

## **A talk to clear the air**

### **Environmentalists getting their chance to tell the governor how he has fared.**

By JIM HINCH

The Orange County Register, Wed., Aug. 11, 2004

SACRAMENTO – One year after Gov. Arnold Schwarzenegger ran for office as a "green" Republican, more than two dozen of the state's top environmental advocates are gathering today to confront him with what they call his decidedly mixed record on the environment.

In the governor's first face-to-face meeting with environmentalists since his election, 37 leaders of groups ranging from the Sierra Club to the League of Conservation Voters will sit down with Schwarzenegger today to lament environmental budget cuts, protest their exclusion from key policy decisions and request his support for bills to promote energy conservation and protect oak woodlands.

Environmentalists said they also will use the 45-minute meeting - scheduled eight months after it was initially requested in January - to praise several of Schwarzenegger's environmental appointments and his moves to preserve California oceans and air-quality standards.

After raising environmentalists' hopes last year by saying the state doesn't need to choose between the environment and a healthy economy, Schwarzenegger's "record on the environment is mixed," said Bill Allayaud, state legislative director of the Sierra Club. "We've seen some good things out of him, but of late there's been a tilt toward the business aspect of things."

An administration spokesman disputed claims that Schwarzenegger's record is mixed, pointing to environmental safeguards in recently negotiated compacts with Indian gaming tribes.

Schwarzenegger wowed environmentalists by naming Terry Tamminen, a Santa Monica clean-water activist, as his Environmental Protection Agency secretary. Other appointments drew similar praise, including Resources Secretary Mike Chrisman, a Central Valley rancher viewed as an effective bridge between environmental and business interests.

Schwarzenegger also fought Bush administration attempts to replace strong state air-quality laws with weaker federal rules. And he proposed an aggressive plan to protect the Pacific Ocean.

Still, environmentalists watched with dismay as individual policy victories were dwarfed by larger setbacks. Among concerns they plan to raise today:

Schwarzenegger, in closed-doors budget negotiations, agreed to scrap millions of dollars in fees that would have provided a stable funding base for the state's Resources Agency, which, among other duties, acquires and manages public open space.

The fees would have required loggers, rural property owners and coastal developers to pay a portion of what it costs taxpayers to process timber-harvest plans, provide brush-fire protection and approve building permits. Business interests opposed the fees and fiercely lobbied Schwarzenegger to scrap them.

"Business prevailed, and we did not," said Kim Delfino, California director for Defenders of Wildlife.

To make up for the loss, activists will ask Schwarzenegger to support a stable revenue source for the Resources Agency, said Warner Chabot, vice president of the Ocean Conservancy. Environmentalists were largely excluded from both budget negotiations and the preparation of the California Performance Review, Schwarzenegger's plan to "blow up the boxes" of state government.

The Performance Review recommends using state bureaucrats to replace most of the independent boards that regulate air quality, toxic chemicals and other environmental issues - a move that environmentalists say would limit citizen oversight of polluters.

The activists will ask Schwarzenegger to include them in future budget negotiations and consult with them before implementing environmental portions of the Performance Review, Chabot said.

Allayaud said the Sierra Club opposes a \$95 million Schwarzenegger administration deal to preserve most of the Hearst Ranch around San Simeon in exchange for limited development rights. The deal, arranged in secret, would conceal biological data about the land and provide inadequate enforcement of conservation easements, making it hard for the public to tell if native species are truly being protected, Allayaud said.

Environmentalists will ask Schwarzenegger to "slow up the deal and if need be go back and negotiate with Hearst. Don't be in a rush-to-judgment situation," Allayaud said. Schwarzenegger spokesman Vince Sollitto said the governor will use the meeting in part to recruit environmentalists to his fight against an Indian-backed ballot measure that would give tribes broader gaming rights and free them from some environmental restrictions.

Said Chabot: "We are clearly going to tell the governor he has taken some bold actions that demonstrate he wants a legacy on environmental issues. We are also going to say, however, that there are some areas where we think he missed opportunities to implement that bold action, and we hope we can begin a dialogue with him to create that legacy we believe he wants."

