

Valley air bosses seek ways to cap emissions

by Reed Fugii

[Stockton Record, Saturday, Aug. 20, 2005](#)

San Joaquin Valley clean-air officials are seeking new ways to control pollutants released from the region's wineries, which produce 70 percent of all wine made in California, without burdening the industry with excessive costs.

There is a huge expense, as well as technical problems, associated with a rule proposed in June, said Seyed Sadredin, deputy executive director of the San Joaquin Valley Unified Air Pollution Control District.

While estimates vary, the costs are counted in tens of millions of dollars.

"So what we're trying to do is write a rule that would give these wineries an alternative compliance option," he said.

Air district and winery officials held an informal meeting Thursday in Fresno to discuss alternatives, possibly leading to a new rule and further public hearings.

Wendell Lee, general counsel of the Wine Institute in San Francisco, sounded a note of cautious optimism Friday.

"There were some major breakthroughs. I think we'll be able to work with the district," he said. But since these are just initial discussions, he added, "We don't really know what's going to happen.

"We're still continuing to work with the district, and we hope we're able to resolve all the various issues appropriately."

A workable balance between clearing the Valley's air, among the worst in the nation, and keeping the wine industry economically viable is the objective, said Jack Sieglock, a member of the air district's board as well as San Joaquin County supervisor.

While not directly involved in the ongoing discussions, Sieglock said he has spoken with winery representatives and district officials about the issues.

"What I'm looking for is something that is reasonable; that won't be overly costly and overly burdensome on the industry," he said. "Having said that, agriculture is no longer exempt from the rules of the district or the state "i so there's no doubt that those measures that are reasonable will be adopted."

The air district currently has no caps on winery emissions, primarily ethanol alcohol produced in the fermentation process. However, the U.S. Environmental Protection Agency considers winemaking to be a significant source of volatile organic compounds, a precursor to the formation of ozone smog.

The district estimated that industrywide VOC emissions totaled 788 tons in 2002. Releases are concentrated over the fermentation season, 90 to 120 days primary from mid- to late August and through October, or roughly between 6 tons and 9 tons per day.

The air district's original rule targeted large fermentation tanks, of 50,000 gallons or more, used to make red wines, which produce more emissions than white wines.

That put the onus on the region's 17 largest wineries, including six in San Joaquin County. Those are Escalon Cellars in Escalon, owned by Bronco Wine Co.; Turner Road Vintners and Woodbridge Winery in Lodi, owned by Constellation Wine Co.; Bear Creek Winery in Lodi, associated with Ironstone Vineyards; Delicato Family Vineyards in Manteca; and Franzia Winery in Ripon, owned by the Wine Group LLC.

About 20 percent of all winegrapes grown in the California come from District 11, San Joaquin County north of Highway 4 and a portion of southern Sacramento County. Grapes are the county's second-largest cash crop, with a 2004 harvest valued at \$188.8 million.

Wines Fail the ... Smog Test?

Controls are proposed to curb ethanol, a pollutant, from San Joaquin Valley vintners.

By Miguel Bustillo

[Los Angeles Times, Monday, Aug. 22, 2005](#)

Uncork a bottle of fine California wine and the delightful aroma it exudes is called bouquet.

But multiply that bottle by the millions produced in the Central Valley, and regulators refer to those same wine gases by a less pleasant name: smog-forming pollution.

By the standard the U.S. Environmental Protection Agency uses to gauge the severity of smog, the San Joaquin Valley in recent years has surpassed Los Angeles and Houston to become America's bad air capital.

Charged with cleaning up the country's dirtiest air, the San Joaquin Valley Air Pollution Control District is preparing to adopt the nation's first air quality restrictions on winemaking.

The gases wafting from the valley's sprawling wineries, which produce most of the wine made in America, do not rank with car exhaust or cow flatulence as leading causes of the region's thickening air pollution. But regulators maintain that the wineries are giving off far more than a subtle hint of unhealthful air.

