds aloft. It looks like the pattern is going to remain through Christmas."

Meteorologists said a storm is moving toward California, but they are uncertain whether it will reach the Valley on Sunday night or later.

Until some weather disturbance scours out the Valley, microscopic specks of soot, chemicals and other debris will accumulate and hang in the moist air.

The Valley is one of the worst places in the nation for such pollution.

Unhealthy levels of such particle pollution can trigger asthma and heart problems. Holidays, such as Christmas and New Year's Eve, are times when wood burning can make the problem worse around cities such as Fresno, Bakersfield, Modesto and Stockton.

The Valley has had only two days of burn bans this season - one in Kern County during November and one in Fresno and Tulare counties this month.

The district bases no-burn decisions on each county's air quality index, known as the AQI.

The index is a forecast rating system ranging from healthy air at zero to a lung-searing 300 or above.

When the AQI is forecast between 100 and 150, which is harmful to people with sensitive lungs, officials ask residents in the affected counties to voluntarily avoid burning wood.

That is the situation today in all eight San Joaquin Valley counties: Fresno, Madera, Kings, Tulare, Merced, Kern, Stanislaus and San Joaquin.

Burning is banned on days when the AQI is predicted to be above 150, which is unhealthy for the public.

Those who are cited for burning on such days face fines that range from \$50 to \$1,000. About 18 violation notices have been written this season.

The district exempts residents whose sole source of heat is wood.

It also excludes those who live above 3,000 feet and those who don't have access to natural gas.

If you live in Fresno, Tulare or Kern counties and you want to burn today, officials advise using pellet-fueled heaters, manufactured fire logs in open fireplaces or EPA Phase II-certified devices.

Oakland lawmaker wants crackdown on motorized scooters

[San Francisco Chronicle, Friday, Dec. 24, 2004](#)

A bill authored by Assemblywoman Wilma Chan (D-Oakland), which goes into effect Jan. 1, is aimed at cracking down on the noise, pollution and safety problems caused by motorized scooters.

Chan proposed the bill in response to thousands of injuries and several deaths nationwide and numerous complaints from residents about the noise and safety of motorized scooters.

Chan said East Bay residents have complained for months that scooter riders often dart in and out of traffic, lack any driver training and modify the engines to dramatically increase the noise level.

Motorized scooters are two-wheel scooters equipped with either a two-cycle gasoline engine or an electric motor and a battery, Chan said. The gas-powered scooters cost between \$400 and \$1,300. The electric scooters range from \$200 to about \$1,000.

Under Assembly Bill 1878 it will be illegal to modify the engine to increase noise, riding the scooters after dark or on freeways will be prohibited. It will also require riders to have a California driver's license or learner's permit.

The bill would crackdown on air pollution standards and give local governments the power to prohibit the sale of a motor scooter that produces 80 decibels (the noise of a vacuum cleaner) at a distance of 50 feet.

"Scooters are not harmless playthings," said Chan, who chairs the Assembly Health Care Committee. "We want young people to have fun, but not get hurt."

Current law prohibits anyone under 16 years of age driving motorized scooters.

According to the U.S. Consumer Protection Commission, at least three deaths have been associated with motorized scooters. Two of the deaths involved children, including a 6-year-old boy in California who died after falling off a motorized scooter and an 11-year-old Pennsylvania boy who died when the motorized scooter he was riding crashed into a truck.

Chan said that according to the U.S. Consumer Protection Commission, in 2000, there were an estimated 4,390 hospital emergency room treated injuries associated with motorized scooters in the U.S., representing more than a 200-percent increase over the 1999 estimate of 1,330 injuries.

In 2000, an estimated 39 percent of the injuries occurred to children under 15 years of age. Most injuries occurred to the arms, legs, faces, and heads. The most common injuries were fractures.

The bill was sponsored by the City of Oakland and Chan worked with Oakland City Council President Ignacio De La Fuente and City Councilwomen Jean Quan and Nancy Nadel to craft it.

