

Clean-air program consensus reached

Valley farmers would upgrade their pumps as part of \$90 million plan.

By Jennifer M. Fitzenberger

The Fresno Bee, Tuesday, Aug. 24, 2004

SACRAMENTO -- Officials in Gov. Schwarzenegger's administration and leaders of agricultural and environmental groups have agreed on a plan that could generate \$90 million for clean-air programs and give farmers access to state money to revamp dirty diesel engines.

Assembly Bill 923, amended Monday, authorizes local air boards to increase vehicle registration fees by \$2, raising about

\$55 million per year to help change and update pollution-spewing engines that power school buses and farm pumps.

It also increases a state fee on the purchase of new tires to \$1.50 per tire, generating about \$25 million per year for air quality programs, and allows drivers to donate \$10 when they register their vehicles, potentially generating about \$10 million per year.

The bill materialized Monday after months of negotiation between the agriculture industry -- which has resisted strict emission regulations -- and environmental advocates -- who for years have pushed for tougher rules to curb pollution. AB 923 could come up for a Senate vote as early as Wednesday. "Everybody recognized that what we want to do is find ways for people to improve air quality," said Cynthia Cory, director of environmental affairs for the California Farm Bureau Federation. "Everybody looks at it as a win-win."

Assembly Member Marco Firebaugh, D-South Gate, said his measure would go a long way toward cleaning California's dirty air. The central San Joaquin Valley's air is among the nation's most polluted.

The bill, Firebaugh said, would remove about seven tons of smog-forming pollutants from the air each day. Air officials say that is the equivalent of replacing every lawn mower in Southern California with newer, cleaner models.

"It doesn't sound like a lot, but in reality it really is," said Jerry Martin, a spokesman for the California Air Resources Board. Martin said that about 1,200 tons of nitrogen oxides, which help form ozone, are emitted statewide each day.

The bill would boost funding for the Carl Moyer Program, which has helped refurbish and replace about 4,900 dirty agricultural engines statewide since 1998.

The program was nearly broke until earlier this year, when Schwarzenegger and the Legislature included \$33.9 million for it in the 2004-05 state budget. Funding will come through an adjustment in the smog abatement fee, raising it from \$6 to \$12 per year.

The state air board and local air districts will decide how much of the new \$90 million will go toward the program.

In the past six years, the Carl Moyer Program has helped about 800 farmers in the San Joaquin Valley replace nearly 1,600 older farm engines.

Until now, farmers have done this voluntarily. But a new clean-air law by Sen. Dean Florez, D-Shafter, will make updating some of the engines mandatory, disqualifying farmers from using money from the Carl Moyer Program, which can be used only for changes not required by law.

AB 923 would allow farmers to continue using Carl Moyer Program money until they must comply with new regulations. In the Valley, that could begin as early as 2007 to replace or update the oldest, dirtiest engines.

"In my industry, those funds are definitely necessary," said Manuel Cunha, president of the Nisei Farmers League in Fresno.

"If we don't work together on this, we're all going to lose because if you destroy agriculture, there goes the food chain," Cunha said. "If we can work together, I think we're headed in the right direction."

John White, representing the Sierra Club in Sacramento, said AB 923 is a good first step.

"We've got significantly more work to do," White said. "[But] this and the budget represent a significant down payment on the governor's promise to clean up the air."

Vehicle fees could raise \$90 million for air pollution programs

The Associated Press

Published in the Fresno Bee, S.F. Chronicle and other papers

Saturday, Aug. 21, 2004

LOS ANGELES (AP) - California motorists may have to pay \$2 more to register their vehicles and an additional 75 cents for a new tire under a plan to fund air pollution programs.

If approved by the Legislature and Gov. Arnold Schwarzenegger, the legislation proposed by Assemblyman Marco Firebaugh, D-Los Angeles, could provide the state with \$90 million a year.

The money would be used to expand programs targeting smog and to fix or replace pre-1977 school buses and farm equipment, the California Air Resources Board said.

"A lot of people who don't always see eye to eye on these issues have spent months trying to work together, and we have found some common ground," said Rob Oglesby, chief lobbyist for the board.

The bill would allow local air pollution control districts to raise vehicle registration surcharges from \$4 to \$6. It would also increase new tire fees from \$1 to \$1.75. Officials said districts in urban areas, including Los Angeles and San Francisco, would be more likely to approve the increases than those in rural regions such as the Central Valley.

The measure would also give motorists the option of donating \$10 a year to air pollution programs when paying for DMV registration. State officials estimate that about 4 percent of motorists would contribute, raising about \$10 million annually.

The proposed fee hikes were brokered by Schwarzenegger administration officials, Democratic lawmakers, environmental groups, oil companies and agricultural representatives.

Initially, negotiators wanted more drastic requirements such as removing old, polluting vehicles from the road. Many of those measures, however, were strongly opposed.

Jose Carmona, a lobbyist for the Sierra Club, said one proposal called for the bill to include additional taxes on gasoline, a major cause of air pollution.

"But we could not reach agreement on that, and we felt that we should do what we could for the time being," he said.

Separately, Schwarzenegger has proposed raising existing smog fees in exchange for giving motorists more time before smog checks are required on new vehicles.

That idea was eventually approved as part of the state budget and is expected to bring in \$60 million a year.

