

Doubling smog fee proposed

\$12 fee would generate \$67.8 million annually to help fight pollution.

By Jennifer M. Fitzenberger

Bee Capitol Bureau

Fresno Bee, Wednesday, June 16, 2004

SACRAMENTO -- Gov. Schwarzenegger on Tuesday announced a budget plan that would funnel \$61 million into the Carl Moyer Program, keeping alive a system that has helped replace nearly 1,600 dirty engines in the San Joaquin Valley.

The proposal would restructure the state Smog Check Program by doubling the smog abatement fee to \$12 per year, generating \$67.8 million per year to improve air quality. About \$6.8 million each year would go toward the Bureau of Automotive Repair's effort to remove the dirtiest vehicles from the streets and help low-income families with smog-related repairs.

Owners of new cars would have six years instead of four before having to get their vehicles checked for smog, saving consumers \$48.5 million annually.

"This is an aggressive step toward our goal of greatly reducing air pollution in California," Schwarzenegger said. "This plan cuts costs to consumers and relieves them from the burden of unnecessary smog checks while improving air quality for all Californians."

The state Legislature created the Carl Moyer Program in 1998 with a \$25 million budget allocation and named the fund in honor of a key figure in developing California air-quality measures. The state continued to feed the pot until 2002, when voters approved Proposition 40, giving \$50 million to the California Air Resources Board to distribute to local air districts. When the money is gone, the program will be broke.

"We're putting it on the table for budget negotiations," said Terri Carbaugh, a spokeswoman for the governor.

Lawmakers with bills dealing with Carl Moyer and funding for other clean-air efforts said they are encouraged by Schwarzenegger's support.

Assembly Member Jenny Oropeza, D- Long Beach, said Schwarzenegger's proposal is a good start. Oropeza, who chairs the Assembly Transportation Committee, is sponsoring a bill that would set aside one-quarter of a cent per gallon from the tax on diesel fuel to fund the Carl Moyer Program.

"We should still, however, be funding a larger program that goes further in fighting air pollution," Oropeza said. "Some of us have been working in support of this smog-fighting program for years, and we should be earmarking more money to clean our air."

Sen. Dean Florez, who sponsored five new clean-air laws, said he is glad Schwarzenegger recognizes California has a smog problem. Florez wants to dedicate \$400 million of a \$5.2 billion clean-air bond proposal to the Carl Moyer Program.

But Florez, D-Shafter, is concerned the governor's plan does not specify how the money would be distributed.

"What the governor needs to do is make sure it is not allocated on a per capita basis, rather [than it] goes to the districts with the most severe air problems," Florez said.

In all, more than \$100 million has been distributed to local air districts, leading to the replacement or retrofitting of about 4,900 engines statewide.

The change has kept about 4,650 tons of nitrogen oxides -- an ingredient in ozone -- from the air each year, which is equivalent to emissions from 37 large power plants.

The money has mostly helped replace farm diesel irrigation pumps.

It also has been used to replace engines in buses, trucks and tractors, said Jeff Findley, supervising air-quality planner.

He said there is little doubt that the Moyer funding has made big improvements in the Valley's air. Among those taking advantage of the Moyer program was Five Points grower Mark Borba, who replaced 24 machines -- either pumps on wells or booster pumps for sprinklers -- in three years.

"Ag has got its part to play in cleaning up the Valley's air, and this was not the stick approach but the carrot," Borba said, pointing out that the new pumps were more efficient and took the place of ones that could have faced costly overhaul.

Bee staff writers Mark Grossi and Dennis Pollock contributed to this story.

Governor wants \$6 tax on new cars

Smog checks to be scrapped for first 6 years as offset to fee

Jane Kay, Chronicle Environment Writer

S.F. Chronicle, Wednesday, June 16, 2004

Gov. Arnold Schwarzenegger proposed a new plan Tuesday to raise money to reduce diesel pollution by adding \$6 to vehicle license fees for new cars.

To offset the proposed new fees, he's recommending giving drivers of cars up to 6 years old an exemption from smog checks.

The governor's initiative will be included in his budget package moving through the state Legislature. His proposal to add \$6 on vehicle license fees would raise about \$61 million a year to help transit districts, trucking fleets, government agencies and businesses and farms with heavy equipment replace polluting diesel engines.

Some environmental groups that worked with the governor on the plan say the proposal was the result of difficulty in finding money to run the California Air Resources Board's 6-year-old program to subsidize the statewide replacement of dirty diesel buses, trucks and equipment. Nearly 5,000 engines have been upgraded under the program since 1998.