U.S. carmakers talking green, strides smaller

By GREG SCHNEIDER - THE WASHINGTON POST

[Modesto Bee, Wheels, Friday, Dec. 24, 2004](#)

General Motors Corp., which sells the gas-gobbling Hummer, urges Americans to "Get Green" on a special Web site and is producing advertising campaigns trumpeting hydrogen fuel and gas-electric hybrid vehicles.

Ford Motor Co., with the poorest average fuel economy of any major automaker, markets its new hybrid sport utility vehicle in Mother Jones and other politically left magazines and has planted energy-saving grass on the roof of its newest truck plant.

After years of pushing power and performance, the U.S. auto industry has begun to view conservation as a marketable quality. But the companies are stepping cautiously, and so far, the green marketing is far outpacing the manufacturing of energy-efficient vehicles.

Environmental activists say they are encouraged, if not yet convinced. "The carmakers are definitely talking the environmental line a lot more," said Jennifer Krill of the Rainforest Action Network in San Francisco. While such marketing is "a sign of optimism," she said, "we still don't see the environmental products coming off the assembly line."

And for all the talk of change, the U.S. market continues to be dominated by power and style. The Chrysler Group has made far less noise about its green technologies, which include small electric "neighborhood vehicles" as well as super-efficient diesel engines.

But Chrysler is also the only one of the Big Three automakers to gain market share over the past few months, thanks to its powerful "hemi" engines, racy Dodge Magnum wagon and big-grille 300 sedan.

Still, Detroit is moving to respond to the success of Toyota's popular Prius hybrid and the realization that higher gasoline prices are here to stay. The automakers believe Americans finally seem willing to pay for alternative technologies that long have been confined to the laboratory or test track.

In its push, GM has gone nationwide with ads for two new hybrid pickup trucks. But the modified Chevy Silverado and GMC Sierra are available in only a few markets in Florida and Western states, and the company expects to sell a mere 1,500 in the coming year, said Kenneth C. Stewart, marketing director for new ventures. What's more, the trucks are only "mild" hybrids: they do not have electric drive trains, and their batteries extend gas mileage by only about 10 percent.

Ford is building about 20,000 of its new Escape hybrid SUVs in the coming year, while demand is far higher. At the same time, Ford will sell nearly 10 times as many ordinary Escapes, which get half the gas mileage. The company's overwhelming reliance on truck sales helps drag its overall fuel economy rating below that of any other major automaker, to 18.8 miles per gallon last year, according to the Environmental Protection Agency.

Some environmental groups consider William Clay Ford Jr., Ford's chief executive, to be the executive most likely to push for change at the company. Environment-friendly marketing "is an outstanding business opportunity that ultimately will give us a competitive advantage," Ford said in a recent speech at the U.S. Chamber of Commerce in Washington, D.C.

It was his initiative to convert an aging truck plant in Dearborn, Mich., into a model of green manufacturing, with a grass roof and other innovations to cut energy use and pollution. "Being green is also saving us money," Ford said at the recent Chamber speech. He also proclaimed that "I believe the 100-year reign of the gaspowered internal combustion engine will come to an end within our lifetime."

The Sierra Club has singled Ford out for criticism "because he gets it - he gets the relationship between the environment and competitiveness," said David Hamilton, who directs the club's global warming and energy program. "Ford continues to move, so we continue to push them."

Now the pace of change is speeding up. California, which accounts for more than 12 percent of all vehicles sold in the United States, recently passed a greenhouse gas emissions law that would force automakers to improve gas mileage by nearly 30 percent over the next few years. Several other states are considering similar action, as is Canada.

There's also the competitive pressure from Toyota, which has passed Ford as the world's second-biggest automaker and gained enormous environmental stature from the Prius.

"The world is changing in the automotive business," said Jacquelyn A. Ottman, whose J. Ottman Consulting Inc. in New York urges companies to adopt ecological marketing practices.

Toyota has done a good job of painting itself green, she said, while still making lots of big SUVs and pickups with average fuel economy only slightly better than that of Ford's comparable products.

Detroit's automakers can't stand by and let Toyota get all the credit, Ottman said, which is why they've started marketing themselves as environmentally sensitive. "It's like every once in awhile reminding your wife you're the loving husband, so you show up with some flowers," she said. "It's just a legitimate form of corporate communication to let people know that they're working on these technologies."

