

## **Restrictions on fireplaces set for return**

[Bakersfield Californian, Tuesday, November 23, 2004](#)

Want to sit by a crackling fire as you open your presents on Christmas Day? Better check the air-quality status first.

Valley Air District officials say that wood-burning fireplace usage usually increases on Thanksgiving, Christmas and during the Super Bowl, and that leads to high levels of particulate pollution.

When air quality is expected to be unhealthy for everyone, wood-burning is illegal, and when it's unhealthy for sensitive groups, valley residents are asked to light up their fireplaces.

To find out if it's OK to burn, call 1-800-766-4463 or check on the Web at [www.valleyair.org](http://www.valleyair.org). Restrictions do not apply to natural gas or propane fireplaces.

## **Final CMP Workshop to be held Dec. 1**

Story by Amy Roberts, Courtesy of [Kings County Farm Bureau](#)  
[Hanford Sentinel, Tuesday, Nov. 23, 2004](#)

Farmers in Kings County who have not completed a Conservation Management Practices (CMP) plan should attend a workshop December 1st at 2 p.m. at the Kings Fairgrounds. This will be your last chance to attend this workshop prior to the December 31st deadline.

Due to the passage last year of SB 700, agriculture lost its air permit exemption. All farmers with more than 100 contiguous acres must submit a CMP plan to the Air District. This plan outlines control measures to reduce dust emissions from your farm. These workshops provide a brief overview of the rules and regulations mandating the submission of the CMP plans. Sponsors of these workshops include Farm Bureau, the Air District and NRCS. Assistance in filling out the applications will be offered. Please RSVP to Farm Bureau at 584-3557.

## **Air district takes aim at Valley dust pollution**

By Dave Myhra - SAN JOAQUIN BUREAU  
[Tri-Valley Herald, Saturday, Nov. 20, 2004](#)

Sometimes, the beauty of the San Joaquin Valley can take your breath away, literally.

Inhaling dust and other airborne particles kicked up by farming work is a common occurrence and can cause serious health problems.

New rules set up by the San Joaquin Valley Air Pollution Control District takes aim at such air pollution by requiring that any farmer with more than 100 contiguous acres develop a conservation management plan by Dec. 31.

"During the dry months in the valley, agriculture is responsible for 51 percent of the particulate matter in the air," said Anthony Presto, district public educator.

For Valley residents, the effects can be devastating and include asthma and aggravation of heart conditions.

"(About) 1,200 deaths a year are attributed to air pollution in the San Joaquin Valley," Presto said.

With the new management plans, the district is hoping to reduce the number of people affected by taking a significant portion of floating particle matter out of the air.

The district is holding workshops to give farmers advice on how to reduce pollution.

Some of the most obvious ways of doing this, according to Presto, are to modify tractors to reduce time in the field, farming at night when there is more moisture in the air, and covering piles of matter that might otherwise be blown away.

"They can choose the measures that work best for them," Presto said.

The district will be holding its free workshop at 9 a.m. Tuesday, Nov. 30, at the Stanislaus County Agricultural Center, 3000 Cornucopia Way in Modesto.

For more information or to RSVP, call the Stanislaus County Farm Bureau at (209) 552-7278.

## **Spending bill benefits Valley Massive document includes millions for projects**

By Michael Doyle / Bee Washington Bureau  
[Fresno Bee, Tuesday, Nov. 23, 2004](#)

WASHINGTON - San Joaquin Valley cash and controversy are part of the mammoth spending bill approved by Congress last weekend.

With \$388 billion jammed into a roughly 2,000-page document, Valley lawmakers and staffers are still trying to figure out precisely what's in and what's out.

They're also trying to balance the good and the bad in a bill that defies congressional intentions. "I don't think this is any way to legislate, but we didn't have much choice," Rep. George Radanovich, R-Mariposa, said Monday. Besides, he said, "we're happy with some of the stuff we got."

Radanovich pointed, for instance, to \$5 million for weapons manufacturing at the Riverbank Army Ammunition Plant in eastern Stanislaus County, \$450,000 for constructing an outpatient clinic serving Fresno's Community Medical Centers, and \$100,000 each for school districts serving Clovis, Bass Lake and Turlock.

Congress is supposed to pass 13 appropriations bills to fund the federal government each fiscal year. But because lawmakers failed to overcome their differences in time, nine of the separate appropriations bills covering issues as disparate as flood control and foreign aid were combined into one package.

The massive size and the must-pass nature of the bill - without it, the government would shut down - also enabled lawmakers to use it as a vehicle for other, non-spending measures.

These ranged from the national, such as permitting hospitals to avoid local abortion counseling requirements, to the intensely local, such as a provision giving Mineral King cabin owners a permanent hold on a precious part of Sequoia National Park.