Fee Hikes Would Aid Smog Fight

Talks in capital yield a deal to boost programs that fix or retire badly polluting school buses and farm equipment. Legislative OK needed.

By Miguel Bustillo, Times Staff Writer, Los Angeles Times, August 21, 2004

Californians could soon pay \$2 more to register their cars and 75 cents more to buy a new tire as part of a deal - brokered this week by the Schwarzenegger administration and Democratic lawmakers - to help fund an expansion of air pollution programs.

The package of proposed increases, which still must be approved by the Legislature and signed into law by Gov. Arnold Schwarzenegger, would raise about \$90 million more a year to help fight smog. It would increase state tire fees to \$1.75 per tire from \$1 and allow local air pollution

control districts to raise - to \$6 from \$4 - a vehicle registration surcharge that helps fund environmental programs.

Motorists would also receive the option of donating \$10 a year to air pollution programs by checking a box on their DMV registration forms, a voluntary approach favored by Schwarzenegger's environmental protection secretary, Terry Tamminen. State officials estimate that 4% of drivers would make the contribution, raising \$10 million annually.

The legislation that includes the increases, AB 923 by Assemblyman Marco Firebaugh (D-Los Angeles), requires only simple-majority approval in the Legislature rather than the two-thirds majority that would be needed for a tax increase.

If the bill became law, local air districts would have the authority to approve the vehicle registration increases. Officials said hikes would almost certainly occur in urban areas such as Los Angeles and San Francisco. Air districts in other parts of the state, including the Central Valley, might be more reluctant to implement them, officials said.

The latest deal was cut - after months of negotiations - by Democratic legislators, officials in the California Environmental Protection Agency and lobbyists for environmental groups, oil companies and agricultural interests.

Participants in the talks initially hoped to reach agreement on an even bigger set of fee increases that would have funded a large-scale program to get some of the worst polluting old cars and trucks off the state's roads. Such vehicles make up less than 10% of all cars and trucks, yet account for half of the worst types of pollution from passenger vehicles. Agreement on that larger package proved elusive.

The accord that negotiators did reach comes on the heels of a Schwarzenegger administration proposal to raise smog fees in exchange for giving motorists extra time before smog checks are required on new vehicles - an idea that was eventually approved as part of the state budget and that is expected to bring in \$60 million a year.

Together, the new fees would generate more than \$150 million to repair or retire heavily polluting school buses and agriculture equipment. Some of the money might also be used to scrap older cars and trucks.

Air quality officials consider those programs to be among the most cost-effective ways of cutting nitrogen oxides and the other pollutants that form smog. The programs have been supported by industry groups as well as environmental advocates.

"This would be huge," said Rob Oglesby, chief lobbyist for the California Air Resources Board. "A lot of people who don't always see eye to eye on these issues have spent months trying to work together, and we have found some common ground."

Not everyone left the negotiations satisfied; automobile industry representatives oppose some of the fees.

The programs that would receive the new money have largely been financed with state bond money and were in danger of losing future funding because of the state's profound budget problems.

Expanding the programs with the new money would reduce smog-forming pollutants by about seven tons a day statewide, air board officials estimated. More important, officials said, the expansion would make new money available to fix or replace old school buses that expose children to diesel exhaust. The legislation targets school buses built before 1977 that not only are heavy polluters, but were also made in an era of fewer safety standards.

"We're pleased we have come to agreement on a fairly large reduction program," said Bob Lucas, a consultant for the California Council for Environmental and Economic Balance, an umbrella group that includes many of the state's largest corporations. "I'm not sure that the universe of folks affected by the tire fee shares our view, but we think it is a fair deal.

"It's a pretty significant package. While the money is not small, it is a drop in the bucket compared to what is needed" to identify, repair and replace all the heavily polluting cars and trucks, Lucas added.

Environmental groups also had hoped for more, and pushed for new fees on oil at the wholesale level to fund a larger program. But they could not find agreement with industry groups, which in return sought a rollback in regulations against refineries and factory smokestacks. The two sides decided to put that fight aside for now.

"The environmental community still feels that fuel fees of a penny or two [per gallon] on diesel and gasoline are imperative," said Jose Carmona, a lobbyist for the Sierra Club. "They are the products that, once burned in internal combustion engines, are responsible for a lot of the pollution in the air. But we could not reach agreement on that, and we felt that we should do what we could for the time being."

SJRTD to get hybrid buses Systems use diesel and electricity

The Record (no by-line)

Published Monday, August 23, 2004

STOCKTON -- Two new hybrid-fuel buses that will hit the streets next month will cut emissions by more than half and make Stockton one of California's first cities to try the new technology.

The power behind the two 40-foot San Joaquin Regional Transit District buses comes from diesel pickup engines and an electric drive system, according to maintenance director Bobby Kuhn.

Diesel engines partly drive the full-sized hybrid buses, which alternate between electric and diesel power as they go. The electric drive system supplies electrical energy to motors but also works like a battery, charging and storing energy each time the bus driver presses the brake pedal, Kuhn said last week.

"San Joaquin Regional Transit's introducing the hybrid is a breath of fresh air," Kuhn said.

The buses are scheduled to go into service Sept. 11.

San Joaquin needs fresh air, according to American Lung Association data. The association gave the county an "F" grade because of the level of pollution from particulate matter -- pollution found in diesel bus exhaust and myriad other sources. American Lung Association statistics show that 67,557 county residents suffer from asthma, bronchitis or emphysema.