## **Public input sought on reducing smog**

### **Workshops to be conducted on new plan to meet federal ozone standard**

By MATT WEISER, Californian staff writer  
Bakersfield Californian, Tues., Aug. 10, 2004

Valley air pollution officials are looking for public input on a new plan to reduce ozone, the primary health threat in smog and a difficult gremlin to control.

Three workshops will be held Thursday and Friday on the plan, which could affect many aspects of life in the region.

The San Joaquin Valley Air Pollution Control District hopes the public will comment on proposed ozone controls and suggest new ones.

Ozone forms when fumes from cars, factories and consumer products react with heat and sunlight. The invisible gas reduces lung capacity, impairs the immune system and worsens breathing problems. It also makes plants less productive and more vulnerable to disease.

The plan must meet a 2010 deadline for compliance with the federal government's one-hour ozone standard, and must be submitted to the U.S. Environmental Protection Agency by Nov. 15.

In the next two years, the air district will bring forth dozens of rules to cut ozone from stationary sources like factories, farms and small businesses. This will affect a range of activities, from automobile painting, petroleum pumping and land development to aircraft refueling and foam manufacturing.

Others may hit closer to home: Future rules could make restaurant charbroilers and home water heaters burn cleaner.

Why water heaters? The air district must find another 10 tons per day of pollution reductions to meet the one-hour ozone standard. To put this in perspective, the air district hopes to find less than one ton per day of reductions by regulating wine fermentation. Another nine tons will have to come from somewhere.

"That's why we think we'll have no shortage of reasons to come up with new control measures," said Don Hunsaker, plan development supervisor for the air district.

More controls may also be needed to meet an even tougher federal ozone standard that takes effect next year. This new standard, adopted four months ago, measures ozone over an eight-hour period.

This standard requires a new plan, due in 2007. The existing one-hour standard will be phased out in June 2005 when the new standard kicks in. That makes the current plan something of a lame-duck effort.

But Kevin Hall, a Sierra Club air pollution specialist, said the public should still hold the air district and the EPA accountable for the current plan.

"They would like this to be an exercise in futility," he said. "They could then just walk away from this plan, and not have to come up with a new plan for three more years."

Hunsaker said it should be considered a warm-up for the stiffer standard that will replace it. The work that goes into the current plan won't be wasted, he said, because all the same pollution controls are needed anyway.

"It's a springboard for the tough plan that's going to be coming up, and that's the eight-hour plan," Hunsaker said. "At least it'll get people thinking about control measures and how to reduce emissions."

*Note- A correction has been requested from the Modesto Bee for the following story. Spare the Air days were not declared in Stanislaus and San Joaquin counties Tues. and Merced has had three Spare the Air days.*

### **Spare the Air, again**

Modesto Bee, Wed., Aug. 11, 2004

Today has been declared a Spare the Air Day in Merced County, the second such declaration in a row. Stanislaus and San Joaquin counties joined Merced on the Spare the Air list Tuesday, but were not included in today's declaration. The San Joaquin Valley Air Pollution Control District also predicted unhealthy air today in Fresno, Kings, Kern and Tulare counties. Valley residents are urged to avoid unnecessary vehicle use -- carpool or take public transportation. The district encourages use of electric charcoal starters for barbecues instead of lighter fluid. Also, using electric lawn mowers over gas models is suggested. More hot weather is expected, too, with high temperatures around 100 degrees.

### **EPA mercury plan aims to help children and women, sidestep coal politics**

JOHN HEILPRIN, Associated Press Writer

S.F. Chronicle, Aug. 11, 2004

WASHINGTON (AP) -- New controls for cutting mercury emissions from power plants will aim to protect children and pregnant women and create "a level playing field" for coal-producing regions, the head of the Environmental Protection Agency said Tuesday.

EPA Administrator Mike Leavitt said he briefed President Bush about the proposed mercury rule a couple of months ago, but he felt no pressure from the White House as he grappled with a decision during the "demanding time" of a presidential campaign. Whatever he decides will have a significant effect on the coal industry and such election battleground states as Ohio, Pennsylvania and West Virginia.

Outlining five principles for his decisions, Leavitt said some of his goals in drafting a final rule are to maintain stability in energy prices and to level the economic playing field among utilities and the nation's coal-producing regions.

