Air board's split defeats proposed $2 vehicle fee
By Mark Grossi
Friday, Nov. 5, Fresno Bee

Valley air officials Thursday turned down the chance for almost $5 million to clean up some of the nation's dirtiest air, but they will get another opportunity next month.

In a split vote, the San Joaquin Valley Air Pollution Control District board refused to impose a $2 vehicle registration fee on motorists, asking for more details about how such money is spent.

The fee would help buy cleaner farm diesel engines and school buses, and possibly scrap older cars. Authorized for air districts throughout California by Assembly Bill923, it could annually eliminate 800 tons of Valley pollution.

The board's vote Thursday surprised fee supporters, including Joe Bjerke, director of transportation for the Clovis Unified School District.

"I thought it was a no-brainer," said Bjerke, who wants to replace diesel buses in his fleet. "You could get $4 million or $5 million for air quality. At least it's not a done deal."

Following the vote, board members unanimously agreed to revisit the fee at next month's meeting. District staffers will present background on how such fee money has been spent in the past and possible details for using the new $2 fee.

The vote Thursday was a 5-5 tie. Six votes are needed to approve a motion on this board, but an 11th board member, Thomas W. Mayfield of Stanislaus County, was absent Thursday. So the tie vote stalled the fee, which disappointed board members who were ready to approve it.

"All the people in this Valley should participate in getting good air quality," said board Chairwoman Barbara Patrick, a Kern County supervisor, who voted in favor of the fee. "It's $2 a year. That's less than the price of a gallon of gas."

Motorists drive more than 80 million miles daily in the Valley, state figures show. Air district staffers said pollution from vehicles amounts to almost 60% of the Valley's air problem. The fee would pay part of the purchase price on cleaner-burning engines for farm well pumps, school buses and other heavy-duty diesel engines. State officials are still talking about how much of the purchase would be covered, but some amounts could be as much as 50%.

One other feature makes the $2 fee attractive. The fee would provide the local fund raising that the state requires before it will contribute about $12 million to the Valley for the Carl Moyer Program, which has replaced hundreds of farm diesel engines.

Vehicle registration fees for air quality are not new. The Valley board last year approved a $1 fee under Senate Bill709, which will raise about $2.4million each year.

Since 1990, Valley residents also have paid a $4 vehicle registration surcharge for air quality programs.

But board member Mike Maggard, a Bakersfield City Council member, said he wasn't convinced yet that the additional $2 fee would be used in the most efficient way. He and other dissenters said they wanted to make sure they were getting the most pollution reduction per dollar spent.

"Just because we can charge the fee doesn't mean we should," Maggard said. "I can't support this today."

Besides Maggard, board members Tony Barba of Kings County, Michael G. Nelson of Merced County, Dan Prince of Ripon and Jack A. Sieglock of San Joaquin County voted against the fee.

Joining board Chairwoman Patrick in support of the fee were Susan B. Anderson of Fresno County, Ronn Dominici of Madera County, Sam Armentrout of Madera and J. Steven Worthley of Tulare County.
Public comment was sparse at the meeting, but it supported the fee. The backing came from farm and oil industry representatives as well as the Clean Cities Coalition, a locally based industry-government partnership encouraging alternative fuels.

"This is a societal issue we're supporting," said Dennis Tristao, a member of many farming organizations, including the California Farm Bureau Federation. "Private vehicles are not subject to shutdown when the standards change, but equipment at business facilities are."

**Air district declines to increase fees**

**Boost in vehicle license charge would bring matching funds**

By MATT WEISER, Californian staff writer

Friday, Nov. 5, 2004, Bakersfield Californian

The valley air district on Thursday declined to increase vehicle license fees by $2 to pay for clean-air projects. If the decision stands, the nation's smoggiest region would miss out on $12 million annually in state matching funds to fight air pollution.

The action came despite the fact that the governing board of the San Joaquin Valley Air Pollution Control District consists of city and county politicians, who complain constantly about the state failing to return enough tax revenues to local government.

No one from the public spoke against the fee increase. In fact, it was a rare case in which clean-air advocates and industry officials agreed on a pollution-control measure.

The board will reconsider the fee at its meeting in December.

"When you think about it, it's less than the cost of a gallon of gas per year," said Barbara Patrick, a Kern County supervisor and chair of the air board, who supported the fee increase. "I personally think it would be shameful if the San Joaquin district is the only district that turned down the money."