Funds to purchase both buses come from a federal Department of Transportation grant. The hybrid pair cost a total of \$960,000, said Chris Durant, the district's maintenance superintendent. A traditional diesel bus costs about \$350,000, he said. Unlike individuals who buy hybrid vehicles such as the Toyota Prius, the district won't get a tax break for employing low-emissions buses, he said.

The transit district plans to purchase 51 more hybrids within the next two years to replace older buses that are due for retirement, Durant said. The district has 160 buses in its fleet, he said.

Kuhn said he expects to save on the district's diesel-fuel budget. The cost of diesel has become "scary" to SJRTD, he said.

With recent price fluctuations, diesel fuel has spiked as much as 75 cents a gallon in the past year, Durant said.

Bus passengers won't be left standing in a cloud of blue smoke when the hybrids pull away from the curb. The district's new buses expel less than half the particulate emissions of the transit district's older buses, thanks to an exhaust system that cuts emissions.

Ideally, buses should produce nearly zero particulate matter in emissions, based on California Air Resources Board regulations.

No engines sold in California meet that low standard yet, according to CARB spokeswoman Gennet Paauwe. The new buses produce about 1.8 grams of particulate matter per hour, Kuhn said; an older, diesel-only bus puts out about 4 grams per hour.

Paauwe praised the transit district's move to reduce emissions.

"Not every transit district wants to do something like this," she said. "It's a good start toward a cleaner future."

New York City and Seattle transit authorities already operate diesel hybrids, according to Paauwe. Connecticut, Minnesota and Yosemite National Park authorities have considered buying similar buses.

The new buses also feature more room for passengers in wheelchairs and a ramp to help them onto the bus faster, Kuhn said. Passengers in the rear of the bus won't hear the traditional buses' "rumble and whine," he said.

Excited to try the new buses, drivers have pleaded with Kuhn for a chance behind the wheel. Transit district supervisors expect drivers who debut the new buses to report any problems they find while driving, but future drivers won't even know they're behind the wheel of a hybrid, he said.

"The whole point of hybrid technology is that you shouldn't notice it," he said.

New station to fuel FAX buses

Fresno awards \$3.3 million contract to build the largest compressed natural gas station in Valley.

By Jim Davis

The Fresno Bee, Tuesday, August 24, 2004

The city of Fresno has made another commitment to cleaning the air by awarding a \$3.3 million contract to build the largest compressed natural gas fueling station in the central San Joaquin Valley.

The station will refuel Fresno Area Express buses in a few minutes, a fraction of the time it now takes.

It also will be available to refuel other city vehicles that use compressed natural gas and possibly the clean-air vehicles of private businesses.

"It's going to improve the air quality in the community," said James Samuel, FAX maintenance manager.

The fuel station will be built at the city's Municipal Service Center at El Dorado and G streets. It's scheduled to be finished in eight months. "I think it shows the city's further commitment to clean air," Council Member Henry T. Perea said. "We're continuing to convert the city's fleet from traditional diesel to clean natural gas."

Federal and state grants will pay for the project.

The city already has spent about \$600,000 to build a liquid natural gas fueling station for its garbage trucks.

The facility opened at the Service Center in April.

Garbage trucks and FAX buses are the two largest consumers of diesel fuel in the city's fleet of 1,800 vehicles. Samuel said FAX buses consume 4,500 gallons every weekday.

The city has 28 compressed natural gas buses and trolleys and expects to add 10 vehicles in April -- making about one-third of the more than 100 FAX buses clean-burning.

All FAX buses and garbage trucks are expected to be converted to natural gas by 2010.

The city asked for bids for a combined liquid natural gas and compressed natural gas fueling station a year ago, but none of the bidders met the city's specifications. The city separated the fueling station into two projects and requested additional bids.

Last week, the Fresno City Council awarded the bid to design, build and maintain the compressed natural gas facility to EFS West of Van Nuys.

The company also has built a compressed natural gas station for Los Angeles, said Ken Nerland, director of the General Services Department.

Fresno has been refueling its compressed natural gas buses for about a year at the UPS facility at McKinley Avenue and Golden State Boulevard.

The UPS facility is a slow-fill station and it takes 30 to 45 minutes to refuel each bus.

City buses have to wait until the UPS vehicles are filled, usually after 1:30 a.m. The city has paid \$49,300 in salaries for two temporary service workers to refuel the buses.

"You can't do it in an eight-hour period," Samuel said. "It takes a day and a half to fuel everything."

Workers will be able to refuel a compressed natural gas bus in about six minutes at the new station.

LA-Long Beach ports expanding off-peak cargo hours to reduce congestion

ALEX VEIGA, AP Business Writer
S.F. Chronicle, Monday, August 23, 2004

PDT LONG BEACH, Calif. (AP) -- The nation's largest port complex is looking to nights and weekends to move cargo, hoping to ease trucking traffic and air pollution.

A coalition of marine terminal operators at the ports of Los Angeles and Long Beach developed the program, which is expected to begin in November, to pre-empt state lawmakers from forcing potentially costly changes at the ports.

To pay for operating the terminals for extended hours, cargo owners will be assessed fees projected to amount to more than \$150 million a year for three years. The fees will be phased out after three years, when the volume of cargo at the port will have grown enough to offset the cost of the extended hours.