"It is a matter of real importance, and I intend to do it right," Leavitt told reporters. "The first principle is that the final rule will concentrate on the need to protect children and pregnant women."

Leavitt said the next six months would be the decision phase, involving a complex and difficult set of choices, to craft the nation's first-ever rule to reduce mercury pollution from coal-burning power plants. The rule must be issued by March 15 under a court-approved agreement with the Natural Resources Defense Council, an environmental group.

The former Utah governor has been re-examining the agency's mercury plan since his appointment to the EPA last November. The plan envisions a 70 percent cut in mercury emissions from coal-burning power plants by 2018, from the current 48 tons a year to 15 tons.

Leavitt said the plan would encourage power plants to become "early adopters of new technology or chemical processes to meet new targets for reducing mercury pollution. The utilities could meet these

targets by switching to a cleaner-burning coal or natural gas or through other devices installed to curtail smog and acid rain, he said.

"I'm interested in having a market-neutral regulation that lets the market make those determinations," he said.

Later in the day, he spoke on mercury in New York with an environmental group, the Adirondack Council. The council's support for President Bush's "Clear Skies" air pollution plan has angered other environmental groups.

The council told the EPA in April it opposes letting companies trade pollution rights and then rely on the "co-benefits" to control smog and acid rain.

NRDC sued the EPA in federal court in 1992 to [regulate hazardous air pollutants](#) from power plants. As a result, Carol Browner, who headed the EPA during the former Clinton administration, directed in late 2000 that mercury be regulated as a toxic, hazardous substance requiring utilities to install "maximum achievable control technology" at each of nearly 500 coal-fired power plants.

Leavitt said the EPA still views mercury as a toxin. The EPA has been regulating mercury dumped in water and air from municipal waste and medical waste incinerators since the late 1990s.

The Natural Resources Defense Council had let the EPA extend the deadline for a new mercury rule to allow time for more public comment and agency analysis. The EPA said it received 540,000 comments, mostly form letters. Environmental groups, including NRDC, generally viewed the proposal as a weakening of the Clean Air Act, which most of them already consider too weak.

"It's much ado about nothing good," said John Walke, clean air director for NRDC. "It's a repackaging of a harmful proposal."

Mercury from power plants settles in waterways and accumulates in fish. The toxic metal can cause neurological and developmental problems, particularly in fetuses and young children. The Food and Drug Administration warned that high levels of mercury in some fish, including albacore tuna, can pose a hazard for children and for women pregnant or nursing.

About 8 percent of U.S. women of childbearing age have enough mercury in their blood to put a fetus at risk, according to the EPA.

## **Victory for cleaner air**

### **California institutes rule to limit idling time on buses and big trucks**

[Bakersfield Californian, Editorial, Tuesday, Aug. 10, 2004](#)

Residents of the pollution-plagued San Joaquin Valley should rejoice with the recent decision by the California Air Quality Board to ban unnecessary idling for buses and big rigs.

Experts say the rule will cut soot emissions by an estimated 166 tons a year and nitrogen oxides -- key components of smog -- by 5,200 tons.

The board's decision bars drivers from idling that lasts longer than five minutes. Violators can be fined \$100.

Idling will be allowed for running auxiliary equipment such as a cement mixer or a refrigerator for fresh produce in a truck's cargo bay.

However, by 2009 stricter rules will bar idling to operate air conditioners, heaters, TV set and other unnecessary equipment in the sleeping compartment of big rigs.

Trucks with sleeper berths -- an estimated 67,000 -- will be exempt from the anti-idling rule during federally mandated rest periods until 2009.

In establishing the idling rule, officials of the state's air resources board said diesel exhaust accounts for 70 percent of California's air pollution. It can irritate eyes, noses, throats and lungs, causing coughs, headaches, lightheadedness and nausea.

Diesel pollution also can trigger allergic reactions and asthma attacks.

Air quality officials have targeted diesel exhaust for several years since it contains more than 40 toxic air contaminants, including such carcinogens as benzene, arsenic, formaldehyde and dioxins.

Experts estimate that when the driver of a 16-wheeler stops at a restaurant and leaves his rig idling for an hour, about 1,500 gallons per vehicle per year is wasted. In addition, soot and smog-forming toxic chemicals are pumped into the air.