GM has launched ad campaigns in newspapers and magazines and on television, radio and the Internet to tout not only its hybrid trucks, under the tag line "Hybrid Power to the People," but also its work on

hydrogen technology. Like other car companies, GM is developing fuel cells that generate electricity from hydrogen, producing water vapor but no pollution.

... and a burn alert

Modesto Bee, News and Notes, Friday, Dec. 24, 2004

Before you ignite that yule log, consider this: The San Joaquin Valley Air Pollution Control District has issued a "burning discouraged" advisory for today. The alert covers the eight-county district, from San Joaquin in the north to Kern in the south. The advisory asks people to refrain from using fireplaces and older wood stoves. Officials based the advisory on today's air quality forecast: unhealthy for sensitive groups. If people adhere to today's voluntary burn ban, officials hope to avoid a mandatory burn ban. Burn status is updated daily at 800-766-4463 and www.valleyair.org <<http://www.valleyair.org>>.

Turlock supercenter ban upheld Public welfare trumps effect on competition

By JOHN HOLLANDBEE STAFF WRITER
Modesto Bee, Thursday, Dec. 22, 2004

TURLOCK - A Stanislaus County Superior Court judge has upheld a city ordinance that kept Wal-Mart from building a supercenter near Fulkerth Road.

Judge Roger Beauchesne rejected Wal-Mart's claim that the ban illegally interfered with retail competition.

The judge said the stated goals of the nearly year-old ban -- preventing traffic jams and protecting neighborhood grocers -- were "reasonably related to the public welfare."

The nine-page ruling was delivered to the city and Wal-Mart on Monday.

"It's very encouraging," Mayor Curt Andre said Tuesday. "This is about being able to be responsive to the voters and the values of the community."

Wal-Mart spokesman Peter Kanelos said the chain's management had not decided whether to appeal the ruling. It resulted from a lawsuit filed by the company in February, a month after the City Council approved the ban on a 5-0 vote.

"We strongly believe that the impact of this ordinance will be to limit consumer choice," Kanelos said.

He noted that a federal judge had yet to rule on a parallel lawsuit charging that the ban violated Wal-Mart's right to conduct commerce under the U.S. Constitution.

Wal-Mart, which has had a 125,000-square-foot store on Fulkerth since 1993, proposed last year to build a 225,000-square-foot supercenter nearby. The larger store would have combined the department store selections of a conventional Wal-Mart with a full-service grocery section.

Backers cite congestion, blight

Backers of the ban said the proposed store would worsen congestion as customers made frequent crosstown trips to buy groceries. Backers also said the store could lead to the closure of supermarkets that anchor small shopping centers around the city -- a change that could bring "blight" to the neighborhoods.

The debate was among the fiercest in Turlock in recent years, drawing overflow crowds to Planning Commission and council meetings last year.

"The main issue I had against Wal-Mart was that they were trying to force their way into a city that didn't want them," Jacqueline Hollcraft, a Turlock homemaker, said Tuesday. "If a city wants them, that's fine for that city."

Some opponents brought up the nationwide debate over Wal-Mart wages and benefits -- are they adequate?

People who opposed Turlock's ban said city shoppers would lose out on Wal-Mart bargains, and the city would lose out on sales tax.

"I think there was a great opportunity to get an enormous amount of sales tax to go to their budget, which they are in dire need of," Bob Santo, a retired sales representative for the American Automobile Association, said Tuesday. "I also think (Wal-Mart) employs a lot of people."

Wal-Mart, the world's largest retailer, has more than 1,200 supercenters but only recently brought the concept to California. One of the stores opened in Stockton in October, to little protest. Lodi voters last month rejected a measure that would have hindered plans for a store there.

Officials in Oakdale and Riverbank have talked about the impacts that supercenters might have, though no such stores have been proposed in those cities. On Monday, the Oakdale City Council passed new rules regulating "big-box" stores.

The Turlock ordinance bans most new or expanding discount stores that exceed 100,000 square feet and devote at least 5 percent of the space to groceries and other nontaxable items.