By opening the ports' cargo facilities during off-peak hours, terminal operators say there will be fewer trucks on the area's freeways during rush hour. With less congestion, trucks will spend less time idling and that should help reduce air pollution.

"The air we breathe will be cleaner as trucks spend less time on highways," said Alan Lowenthal, a Democrat who represents the port district in the California Assembly.

A new company, PierPass Inc., will administer the program and collect the fees from cargo owners, who will be charged \$20 for every 20-foot cargo container and \$40 for 40-foot containers.

Those who opt to move their goods through the ports' terminal gates during off-peak hours or through the Alameda Corridor -- a 20-mile rail line built to streamline cargo traffic between the ports -- will have the fee refunded.

Extended hours will initially be Saturdays while the program is phased in over six months. Every subsequent month, another extended shift will be added.

It remains to be seen whether a majority of cargo owners will make the necessary adjustments to their own operations, such as staffing warehouses and distribution centers during evenings and weekends, to switch to moving their cargo at off-peak times.

About 17 percent of the ports' cargo now moves at off-peak hours. But that is mostly cargo controlled by the larger importers, who specifically order and pay for cargo operations to be conducted after hours.

The new initiative would eventually make such off-peak cargo operations the norm.

"In reality, the rest of the system will take at least a year to respond to the change," said Jon Hemingway, chairman of the terminal operators group that developed the program.

Some large shippers, like Toyota and Target Corp., are supporting the program.

Target has been conducting its cargo operations during off-peak hours for some time, said Rick Gabrielson, the company's senior manager for import operations. More than 30 percent of the company's cargo operations already occur either at night or weekends.

Switching operations can be difficult, but Gabrielson urged shippers to follow suit.

The new program will require the hiring of around 500 additional port workers on top of the 3,000 the ports are hiring to deal with a logjam of cargo.

"Our first priority is to get the cargo we have through this port in our peak season," Hemingway said. "A huge portion of the nation's cargo goes through these ports and we can't screw it up."

Recycler sued in dispute over fire

Officer says career, reputation destroyed by the controversy.

The Fresno Bee, Aug. 22, 2004

A feud that began in a smoke-filled office last summer between an owner of a recycling yard and a Fresno police officer continues to simmer in Fresno County civil court.

Tempers have not mellowed much in a year, and the legal dispute grew more contentious last week when officer Ed Louchren countersued John Bairos, claiming his reputation and career aspirations were destroyed by the controversy.

Louchren is suing Bairos for assault, intentional infliction of emotional distress, negligence and defamation of a peace officer. Although Louchren and his attorney did not say how much money they are seeking, the officer is attempting to recover punitive damages.

His lawsuit is the latest in a legal battle that may not be resolved until next year. Until then, Bairos and Louchren continue to exchange accusations stemming from their confrontation on June 6, 2003, when a massive fire ravaged the Bairos Recycling Yard in southwest Fresno.

In June, Bairos filed a lawsuit alleging that Louchren, the city of Fresno and the Police Department violated his constitutional rights. Bairos' lawyer, Charles Doerksen, calls it a \$1 million suit. Three days after Bairos sued, Louchren filed a small claims lawsuit. He asked for \$5,000 but said he would drop it if Bairos gave him \$4,500 and a signed letter of apology.

Those lawsuits were combined in July.

The civil case grew again Monday when Louchren filed a cross-complaint, or countersuit, against Bairos; his wife, April; and their recycling company.

In that suit, Louchren says Bairos made false accusations against him that were widely publicized. Louchren claims this has damaged his career and destroyed his reputation as a police officer.

Louchren has been passed over for promotions, additional training and special assignments that come with overtime pay, according to his attorney, Michele Belanger-McNair.

"This affects the way the department looks at him," Belanger-McNair said.

Deputy Chief René Martin said Police Department officials could not comment on those claims because they are personnel issues.

Bairos and Louchren first met as a blaze ripped through the recycling yard. Bairos was trying to remove computers and files from his smoky office. Louchren was trying to make Bairos leave.

It was not long before the two men became angry with each other.

In a police complaint, Bairos said Louchren held a gun to his forehead and said, "I'm going to cap [shoot] you right now unless you get out of here."

Bairos said Louchren left a bruise on his head and that the officer pushed him to the ground.

An internal police investigation later exonerated Louchren of using excessive force and making a false arrest.

Belanger-McNair said Louchren also was exonerated for using improper language, but police officials could not confirm the finding.

Louchren's attorney said it was Bairos who instigated a fight and that the officer never held a gun to Bairos' head.

"This guy [Bairos] wanted to duke it out in a room filled with smoke over what amounts to property," Belanger-McNair said. "Louchren was suffocating, and this guy wants to fight."

Louchren suffered smoke inhalation, an asthma attack and stress-related symptoms as a result of the altercation, Belanger-McNair said. He also has taken time off work because of the stress, she added.

"It's bothered him to have an unfair, unjust accusation about him," Belanger-McNair said.

Doerksen calls Louchren's lawsuits "acts of retaliation" and an "unconstitutional infringement" on Bairos' right "to speak his mind without being punished."

"The message sent is you are stepping out onto thin and dangerous ice if you call the Fresno Police Department to task," Doerksen said. "That's fine and good if you have Mr. Bairos' financial resources and backbone, but what if you don't have the fortitude or financial resources?"