The San Joaquin Valley's 109 wineries emit 788 tons a year of smog-forming gases, air pollution officials estimate. The vintners -- which include E.&J. Gallo, Ironstone and Bronco -- are some of the world's biggest winemakers, producing more than 300 million gallons of wine annually. The largest valley wineries mass-produce a wide array of red, white and blush wines, but their biggest volume is in inexpensive table wines sold in bulk sizes.

The district is scheduled to approve the proposed regulations before the end of the year. As it stands, the rules would require mass producers of wine to install on their fermentation tanks the pollution controls that are typically used in oil refineries and steel mills.

The equipment, which could cost each large winery millions of dollars, would be used primarily to catch wayward emissions of ethanol, alcohol produced during the fermentation of wine. Ethanol is considered a volatile organic compound, one of two major classes of pollutants that combine to create smog.

Winemakers say that they are willing to help clean the valley's air but are concerned that ill-conceived pollution controls could collect bacteria and contaminate their carefully crafted Pinot Grigios, Merlots and Chardonnays

"The industry in general is for clean air. We are environmentally conscious, we have a code of sustainable wine growing practices," said Chris Indelicato, chief executive of Delicato Vineyards and scion of one of California's oldest wine families.

"The problem here is that this is going to cost millions of dollars, and it's not even proven to work," he said. "And there would not even be that much of a benefit, because we really are not gross polluters."

Industry lawyers and winemaking engineers say that by sucking wine vapors from the fermentation tanks like vacuums, the pollution controls could even harm the smell and taste of wines, one of California's most celebrated exports.

"It's technology that is used on refineries. But you don't drink gasoline," said Wendell Lee, an attorney for the Wine Institute, a trade association representing more than 800 California wineries. "We want to help improve air quality, but not in a way that compromises the winemaking tradition."

Acknowledging that the pollution controls have the potential to affect food sanitation and the flavor of wines, San Joaquin air officials said last week that they are considering revisions to their proposed rule that would allow wineries to effectively buy their way out of the requirements.

In exchange for not installing the equipment on fermentation tanks, large wineries would have to make similar pollution reductions elsewhere in the San Joaquin Valley, such as reducing emissions from their delivery truck fleets or paying to curtail air pollution from other businesses, said Seyed Sadredin, the district's deputy air pollution control officer.

"The old days when we just copied the rules" of Los Angeles-area smog regulators "are long gone," Sadredin said. "We are leading the world in developing solutions to our own problems, which in many ways are now worse than the problems in Southern California."

Though the region is rapidly becoming urbanized, much of its pollution comes from its large agribusiness operations. As a result, air quality officials have begun proposing a series of groundbreaking rules to

slash air pollution from previously unregulated sources, such as dairy cows, and are offering incentives to replace old diesel-burning water pumps and farm tractors with cleaner, more modern equipment.

Households are also being required to cut back the pollution they emit with a rule that prohibits the burning of logs in fireplaces on days when smog reaches unhealthy levels.

"What we're seeing in the valley is what you probably saw in L.A. in the early '70s, where people are being asked to change their lifestyle, and businesses are being asked to change what they do," said state Sen. Dean Florez (D-Shafter), author of a law that eliminated an exemption that had allowed agriculture to escape air pollution regulations. "That's still new to people here, but the air quality problem has gotten to a point where everyone will have to do their part."

"Everyone" should certainly include wineries, Florez said.

Napa and Sonoma may garner the praise of the gastronomes, but the inland counties of the Central Valley are California's true winemaking workhorses. The region is responsible for roughly 70% of the table wines produced in California, according to federal statistics, making it the nation's leader.

Most of that wine is grown by fewer than two dozen winemakers, including the massive Gallo Winery in Fresno, Livingston and Modesto and the Mission Bell Winery in Madera, which is owned by Constellation Brands, the world's largest wine company.

The San Joaquin Valley's 18 largest wineries are responsible for 95% of the smog-forming gases that the region's wineries emit during fermentation, regulators estimate.

The ethanol emissions also help form another type of air pollution: particulate matter, or tiny airborne flecks that have been linked to a wide array of respiratory problems.