The governor hopes to blunt the financial impact on vehicle owners by exempting cars up to 6 years old from the biennial smog checks, which cost around \$57. Currently, the exemption from smog checks is for four years.

"This plan cuts costs to consumers and relieves them from the burden of unnecessary smog checks while improving air quality and reducing harmful emissions from high-polluting diesel engines," said Schwarzenegger in a statement.

The plan estimates a \$48.5 million a year total savings from the reduced smog checks.

Also under Schwarzenegger's plan, people who sell cars won't be required to get smog checks on cars four years old or newer. At present, a proof of smog check is part of any ownership transfer.

In addition to the \$61 million raised from a hike in vehicle license fees, the governor is seeking \$6.8 million to pay for a Bureau of Automotive Repair program that retires polluting vehicles and helps low-income families secure car repairs that reduce smog.

Environmental groups generally praised the proposal but expressed some concern about raising money for clean air by trading away smog checks.

Patricia Monahan, senior analyst at the Cambridge-based Union of Concerned Scientists, said, "We definitely applaud the governor for recognizing that reducing diesel pollution will save lives and help all Californians breathe easier.

"But we're concerned that exempting cars from smog checks will increase air pollution from some of these newer vehicles," said Monahan.

The air board estimates that diesel engines put out 573,000 tons of nitrogen oxides and 25,000 tons of particulates a year. The agency says diesel soot is responsible for 70 percent of the state's risk of cancer from airborne toxics.

Giving up smog checks on new cars would add 1,350 tons a year of hydrocarbons and nitrogen oxides, according to a document given to the Senate and Assembly Budget Committee on Monday. That loss would be dwarfed by the benefits of operating the air board's diesel replacement fund, but the pollution is still significant, Monahan said.

Her group would "rather see the polluter and not the general public paying for diesel cleanup," she said.

Oil companies, diesel engine manufacturers and owners of diesel equipment could pay a fee on each barrel of diesel fuel, she said.

Ultimately, it would be preferable to pay for dirty diesel replacement programs out of the general fund than scrimp on smog checks, Monahan said.

In a report issued Tuesday, the group estimated that Bay Area residents would breathe more than 17 percent of the state's emissions of toxic diesel soot and nitrogen oxides and experience more diesel-related health consequences than anywhere but the Los Angeles area.

Based on an exposure calculation to diesel pollutants prepared by the air board, the group estimates that the Bay Area in 2004 will have 500 premature deaths, 460 cases of chronic bronchitis and 750 hospitalizations for cardiovascular and respiratory illnesses.

Supervisors give nod to limiting purchases of SUVs

Vehicles that get better gas mileage receive preference

Cecilia M. Vega, Chronicle Staff Writer
S.F. Chronicle, Wednesday, June 16, 2004

Hoping other Bay Area counties and citizens shopping for new vehicles will follow their lead, Contra Costa County supervisors voted unanimously Tuesday to buy fuel-efficient, environmentally friendly cars instead of sport utility vehicles.

"What we're basically saying ... is we don't want them," said Supervisor Mark DeSaulnier, who proposed the legislation to minimize the number of SUVs among the 2,000 or so vehicles in the county's fleet.

While the move does not eliminate the 44 SUVs the county already owns, it will limit the purchase of new SUVs to those employees who can show their jobs require having them.

"I think the Sheriff's Department and the Fire Department are the appropriate place to have them," DeSaulnier said.

The county's fleet includes 48 gas-electric hybrid vehicles and 59 natural gas-powered vehicles, which are among the cleanest available. DeSaulnier conceded his anti-SUV legislation was largely symbolic.

"Basically, in many ways we are already doing this," he said.

DeSaulnier did not know how much money would be saved under the measure, but he said it would be "not a lot."

At Tuesday's meeting, where reporters outnumbered the public, the move met no opposition.

But Steven Douglas, director of environmental affairs for the Alliance of Automobile Manufacturers, questioned Contra Costa's motives from his office in Sacramento.

"It's kind of targeting a specific type of vehicle," he said. "It's like saying we're not going to buy any red vehicles. What's the point?"

Local governments hoping to limit pollution should set emission standards for the vehicles they purchase rather than impose a blanket ban on SUVs, Douglas said. He said many manufacturers were developing hybrid SUVs that get better fuel efficiency than those powered solely by internal combustion engines.