The fee was rejected on procedural grounds because the vote was a tie, with one of the board's 11 members absent. That the vote was even close came as a surprise to most observers.

"I'm just not comfortable with it," said Bakersfield City Councilman Mike Maggard, who voted against the fee. "Just simply reaching into the public's pockets to take two more dollars, I don't think that's a good enough fix."

The fee increase is made possible by an initiative supported by Gov. Arnold Schwarzenegger that provides state money to clean up old-technology engines and vehicles that pollute California's air. His support ensured there would be $86 million available statewide to match vehicle registration fee increases approved by local air districts. The valley air district could get $12 million of that money if it approves a $2 increase in the fee, which is paid by all vehicle owners in the valley when they renew their annual license registrations. By itself, the fee increase will raise $4.8 million annually.

The money will be available to local government and businesses to subsidize replacement of old farm pumps and tractors, polluting diesel school buses, and to buy natural-gas powered garbage trucks, for example.

Since 1990, the district has managed a similar program using a $4 surcharge on vehicle license fees. The district has no legal authority over motor vehicles, so the fee helps clean up other polluters. This program has collected $42 million and cut 7,000 tons of pollution from the valley's air. The district approved another $1 increase last year as required by SB 709, a new law drafted by Sen. Dean Florez, D-Shafter.

The proposed $2 increase would bring the total license surcharge in the valley to $7. It would also allow the valley to tap into additional state funds that would match the $2 increase.

"With the $2 that we add onto our fee, we're actually able to recapture another $2," said Linda Urata of Bakersfield, coordinator of the San Joaquin Valley Clean Cities Coalition. She spoke in
favor of the fee increase, as did farm and oil industry representatives. "I appreciate the opportunity to bring two more of my tax dollars back to the valley, and specifically direct it to air quality."

Some of those who voted against the proposal said they merely want more information about how these programs have worked in the past, and whether the money was well spent.

"We're being asked to fund projects without knowing what the projects will be," said Merced County Supervisor Michael Nelson. "I don't think the motoring public should be asked to fund projects that don't directly address the motoring public."

The board agreed to reconsider the proposal at its next meeting on Dec. 16, and district staff will compile more information for the board in the meantime. "The air board stumbled. Everybody thought this was a no-brainer," said Kevin Hall, an air quality specialist with the Sierra Club's Fresno group. "They're going to look very bad if they don't take this opportunity. And appearances aside, they will hurt efforts to clean the air if they don't support it."

Firewood dealers say clean air regulations scare off customers

By TODD MILBOURN - BEE STAFF WRITER

Friday, Nov. 5, Modesto Bee

Tom Duncan has chopped his last tree. After 35 years cutting firewood in Modesto, Duncan said he's stocked enough to last for two more years, maybe three.

But once he sells all that, he's leaving the business. He said government efforts to curtail fireplace burning in the San Joaquin Valley have made it tougher for firewood dealers to earn a living.

"They're scaring everybody off," said Duncan, 62, owner of Duncan's Honey Fireplace Wood in Modesto. He sold 60 cords of firewood last season, down from 200 cords the season before. Duncan said a cord of wood sold for about $215 a few years ago; this season, $160.

Firewood dealers say demand for firewood has fallen since regulators announced restrictions on fireplace burning in 2003. Under the rules, fireplace burning is banned on winter days when the valley's air — some of the nation's dirtiest — is especially bad.

Stanislaus County didn't experience such a day last season. But there were 32 days when authorities "discouraged" burning.

And those messages, firewood dealers say, are having an effect — not just on the day they're announced, but on the public's overall appetite for firewood.

Ed Alves, general manager at Lionudakis Firewood, one of the valley's largest firewood dealers, said sales have dropped by half from a year ago. The mild fall has played a large role, he said, but the burn bans are also a factor. He said the company, which also does orchard removal, is relying less on firewood sales.

The fireplace burning restrictions are enforced from Nov. 1 through the end of February. Burn bans are ordered when the air quality index hits 151, considered unhealthy for all people. Burning is discouraged when it reaches unhealthy levels for sensitive groups, such as people with asthma.