San Joaquin Valley air officials promised the EPA they would reduce particulate pollution from the wineries as part of a blueprint for compliance with the Clean Air Act. As a result, they are required to pass rules restricting winery pollution by year's end.

"Wine fermentation should have been regulated years ago," said Brent Newell, an attorney with the Center on Race, Poverty & the Environment who has pushed San Joaquin Valley regulators for years to crack down on air pollution. "The fact that it is 2005 and it has yet to happen reflects the district's traditional deference to agriculture."

Park fire a friend to nature

By Mark Grossi

[The Fresno Bee, Saturday, Aug. 20, 2005](#)

KINGS CANYON NATIONAL PARK - A 5,000-acre fire burning near the nation's deepest river canyon hasn't exactly attracted CNN coverage. There are no evacuations, no 50-foot tongues of flame. Not a single building is imperiled.

The Southern Sierra's largest wildfire this year may continue until the snow flies in fall, but it is clearly a media dud.

Still, this might become the newsmaker of the year for Central California forestry. Federal authorities want -- actually, they are helping -- this fire spread.

They dream about natural fires like this. It nurtures nature over thousands of acres and makes the park safer from huge, destructive fires, yet it is not threatening popular Cedar Grove in Kings Canyon National Park with its lodge, gift shop, cafe and market.

As it grows, the Comb fire meanders, sending out 3- to 4-foot flames to burn low brush, shrubs, small trees and snags - creating openings for new pine trees to grow.

Large trees survive as the fire nibbles here and there. A mosaic burn pattern emerges, reminiscent of past centuries in the Sierra. Such fire has been a natural ally of the Sierra for thousands of years.

"It's a perfect fire for us to manage," parks spokeswoman Jody Lyle says.

The Comb fire also is a poster child for bargain safety, costing just \$1.2 million in the past month to nurse it along as it eliminates brush.

That is in comparison to the 150,000-acre McNally fire that blazed three years ago through an overgrown area of the Sequoia National Forest. Estimates on destroyed buildings and lost timber as well as firefighting costs ranged beyond \$100 million.

Many Sierra Nevada forests are similarly loaded with thick growth and primed for destruction.

So the mellow Comb fire is a welcome sight. Fire management team members from throughout the southwestern United States flew to Sequoia and Kings Canyon National Parks in July.

The imported team of experts has been guiding the fire as well as handling logistics, safety, supplies, monitoring and many other jobs.

A fresh management team arrived last week. They will steer the fire for the next two weeks, rotating other experts and fire personnel into the command center.

"It's actually a cheap way to take care of business compared to fire suppression," says Dave Bartlett, park service fire management officer. "But it takes a lot of expertise to predict fire behavior and make the right decisions to keep it safe."

Making the right call

Perched on a granite dome at 8,500 feet in Sequoia National Forest, a volunteer at Buck Rock Lookout discovered the Comb fire July 22 after spotting a smoke column coming from a lightning strike on a red fir tree in Kings Canyon National Park, fire officials say.

Bartlett and others quickly assessed whether they needed to snuff the little fire, or use it to clean out the forest. If the fire had been caused by humans - a campfire, for instance - they would have put it out.

Park officials also use prescribed burning, deliberately setting a fire to burn brush in certain areas. But officials prefer nature to do the burning as it has in the past.

The fire was at Comb Creek near the Lewis Creek area. Thick growth that could have caused a fast-moving, dangerous fire was burned away in a blaze 25 years ago.

"We knew fire had come through here in the Lewis Creek fire around 1980, so it wasn't as overgrown as other places," Bartlett says. "We also knew there was more moisture out there this year because of the big winter and late spring. It looked like a good fire to manage."

He called in the team of about a dozen federal experts. They use computer programs that take into account the type of plants, wind, moisture, temperature and other factors to predict the fire's path.

Sometimes, they need to slow the fire down by dumping water on it from a helicopter. Sometimes, they ignite small sections of brush to eliminate fuel, keep the fire low and control the direction it burns.

Five years ago, they wouldn't have done any of this here. Officials would have considered it too close to the bureaucratic line between the national park and the Sequoia National Forest.