DeSaulnier, who serves on the state Air Resources Board and the Bay Area Air Quality Management District, plans to take the idea to other Bay Area counties and cities to encourage them to do the same. He also hopes the move will give the county "the most progressive green fleet program of any public fleet in the country."

His colleagues liked the idea.

"I think there should be a sticker on the back of every fleet vehicle that has a picture of a Hummer with a line through it," joked Supervisor John Gioia

Florez's clean air bond clears Assembly hurdle

By Sentinel Staff

Hanford Sentinel, June 15, 2004

SACRAMENTO - A bill to finance the cost of air-quality improvements by farmers cleared a legislative hurdle on Wednesday.

The Assembly Natural Resources Committee voted 6-2 in favor of the California Clean Air Bond Act.

If successful, the measure sponsored by State Sen. Dean Florez would put a \$5.15 million bond before state voters. The money would go toward helping farmers and local officials pay for retrofits and upgrades to improve air quality in the Central Valley, according to the Shafter Democrat's office.

The bond would include \$400 million for the retrofit of farm engines to less polluting technology; \$800 million to identify the sources of air pollution, to research air pollution's role in respiratory ailments in the Valley and then to prevent and treat them; and \$400 million for agricultural land preservation and management programs

The bill would apply statewide, but has particular significance for the Valley, which is home to three of the nation's most polluted cities and a childhood asthma rate several times the national average.

In January, regional air quality officials took the almost unprecedented step of asking federal officials to rate the Central Valley as an "extreme ozone nonattainment area."

The U.S. Environmental Protection Agency agreed to the designation in April. The move gives local officials five more years, until 2010, to solve air pollution problems, but also increases the penalties if they fail to meet the deadline.

If approved as is, the bond would also include:

- \$500 million to buy zero- and very low-emission vehicles;
- \$500 million to support biomass and wood chipping as clean alternatives to agricultural burning, which a law passed last year is phasing out over the remainder of this decade;
- \$300 million for the upgrade or engine retrofit of older school and transit buses;
- \$400 million for the Innovative Clean Air Technology Program.

The bill will next be heard by the Assembly Agriculture Committee. First, however, Florez is expected to discuss tweaking the bill with other lawmakers.

New guidelines balance wildfire management, air quality

By Don Thompson

ASSOCIATED PRESS

Published in the San Diego Union-Tribune
5:07 p.m. June 14, 2004

SACRAMENTO – Wildfire managers want to let lightning-sparked fires burn in remote areas, but said they need to improve how government agencies decide which blazes can be allowed to continue without harming air quality miles away.

They announced a plan Monday to better coordinate between local, state and federal agencies when fires in the Sierra Nevada range should be allowed to spread, when they must be extinguished, and when they can be channeled and allowed to burn out.

Lightning-triggered wildfires are a natural phenomenon that aids some wildlife, helps control forest growth, and can minimize catastrophic firestorms, said John Kennedy, a manager within the air division of the U.S. Environmental Protection Agency.

But such fires can burn for weeks or even months. The dry Sierra is particularly vulnerable to lightning storms that can spark dozens of fires simultaneously.

Multiple fires or smoky fires on poor air quality days present their own problems with soot, smog and impaired visibility, particularly in the San Joaquin Valley and surrounding foothill and mountain communities.

The new "wildland fire use" protocol will help balance those decisions.

Land managers for the U.S. Forest Service, Park Service, Bureau of Land Management and California Department of Forestry and Fire Protection already have plotted where they'd like to let fires burn.

Once lightning strikes, they'll coordinate between themselves and with air quality boards on which fires should be allowed to continue. The decisions will be based on current and forecast air quality conditions and the air and ground forces available to control or extinguish blazes.

Action urged on climate change

In the Orange County Register
From Register news services
Wednesday, June 16, 2004

WASHINGTON – Climate change is already occurring and immediate steps are needed to slow it down and adapt to the changes that will occur anyway, scientists said Tuesday.

Climate change is a growing concern for scientists who worry that industrial exhaust and other gases in the atmosphere are raising temperatures and will damage crops and human health, raise the sea level and cause other problems. They cite records showing an average worldwide temperature increase of about 0.6 degrees Fahrenheit over the past century.

Some scientists disagree, saying computer models that forecast climate changes are not yet accurate enough to use as a base for policy change.

The National Academy of Sciences has indicated that the increase is due in large part to human activity, White House science adviser John H. Marburger III said, and "while scientific uncertainties remain, we can now begin to address the factors that contribute to climate change."

Off-Road Vehicle Case Is Rejected

Environmental groups had sued to protect lands being studied for wilderness designation. Interior Department praises the 9-0 decision.