The ordinance exempts membership stores, such as the new Costco Wholesale near Monte Vista Avenue, on the grounds that their customers shop infrequently and buy in bulk, and therefore do not jam traffic.

Wal-Mart claimed that the ordinance singled out the retailer and violates state law by using zoning powers to regulate business competition.

According to the lawsuit, Turlock officials at first welcomed a supercenter but then moved to ban it after meeting with executives from competing grocery chains and a leader in the grocery workers union.

Judge sees legitimate concern

City officials said such meetings are a proper way of hearing the views of constituents.

Beauchesne cited appellate rulings in other cases in concluding that the ban is valid. He acknowledged that it will affect grocery competition, but said Turlock officials had "a legitimate concern for blight, traffic congestion and its [resulting air pollution](#)."

"The fact that the ordinance does or will have an incidental effect on competition is irrelevant so long as there is otherwise a valid purpose in enacting the ordinance," the judge wrote.

Wal-Mart argued that the ban forces residents to go to multiple stores for groceries and other items, thus producing more traffic and air pollution than if they did one-stop shopping at a supercenter.

Under state law, the lawsuit stated, these environmental effects had to be studied before the council could enact the ban.

City officials said no environmental study was needed, because the ordinance was simply a means of carrying out land-use policies outlined in the Turlock general plan, which had its own environmental review.

Beauchesne agreed.

The council so far has authorized \$130,000 in payment to the Oakland law firm defending the city against the Wal-Mart lawsuits. The expense spurred protests from some residents, but Andre said the money is being well-spent.

5-4-3-2-1, happy new headlines!

by Record Columnist, Jeff Hood

[Stockton Record, Commentary, Sunday, Dec. 26, 2004](#)

Thank you, 2004. You were a marvelous year for news in Lodi.

Not only was it an election year, which always makes the news business more interesting, it was a year of significant events in Lodi. The year started with the City Council's 180-degree turn toward solving its groundwater pollution case to a battle over big-box stores in Lodi.

Here's hoping 2005 will be just as good for news. If the follow predictions hold true, it will be a great year hammering at the keyboard.

- New title, please: Larry Hansen, now simply a councilman after a year as Lodi's mayor, misses his former title so much he begins referring to himself as the "mayor emeritus."
- Can't beat 'em, join 'em: Records show Vice Mayor Susan Hitchcock, who's waged a six-year battle to create a greenbelt between Stockton and Lodi, purchased an option to buy 40 acres north of Mickle Grove Park for a housing development shortly after her 1998 election, a parcel that is "accidentally" misidentified as park property on greenbelt maps.
- I didn't mean it that way: Councilwoman JoAnne Mounce goes too far in her efforts for Lodi's east side. She convinces the City Council to deputize gang members as semi-official code enforcement officers, but the experiment collapses after the young thugs get carried away with the enforcement part of their job.
- Marriage advocate: Lodi Mayor and Republican stalwart John Beckman is so enthralled by a speech given by San Francisco Mayor Gavin Newsom at a mayor's conference that he returns to Lodi and announces his support for gay marriage. Mandatory gay marriage.
- Did I really win? Four-time candidate Bob Johnson announces plans to run again for City Council in 2006, only to be reminded that he actually won this last time and can wait until 2008.
- Meet your new publisher: Ownership of the Lodi News-Sentinel is turned over to the city to settle the newspaper's liability over groundwater contamination. City officials try closing a \$1.9 million gap in the 2005-2006 fiscal year budget by raising subscription and advertising rates. Newspaper quality, however, declines as reporters, editors and photographers begin punching out at 5 p.m.
- [Don't breathe so much: To avoid a lawsuit, Wal-Mart agrees to further study the environmental effects of its Supercenter planned for Lower Sacramento Road and Kettleman Lane. The new report reveals the Supercenter will increase air pollution and cause an additional 25 cases of childhood asthma in Lodi each year, cause major traffic delays on Highway 12 and force two nearby grocery stores to close. New findings in hand, the City Council approves the project, saying it's a small price to pay for the extra \\$233,000 in sales tax revenue.](#)
- And now it's your turn to sacrifice: The honeymoon ends quickly for new City Manager Blair King, who took \$5K less a year than the City Council offered in accepting the job this month. He insists all other city employees do the same after realizing identical across-the-board pay cuts will eliminate the city's budget deficit.
- You can't be too safe: Taking a cue from the new written waiver policy required for skate park participants, Lodi officials pass a similar ordinance requiring all city park users to sign a liability waiver. The new rule is repealed after two 5-year-olds are cited by police for unlawful use of a seesaw and a T-ball game is broken up.

