

## **Asbestos worries again to focus on builders Foothills developers, officials must change, U.S. agency says.**

By Chris Bowman and Edie Lau -- Bee Staff Writers  
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The spotlight of asbestos concerns in the foothills of El Dorado County is turning back to development, as bulldozers and graders continue to churn up the hazardous minerals in densely populated areas.

Earlier this month, it fell on the dusty back roads of western El Dorado County when state environmental regulators recommended that residents pave over asbestos-containing serpentine gravel.

Early next month, the beam shifts to the community's sports fields when yet another arm of government, the U.S. Environmental Protection Agency, plans to release tests results on the asbestos fibers raised from running, biking and playing on dirt fields and trails.

After that, public attention likely will return to the foothill's vigorous housing development, the issue that spawned an eight-year-long series of debates, investigations and remedies concerning the risks of living in developing areas with naturally occurring asbestos.

The Agency for Toxic Substances and Disease Registry that has so far focused solely on asbestos on the Oak Ridge High campus now wants its investigators and those of the EPA to evaluate risks in "the community as a whole," according to a draft of the high school study obtained by The Bee.

EPA officials told The Bee they intend to tell residents that the asbestos-protection measures already in place at the school and elsewhere will be undercut unless local regulators, developers and residents all make adjustments in the way they plan, build and live.

State Sen. Deborah Ortiz, D-Sacramento, plans to take that broader focus at a May 11 hearing by the Senate Health Committee she heads.

"The logical next step is what about development in general?" she said.

The EPA's upcoming test results on the playgrounds likely will push that question to the forefront, Ortiz said.

"The politics of the region have been consistently pro-growth," Ortiz said in an interview Tuesday. "The data may cause the Board of Supervisors to look at their development policies."

Some county officials already are re-evaluating those policies.

"I don't think (development) is going to stop, but perhaps it could be done differently," Marcella McTaggart, El Dorado County's air pollution control officer, said Tuesday.

Under the current setup, McTaggart's staff reviews building proposals long after permits have been issued.

At that point, she said, the only safeguard is dust control to keep asbestos fibers from going airborne.

But McTaggart said her small staff lacks the expertise to conduct meaningful air monitoring for asbestos. She's not certain that the standards her agency is trying to enforce are scientifically valid.

"There are different ways of analyzing the data," she said. "It's not clear which way should be used."

Laurie Lindley-Muender welcomes any improvement in the county's asbestos rules. Her Crown Village neighborhood got dusted last summer when earthmovers carved out new tracts in the Promontory housing project.

"We had dynamiting going on every five minutes. It was pure dust," Lindley-Muender said. "It's in my carpets. It's in my vacuum cleaner bag. It's in my air ducts." Tests commissioned by Channel 10 (KXTV) news found elevated levels of asbestos fibers in the settled dust at her home.

The developer, Christopherson Homes of Santa Rosa, sent neighbors letters of apology for the months of dust and noise, along with a bottle of wine and an offer to clean their windows when excavation work was done.

County Supervisor Charlie Paine, whose district includes the northern tip of El Dorado Hills, thinks the county needs to re-evaluate development in areas identified on geologic maps as likely containing asbestos.

"If we've learned anything from the past, we need to ... take a more conservative approach where we locate or construct public facilities such as schools, senior centers and (other) places that have the potential to expose people," Paine said, citing ongoing worries about past asbestos exposure at Oak Ridge High School.

For example, he said, locations known to have asbestos in the earth should be targeted for industrial or commercial uses, covered with plenty of pavement to keep the hazardous soil in place.

"Or leave it as open space," Paine said.

Nonsense, says, Laura Gill, El Dorado County's chief administrative officer.

"The county is already doing everything it can to protect public health," she said.

County Supervisor Rusty Dupray, whose district includes most of El Dorado Hills, said the county already has high standards for protecting against asbestos hazards during construction.

"We have developers complaining that they're paying \$9,000 a unit just to mitigate asbestos, with registered geologists on site," Dupray said. "With monitoring, with dust mitigation, with all the things that they have to do, it's a significant cost to them."

Jon Morgan, the county's director of environmental management, says those demanding stronger asbestos controls on development are exaggerating the hazard in hopes of slowing growth.

"There aren't that many asbestos deposits. They are the exceptions rather than the rule," Morgan said. "It's a manageable environment."

## **Planners take mine talk to Tehachapi**

Sarah Ruby, Californian staff writer

Bakersfield Californian Wed., April 20, 2005

Kern planners are taking their act on the road. To Tehachapi.

Outcry over a proposed limestone mine in the area prompted them to schedule a workshop there tonight, inviting comment from hundreds of residents who sent letters and signed petitions, mostly against the mine.

"It's going to be feisty," said Mary Lewis, who lives a mile or two across a canyon from H. Lima Co.'s proposed home.

Lewis and others are bewildered by what they see as the project's high environmental cost. Studies of the project, which weigh more than a phone book, don't ease their minds, neighbors say.

"I read a lot of things (in the studies) I don't really think are right," said Ina Whatley, who lives a mile or two from the proposed mine and said she's spent hundreds of hours poring over the county's data. "I don't trust the county. I don't trust them to make good rules for these people (the mine)."

A representative of H. Lima Co. declined comment. The company was invited to the workshop. The meeting is meant to explain the project, answer questions and, most of all, hear what the audience thinks of it, said Planning Director Ted James.

"In this case, because there was so much communication relating to it, we thought (tonight's meeting) would be a good thing to do," said James.

If approved, the mine would produce 4.9 million tons of limestone in 20 years. It would occupy a total of 280 acres and disturb a total of 155 acres. In all, the company plans to rent 1,258 acres from Loop Ranch along Highway 58 at Broome Road, but the mine will be invisible to motorists, planning documents say.