Los Angeles Times
By Henry Weinstein, Times Staff Writer
June 15, 2004

The Supreme Court rejected a lawsuit by environmental groups Monday that accused the federal government of failing to safeguard Western wilderness areas from an onslaught of off-road

vehicles.

The unanimous decision said environmental groups could not use the courts to compel the federal Bureau of Land Management to take more aggressive action to protect land that is under study for designation as wilderness.

The case directly involved about 2 million acres of "wilderness study areas" in Utah, but legal experts said the decision could more broadly affect the legal treatment of lands across the West, including California. The ruling will significantly limit the ability of citizen groups to use the courts to enforce a broad range of environmental protections, the legal experts said.

Interior Department officials and advocates for off-road-vehicle users praised the ruling. They had asserted that environmental groups were attempting to use the courts to micromanage government decisions regarding wilderness planning.

Monday's ruling comes amid controversy over the Bush administration's energy policies, which advocate more oil and gas development in the West. Officials of 14 states, including California Atty. Gen. Bill Lockyer, and a bevy of former federal environmental officials from the Nixon, Carter and first Bush administrations filed friend-of-the-court briefs supporting the environmental groups.

The case involved the four designated wilderness study areas in Utah, including the plateaus of the Moab area near Arches and Canyonlands national parks and canyons near Zion National Park. Congress has been deadlocked over whether to set aside the lands as official wilderness, a designation that would not allow off-road vehicles to use the areas.

In the years since the debate over the lands began, the number of off-road vehicles has increased sharply. The environmental groups that went to court told the justices that the number of such vehicles in Utah had increased from 9,000 to 83,000 between 1980 and 2000.

Federal land managers acknowledged in 2000 that "over the past several years, motorized recreation use has increased dramatically."

The Bureau of Land Management has had a policy, in theory, of controlling the use of off-road vehicles to prevent land that is being studied for wilderness designation from being harmed. But the agency conceded in 2000 that it had not carried out or enforced those policies.

Based on that failure, the environmental groups, including the Southern Utah Wilderness Alliance, the Wilderness Society and Earthjustice, went to court, arguing that the BLM had a legal duty to protect the wilderness study areas. A federal trial judge in Salt Lake dismissed the case, but it was reinstated by the U.S. 10th Circuit Court of Appeals, based in Denver, which ruled the case could go to trial.

At the Supreme Court, the environment groups told the justices that off-road-vehicle users, rather than being limited to existing roadways, had created "ever more 'ways,' scarring the landscape and converting formerly pristine features like streambeds to ORV raceways."

Washington attorney Paul Smith, arguing for the environmental groups, contended that the BLM had breached a "mandatory nondiscretionary duty" to protect the land.

But Justice Department attorney Edwin Kneedler, arguing for the administration, denied that, saying that the BLM's plans "do not impose legal obligations that are owed to the public."

The justices agreed. Justice Antonin Scalia, writing for the court, acknowledged that off-road vehicles have had significant negative effects on the environment, "including soil disruption and compaction, harassment of animals and annoyance of wilderness lovers."

However, Scalia said the BLM had done what it could with "scare resources and congressional silence with respect to wilderness designation." Congress never envisioned "pervasive oversight by federal courts over the manner and pace of agency compliance," Scalia wrote.

Robert Keiter, an environmental law professor at the University of Utah Law School, said the ruling could raise questions about whether a number of broadly worded legal protections for wilderness areas would "prove enforceable in the future ... because of the court's unwillingness to put any teeth" into the congressional mandates. Because of that, the ruling also could have an effect on laws governing national parks, he said.

Tina Kreisher, an Interior Department spokeswoman, said the agency was "pleased that the court has upheld the principle that the federal resource managers may use their expertise to make day-to-day management decisions without unnecessary litigation."

She said the agency would "continue to work cooperatively with the public to protect wilderness while allowing other congressionally approved uses of public lands."

Rainer Huck, the president of a Utah off-road-vehicle group, called the ruling "a complete victory on all fronts."

But Tom Dresslar, a spokesman for Lockyer, said he was troubled by the ruling. "This ruling shackles the enforcement of environmental protection laws with an overly technical legal interpretation that runs counter to congressional intent," Dresslar said, adding that the ruling could negatively affect 90,000 acres of wilderness in California.

"Under this decision, it is hard to imagine a scenario in which the courts could step in and tell a federal agency that it is not doing its job the way Congress intended," Dresslar added.