Happy New Year to all!

[Fresno Bee, Commentary, Sunday, Dec. 26, 2004:](#)

TOM PHILP: People patterns

By Tom Philp / The Sacramento Bee

The vast Central Valley, from Bakersfield to Redding, is fast evolving into four separate worlds. That is the finding of the Public Policy Institute of California. In its exhaustive analysis of census data and migration patterns, institute demographer Hans Johnson found four different emerging valley population trends in four distinct regions of the valley.

The Sacramento region has emerging similarities to the Bay Area, attracting highly educated immigrants as well as residents from the coast, both groups finding jobs close to home. For the Sacramento region, this is good news.

The trends are mixed, on the other hand, for the northern Sacramento Valley (defined by these demographers as Sutter through Shasta counties). An influx of retirees, and working but poor immigrants, is creating pockets of relative prosperity and poverty.

The same holds true for the northern San Joaquin Valley (Merced, Modesto and Stockton). The educated residents this region is attracting are generally earning good incomes. But for roughly half of these new residents, their jobs are still back in the Bay Area. That's not the case for the new immigrants, who are far less educated than those who are tending to come to the Sacramento region and are struggling to find good jobs.

The southern San Joaquin Valley (Bakersfield through Fresno), on the other hand, is experiencing a deathly brain drain. Despite its stunning growth since 1990, this region has fewer college-educated residents now than then.

In a recent conversation, Johnson explained what these trends mean for these four regions, and for the Valley as a whole.

Q: Are the migration patterns healthy or unhealthy for the Sacramento region?

A: I think they reflect the strong economy that Sacramento has had over the years. In particular, the Sacramento Metro region has experienced a lot of job growth. Sacramento tends to receive both low-skilled and high-skilled migrants, whereas other parts of the Valley receive primarily only low-skilled migrants. Sac Metro in many ways is beginning to look more like the Bay Area than the rest of the Central Valley.

We have a very different picture emerging, with former Bay Area residents moving to two parts of the valley. In Sacramento, they are finding both relatively affordable housing and jobs in the region. In the north San Joaquin Valley, they find housing but often do not find jobs there, instead commuting to jobs in the Bay Area. And that creates a very different dynamic for that area. In the north San Joaquin Valley, people talk about the lack of civic life and participation as commuters spend so much time away from home on the road and have jobs that are in a different region than where their housing is. Q: What can any given region of the Central Valley do to change its migration and population patterns?

A: Key to that is job growth, and the nature of job growth. And in the Sac Metro region, you have two very large, strong public institutions - Sacramento State University and UC Davis. Both of those places, as we've seen in the study, attract not just high school graduates from the region, but also attract high school graduates from other places in California. When they graduate, are their opportunities here or do they go elsewhere? They do both. And that is what's different about Sac Metro than other parts of the Valley. There is that choice. At Chico State University in the upper Sacramento Valley, very few graduates stay in the upper Sacramento Valley. We have a very large flow of college graduates out of the Sacramento Valley and back to the rest of California.

Q: Your thoughts on the new UC campus in Merced: How much can the campus change overall population and migration patterns?

A: It is an open question the effect that UC Merced is going to have on the San Joaquin Valley. Obviously, it is going to transform Merced and already has begun to do so to some extent. I think it is an open question about whether it has an effect beyond Merced. It is hard to imagine that it will have a big impact in terms of changing some of the economic patterns that we see in Fresno and Bakersfield.

Q: In Fresno, Bakersfield and the entire south San Joaquin Valley, why are college-educated people leaving, and where are they going?

