

Tuesday, June 8, Bakersfield Californian

Spare the Air season begins today

Another "Spare the Air" pollution alert season starts today.

Spare the Air forecasts are issued for two-day periods when ground-level ozone levels, the principal pollutant in smog, are expected to reach 151 or higher on the Air Quality Index. That level is viewed as unhealthy for the general public.

The program, in its ninth year, is run by the San Joaquin Valley Air Pollution Control District.

On Spare the Air days, the district will issue an alert to employers and media, and people are encouraged to take pollution-reducing measures such as carpooling or combining errands into one trip.

About 60 percent of the valley's summertime air pollution is caused by vehicle use, according to a statement from the district.

The district expects to designate between 25 to 30 Spare the Air days during the pollution alert season, which runs from June through September.

To access air-quality reports and Spare the Air forecasts directly, visit www.valleyair.org.

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Mexican trucks to run in U.S.

By VIC POLLARD, Californian Sacramento Bureau

SACRAMENTO -- Clean-air officials and environmentalists in the San Joaquin Valley reacted with outrage Monday to the Supreme Court decision clearing the way for Mexican trucks to operate in the United States.

Just when the valley's air pollution has been officially classified as "extreme," they said, fleets of unregulated Mexican trucks may soon be running up and down I-5 and 99.

"Ouch," said Kevin Hall, the Sierra Club's air quality chairman in Fresno. "And you can spell that with capital letters."

Some people have also voiced concern about the safety of trucks from south of the border, but the California Highway Patrol said that is not expected to be a major problem.

Officials at the San Joaquin Valley Air Pollution Control District said the impact of Mexican trucks on air pollution in the valley is expected to be significant but hard to predict accurately.

Mexican trucks have little or none of the smog-control equipment required on trucks based in California. Fuel sold south of the border does not meet state or federal clean-air standards, officials say.

"We do know that it would increase emissions because of the projection of the Mexican trucks to be so much dirtier over time," said Scott Nester, planning manager at the air district.

Using calculations that assume one-fourth of the truck traffic in the valley will be from Mexico by 2020, Nester projects emissions of oxides of nitrogen, a key pollutant, would increase by 4 percent.

The court decision comes just two months after the valley's air quality was downgraded to the worst category, "extreme," by the U.S. Environmental Protection Agency.

Although the change was requested by valley officials to give them more time to take what are expected to be painfully expensive corrective measures, a new source of pollution will make the job more difficult.

Theoretically, California can require all trucks on its highways to meet its pollution and safety requirements.

However, the only way it has to enforce the standards on trucks from out of state -- whether from other states or Mexico -- is to pull them over for roadside inspections.

The California Highway Patrol conducts frequent safety inspections of trucks at stations throughout the state, including two main border crossings from Mexico.

But the state has just nine teams to inspect trucks and enforce pollution requirements, said Jerry Martin, spokesman for the California Air Resources Board.

And the enforcement measures consist of fines for the first two violations. Only after the third violation can a truck be confiscated and taken off the road.

"You can imagine that is a relatively slow process and it's not going to catch every truck," Martin said.

CHP spokesman Tom Marshall said the agency has experience testing Mexican trucks for safety violations because officers have been operating in a 20-mile buffer zone on the U.S. side of the border for years.

He said the agency has not found safety violations any more prevalent in Mexican trucks than in those from California and other states.

But the CHP inspections do not cover pollution emissions.

[Tuesday, June 8, Los Angeles Times online](#)

Ruling Lets In Mexican Trucks

The Supreme Court says an environmental report isn't needed to allow vehicles on U.S. roads. But an inspection program still lies ahead.

By David G. Savage and Marla Dickerson, Times Staff Writers

WASHINGTON — The Supreme Court cleared the way Monday for thousands of Mexican trucks and buses to begin delivering goods and passengers throughout the United States, ending a decade-long dispute that pitted environmentalists against NAFTA and became a sore point in U.S.-Mexico relations.

Siding with President Bush in their 9-0 ruling, the justices threw out a court order that had blocked the free flow of Mexican trucks on the grounds that the often older diesel-burning vehicles would further pollute areas of California and the Southwest.

Last year, the U.S. 9th Circuit Court of Appeals in California said that the nation's pollution laws required U.S. officials to study the impact on the environment before opening the border to older trucks from Mexico.

But the Supreme Court set aside that ruling Monday and said that the president had the power to enforce the North American Free Trade Agreement.

"Because the president, not [the motor vehicle regulators], could authorize cross-border operations from Mexican motor carriers, [the chief executive] did not need to consider the environmental effects arising from the entry," said Justice Clarence Thomas in the court's narrow ruling.

The White House welcomed the decision. "The president has been committed to opening the border with our friends to the south in a way that ensures safety and helps American workers," said Claire Buchan, a White House spokeswoman.

Monday's ruling is a victory for American and Mexican businesses, both of which say they expect to benefit from lower shipping costs. Trade between the two countries has soared since NAFTA was enacted in 1994. Mexico has become the second-biggest U.S. trading partner with \$236 billion in cross-border shipments last year, most of it by truck.