Until policy shifted five years ago, the U.S. Forest Service maintained a "Smokey the Bear" posture -- putting out fires, not using them as tools to manage the forest. It was a decades-old policy that had deprived forests of fire as a thinning tool.

Sequoia-Kings Canyon parks have been using natural fire since 1969, long recognizing its importance. But if the Comb fire had happened before 2000, officials would have stopped it simply because it was so close to the forest.

One other piece of the bureaucratic puzzle had to fit as well. The smoke from the fire would get the attention of the San Joaquin Valley Air Pollution Control District.

Last year, an air district inspector cited the parks for lighting a brush-clearing fire in defiance of a district no-burn order. Differences flared publicly between the two agencies.

Ultimately, the Park Service paid a \$25,000 fine. Both sides say the incident is behind them, and now an air district inspector works with the fire management team daily.

"The cooperation has been very good," says Ted Strauss, supervising air quality inspector with the district. "There are a lot more positives compared to last year."

Strauss says the Comb fire is like no other managed wildfire he has seen. Weather conditions have allowed it to spread without turning it into an air-quality nightmare.

"The challenge is duration," he says. "How long can it go?"

Friendly fire

If the three-toed black-backed woodpecker had anything to say about it, the Comb fire would go until at least November. The more burned acreage, the more places for woodpeckers to live.

Ecologists say this particular woodpecker is actually attracted to burned areas, where they nest in fire-damaged trees.

And beetles and other insects also are attracted to burned trees, with some insects flying to fires to lay their eggs in warm trees.

The benefits involve more than beetles and woodpeckers. The forest gets a shot of nutrients from the burned brush.

And some trees need the heat of fire to drop seeds. Some need a little breathing room away from aggressive shrubs, such as bear clover.

Scientists estimate fire burned 15,000 to 18,000 acres a year during the past several centuries.

The parks annually average burns of about 5,000 or 6,000 acres, so the program doesn't match natural conditions even in a normal burning year.

"People sometimes forget Sequoia and Kings combined are the size of Rhode Island," says parks fire ecologist Anthony Caprio.

"We're not getting enough fire to keep up with the natural regime from the past. Events like the Comb fire are important."

Tallow firm sued as promised

Plant accused of operating with odor reducer shut off

[Modesto Bee, Friday, Aug. 19, 2005](#)

During the past three years, Modesto Tallow Co. routinely processed animal carcasses without turning on odor reducing equipment, according to a lawsuit filed this week by the San Joaquin Valley Air Pollution Control District.

The lawsuit, filed in Stanislaus County Superior Court, accuses the 88-year-old rendering plant of creating a public nuisance, failing to maintain and monitor equipment, letting carcasses sit longer than 24 hours and processing foam meat-packing trays and plastic wrap along with the plant's regular intake.

"This is serious business," said Phil Jay, an air district attorney in Fresno. "You've got major pieces of equipment they just aren't operating, and, on top of that, all the anguish they're creating for the community."

An attorney for Modesto Tallow, Karna Harrigfeld of Stockton, said the company would have no comment on the lawsuit but said in an e-mail message that Modesto Tallow was "working diligently on making improvements to the plant and will continue to do so during the ongoing weeks."

The company has 30 days to formally respond to the lawsuit.

The lawsuit asks a judge to force the plant to clean up its act or face possible closure. The action seeks civil penalties of up to \$10,000, \$25,000, \$40,000 and \$75,000 per day, depending on the violation -- which could add up to millions.

The legal action comes as complaints about Modesto Tallow's odors reach record levels this summer. Smells from rendering - a process that turns dead animals and restaurant grease into products such as pet food and livestock feed - often hang over parts of south Modesto and west Ceres.

Air district officials and residents say they are fed up with Modesto Tallow's chronic failures to improve the odors coming from the plant.

The lawsuit alleges that Modesto Tallow routinely operated the plant even when its thermal oxidizer was not working. The company installed the oxidizer -- an odor incinerator that is costly to run -- in 2002, telling the community that the equipment would greatly reduce odors.

But, according to the lawsuit, the plant is operated in such a way that the oxidizer frequently shuts down. And when it does, Modesto Tallow does not stop processing, in violation of its permit, the lawsuit says.