A: Most people, when they cite reasons for moving to or from the valley, often cite jobs, housing and family. When we look at the characteristics of people who are leaving the southern San Joaquin Valley, it is clear that jobs are very important.

There are not, and have not been, a large number of high-skilled jobs for them. One of the reasons I did the study was my own experience. I grew up in Redding, primarily, and graduated from high school in Redding. It was my experience that if I wanted to go to college, first of all, from Redding, I had to leave the area. And I didn't go back. Of my peers who went on to college, very few of them have returned to Redding.

Q: What do you make of what is happening in the northern Sacramento Valley as someone who came from Redding?

A: It is an interesting place. It is actually lightly populated - 600,000 to 700,000 people in a very large area. It looks in racial and ethnic composition like California did about 30 or 40 years ago, with an overwhelmingly non-Hispanic white majority. And yet it shares some of the same kinds of poor economic outcomes as the rest of the valley outside of Sacramento. It has very high unemployment rates, very high poverty rates, like those of the south San Joaquin Valley. It has a lot of poor economic outcomes. For that region, the challenge is to provide economic opportunities for other residents of the upper Sacramento Valley, people like me who grew up there but couldn't return even if we wanted to. There simply aren't the types of jobs we'd be looking for.

Q: Is agriculture, and its low-wage jobs, the main reason behind the trends of these communities to attract low-skilled workers and lose high-skilled ones?

A: Most people are working in jobs that are in no way related to agriculture. In fact Fresno, Bakersfield, Modesto, Stockton, all those places in the valley are large urban centers. The Stockton, Bakersfield and Fresno metropolitan areas will be surpassing a million people in their populations in the next 20 years or so. Agriculture was certainly part of their history, and to some extent will remain a part of their future. But already those areas are places where the vast majority of people work not in agricultural jobs, but urban jobs. The challenge is to shape the urban economies in those regions.

Q: How dependent upon one another are these four emerging regions of the Central Valley? Are we in the same boat, or four, at this point?

A: Four boats in the same pond is the way to put it. What happens in one boat will affect the other. It is right that these regions would consider each other to be, in some cases, in competition for the same set of employers. In others cases, there needs to be thoughtful regional cooperation. Clearly, one of the best examples of that would be air pollution. It doesn't follow county boundaries and lines. You share the same air basin. You clearly have issues and concerns in common with other regions. To the extent that Modesto and that part of the valley grow tremendously, it will affect Sacramento, whether it's people who commute from that region to Sacramento or air pollution.

Obey 'no burn' day rule

[Bakersfield Californian, Letter to the Editor, Monday, Dec. 27, 2004](#)

I love a fireplace on cold winter nights. I grew up with one and always thought holidays weren't complete without it. I also agree that it is probably not the best to use infrared to detect use.

However the person being detected is breaking the law on "no burn days" and poisoning his friends and neighbors on suggested no burn days.

I have minimum lung capacity and must stay indoors when neighbors use their fireplaces. I can't walk the dogs or work in yard.

I am willing to tolerate that if they would do the same on no burn and restricted days and not burn.

I have a real problem when people's rights trample mine and they insist on using the law to defend themselves.

Be a good neighbor and citizen. Obey the law and give those of us who need the clean air a break.

I would like to do a lot of things that you probably wouldn't care for but they are illegal so I don't. Be happy because one of them is my self-defense idea for your fire. Please burn only when the air permits.

-- JAY McCARTHY, Bakersfield

Fight pollution with funds

[Bakersfield Californian, Letter to the Editor, Monday, Dec. 27, 2004](#)

I don't mind helping to pay for cleaner air and I suppose that having the DMV collect it would be appropriate. But the Air Pollution Control District is already receiving fee-generated funds with matching federal money and they must operate in the black, which a lot more than many agencies can say.

Now since the district has more than \$43 million setting in its bank account to be used for clean air projects and they have only spent \$87 million over the last 12 years, why do they need more money?

I sure don't want to see this money raided for pay raises, general fund balancing or any other creative use.

-- STAN SUTTON, Bakersfield