Radanovich's Valley colleagues joined him in the 344-51 House vote approving the fiscal 2005 spending bill, and they likewise could point to some local goodies packed into the behemoth.

Rep. Dennis Cardoza, D-Merced, for one, likes the \$300,000 for enhancing Modesto's law enforcement communications, the \$100,000 provided the Merced County Sheriff's Department's "Meth is Death" project, and the \$150,000 for improving storm drains on Modesto's Ninth Street. Similarly, Rep. Devin Nunes, R-Visalia, praised the [\\$1 million for buying cleaner-burning natural gas buses for Fresno](#), the \$500,000 for the Sierra View Cancer Treatment Center in Porterville and the \$200,000 for the Fresno-area Regional Jobs Initiative.

Nunes celebrated, as well, the inclusion of language giving owners of more than 60 Mineral King cabins an apparently permanent stake in Sequoia National Park.

Under the 1978 law that brought Mineral King into the national park, the cabin owners were given 25-year leases.

The National Park Service's long-term plan has been to convert at least some of the historic cabins to public use.

Under legislation introduced by Nunes, included in its entirety in the omnibus spending bill, the 25-year lease limit is lifted.

Current cabin owners and their heirs, or anyone else to whom they may have assigned the leases, now evidently will be granted perpetual use of the cabins.

Former Fresno-area Rep. John Krebs, author of the original Mineral King legislation, denounced the move as a "blatant contradiction" of a compromise necessary in 1978.

"It's an utter outrage," Krebs said. "In essence, they are taking away the public's land."

Valley lawmakers did not win everything they wanted, though. In particular, Nunes and some of his colleagues had predicated their earlier support for California water legislation, dubbed Cal-Fed, on the belief that the subsequent spending bill would include \$11 million to continue studies of water storage. The spending bill, however, ultimately included only \$4 million for studying storage on the upper San Joaquin River and other locations. "It's a little disappointing that the funding level isn't higher," Nunes said.

## **CENTRAL VALLEY BUDGET HIGHLIGHTS**

### **REGIONAL**

\$4 million for studying water storage on the upper San Joaquin River and other locations

\$400,000 for Yosemite Area Regional Transportation System

[\\$200,000 for Operation Clean Air, to remove wood-burning heaters in the San Joaquin Valley](#)

\$200,000 in the Community Development Fund for the Regional Jobs Initiative

### **FRESNO COUNTY**

[\\$1 million for Fresno Area Express, to buy cleaner-burning natural gas buses](#)

\$500,000 for the Fresno Traffic Operations Center

\$450,000 for Community Medical Centers, toward an outpatient clinic on the campus of the Regional Medical Center in Fresno

\$310,000 for the Fresno County District Attorney's Office methamphetamine initiative

\$100,000 for a moving science center at the Fresno Metropolitan Museum

\$100,000 for Clovis Unified School District's Career-Focused Instruction Lab Program

### **MERCED COUNTY**

\$500,000 for Merced County flood-control construction

### **TULARE COUNTY**

\$5.6 million for construction and \$2.26 million for operations and management of the new spillway at Lake Kaweah's Terminus Dam

[\\$250,000 for Visalia's bus facility, and \\$250,000 for converting the city's buses to clean fuel](#)

\$500,000 for the Sierra View Cancer Treatment Center in Porterville

\$150,000 to the Strathmore Public Utility District for a wastewater treatment plant

## **Farmers monitor Prague talks**

### **Growers push for continued use of methyl bromide**

By Michael Doyle / Bee Washington Bureau

[Fresno Bee, Wednesday, Nov. 17, 2004](#)

WASHINGTON - California farm advocates have Prague on their minds and in their passports as international negotiators refine the future of methyl bromide.

On the eve of crucial decision-making, the farmers and their Capitol Hill allies are maneuvering to maintain use of the effective but ozone-depleting farm chemical.

Some seek signal-sending congressional hearings, while others are preparing to kibitz negotiating sessions starting Monday.

"It's important for American agriculture to show a concern and interest in what's going on there," Rodger Wasson, president of the California Strawberry Commission, said Tuesday.

"The decisions they're making will have real consequences for real farmers." Formerly chief executive officer of the Almond Board of California, Wasson is joining three other Strawberry Commission representatives at the Prague Hotel Hilton.

Along with other lobbyists, the Californians will be monitoring what's formally called the Sixteenth Meeting of the Parties to the Montreal Protocol.

The decisions made at the arcane-sounding meeting will translate to how much methyl bromide California farmers can use in coming years.

"It's going to be interesting," Dan Haley, a Washington-based lobbyist for the walnut industry, said from Prague on Tuesday. "Things could blow up, or things could go well, or anything in between."