Health risks

Wood-burning is a major source of particulate matter, tiny specks of pollution that lodge in the lungs and can create respiratory problems. Particulate matter poses serious health risks, especially on days without a breeze, said Anthony Presto of the San Joaquin Air Pollution Control District.

Presto said there are steps residents can take to limit the amount of pollution, and the need for no-burn days: Use clean wood, don't burn magazines or plastics or trash and keep equipment updated.
Presto said regulators aren't out to harm business, but to protect public health. He noted that a number of firewood dealers are finding other uses for wood, turning it into barbecue chips.

Duncan is doing just that. He's also using the wood for oak barrels, which he sells around the valley.

He said he appreciates the need for cleaner air; he breathes it, too. But he said the bans don't get at the root of the problem: "If you really want to deal with pollution, I got a 1-ton truck out here that's getting 7 miles per gallon."

To see if it's a no-burn day or a day when burning is discouraged, contact the San Joaquin Air Pollution Control District at 1-800-SMOGINFO(766-4463), or visit www.valleyair.org

L.A. air quality improves, but remains nation's worst
By TIM MOLLOY, Associated Press Writer
Friday, Nov. 5, Modesto Bee & Bakersfield Californian, Thursday, Nov. 4, S.F. Chronicle

LOS ANGELES (AP) - Favorable weather and stricter standards help give the Los Angeles area its cleanest air in 25 years.

While the region's air quality remained the worst in the nation, it was cleaner this year than the air in Houston and the San Joaquin Valley under some standards, said Sam Atwood, a spokesman for the South Coast Air Quality Management District.

"The weather was a major factor this year, there's no denying that," Atwood said Thursday. "Were headed in the right direction but we have to definitely not rest on our laurels."

The region benefited this year from several weather conditions that aren't conducive to smog, including cooler weather, fog, low clouds, and weak inversion layers.

Cleaner cars, industries, and businesses also contributed to the improved air quality, district officials said.

The district covers Orange County and parts of Los Angeles, San Bernardino and Riverside counties.

The federal Environmental Protection Agency has been shifting to new standards that allow less ozone in the air and require monitoring of air quality over eight hours instead of one hour.

Violations occur when the amount of ozone exceeds an average of 0.08 parts per million over an eight-hour period.

Southern California historically has its worst smog between May 1 and Oct. 31. This year, there were only 27 days within that period when the region exceeded the one-hour standard for smog, compared to 68 days last year, officials said.

Under the eight-hour standard, the Los Angeles area had the highest recorded peak levels in the entire country - but the San Joaquin Valley led in the number of days that exceeded the eight-hour standard. The region had 104 such days compared to 88 for the Los Angeles area.

Houston had the highest one-hour peak ozone level and the most days that exceeded the one-hour standard.

Ground-level ozone, a precursor to smog, causes respiratory illnesses that can be especially harmful to the elderly, children, and people with asthma.

For sixth year, valley leads nation in clean air violations
104 eight-hour days far ahead of L.A., Houston
By MARK GROSSI - THE FRESNO BEE
Friday, Nov. 5, in the Modesto Bee

California had its cleanest summertime air in three decades, yet the San Joaquin Valley still had 104 violations of the daylong, or eight-hour, smog standard. It was the sixth consecutive year that the valley led the country in eight-hour smog violations. The valley was worse than both Los Angeles, with 88 days, and Houston, with 44, which are more heavily populated areas.

What a confusing tale. Breezy summer weather gave the valley the fewest violations since 1975 in a different smog standard: the one-hour, or peak, reading. The valley had only nine violations of the one-hour standard. So how could the area also have 104 eight-hour violations? The San Joaquin Valley Air Pollution Control District has an answer. "Even if the weather is better, we're still going to experience a lot of days over the eight-hour standard," supervising meteorologist Evan Shipp said. "It doesn't take that much to produce eight-hour exceedances."

In other words, lower levels of pollution will cause violations over longer periods of time. Researchers have determined the longer exposures even at lower levels are more harmful than the shorter ones.

**Length of exposure is what counts**

The long exposures allow time for the main ingredient of smog, the corrosive gas called ozone, to irritate the lungs. Ozone can trigger lung-related ailments, such as asthma.

With more than 600 daylong violations since 1999, the numbers indicate valley residents spend more time in ozone-laden air than anyone else in the country. People who work outside, such as farm laborers, are more at risk than workers inside a building.