Instead, the company keeps the line going, resulting in "uncontrolled odors" that engulf surrounding neighborhoods.

Built in 1917, Modesto Tallow long has been the source of public outcry. The plant on Crows Landing Road looms over a low-income area in Modesto, less than 1,000 feet from Shackelford Elementary School.

Named with Modesto Tallow in the lawsuit is Pascal Enterprises of Dallas. Harrigfeld said in an e-mail that Pascal Enterprises is not the parent company of Modesto Tallow. Rather, she said, Modesto Tallow is a subsidiary of Modesto Holding Co.

Pascal and Modesto Holding Co. are led by Bill Shirley Jr., a longtime Texas rendering executive. Shirley did not return calls seeking comment over the past two weeks.

TALLOW TROUBLE

Here are some other legal problems that Modesto Tallow Co. has faced over the years:

JUNE 1999: Modesto Tallow officials plead guilty to violating the federal Clean Water Act by discharging dead animal parts into a lagoon that is part of the Tuolumne River. Plant manager Larry Bietz later is sentenced to a year in prison for forging water samples. The company pays a \$600,000 fine.

JULY 2003: Modesto Tallow pays \$114,508 to settle a case brought by the Solano County district attorney, alleging that company trucks spilled blood and dead animal parts on roads.

JUNE 2004: U.S. Environmental Protection Agency agents obtain a search warrant to investigate Modesto Tallow's dealings in Oregon. A special agent alleges that Modesto Tallow rendered chicken carcasses and discharged waste into the Columbia River without a permit, in violation of the Clean Water Act. Three months later, Modesto Tallow pays \$100,000 to a Portland-based environmental group, which had threatened to sue the company.

News from the San Joaquin Valley

[San Francisco Chronicle, Friday, Aug. 19, 2005](#)

MODESTO, Calif. (AP) - A plant that turns animal carcasses into pet and livestock food has created such a stink in its neighborhood that it's become a public nuisance, according to a lawsuit filed by Central Valley air regulators.

The suit, filed in Stanislaus County Superior Court this week by the San Joaquin Valley Air Pollution Control District, alleges that Modesto Tallow Co. has not done enough to control the smell of rotting animal parts. It seeks penalties that could add up to millions of dollars.

Among the claims outlined in the complaint are that Modesto Tallow failed to keep its odor-reducing equipment in working order, allowed carcasses to sit for longer than 24 hours, and processed packing trays and pieces of plastic along with animal remains.

The suit asked for civil penalties of up to \$75,000 per day and possibly shutting down the 88-year-old company.

"This is serious business," said Phil Jay, an air district attorney in Fresno. "You've got major pieces of equipment they just aren't operating, and, on top of that, all the anguish they're creating for the community."

The company has 30 days to respond to the suit.

Karna Harrigfeld, an attorney for Modesto Tallow, said the company had no comment on the lawsuit, but wrote in an e-mail that it was "working diligently on making improvements to the plant and will continue to do so during the ongoing weeks."

Modesto Tallow has had legal problems in the past stemming from its management of the plant. In 1999, two company officials pleaded guilty to discharging animal parts into the Tuolumne River in violation of the federal Clean Water Act. In 2003, the company paid a \$114,508 settlement in a case brought by the Solano County district attorney, who charged them with spilling blood and animal parts on roads.

Developer eyeing COS farm's field Neighbors want rural landscape to stay the same

By Jillian Daley, Staff writer

[Visalia Times-Delta, Saturday, Aug. 20, 2005](#)

A city planner said city officials are unsure of the fate of a college farm's field, but residents near the site said if development is in the future, it's not welcome.

Mangano Homes Inc. has proposed to the Visalia Planning Commission the rezoning of a portion of the College of the Sequoias farm on the east side of Linwood Street between Mary and Cherry avenues. It's one of several items set for a public hearing that the commission will review at its Monday meeting.

The request to be presented to the commission is for a zoning designation change from public to residential. The change could mean the COS farm is destined for development or sale, although it is too early to say, said Andrew Chamberlain, senior planner for the city.