The Montreal Protocol is the international agreement to phase out methyl bromide, a potent fumigant historically used on more than 100 crops. California farmers used 15 million pounds in 1999, according to the state Department of Pesticide Protection, but by 2002 this had fallen to 6.5 million pounds.

Even with the decrease, methyl bromide still ranks fourth among all pesticides used in California. Almonds, walnuts, tomatoes, grapes and raspberries continue to be major users, though more than half of the total was applied in the state's strawberry production.

"We have increased our use of alternatives," Wasson said.

Nonetheless, farmers have complained for years that the phase-out is moving too fast.

Mariposa Republican George Radanovich, joined by 46 House co-sponsors, is pushing long-shot legislation that would keep U.S. methyl bromide production at higher levels. Radanovich was maneuvering this week for a mark-up session on his bill, mostly to send a message to negotiators in Prague.

While the Montreal Protocol calls for a methyl bromide phase-out by Jan. 1, the agreement also allows for what's called critical-use exemptions, where there are no technically and economically feasible alternatives.

The U.S. position going into the weeklong Prague meeting is that methyl bromide use for 2005 should be set at 35% of its 1991 level, State Department negotiators advised congressional staffers Tuesday. An international scientific panel, though, is recommending that use be set at 28% of the 1991 level.

In addition to the overall use level, negotiators will be deciding use levels for particular crops.

For 2005, U.S. strawberry growers expect a critical-use exemption permitting 3.2 million pounds. For 2006, international negotiators have discussed reducing this to 2.6 million pounds; a cut, Wasson said, that might be too aggressive for the industry to handle.

"We're there making sure our government is doing everything it can to help us," Haley said. "We're there, watching our [negotiators]."

## **Port Officials Will Meet to Address Legal Challenge**

By Deborah Schoch and Jessica Garrison, Times Staff Writers  
[Los Angeles Times, Tuesday, Nov. 23, 2004](#)

In an emergency closed-door meeting today, Los Angeles harbor commissioners will review a major shipping firm's legal filing aimed at blocking the port's current search for a tenant for a "green terminal."

Commissioner Camilla Townsend said Monday that she and Commissioner Thomas Warren requested the meeting because of their concerns about the court petition filed last week by London-based P&O Nedlloyd Container Line Ltd. in Los Angeles Superior Court.

The firm asked the court for an immediate halt in the selection process for a tenant for the site, but a Superior Court judge denied that request Monday and instead ordered a Dec. 30 hearing.

The P&O Nedlloyd petition levels sweeping criticisms of the port's prolonged search for a tenant for the prized Terminal Island site and charges that it appears to be favoring a rival shipper, Taiwan-based Evergreen Marine Corp. It contends that a deputy for Mayor James K. Hahn interjected himself in talks between the port and P&O Nedlloyd, directing a port representative to speak with Evergreen instead.

The tangled search for a shipping firm to occupy Berths 206-209 — called the Matson site after a former tenant — has drawn the attention of the city Ethics Commission, as well as federal and state investigators looking into claims of irregularities in port leasing practices.

Harbor commissioners initially planned to award the lease to P&O Nedlloyd, which docks at Long Beach but has been seeking a permanent site at the adjoining Los Angeles port. In a closed-door December 2003 meeting, however, commissioners instead decided to open the process to other firms by conducting the port's first-ever competitive bidding process for a terminal lease.

The port set strict standards for the process to ensure that the new terminal would produce less air pollution than other port operations. Bidders were told that their diesel-burning ships must be able to plug in to onshore electric power, a "green" technology known as cold ironing.

Of the four companies that bid for the project, only two — P&O Nedlloyd and another firm — proposed cold ironing at the site, while Evergreen said it planned to plug in ships at an adjacent site.

Port interim Executive Director Bruce Seaton infuriated P&O Nedlloyd and local clean-air groups Sept. 29 when he threw out all four bids, saying the process had been confusing and that he wanted to institute stricter environmental standards.

He launched a new bidding process that had less stringent requirements for cold ironing, but required ships using the terminal to reduce speed 40 miles offshore to reduce air pollution. Ships now are asked to slow down 20 miles offshore.

Clean-air groups protesting the decision to invalidate the bids wrote Hahn last week, claiming that their calculations show that the revised requirements will produce a terminal that is more polluting.

The Los Angeles-Long Beach port complex is the biggest air polluter in Southern California.

Five bids were received last Friday and the commissioners are expected to make a decision next month.

Port spokesman Arley Baker said Monday that Seaton invalidated the initial round of bids because the first request for proposals was ambiguous.

A spokeswoman from the city attorney's office, which is representing the port in the P&O Nedlloyd matter, said Monday the port had the right to throw out the proposals. "It's very rare that we would send something out again to rebid, but there's nothing illegal about it," said spokeswoman Katie Buckland.