"If you're sitting in an air-conditioned office most of the time during summer, it probably doesn't affect you as much as someone who is out in it," Shipp said.

One critic said he thought the number of violations was overstated.

**Critic says most locations had 14 violations**

Where can you find people in the valley who experienced the 104 bad days for the eight-hour standard? Nowhere, said Joel Schwartz, adjunct fellow with the Reason Foundation, a national Libertarian organization.

"There is no single location that had 104 eight-hour exceedances," Schwartz said. "The worst location in the valley is Arvin (in Kern County), which had 97 exceedances in 2004."

On average, most valley locations had about 14 violations, he said, and that is a better way to talk about the exposure.

Air officials did not comment directly about Schwartz's approach, but Shipp said the valley cannot be segmented. Arvin's problem is connected to the whole valley, he said. Pollution from other parts of the valley drifts south to Arvin, where it accumulates.

"People in the valley are still experiencing high levels of ozone for days at a time," Shipp said. "We are well over the standard on many days."

Air officials have until 2013 to clean up the valley enough to meet the eight-hour standard. The valley's bowl shape and its weather patterns hold pollution longer than most places, making the job difficult.

To make the standard, no more than three violations are allowed in a three-year period at each monitor.

"We're all part of the problem," Shipp said. "That's why we will need to control as many sources as possible to come into compliance."
Governor unveils hydrogen Hummer
By TIM MOLLOY THE ASSOCIATED PRESS
Friday, Nov. 5, Modesto Bee

LOS ANGELES — Gov. Schwarzenegger introduced an environmentally friendly Hummer last month — but not exactly the hydrogen-powered car he promised voters he would build when he campaigned for office.

Criticized by environmentalists for owning a gas guzzler, Schwarzenegger said during last year's recall campaign that he would convert one of his Hummers to run on hydrogen. Though he hasn't done that, the governor did introduce an alternative at an event that mixed environmentalism and stagecraft: a hydrogen-powered Hummer custom-built by General Motors at his request.

The governor drove the shiny blue sport utility vehicle to a hydrogen fueling spot at Los Angeles International Airport to tout his $100 million plan for a "hydrogen highway" of such stations. But the event betrayed the current limitations of hydrogen power.

The hydrogen vehicle needs to refuel every 50 miles and there are only about a dozen stations in the state.

Schwarzenegger said the LAX station would be the first designed for use by the public rather than government vehicles. But a builder conceded that the station wouldn't be open to the average driver for at least 5 to 10 years.

GM began developing the hydrogen Hummer in late spring. The company wanted to develop a new vehicle instead of retrofitting an old one because it wanted its work to have long-term, practical applications, a spokesman said.

Methyl bromide rules revised
Requirements limit long-term exposure to chemical
By Reed Fujii - Record Staff Writer
Friday, Nov. 5, Stockton Record

State regulators announced Thursday "first-in-the-nation" rules capping levels of toxic methyl bromide that remain in the air even weeks after the fumigant is applied.

Effective immediately, the rules prohibit methyl bromide concentrations exceeding an average 9 parts per billion over a calendar month. One part per billion is roughly equivalent to a single drop in a tanker truck of liquid.

Methyl bromide is commonly used to eliminate pests and contagions from soil before planting.

In San Joaquin County, it has been most commonly used prior to the planting of new vineyards and orchards. Strawberry growers, who produce a small crop in this region, also rely on the substance.

The new rules are the first to regulate long-term exposure to methyl bromide, said Glenn Brank, a spokesman for the state Department of Pesticide Regulation.

"The reason we began looking at it was because we recognize workers, primarily ... could potentially be exposed to methyl bromide in the air over several consecutive weeks," he said.

Existing rules limiting short-term exposures -- of over 24 hours -- to no more than 210 ppb remain in place.

California's new regulations, which strengthen and clarify rules on farm field fumigations first imposed in 2000, also provide:

* Anyone who lives within 300 feet of a buffer zone surrounding a fumigated field will be receive advance notice of the treatment.
* If a school is within 300 feet of a buffer zone, a fumigation must be completed at least 36 hours before any school session.
* Other provisions include requirements for respirators, as well as limited work hours and workdays.

"From our standpoint, this is a solid regulatory package that is going to provide protections for workers and the public in California that have never been deployed anywhere else in the country," Brank said from Sacramento.