Environmental organizations expressed concern that the ruling would lead to further damage to wilderness areas.

Mike Matz, executive director of Campaign for America's Wilderness, said the decision "implies that our wild lands can be held hostage in infinite limbo while destruction and degradation go unstopped and uncorrected."

Here we go again

Bond measure for air cleanup starts through the meat grinder.

[Fresno Bee editorial, June 16, 2004:](#)

When state Sen. Dean Florez took a package of groundbreaking clean-air legislation to Sacramento last year, the complaints from Valley agriculture interests were loud and long that they were being singled out among all the contributors to the region's polluted air.

Now Florez is back with a bill for a \$5.2 billion bond measure to help pay for cleaning the air, and his colleagues in the Legislature are complaining that it is too heavily weighted in favor of agricultural interests.

Sigh.

Now Florez will begin the process of tweaking and twisting the bill to meet the needs and objections of a whole host of different interests, just as he did with last year's legislation. The process is long, cumbersome and frustrating -- as the saying goes, people who like law and sausage should never watch either being made.

But it is a process that can work, just as it worked last year. Major breakthroughs on air pollution were achieved, including the lifting of ag's historic exemption from the permit process that all other polluting industries must follow and the phasing out of open-field burning by 2010. Florez acknowledges the bond's tilt toward ag, and believes it is justified because of the great expense

farmers must endure to comply. We agree generally, though the measure has some problematic elements.

The funds from the bond measure would pay for, among other things:

\$400 million for the Carl Moyer program, which helps farmers replace and retrofit older diesel engines used to power irrigation pumps. Diesel pollution is one of the deadliest of our air quality problems.

\$1.2 billion for new technology to reduce the production of pollution-causing chemicals by other farm equipment.

\$300 million would be used to renovate or replace old buses. California's school buses, for instance, are among the oldest and dirtiest in the nation -- and there are a lot of them.

\$300 million would be used to support woodchipping and biomass industries. That may provide useful alternatives to open-field burning by farmers.

\$500 million would be set aside for asthma screening and prevention.

That last one is among the problem areas cited by members of the Assembly Natural Resources Committee on Monday. It runs against the principle of limiting bond expenditures to capital investments.

But on balance the bond would be very welcome, especially in the Valley. Its progress bears close scrutiny.

Ruling Hits the State Like a Truck

[Commentary in the Los Angeles Times](#)

By Jody Freeman and Kal Raustiala, Jody Freeman teaches environmental law and Kal Raustiala teaches international law at UCLA Law School.

June 15, 2004

The U.S. Supreme Court's ruling last week allowing Mexican trucks into the United States has inflamed environmental groups. The diesel exhaust from these trucks is a major public health threat, and many of them will have difficulty meeting U.S. safety requirements.

But the case is not notable simply because the court once again ruled against environmental interests. The case is also significant as the most recent and vivid example of national policies — on trade, homeland security, immigration and drug policy — that burden California disproportionately even as they benefit the nation as a whole.

The North American Free Trade Agreement, for instance, which requires that the U.S. allow the Mexican trucks to operate here, may on balance be good for the U.S., but it is not good for California's air quality. The same is true of homeland security requirements that, though necessary, impose huge costs on states like California, with major ports, borders and cities to keep safe. It's also true of national drug policies, which have stemmed trafficking in Florida, only to shift it to California.

Despite these unequal burdens, California often receives fewer per capita federal dollars than less-burdened states. California's Sen. Dianne Feinstein noted, for example, that the state, with its "target-rich" environment, receives only \$1.33 per capita for homeland security, but Wyoming, with no high-profile targets, gets \$9.78 per capita.

National policy on drug trafficking also produces concentrated local effects. Federal targeting of cocaine smuggling in Florida in the 1980s pushed traffickers into routes in Mexico. This directed more drugs through California, a situation that taxes local law enforcement.

So too with immigration, which benefits the economy and society as a whole. Border states like California bear a disproportionate burden of the associated costs. For example, although Washington supplies some support for undocumented immigrants' emergency medical care, this falls \$500 million short of California's needs. Even the No Child Left Behind law unequally burdens Southern California. Many immigrant students have weak English skills. Yet Washington supplies very little money to offset the costs of educating these needy students.

Which brings us back to the Mexican trucks. There are no federal dollars targeted to help California address the public health effects from 34,000 Mexican trucks rolling into the U.S. Mexican trucks do not have to meet stricter U.S. emissions standards. Their excess emissions will lead to more respiratory disease, especially in children, and more cancer deaths. California will be forced to cut emissions from other sources to meet federal air-quality standards, hurting the state's economy.