Air quality officials estimate that because of the new rules, the reduced fuel use and engine wear will save operators \$477 million in the next five years.

The anti-pollution rule applies to about 400,000 heavy diesel vehicles on streets and highways, including Greyhound and transit buses, food delivery trucks and trash collectors, whether they are owned by public agencies or private businesses.

"People leave their trucks idling for a variety of reasons that we don't think are essential," said Mike Tollstrup, chief of the project assessment branch of the California Air Resources Board.

He told the *San Francisco Chronicle* that diesel idling "accounts for a significant source of the diesel emissions and we think they can be easily reduced."

In recent years, the state air quality board has adopted regulations that prohibit school buses and other diesel-fueled vehicles from idling within 100 feet of a school .

The school buses aren't allowed to start more than 30 seconds before taking off.

California now joins 20 other states in instituting regulations on idling time. It is a good decision that will help improve the public's health. It should have been implemented years ago.

## **Change one thing**

**Even small improvements in behavior can help us breathe easier.**

[Fresno Bee editorial, Aug. 11, 2004](#)

It's summer in the Valley and that means it's hot. But the heat causes more than discomfort. It increases the air quality problems in a basin that's already dreadful.

The experts tell us that the sun bakes the air, which becomes heated and stagnant. That makes outside activities unsafe for people -- especially children, asthma sufferers and the elderly.

We can help by modifying our activities on these "Spare the Air" days. Our vehicles are a big problem, but we can make a difference by putting a bit more thought in how we use them. Here are some tips:

- Avoid unnecessary vehicle use and combine errands into one trip.
- Accelerate gradually when driving. Hard acceleration puts a vehicle in a mode called "power enrichment," in which extra gas is forced into the cylinders, resulting in a spike of pollution emissions. - Don't warm up vehicles for too long.
- Avoid idling vehicles at drive-up windows or train crossings.
- Obey the speed limit.
- Keep vehicles tuned and in good running order. In addition to doing much for air quality, this saves on gas costs.
- Inflate vehicle tires to the proper level.
- Avoid "topping off" your tank at the gas station. This releases more vapors.
- Walk or ride a bicycle to the store.
- Use public transportation or carpool.

***There are other things that all of us can do around the house to help spare the air:***

- Consider postponing painting projects and yard work that require gas-powered equipment.
- Buy a gas grill or switch to a chimney starter for charcoal, and don't use starter fluid, which sends out pollution.

- Seal all paints and solvents in the garage. Escaping fumes add to air pollution. Use water-based paints when possible because they emit fewer ozone-making gases.

These are small changes in our routines, but collectively they will make a huge difference in the Valley's air quality, especially in these days of 100-degree-plus temperatures.

The problem of air quality is far too serious to ignore. Fresno County has the highest childhood asthma rate in the state. This effort to improve the Valley's air is not some esoteric political battle. It's quite simply about the health of our children.

It's time to spare the air. Think about it. Act on it.

### **It takes teamwork to Spare the Air**

**List of ways to slash our pollution output is long;  
the lung-searing alternative to doing so is frightening**

[Editorial, Merced Sun-Star, Aug. 11, 2004](#)

There are many things people can do to lessen this area's increasingly nasty smog problem. Recent hot weather has aggravated the air pollution in Merced, to the point that today is the third-straight "Spare the Air" day.

But Valley pollution-control officials are stressing that everyone can make a difference and contribute to cleaner air. There are myriad ways Merced residents can make things better for everyone else.

Since about 60 percent of our smog comes from cars, trucks, buses, planes, trains and boats, one way to reduce smog is to cut the amount of travel.

Air district officials would love to coax people out of their cars altogether. But if that's not feasible, it's suggested that carpooling be employed and errands be consolidated to limit the number of trips. Both suggestions seem feasible if more people would take the time to consider them.

Ozone, the main ingredient of smog, is spawned by the combination of sunlight and pollution. So anything that can be done to cut down on gasoline fumes would leave lungs a lot healthier.

The San Joaquin Valley has one of the worst asthma rates in the nation and smog contributes mightily to respiratory ailments. Health should be a higher priority over convenience, making money or keeping up with the everyday demands of life. We wonder if many Valley residents just haven't realized the magnitude of our air quality problem or don't take it seriously. It's time to wake up and smell the exhaust.