"If someone has a beef with a public official, they're entitled to air it."

Bairos and Louchren are due back in court in October to discuss a hearing date.

Sierra Club sues Yolo supervisors for approving dairy expansion

The Associated Press

The Fresno Bee, Friday, Aug. 20, 2004

WOODLAND, Calif. (AP) - Environmentalists sued the Yolo County Board of Supervisors on Thursday for approving the expansion of the Cache Creek Dairy without a permit.

The Sierra Club said supervisors caved to pressure from the dairy's owner to give their blessing to nearly double the size of the county's largest dairy - from 1,500 to 2,800 cows.

The environmental group said that if the county required a permit it would have triggered an environmental review to determine how much air and water pollution the expansion would create.

Four years ago, in response to the dairy's creation, the board amended a zoning code to require permits for new or expanding dairies.

Initially county planners rejected the dairy's claim that it had a right to expand without the new permit, but they reversed themselves days before the board of supervisors vote in April. Supervisors agreed that dairy owners Jack and Ellie Mae Kasbergen had a right to expand because maps previously approved for the project depicted a building that would eventually hold another 1,200 cows, according to minutes of the meeting. The new barn, however, never received a required building permit, said Brent Newell, an attorney for the Sierra Club's Mother Lode chapter. He also said a waiver to discharge waste that was originally granted by the Central Valley Regional Water Quality Control Board had been rescinded and therefore the expansion required further environmental review.

County spokeswoman Suzanne Mikesell said a lawyer was reviewing the lawsuit and would have no comment.

Phone calls were not immediately returned from the farmers or their lawyer.

The environmental group wants a Yolo County Superior Court judge to halt the project, require the necessary permits and order the county to pay legal fees.

On the Net:

The Sierra Club: <http://www.motherlode.sierraclub.org/conservation>

Yolo County Board of Supervisors: <http://www.yolocounty.org/org/bos/board.html>

Supervisors eye dairies

By GRETCHEN WENNER, Californian staff writer
Bakersfield Californian, Monday, Aug.23, 2004

Tuesday, some say, the eyes of the dairy industry will be on Kern County.

That's when supervisors will figure out how to handle 150,000 milk cows headed our way.

The outcome has big implications for the county, Central Valley and dairy industry, observers say.

During its morning session Tuesday, the board will consider taking no more dairy-related applications until 21 current proposals, most near Wasco, are considered.

County planners also want to process all applications under a single environmental report. Four existing dairy projects already in the permitting process would be considered separately from the 21 facilities.

The meeting is expected to draw dairymen, industry consultants, environmentalists, city officials and local residents.

Bill Descary, a Bakersfield resident who has been watching dairy developments here, said he supports freezing applications at the current number.

"They just have got to slow this process down," he said.

But Richard Reyneveld, a dairy contractor and stockholder in his family's Reyneveld Dairy south of Arvin, said the plan is unworkable and does nothing to ensure clean air or water.

In part, that's because the 21 facilities would be on different timelines, he said, and some operators won't want unnecessary delay in opening a new dairy.

"If they can't do it here, they'll go somewhere else, period," Reyneveld said.

Dairy siting has become contentious in recent years due to environmental litigation, bigger dairies and conflicts as homes and farms go up closer to each other.

Currently, Kern County has an estimated 290,000 dairy cows on 55 facilities.

Caroline Farrell, a lawyer with the Center on Race, Poverty and the Environment, a San Francisco-based group that has spearheaded dairy litigation in the Central Valley, said the sheer number of new cows proposed for Kern is "amazing."

"That's a big planning issue," Farrell said, adding air pollution impacts would affect the entire air basin.

What's more, she said, the industry's claim of positive economic benefits from new jobs doesn't bear out. Tulare County, for example, which is now the country's No. 1 dairy county, "is also one of the poorest in the state," she said.

"The idea that all of these dairies are going to bring jobs is sort of undermined by the experience in Tulare County, where the economic benefits don't extend to the county as a whole, but to a few people within the county," she said.

If supervisors approve the plan, the environmental report would likely take at least until April 2006 to complete, according to county planners. In the board's afternoon session, supervisors will take on another dairy issue.

The long-fought Vanderham Dairy near Shafter is back, up for a recommended conditional use permit. Supervisors approved the dairy in December 2002. The project has since languished in litigation.

"It's been a long time," dairyman Rick Vanderham said Friday. "I've been working on this permit for five years."

John Guinn, Shafter's city manager, said the city opposes the nearly 2,900-cow facility because of its impact on the community.

"It's just too close," he said. "It's within an area that can be urbanized up to it fairly soon."

Riders line up for Sunday buses

By Heidi Rowley, Staff writer

Visalia Times-Delta, Monday, Aug. 23, 2004

Those who ride the bus regularly are joyous over an additional day of bus service.

Cecil Harmon, 85, said he goes to Mearle's Drive-In to eat once every day. But on Sundays he used to have to fend for himself because the bus didn't run that day.

However, now Harmon can go to Mearle's on Sunday because the Visalia City Coach added Sunday to its schedule.

"I'll be riding it every Sunday," he said.

For April Akers, 17, it means she has a ride to work on Sunday.

"Sunday service is great because I'm tired of trying to find a ride," she said.

The first day of Sunday service was on Aug. 15, when riders were able to ride free as an introduction to the service.