But the ruling was criticized by environmentalists and by truckers on both sides of the border, wary of new competition. Mexico will probably lift its retaliatory ban on U.S. trucks entering Mexico, and small Mexican trucking firms worry they won't be able to compete with modern, efficient and well-financed American fleets. Meanwhile, modest-sized U.S. carriers fear being undercut by low Mexican wages on the American side.

"We don't want them here and they don't want us there," said one U.S. industry official. "The only ones who are going to benefit are the big boys. They are the ones pushing this."

U.S. Department of Transportation officials said it would take as long as a few months to establish an inspection program to ensure that vehicles entering the United States meet federal safety standards. "We'll move as quickly as possible," department spokesman Brian Turmail said.

As many as 34,000 Mexican trucks will operate within the United States once the policy takes effect, the government estimates.

NAFTA mandated the free movement of commercial vehicles across borders. But President Clinton balked at lifting rules that prohibited Mexican trucks from operating north of the border, citing safety and environmental concerns.

In 2001, President Bush announced he would lift the barrier and permit the Mexican trucks and buses to operate in the United States, so long as they complied with federal safety standards.

"The decision to open our borders is long overdue," said Thomas J. Donahue, president of the U.S. Chamber of Commerce. "We have no credibility calling on other countries to fulfill their trade commitments if we refuse to honor our own trade promises."

But environmentalists and public health officials called the ruling a defeat for clean air and warned of more pollution and more asthma cases among children, particularly in Los Angeles, Phoenix and Houston.

About 4.5 million trucks cross the border from Mexico to the United States each year. However, they may not go beyond a 20-mile limit. Their cargoes are transferred to American vehicles and shipped to their final destination. The same process happens on the Mexican side.

The new policy will allow licensed trucks from south of the border to ship their loads anywhere north of the border.

"They can load up cargo in Mexico City and deliver it to Portland, Maine," said David C. Vladeck, a lawyer for Public Citizen, which opposed Bush's order.

Pollution standards for trucks depend on when they were built. Although new trucks in the United States and in Mexico must meet stringent air safety standards, the Mexican fleet has more trucks made before tighter standards were set in 1993.

The ruling marked the second time in six weeks that the high court dealt a setback to air-quality regulators in California. On April 28, the court struck down rules that required buyers of new buses, garbage trucks, airport shuttles and other fleet vehicles in the Los Angeles area to choose clean-burning engines.

California Atty. Gen. Bill Lockyer voiced regret over Monday's ruling. "This is another environmental blow from the White House that, rather than helping states comply with the clean-air mandates set by the federal government, seems intent on undermining those efforts," said Lockyer, who filed a friend-of-the-court brief siding with the environmentalists.

Stephanie R. Williams, senior vice president of the California Trucking Assn., which was a plaintiff in the lawsuit, said the trade group was "very disappointed." She said California-based trucking firms were already at a disadvantage because of the high cost of the cleaner-burning diesel sold in the state.

Williams said the number of trucks registered in California to haul interstate cargo had fallen by nearly two-thirds over the past decade to about 35,000 as companies have moved their operations to other states to escape the high fuel costs, environmental regulations and other expenses of running a business in the state. She said throwing the doors open to Mexican trucks would finish off what's left of California's long-haul industry.

"We use cleaner fuels, cleaner engines and we are required to retrofit our older engines, all of which is very expensive," said Williams. "We can't ... compete against people who don't have to do all those things."

Williams said the industry would seek to change state law to mandate that trucks logging more than 25% of their miles in California would have to use newer engines and comply with other environmental rules required of California-based carriers, regardless of where they were registered.

"California has special air-quality needs. If you spend more than 25% of your time in California, then you have an environmental responsibility to our state," Williams said.

San Diego trucking company owner Armando Freire said he would have to consider subcontracting much of his work to Mexican drivers, who he said made about \$75 a day compared to the \$150 to \$200 he paid American haulers.

"A lot of the U.S. people are going to be out of a job," said Freire, owner of Dimex Freight Systems Inc. "I can't stay in business without being competitive."

Across the border, Mexican truckers expressed skepticism that the ruling would pave a speedy entrance into the U.S.

Guillermo Berriochoa, owner of the Grupo Transportes Inter-Mex trucking company north of Mexico City, said U.S. environmental and safety fears were a pretext for preventing Mexican firms from competing. He said he expected national security concerns to be the next hurdle.

"When is the U.S. going to stop with all the hankypanky?" Berriochoa asked. "We are tired of being treated like third-class citizens."

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Tipton student wins pollution poster contest

A Farmersville High School junior and a Tipton seventh-grader captured the grand prizes, respectively, in an essay and poster contest about air quality that was sponsored by the Tulare County Association of Governments.

Students from kindergarten through 12th grade were invited to enter the contest, and entries came from throughout Tulare County. Contestants were asked to write an essay or draw a poster that tells how their families have made a difference in improving air quality in the San Joaquin Valley.

David Sanchez, a seventh-grader from Tipton, received the grand prize in the poster division. Joel Ruiter, an 11th-grader from Farmersville, won the grand prize in the essay category.

The winners each received \$500 for the purchase of a bicycle, helmet and bike accessories.