There was no argument from the Western Growers Association, a trade association of fruit, vegetable and nut growers.

"We participated in the development of the new standards," said Tim Chelling, an association spokesman in Irvine.

"We are happy to see this move forward, and there is nothing unexpected in them."

The rules drew a mixed review, however, from the Pesticide Action Network in San Francisco. It is the first time any standard has been set for long-term exposures to methyl bromide, said Susan Kegley, a senior scientist with the network.

"DPR deserves a pat on the back for that," she said.

But Kegley noted of several studies of the long-term effects of methyl bromide, one indicated that a 9-ppb standard was safe, while another pointed to a lower, 1-ppb standard.

"Both of these studies are equally valid," Kegley said. "Why wouldn't you choose the most protective level?"

Brank said the department felt the 9 ppb was a very prudent standard from a standpoint of safety but also a very workable standard from the viewpoint of business. Given diminishing use of methyl bromide in the state, it's unlikely that the 9-ppb threshold will ever been seen, he said.

In addition, Brank maintained, this standard includes a 100-fold margin of safety and is based on a large body of scientific data.

Because of its effect on depleting the global ozone layer, however, use of methyl bromide in the United States and other developed countries was to be almost entirely phased out by next year under an international treaty known as the Montreal Protocol.

**Explaining Podesto's defeat**

By Michael Fitzgerald

Friday, Nov. 5, Stockton Record

The profound things going on in the Valley involve some strange politics. How else to describe the defeat of Gary Podesto by state Sen. Mike Machado?

Podesto, after all, was Stockton's bomb-diggity mayor. The self-made savior who snapped the city out of a half-century of paralysis. The city was lucky to have him.

But when the results of the 5th District race came in, Republican Podesto lost to Machado not only in Democratic Yolo County, he fizzled in his own front yard.

San Joaquin County: Machado, 50.18 percent.
Stockton: Machado: 51.84 percent.

Stockton to Mayor Podesto: Thanks for turning our city around; you're fired.

Podesto's political troubles, which involve enemies and misjudgments as well as perceptions of secrecy and anti-democratic arrogance in City Hall, have numerous origins. But the issue that really did him in was growth.

"I think there's a perception out there that the developers run the council," Podesto admitted.
Valley residents are troubled by growth. They want more jobs, shopping and urban pizzazz; but they value open space, farmland and livable cities. They don't see growth bringing them the good things big cities boast, just traffic, sprawl, smog, clogged schools, home prices out of reach, and a city government whining it can't service the growing city without new taxes and fees.

There's also a hard-core, no-growth element. Some of them have principled opposition to sprawl and developer-dominated planning. Others are crackpots: "And there's some real hatred, almost Middle East, with these folks," Podesto said.

Podesto deserves a mixed review on growth. Bypassing the Planning Commission, he cobbled together an "action team" stacked with developers. He balanced it with enviros after public outcry. Talks fell apart. The no/slow-grow side stormed out and concocted Measure Q, a growth limit.

Suddenly the grass-roots were on one side, Podesto another.

His response was typical but politically deaf. The Podesto method is to huddle with teammates, agree on the play, then barrel downfield with the ball, knocking aside all blockers.

Well, he'd huddled -- it wasn't his fault some players quit in a huff -- so downfield he bulldozed, trying to cement orderly growth plans before citizens could vote on Measure Q.

The urgency, Podesto insisted, was not to accommodate developers. "That was -- and the whole council saw it that way -- to avoid ballot-box planning."

But developers got what they wanted, the Q folks were crying foul, and the accusation that Podesto was anti-democratic gained credence. He'd done the barrel-downfield thing a year before when controversially privatizing the city's waterworks.

He argued then that some issues are too complex to be decided by voters; that's why Americans elect leaders with the wherewithal to make the best decisions.

He's absolutely right about that. But here's the thing: Many voters disagree. They occasionally want to call the play. That's more important to them even than making the right decision.

Stocktonians proved that crazy fact of politics on Tuesday when they spanked Gary Podesto for being the city's best mayor in decades.