There were 700 people who took advantage of the free ride, said Monty Cox, city transit manager.

"That's as good as we could have expected," he said of the Aug. 15 numbers.

During the rest of the week, there are 14 busses that run, but on Sunday, there are seven. Buses run from 6 a.m. to 9:30 p.m. Monday through Friday, from 9 a.m. to 6 p.m. Saturday and from 8 a.m. to 4 p.m. Sunday.

"Typically your weekend ridership is not as strong as weekday ridership," Cox said, adding that the hope is to get up to 2,000 riders on Sunday. "But that doesn't mean if we don't get [2,000 riders] we will discontinue it."

He said by providing bus service on Sunday, people who have to have a vehicle to get to work on Sunday may no longer need that vehicle and can ride a bus any day of the week. He said that could mean Visalia City Coach will get new customers.

"We are increasing our ridership all week because we are taking away the necessity of a person who works on Sundays to have to have a vehicle," he said. "We are making transit more useable."

Information

Regular fare: 75 cents per ride

Day pass: \$1.50

Monthly pass: \$28

Information: 713-4100 or www.rideVCC.com <<http://www.rideVCC.com>>.

Yosemite to adopt hybrid-powered buses

The Associated Press

Bakersfield Californian, Sunday, Aug. 22, 2004

DETROIT (AP) - Hybrid engines using both diesel fuel and electric power will be used to run some buses in Yosemite National Park - a move aimed at curbing emissions in the nature preserve.

Eighteen of the new 40-foot buses are scheduled to go into service in the park in May 2005. All will operate with diesel-electric hybrid engines from General Motors Corp.

The new buses offer up to 60 percent greater fuel economy and 90 percent cleaner emissions than diesel buses. The diesel-electric hybrids are also quieter than traditional designs.

Hybrids draw power from two energy sources, typically a gas or diesel engine combined with an electric motor.

Plan Aims to Reduce Truck Congestion at Ports

By Sue Fox, Times Staff Writer, Los Angeles Times, August 22, 2004

Truck traffic around the ports of Los Angeles and Long Beach could ease under a plan forged by terminal operators to open their gates for shipping during off-peak hours.

Last year, Los Angeles City Councilwoman Janice Hahn asked industry officials to consider operating around the clock to help thin out congestion and reduce pollution from trucks moving cargo.

Marine terminal operators, truckers, cargo owners and labor representatives met for months to devise a solution.

Assemblyman Alan Lowenthal (D-Long-Beach), who has sponsored legislation calling for limiting emissions at the port, pushed the parties toward an agreement by introducing a bill that sought a fee for truck transport during the busy hours between 8 a.m. and 5 p.m.

Under the deal, terminal operators at the complex will charge a fee to companies, such as Wal-Mart and Target, that own the goods being trucked. The fee, \$40 per 40-foot container, will subsidize the cost of additional labor to keep the gates open late and on weekends.

To encourage cargo owners to ship during off-peak hours, the fee will be waived during those times.

Lowenthal, Hahn and other officials plan to announce details of the deal Monday.

"It's historic," Hahn said Saturday. "Eleven million containers are coming into these port complexes annually and it's expected to triple in 20 years, but we have no plans to build more freeways and bridges. So this is a short-term solution to reduce congestion and pollution."

The port complex is the biggest single air polluter in the Los Angeles region, leading harbor-area residents to dub it "the diesel death zone."

In 1999, a study by the South Coast Air Quality Management District found the lifetime cancer risk from air pollution around the port exceeded 2,000 cases per million people.

Federal, state and local agencies typically regulate facilities with the goal of reducing the cancer risk to between 1 and 100 cases per million.

Truck traffic through the ports - an estimated 35,000 trips per day - routinely clogs the Long

Beach Freeway and other arteries. Cargo volume is rising, meanwhile, largely due to strong export trade from China. The boom has created cargo backlogs, which led the ports to stage a job lottery last week to find 3,000 temporary dockworkers.

"The amount of cargo being moved is beyond anyone's wildest dreams," Lowenthal said. Expanding the operating hours for the two ports is "a first step to stabilize an out-of-control situation," he said. "It will give us a little breathing room because the growth is so spectacular."

County: Proposed influx of cows now reaches 214,000 head

If approved, number of dairy animals in Kern would reach half-million

By GRETCHEN WENNER, Californian staff writer

Bakersfield Californian, Tuesday, Aug. 23, 2004

A total of 214,000 new cows could be headed to Kern County.

That's the latest count proposed by farmers hoping to move dairies here, according to a report released late Monday by county planners.

Last week that number was 150,000, but an additional 64,000 cows are now waiting in the wings. That's more than double the original 104,000-cow estimate from June.

Currently, planners estimate the county's milk-cow herd stands at 290,000 animals at 55 facilities. If all proposed facilities were approved, the population would reach more than 503,000 cows, planners say.

The county has been hit by a surge of dairy project proposals in the past few months -- after a dry spell.

Since 2000, the county has approved only a few new dairies and most of them have faced legal challenges.

Now there are 28 cow-related projects in the works locally.

That number could peak today.

County supervisors will consider putting a temporary freeze on all new dairy projects today. Dairies that haven't already turned in their initial paperwork would have to wait until the 214,000 new cows are considered.

County planners hope to study the impact of most of those cows with a single environmental report, a controversial plan. The Board of Supervisors will discuss it this morning.