The culprit here is not the Supreme Court. The law that environmentalists sought to enforce would only have required the federal government to conduct an environmental study, which the administration had already begun. A victory for the environmentalists would have delayed but not prevented the trucks from rolling in. The real fault lies with the executive branch and Congress for failing to provide sufficient financial and technical assistance to states that bear more than their fair share of the pain for national policies.

In this election year, California's unfair burdens are unlikely to get much attention because the state is not in play. But Gov. Arnold Schwarzenegger should press his friends in Washington for help.

Congress knows how to assist overburdened localities. For example, it funds retraining through a program that mitigates free trade's effect on workers whose jobs move overseas. Similarly, Washington could reduce diesel emissions from federal facilities in California. This principle of mitigation should apply more generally.

The truck decision will make it harder for California to meet air pollution standards, and public health will suffer. But that is just the tip of the iceberg.

Mexican trucks are polluters

[Merced Sun-Star Letter to the Editor](#)

Last Updated: June 16, 2004, 06:35:27 AM PDT

Editor: Ever since our U.S. Supreme Court refused to protect our flag, I've questioned some of their decisions. Many, in fact.

Their latest, allowing Mexican trucks and buses unlimited access to our freeway network, doesn't make much sense.

Those Mexican vehicles cause twice as much pollution as the U.S. trucks. Now our Valley air pollution district says we will have to make some cutbacks to offset this increase.

Why should we have to suffer?

Let the Mexican trucks meet our safety standards, or stay across the border. They are not as concerned with air pollution as we are. State officials wanted our environmental study performed before allowing the trucks in, but the Bush administration, which wanted the trucks in the U.S. to appease Mexican President Vicente Fox, said no significant increase in air pollution would occur with allowing their trucks on our freeways.

I don't agree. The Valley is already one of the most polluted areas in the country. Why add to it unnecessarily?

More than a million of these trucks entered the U.S. last year to travel within their allowed 20 miles from the border. How many more polluters will we have in the future now that they'll be able to travel anywhere?

EDWIN GIFFT
Los Banos

California Leads on Warming

[NEW YORK TIMES EDITORIAL](#)

June 15, 2004

Filling a leadership vacuum left by President Bush and Congress, states have been forced to lead the fight against global warming. Yesterday California unveiled an ambitious proposal to require automakers to cut emissions of carbon dioxide and other gases linked to global warming by as much as 30 percent over the next decade.

The plan will almost certainly be challenged in court by the automakers and possibly by the Bush administration. Given California's long history as an innovator in environmental policy, however, the initiative is likely to inspire similar efforts in other states and may have the further salutary effect of forcing the issue of climate change - which even Senator John Kerry has shown little inclination to tackle - onto the campaign agenda.

The plan grows out of legislation passed by the California Legislature two years ago. It would require manufacturers to start reducing carbon dioxide emissions in the 2009 model year with the aim of achieving a 30 percent reduction by 2015. Since carbon dioxide and other gases linked to global warming cannot be filtered in the same way that catalytic converters filter out harmful smog-forming particles, the only way to cut global warming emissions is to reduce fuel use. That means making more fuel-efficient cars.

The manufacturers are likely to argue in court that this is merely a backdoor way of mandating a tougher fuel-economy standard, which under current law is a federal responsibility. The manufacturers will also complain about having to sell cars in states with different regulatory mandates. This is a legitimate problem, for which Washington must be blamed. Given the federal indifference, California cannot be expected to refrain from acting on its own to address global warming.

The state's plan still faces further regulatory and legislative review. Nevertheless, whatever emerges is likely to serve as a template for similar action in other states, particularly on the East Coast, where concern over global warming runs high. In New York, Gov. George Pataki, for instance, is organizing a 10-state regional plan to cut power plant emissions, and he has announced that he will follow California's lead on automobiles. Altogether, more than 30 states have approved global warming laws of one sort or another, many of them aimed at encouraging greater use of less-polluting fuels.

All of that leaves Washington bringing up the rear of a parade it ought to be leading. Mr. Bush reneged on his 2000 campaign promise to impose mandatory caps on carbon dioxide, and Congress has rejected all efforts to mandate meaningful increases in fuel efficiency.

Local measures alone are never going to solve the climate-change problem, which will ultimately require a global response. And that battle will never be fully joined unless America joins it. But the palpable concern on the state level may in time serve as a goad to national action.