**U.S. Wants No Warming Proposal**

**Administration Aims to Prevent Arctic Council Suggestions**

By Juliet Eilperin - Washington Post Staff Writer

Thursday, November 4, 2004, Washington Post

The Bush administration has been working for months to keep an upcoming eight-nation report from endorsing broad policies aimed at curbing global warming, according to domestic and foreign participants, despite the group's conclusion that Arctic latitudes are facing historic increases in temperature, glacial melting and abrupt weather changes.

State Department representatives have argued that the group, which has spent four years examining Arctic climate fluctuations, lacks the evidence to prepare detailed policy proposals. But several participants in the negotiations, all of whom requested anonymity for fear of derailing the Nov. 24 report, said officials from the eight nations and six indigenous tribes involved in the effort had ample science on which to draft policy.

The study says sites such as the Arctic National Wildlife Refuge face historic temperature increases and weather changes.

The recommendations are based on a study, which was leaked last week, that concludes the Arctic is warming much faster than other areas of the world and that much of this change is linked to human-generated greenhouse gas emissions. The Arctic Climate Impact Assessment -- produced by a council of nations with Arctic territory that includes the United States, Canada, Russia and several Nordic countries -- reflects the work of more than 300 scientists.
Several individuals close to the negotiations said the Bush administration -- which opposes mandatory cuts in carbon emissions on the grounds that they will cost American jobs -- had repeatedly resisted even mild language that would endorse the report's scientific findings or call for mandatory curbs on greenhouse gas emissions.

An early draft of the policy statement -- which is set to be issued two weeks after the 144-page scientific overview is released Monday -- included a paragraph saying that to achieve the goals set under a 1992 international climate change treaty known as the Rio Accord, the "Arctic Council urges the member states to individually and when appropriate, jointly, adopt climate change strategies across relevant sectors. These strategies should aim at the reduction of the emission of greenhouse gases."

The administration has pushed to drop that section. As one senior State Department official who asked not to be identified put it, "We're bound by the administration's position. We're not going to make global climate policy at the Arctic Council."

The World Wildlife Fund's Arctic Program director Samantha Smith said the council's scientific conclusions, which said temperature increases in some parts of the Arctic increased tenfold compared with the last century's worldwide average rise of 1 degree Fahrenheit, justified immediate action.

"This is the first full-scale assessment of climate change in the Arctic and it shows dramatic changes in the region, with worse to come if we don't cut emissions," said Smith, an observer at the negotiations. "We challenge the Arctic governments to come up with a real response to the science, before the foreign ministers meet in Iceland in November."

Administration officials said they are hesitant to endorse policy recommendations before examining the full 1,200-page scientific report on the Arctic.

Paula Dobriansky, the undersecretary of state for global affairs who will be leading the U.S. delegation to Reykjavik, Iceland, later this month, said that "the report has not been finalized or released to governments."

U.S. officials have received regular briefings on the full report, according to Arctic Council officials, and have submitted comprehensive comments on it over the past 18 months.

Some council participants have begun to grumble about U.S. resistance to articulating a global climate policy. One European negotiator said the administration is trying to "sidetrack the whole process so it is not confronted with the question, 'Do you believe in climate change, or don't you?'"

"He added that while the other member nations will try to press the United States on the matter in the final talks, "I cannot see any solution to this unless [the administration] clearly changes its position."

And Sheila Watt-Cloutier, head of the Inuit Circumpolar Conference and an Arctic Council representative, wrote council chairman Gunnar Palsson of Iceland in August that a recent draft of the report "tries and often fails to be all things to all people and in so doing shies away from policy recommendations, the one thing it was designed to do."

Some Senate Republicans, including Senate Commerce Committee Chairman John McCain (Ariz.) and fellow committee member Olympia J. Snowe (Maine), are also lobbying the administration to back a strong policy document. In late September they and Sen. Frank Lautenberg (D-N.J.) wrote to Secretary of State Colin L. Powell saying, "In order to fulfill our responsibilities to the American people, it is critical that we, as policymakers, have access to the latest scientific information and associated policy recommendations."

Dobriansky said the administration supports publication of the policy report this month. "Allegations that the United States is seeking to suppress the policy recommendations are simply not true," she said.

Palsson said in an interview that the public controversy over the U.S. climate position was complicating his efforts to achieve a consensus among top ministers, who are supposed to sign off on the policy findings within a matter of weeks.
“This is such a highly sensitive political issue,” he said. “Ministers have to be able to sort these things out behind closed doors.”