One of the latest projects to be revealed is the Rudnick Feedlot, a 25,000-head beef and dairy operation with a slaughterhouse.

The Rudnick facility, which would also process goats and sheep in the slaughter facilities, is proposed for a site on Old River Road two miles south of Interstate 5.

Today's meeting is expected to draw comments from dairymen, industry representatives, environmental groups, city officials and residents.

Joe Vander Poel, whose family is proposing a 4,000-cow dairy outside Wasco, said he'll speak against the idea of a single environmental report.

Vander Poel said lumping all facilities under one report would be unfair to his family, which bought land in the area before a flood of dairy proposals near Wasco hit the planning department.

The family worked with local school, water and other officials before buying property to make sure there would be no resistance. They also made sure the site wasn't on a flood plain or so-called "perched" groundwater areas, where groundwater can be just 5 to 10 feet below the surface.

"At first, everybody was for the dairies," he said. "Now, all of a sudden, for other reasons, it's an issue."

Wasco officials will also speak at the meeting, mostly against the large number of dairies aiming to go northwest of the city.

While they don't have any say over siting dairies on county land, they're concerned smells, flies and possible pollution could harm Wasco's quality of life.

Kern deserves representation

[Bakersfield Californian, Editorial, Monday, Aug. 23, 2004](#)

Kern County Supervisor Barbara Patrick deserved reappointment to the California Air Resources Board.

First appointed to the important board by Gov. Pete Wilson in 1997, Patrick drew widespread support in winning reappointment from Gov. Arnold Schwarzenegger.

A staunch supporter of San Joaquin Valley interests, Patrick gained backing from agriculture and industry representatives, legislators, environmental groups and citizens concerned about clean air issues.

"The enthusiastic support that has come from the San Joaquin Valley and Kern County has been inspiring," she said. "The San Joaquin Valley is a high priority of the Air Resources Board. I intend ... to ensure that a balanced approach is used in the development of policy that will provide California and the San Joaquin Valley with the cleanest air possible."

With more than 61 percent of all pollution in California caused by transportation, the state Air Resources Board is at the forefront in seeking ways to reduce vehicle exhaust emissions.

Smog is a serious problem in the valley. It is important and significant that a Kern County representative serve on the state board.

SUVs and global warming

[Letter to the S.F. Chronicle, Aug. 22, 2004](#)

Editor -- I almost crashed my Toyota Prius as my partner read me Barry McCahill's article ("Hot air on global warming," Aug. 16). McCahill is president of the group, SUV Owners of America, a front group run by long-time consultants to the auto industry, who now are best known for lying to the public about the possible effects of California's landmark global warming rules. Their goal? Overturn the regulations at any cost.

It's an absolute fabrication to say that reducing greenhouse gas emissions means we must drive smaller or less safe vehicles. The state's draft regulations were specifically designed to reduce global warming pollution without any need for downsizing or limits on consumer choice. People can have their SUVs and be good to the planet, too.

McCahill's charge that fuel economy is the only way to reduce greenhouse gas emissions is similarly fictitious. Alternative fuel vehicles reduce global warming pollution completely independently of fuel economy. And they can also save consumers bundles of cash. The least SUV Owners of America can do is get their facts straight. Read the regulations. Then tell the truth.

Russell Long,
Bluewater Network
San Francisco

Dairy moratorium unfair

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

This is in response to the editorial "Dairy moratorium needed." While the dairy industry appreciates and respects strong, heart-felt opinions, it also cares a great deal about accuracy and having level playing fields.

The California dairy industry cares very much about the communities in which it locates yes, even Kern County. The reasons some dairies desire to move to Kern County or expand operations are: the fair-mindedness of the political leaders; a historically hospitable business climate; a wonderful community with excellent family, school and church options; and a fundamental respect for the contributions of agriculture to the economy.

Kern County has long bucked the oppressive business climate commonly found elsewhere in California. Bucking this trend has created tremendous growth within the service, trade, construction, manufacturing, transportation and mining industries. That is why Kern County is one of the state's fastest growing counties projected to welcome over 100,000 new residents by the year 2010, a 15 percent increase.

For your paper to call for a moratorium on dairies before so-called "definitive studies" are completed is unfair and irresponsible. The industry is working cooperatively and as closely as possible with air quality regulators and researchers to learn all we can about the real impacts of dairy production on the environment. When these studies conclude we will respond in a responsible fashion to mitigate impacts and to improve farming practices to limit any negative effects if they are actually determined to exist. That is the responsible thing to do.

To criticize the industry and close the door to dairies locating in Kern County before the facts come out is unfair and irresponsible.

BOB FEENSTRA, Dairy Action Network, Chino

Bottom line -- Improve opportunity

By Leland Y. Yee

[S.F Chronicle commentary, Sunday, Aug. 22, 2004](#)

In February, Gov. Arnold Schwarzenegger created the California Performance Review to conduct a comprehensive examination of the methods and practices of government with the goal of increasing efficiency while reducing costs. Earlier this month, the CPR made public its 2,500-page report calling for a sweeping government-restructuring plan, including proposals to cut 12,000 state jobs, eliminate 118 boards and commissions, and combine existing agencies and departments into 11 integrated "super" departments, saving taxpayers an estimated \$32 billion over the next five years.