Mangano representatives were not available to comment on their plans.

When filing a request, an applicant does not have to specify what it is they're planning, Chamberlain said, but he added that usually applicants have some plan in mind for land if they're rezoning.

He said all that is certain for now is that the commission will review the rezoning and address concerns at the public hearing.

If the commission recommends the project, the request will go to the City Council for approval. City Council member Donald Landers said it is too soon for the city to comment on the issue. If City Council approves it, there are still several steps before Mangano can do anything with the land.

Yet, well before the commission makes its recommendation, three area residents have sent letters to the commission detailing reasons why no development should be allowed in their neighborhood.

Linwood Street resident Josephine Esquivel said she wrote the commission because she fears that further development of her neighborhood will congest streets, which could endanger the children heading to any of the three schools in the vicinity.

Esquivel said the construction of another apartment building in the area has already increased the population enough, intensifying [air pollution](#) and litter issues.

Her concerns are similar to that of many of other city residents with change coming to Visalia.

Since 1990, the city has issued permits for more than 10,000 single-family residential homes, according to Times-Delta records. Almost half of that total occurred in the past six years. Visalia's population is 107,550. By 2020, it is expected to be about 165,000.

Although, the face of the town is changing, Esquivel wants to preserve what her family has.

When she and her husband bought their home, the area was more rustic and she doesn't want to lose the view from her front yard on South Linwood Street.

"We have the open land and the different animals at the farm, the cows," she said.

A South Kent Street resident didn't write the commission but fears what the future will bring to her back yard. Starley Brewer said she, like other residents in the area, received word of the change a couple of

weeks ago in a public hearing notice and had heard when she bought the home more than three years ago that development could be on its way.

Brewer said she had always hoped a potential development would not be apartments. She said she fears the unknown.

"Imagine this was your house," she said. "You don't know what they're going to build."

Chamberlain said residents shouldn't worry yet, but if they have concerns, he can explain the planning process to them.

"[No one] can really know what the future actions are going to be," he said.

States joining California on car standards

Brad Cain, Associated Press

[In the San Francisco Chronicle, Monday, Aug. 22, 2005](#)

SALEM, Ore. - Despite an effort by auto industry lobbyists to kill the move, two Pacific Northwest States -- Oregon and Washington -- are getting ready to adopt California's new vehicle emission standards to reduce greenhouse gases.

When that happens, California's newly implemented emissions standards -- the toughest in the country -- will be in effect along the entire West Coast from Canada to Mexico.

By 2016, all new cars, SUVs and light trucks sold in the West Coast states would have to comply with the tougher standards on emissions of greenhouse gases such as carbon dioxide, which are believed to be a leading cause of global warming. The 2016 date was set to give automakers plenty of time to comply with the new standards.

At least six states in the Northeast are also moving to adopt California's new tailpipe standards to reduce greenhouse gas emissions from cars.

It's an environmental squeeze play -- with states on the two coasts working to try to force the auto industry to turn out cleaner, more fuel efficient cars.

"People realize that having more advanced-technology cars on the road will enhance our oil security and begin to address global warming issues," says Rob Sargent of the Boston-based National Association of State Public Interest Research Groups.

Under the federal Clean Air Act, California is allowed to set pollution standards for cars and trucks that are more stringent than federal standards. Other states can choose either California's standards or the looser federal rules.

Most northeastern states have followed California vehicle emission rules for years, and now those states are making the change to reflect California's latest rules regulating carbon dioxide and other greenhouse gas emissions.

While the movement has gained little traction in the Midwest and the South to date, it's gotten a huge boost with the three West Coast states unifying around the tough new California standards.

"Despite what the Bush folks say, more people are realizing that global warming is a problem that we need to begin to address," Sargent said.

Climatologists have warned that if allowed to continue, rising temperatures caused by driving and other human activities will cause melting glaciers, rising sea levels and weather changes.

California lawmakers in 2002 directed the California Air Resources Board to develop rules to reduce vehicle emissions of greenhouse gases, a task the board completed last September. The regulations will be phased in starting in 2009, with all new cars, SUVs and light trucks required to be in full compliance by 2016.