Neighbors worry the mine will harm their peaceful way of life. They say it will worsen air quality, increase traffic and diminish scarce water supplies, among other concerns. The project's biggest impact will be on air quality, according to county data.

In all, the project will produce 46.73 tons of nitrogen oxides each year. The county's guidelines say any project that produces more than 25 tons of nitrogen oxides per year will be a "significant" hit to air quality.

Nitrogen oxides form ozone, which can cause lung damage. The mine will also kick up 10.87 tons of fine dust particles annually. The county's per-project threshold for dust pollution is 15 tons per year.

The Planning Commission will vote whether to grant a permit to H. Lima Co. at its May 26 meeting at 7 p.m. There, the commission will also decide which restrictions, if any, to put on the operation.

#### [Commentary](#)

[San Francisco Chronicle Wed., April 20, 2005](#)

By John Carroll

Just for the fun of it, let's play "gas price tipping point," the home game where we all try to guess how high gas prices have to go before they have a significant impact on the behavior of American citizens.

Five years ago, someone might have said, "Three dollars a gallon," but we are at 3 bucks per now, and nothing much has happened. (I welcome evidence to the contrary.) I am all in favor of letting gas prices drift higher and higher. For once I agree with the president -- hang on to those prudent reserves. Let's see whether cartel greed can do what well-meant environmental hectoring cannot do.

The president has suggested that the Arctic National Wildlife Refuge is the solution to our gas price problems. Let us get that oil, and we will be free from those evil foreign people with their kooky policies. Sure, love the caribou, but we gotta protect the American way of life.

Let's leave the environmental arguments alone for now -- as we have seen, choking air pollution and gridlock have not done much to persuade drivers to change their ways -- and concentrate on the issue of the refuge and our oil shortages.

According to Elizabeth Kolbert in the New Yorker, quoting estimates from the federal Energy Information Administration, if the drilling in the refuge were to start today, it would take 10 years for the first oil to reach market. Maximum production would not be achieved for 22 years. I am not sure how oil reserves that will come to market in 2015 are supposed to affect today's gas prices.

Here's the truth: Most experts agree that oil production is going to start declining in the next few years. We have finally begun to come to the end of the rainbow. Demand for oil in the country has risen every year since 1981. What happens when rising demand meets falling supply? Higher prices. To repeat John Nagle's mantra: How the world works is not a secret.

So let us ask again: At what price point does the demand for gas start to go down?

Everyone is in favor of curtailing U.S. oil consumption. People are in favor right up until it demands some sort of personal sacrifice. Then they're against it. Why us, they want to know. Why not some other segments of society? Why not ... dentists?

People have pointed out that higher gas prices are an unfair way to achieve energy savings because high gas prices affect the poor more. Rich guys in their Beemers will still run wild; it's people for whom the cost of a gallon of gas represents a significant percentage of their weekly income who will be affected.

True enough. On the other hand, the cars of poor people pollute as much as the cars of rich people, and the point is to change our entire cultural outlook. The rich are gonna do what they want anyway; that's what the rich do. There aren't that many rich people; if we grab the American people by their Fords and Chevys, the Beemers will follow.

Kolbert again: "If fuel efficiency standards were raised to 40 miles a gallon -- a level that is eminently achievable with current technology -- the United States would save sixty billion barrels of oil over the next 50 years. Simply upgrading the standards for replacement tires so that they match those for tires on new cars would avert the need for seven billion barrels, which is roughly the same amount we could hope to get out of the Arctic Refuge. "

This is the astonishing thing: The American people could have their cake and eat it too. People could drive in solitary splendor all over the nation, reveling in this dysfunctional but still powerful metaphor for freedom. They could sit in growling traffic for 90 minutes on their daily commutes, and rejoice in whatever they are rejoicing in. Higher tire standards! Mass-produced hybrid cars! We could postpone the apocalypse by a couple of centuries.

Will it happen that way? Seems doubtful. Retooling requires capital expenditure, and capital expenditure eats into profits, and the "ownership society" is all about profit. (Otherwise, what's the point of owning stuff?) The electorate would have to put significant pressure on lawmakers, and there is no sign that the electorate will do that. The electorate, in all its wisdom, has made the SUV the vehicle of choice in America today; it would appear that fuel economy is not exactly a priority right now.

So I ask again: At what price point does demand for oil start to go down? Ten dollars a gallon? We'll just have to wait and see.

Gosh, nothing bad has happened so far; why don't we keep doing what we've been doing until the giant steel hammer of fate descends on our skulls?

[Letter to the Editor](#)

[San Francisco Chronicle Wed., April 20, 2005](#)

### **CalTrain station closure**

Editor -- In its budget for 2005, quoting its own vision statement of 2004 -- 2023, CalTrain says, "It must offer people an attractive option to automobile travel while helping to achieve congestion relief and air-quality goals." If you are one of the 383 riders who will have to get in your car because CalTrain now proposes closing your station at Atherton, Broadway or College Park, please write and tell them "no" and come to the meeting where it plans to decide the closures at 1:30 p.m., Friday, at 1250 San Carlos Ave. in San Carlos.

Again drawing on its own vision statement, "CalTrain should accommodate a variety of travel needs... It must provide a flexible mix of local and express service that reflects the needs of CalTrain passengers."

To cut service to Atherton that has been served by the train for approximately 140 years is unacceptable. Many people bought their homes near the train so they could use it easily. Speed is not essential; regular daily and evening service is.

To contact CalTrain: e-mail [boardsecretary@caltrain.com](mailto:boardsecretary@caltrain.com)  
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