The 3 p.m. meeting today will be closed to the public. Public comments will be taken at the start of the meeting.

## **Could Price of Gas Be Lower?**

**Californians should be paying closer to \$2 a gallon, based on spot prices, some experts say**

By Elizabeth Douglass

[Los Angeles Times, Tuesday, Nov. 23, 2004](#)

Retail gasoline prices in California dropped Monday for the fifth straight week, but experts said wholesale prices indicated that motorists should be paying even less at the pump.

The gap between wholesale and retail has been larger than normal since mid-October, when the price of gasoline being traded on the spot market in Los Angeles began to slide faster than prices at service stations in the city.

"You really have not seen it filter down to the retail level," said Tom Kloza, chief oil analyst for the Oil Price Information Service, a trade publication that conducts its own price surveys.

In California, the average price for a gallon of self-serve regular fell 4.8 cents in the last week to \$2.263, having sunk almost 14 cents since hitting a record high of \$2.402 on Oct. 18, according to the Energy Information Administration, an arm of the Energy Department. Nationwide, self-serve regular eased 2.1 cents to \$1.948 a gallon, the EIA said Monday.

Some experts said Californians should be paying closer to \$2 a gallon - even taking into account the wavering cost of crude oil and the intricacies of the state's troubled fuel market.

Gasoline is thinly traded in Los Angeles and San Francisco on unregulated spot markets, making spot prices prone to big swings. Still, spot trades are solid indicators for retail prices because they have effects on what independent suppliers pay for fuel as well as on what refiners charge their branded dealers.

In Los Angeles on Monday, traders paid about \$1.36 a gallon for gasoline that meets California's strict air quality standards, according to figures from OPIS, the pricing service. After adding 60 cents for taxes and fuel transportation, the local break-even cost of regular would be \$1.96 per gallon.

Monday's EIA survey showed average Los Angeles retail prices at \$2.284, more than 32 cents above break-even levels. Typically, retail experts said, gas stations pocket 4 cents to 10 cents of profit per gallon, with the rest going to refiners.

Comparing citywide average pump prices to OPIS figures for gasoline trades, the gap between break-even and retail prices started at near zero early in October but quickly jumped to more than 20 cents per gallon, and has ranged from 30 cents to more than 44 cents a gallon for the last three weeks.

A more normal margin would be about 10 cents, according to David Hackett, president of the Irvine-based consulting firm Stillwater Associates. But he added: "This is kind of how it works. Prices zoom up and they float down."

Joe Sparano, president of the oil industry trade group Western States Petroleum Assn., acknowledged that people may look askance at the difference between retail and wholesale prices. "But that doesn't necessarily mean that there is something going on," he said. "The retail market has been coming off, and crude prices have been dropping, but wholesale markets tend to, and often do reflect what the traders think, and that can influence the spread that you're looking at."

Even so, Kloza said, "I would think consumers' patience would be running thin about now, this is a pretty big disconnect."

Bob van der Valk, bulk fuels manager for Cosby Oil Co. in Santa Fe Springs, said stubbornly high retail prices meant high profits at the refineries. "They're taking every penny they can."

He noted that gas prices could dip in Los Angeles because of a pipeline leak Monday that halted deliveries from Southern California to Las Vegas. If the pipeline isn't fixed quickly, fuel could back up, he said, pushing down the cost of gasoline in the region.

## **Disputes views on dairies**

[Bakersfield Californian, Letter to the Editor, Tuesday, November 23, 2004](#)

Residents and officials expressing legitimate air quality concerns is not vilification of the dairy industry as John Dunlap, the skilled Sacramento dairy lobbyist, asserts in a recent Community Voices column. The nutritional value of milk and the character of dairymen and women have not been questioned.

Agribusiness has long been the economic backbone of Kern County. However, people recognize "there is ag and then there's dairies." There is a difference between a field of cotton or carrots and a megadairy. People accept sinus problems from cotton defoliation and almond tree shaking for a few weeks annually but they don't want the continual quality of life issues from dairies.

He talks about old and new rules for dairies like nothing has changed. Two changes have occurred. Dairies have become megadairies and valley population is increasing dramatically. Locating a dairy 2.6 miles from Shafter and a school is irresponsible. Public policy must change with the times.

His intimidating statement that concerns about dairy pollution could give other industries pause about moving to Kern County is nonsense. The opposite is true. Quality of life is important in company relocation decisions. Companies want their employees to be able to enjoy parks, bike paths and golf in healthful air. Officials being proactive about air quality is a plus not a minus.

Dairy pollution data needs to be updated and the efficiency of technology needs to be evaluated. This is why a dairy moratorium makes sense.

I'm still waiting to hear how expansion of the dairy industry is going to better the lives of thousands of valley residents.

-- BILL DESCARY, Bakersfield