The auto industry is suing California over its new standards, saying the state lacks authority to implement such regulations and that the rules would eventually add \$3,000 to the cost of a new car.

"Consumers ought to be able to make the choices of options they want on their vehicle, and not have those choices made for them," says Eron Shosteck of the Alliance of Automobile Manufacturers, a Washington, D.C.-based auto industry group.

Besides, Shosteck said, automakers have made strides in producing more fuel-efficient vehicles, including a growing number of gas-electric hybrids.

This year, the auto industry has fought to try to prevent the entire West Coast from becoming what environmentalists call a "clean car corridor."

Washington state lawmakers voted to bring the strict California car-emissions standards to their state. However, as part of a compromise, lawmakers made their bill contingent on Oregon adopting the same standards. Both states' regulations would take full effect in 2016.

Seeing an opportunity to kill the regulations in both states, auto industry lobbyists persuaded Oregon legislators to insert language into a state environmental agency budget forbidding the state from spending money to adopt or enforce California-style emission rules.

But Oregon Gov. Ted Kulongoski, who has aligned himself with environmentalists in the past, says he will use his veto authority to delete that provision from the budget.

That will clear the way for the Oregon Environmental Quality Commission to adopt the new tailpipe emission rules for Oregon by the end of the year, Kulongoski said.

The stiffer requirements would mean new cars sold in the state would have to emit 30 percent less carbon dioxide, 20 percent fewer toxic pollutants and up to 20 percent fewer smog-causing pollutants than the established federal standards.

Kulongoski, a Democrat, said Oregon and the other states need to act because the Bush administration has failed to take steps to curtail global warming.

"If the federal government doesn't want to move forward on global warming, then the states are going to have to do it," the governor said in an interview.

Besides the three West Coast states that are moving to adopt the new emission standards, six Northeast states are expected to finalize rules by the end of this year - New York, Connecticut, New Jersey, Massachusetts, Vermont and Maine, according to Northeast States for Coordinated Air Use Management, an association of state air quality officials from the region.

A seventh state, Rhode Island, is considering whether to adopt the new California rules or revert to less restrictive federal standards, the group said.

Drivers race for carpool permits for hybrids

1,000 apply per day -- but many must get FasTrak, too

By Lynda Gledhill

[San Francisco Chronicle, Saturday, Aug. 20, 2005](#)

Sacramento -- California hybrid car owners, already leveraging super-efficient gas mileage during a time of \$3-a-gallon unleaded, are flooding the state with more than 1,000 requests a day for permits that will allow them to zip into carpool lanes even if they drive solo.

More than 12,000 people have applied for the special permits since they became available Aug. 10, said Bill Branch, a spokesman for the Department of Motor Vehicles. So far, about 1,500 stickers have been sent out.

Motorists who own one of three hybrid models -- the Toyota Prius, the Honda Insight and the hybrid Honda Civic -- will be allowed to use carpool lanes without carrying other passengers, thanks to a provision in a federal energy bill signed by President Bush and state legislation signed last year by Gov. Arnold Schwarzenegger.

The Department of Motor Vehicles estimates that about 65,670 hybrids are eligible in California, although some may not be registered in the state any longer, and not all hybrid owners are expected to apply for the permit. The state law allows up to 75,000 permits to be issued.

"I'm extremely pleased that Californians are responding in such significant numbers to the governor's invitation to join that move toward cleaner air and alternative fuels," said Joan Borucki, director of the DMV. "I'm delighted that DMV was able to move with lightning speed to get those hybrid stickers to Californians without delay, the minute the president signed the waiver to allow us to go forward."

In the Bay Area, however, residents also must have a FasTrak transponder to receive the permit. Not all Bay Area hybrid drivers are happy about the extra hurdle.

"It seems a little bit unfair that people otherwise qualified aren't allowed to participate unless they are able to participate in the other program," said Paul Marcus of Oakland, who owns a hybrid car but does not often travel over the Bay Area bridges.