We agree that driving is essential for many people and often can't be curtailed. But there are other "little" things individuals can do to have an impact.

Try bringing lunch to work or walking to a nearby restaurant. Perhaps someone at work could get pizza for several coworkers, cutting the number of cars on the road. It's also recommended that people avoid using gas lawn mowers and other yard equipment during Spare the Air Days.

Keeping a car tuned up or choosing a new vehicle that is less polluting rather than a gas guzzler also can help. Even using a charcoal grill as opposed to a propane one can contribute to smog. Bicycles are ideal for commuting relatively short distances.

The list of smog-busting tactics is fairly long. Sparing the air is something we need to take more seriously. Every individual can make an impact and help us make the Valley an even better place to live.

### **Give cleaner air a go**

[S.F. Chronicle editorial, Aug. 11, 2004](#)

WHEN IT COMES to reducing greenhouse gas emissions, the auto industry is constantly trying to get California to hit the brakes. Each call for tougher emissions standards is met with cries of economic disaster from automakers. But now the state's Air Resources Board has come up with a plan that deserves to be given a green light next month.

The groundbreaking rules are contained in a report developed by resource board staff members that gives automakers an additional two years to reduce global-warming emissions in new cars by 30 percent.

Those standards would become effective in 2009 and become more stringent for model years through 2016.

By giving carmakers two more years to meet the challenge, the air board has wisely removed a sticky selling point by making the terms more reasonable. That should encourage auto manufacturers to bring cleaner car technologies to market. The state needs to reverse a trend that has seen sales of big pickup trucks and sport utility vehicles thrive despite record gasoline prices.

It's a plan with a long-term vision. Californians would pay hundreds of dollars more for new cars but would save even more at the gas pump. The resource board estimates that, under the new emissions guidelines, sticker prices would be \$626 more for an average passenger car in 2016, but those vehicles would release one-third less of the gases that contribute to global warming.

Environmental groups have generally praised the plan, saying that the proposed rules should greatly reduce greenhouse gases. More important, the rules don't directly set fuel- economy standards -- removing a legal stumbling block that has been the focus of successful court fights by the auto industry. Instead, it would force carmakers to produce more efficient vehicles. It's an idea voters overwhelmingly support, and Gov. Arnold Schwarzenegger has wisely said he supports the state's emissions plan.

Auto industry leaders may balk at the idea and could possibly return to court to try to avert the proposed standards. After all, they hate the fact that California has the authority to set its own air quality rules since its regulations were passed before the federal Clean Air Act.

But this latest measure allows the auto industry to produce a new generation of fuel-efficient vehicles. Other states surely would follow California's lead. Stricter emissions technologies are already being used by carmakers in Europe and Japan. The increasing popularity of hybrid cars in the United States should be a sign that there is a demand for cleaner cars.

The state's Air Resources Board should adopt the plan when it meets next month in Los Angeles. The auto industry needs to shift out of cruise control and do its part to reduce global-warming pollution.

### **Cutting auto pollution**

[Letter to the S.F. Chronicle, Aug. 11, 2004](#)

Editor -- In his Open Forum article, "Building a greener car" (Aug. 9), Russell Long seems to forget that there had been some action on auto pollution before his Bluewater Network's proposal was introduced to the Legislature.

He states that "California announced last week the world's first regulation to control global-warming emissions from passenger vehicles." In fact, nearly 10 years ago the Legislature passed a law stating that at least 2 percent of all cars sold in California by this time would have to be "pollution free."

This goal was never met because the Legislature ignored technical and economic facts. The author also implied that the greatest cause of Earth- warming is air pollution from our cars. No reliable environmental scientist would agree, and many would say the Earth-warming phenomenon is natural and not man-made.

If the author really believes that the reduction of the use of fossil fuels is critical to our future, he should support nuclear power as the only source capable of meeting our long-term needs. If he believes that we can drive our cars with fuels produced from solar cells, he should be reminded that one gasoline station daily delivers the energy equivalent of 85 square miles of solar cells.

JAMES E. GINGRICH  
Lafayette