To facilitate exposure of the more than 1,000 recommendations contained in the document, the governor appointed a 21-member commission to conduct a series of public hearings throughout the state. As one of the appointed CPR commissioners, I am eager to gather public input on the operations and efficiencies of California government.

The government that may result from this process will affect generations of Californians, and therefore it is essential that vital services and programs not be sacrificed for political expediency.

Among the subjects of concern predominantly featured in the CPR is our educational system, with a potential \$4.1 billion savings, most of which would result from a recommendation to raise the entry age to kindergarten by four months by requiring students to be 5 years old by Sept. 1, rather than Dec. 1. Although this presents an opportunity for significant cost-cutting, I am concerned with the potential negative consequences of delaying children's entry into school, and therefore delaying the benefits of early cognitive development especially for children who don't attend preschool. As a child psychologist, I believe firmly that the earlier children are given the opportunity to develop intellectually and socially, the greater the benefits will be later in their lives.

The report also recommends eliminating county offices of education and replacing them with regional agencies. While a remote, regional bureaucracy offers opportunities for savings, it represents a loss of local control and accountability. Many of the community physical and mental health services we have fought to protect in our schools could also be unfairly lost.

Environmental agencies are also a significant focus of the CPR report, which calls for eliminating many independent boards, including the state Air Resources Board (which sets smog rules for cars and industrial sources) and the State Water Resources Control Board (which regulates water

pollution), and then consolidating their functions under a new Department of Environmental Protection.

By placing environmental oversight under the chief executive, the state may again save money and eliminate red tape for business, but we risk losing some important environmental protections. In fact, many of these subject-specific bodies are credited with establishing and defending tough environmental standards that serve as models for the nation. I plan to continue fighting for laws and policies that ensure that polluters pay the full cost of environmental cleanup. Protecting polluters by limiting environmental oversight is a policy design that will harm Californians.

Another recommendation of concern is an environmental reversal that would replace gasoline taxes with a "mileage tax" paid annually by motorists and calculated by a transponder in one's car. Unfortunately, this tax scheme is a reward for those who drive inefficient and highly polluting vehicles. A commuter who drives a fuel-efficient vehicle to work would pay the same tax as a motorist driving an SUV, despite the fact that the fuel-efficient vehicle may burn as little as one-fourth the amount of gasoline. This "Hummer Loophole" is a backward policy and deserves to be immediately discarded.

Local government will also be affected. The report estimates that the state would save approximately \$108 million annually by turning over 6,500 miles of state highways to cities and counties. But already overburdened local governments will be forced to pick up the tab for maintenance.

I fully support increasing the efficiency and operations of the state government, but I also understand that a government cannot operate like a business. The bottom line for government is to improve the quality of life and opportunities for all individuals. That requires a collective and responsible investment in one another.

I encourage all Bay Area residents to engage in this process and influence the future of our state by viewing the CPR report at cpr.ca.gov <<http://cpr.ca.gov>> and attending the CPRC hearing at San Jose State University on Friday. In order to safeguard our ideals -- providing essential education as well as physical and mental health services; protecting children from abuse and neglect; and guaranteeing clean air and water -- it is imperative that our voices be heard.

E-mail: You can also email your comments and opinions to <http://report.cpr.ca.gov/feedback/index.htm>. *Leland Y. Yee, Ph.D., is speaker pro tempore of the California State Assembly. He represents the 12th District, which includes San Francisco and San Mateo counties.*

Study on global warming paints a troubling future for the state and valley [Monday, Aug. 23, Modesto Bee, Editorial](#)

A Central Valley that feels more like Death Valley. A Sierra with little spring snow. A Napa Valley so hot its grapes are unpalatable. A California transformed into a dry, brittle, barren landscape.

This devastating picture of a century from now has been painted by a team of researchers in the latest journal of the National Academy of Sciences. Nineteen highly respected researchers constructed four computer models to produce the report "Emissions pathways, climate change and impacts on California."

The writing is thickly scientific, but the conclusions are unmistakable -- a Central Valley that ranges from dry and intolerably hot to nearly uninhabitable.

Big changes await Los Angeles, where prolonged heat waves would kill hundreds each year. But our valley would fare even more poorly. Rainfall could diminish by 60 percent and temperatures would rise by 15 to

20 degrees in prolonged heat waves. There would be up to 90 percent less snow in the Sierra, meaning an end to irrigation as we know it. We could change Modesto's name to Baghdad West and the arch to read: Sweat, Poverty, Thirst, Heat Wave.

The models say this becomes reality if today's head-in-the-sand political waffling over addressing global warming continues.

The study, and the emerging reaction to it, reflects a shift in the public conversation about global warming. More data, combined with more sophisticated computer modeling, are producing new findings that confirm earlier predictions that global warming -- caused by fossil-fuel emissions and deforestation -- is real. The most important questions now are how bad will it actually get, how quickly and what can we do to minimize the change.

The financial and environmental impacts of global warming are far greater the longer serious efforts to address it are delayed. The policy choices are painfully clear. Dramatic measures must be taken to curb emission of greenhouse gasses.

California contributes only a small portion of these gases globally. But as an agent of political change, California can be a powerful player -- and that is our best hope. The state has already passed a law to curb emissions in cars by 2009 and filed a lawsuit against the nation's largest emitters -- coal-burning power plants in other states. It's a start. Much more must be done. In this race against time, our children's world is losing.