The permit costs \$8, but FasTrak requires either a \$40 or \$50 start-up fee, depending on the method of payment.

Marcus said his commute takes him into Contra Costa County rather than over the bridges. He hasn't decided yet whether he will apply for the permit.

"Just to have the option would be nice," he said. "I just don't know if I want to jump through too many hoops."

Randy Rentschler, legislative director for the Metropolitan Transportation Commission, said letting hybrids use the carpool lane was one thing, but letting them not pay bridge tolls was something else.

Drivers using the carpool lanes do not have to pay tolls on the Bay Area bridges. In most cases, the carpool lanes feed directly up to the toll plazas.

He said MTC had run into a practical problem.

"It's not a perfect solution," he said. "But the physical reality of the lanes and the bridges means that this is the solution we have to have in order to avoid losing a lot of money."

If hybrid users also are carpoolers, they can use a special cover to shield their transponders, Rentschler said. It will be up to the California Highway Patrol to enforce the carpool lanes and make sure people are paying the toll when required to.

The goal is to make sure the carpool lanes continue to be a time benefit, Rentschler said.

"The real reason people use the carpool lanes is travel-time savings," he said. Requiring FasTrak for hybrid users is the only way to keep the time savings and still have them pay the toll.

"It's a very modest inconvenience to get very significant benefit," he said.

Bettie Laven of Oakland already had a FasTrak transponder, and although she wasn't thrilled with having to wait in line to exchange it for one specially marked for hybrids in carpool lanes, she said it would be worth it.

"I've been waiting since the first inkling we might be able to get some advantages," she said. Laven owns a Prius and says many who own hybrids have a passion for them.

"I absolutely think we" deserve some kind of benefit for having the cars, Laven said. "We have proven to be financially and environmentally responsible in this awful time of gasoline prices."

There are concerns, however, about whether the carpool lanes will become too crowded. The law allows the DMV to issue 75,000 permits, but it allows the program to be suspended after 50,000 are issued, depending on congestion in the high-occupancy vehicle lanes. That will be determined by state and federal officials.

Rentschler said MTC would be watching closely to see whether carpool lanes become too crowded.

Even though he owns a hybrid, Marcus said, he's not sure he buys into the philosophy that he should be able to use a carpool lane.

"While a hybrid cuts pollution per passenger mile, they don't relieve car density," he said. "I don't know what happens when the HOV lanes are as clogged as the lanes next to them."

The state law allowing hybrids to use the carpool lanes expires in 2008.

EPA: Summer Smog Problem Easing in East

By JOHN HEILPRIN, Associated Press Writer

[In the San Francisco Chronicle, Friday, August 19, 2005](#)

Ozone levels are falling in 19 Eastern states where smog has been a recurring problem in summer, helping improve air quality for a third of the nation's population, the Environmental Protection Agency says.

The improvement is due to fewer emissions of nitrogen oxides and volatile organic compounds, which together undergo a chemical reaction in heat and sunlight that forms smog. Some of the major sources are motor vehicle exhaust, industrial plants, gas vapors and chemical solvents.

EPA said that the amount of nitrogen oxides emitted from power plants and other industrial sources in the 19 states had fallen to 593,000 tons in 2004, a nearly 50 percent drop from the 1.2 million tons emitted in 2000. That reduced summer ozone over the four years by 10 percent, EPA said.

EPA Administrator Stephen Johnson said that has improved air quality for more than 100 million people. He called it "yet another example of how market-based trading programs are significantly reducing emissions of air pollutants."

EPA's approach sets caps on allowable levels of pollution, then lets companies trade among themselves any unused amounts.

Jeff Holmstead, EPA's outgoing top official for air quality, called it "a very significant reduction of ozone" concentrations. Holmstead, whose last day at the agency was Friday, attributed most of the improvement to technology improvements that the EPA ordered at coal-burning power plants.

The Clinton administration in 1998 ordered ground-level ozone in the East cleaned up. That EPA regulation affected the District of Columbia and 19 states: Alabama, Connecticut, Delaware, Illinois, Indiana, Kentucky, Massachusetts, Maryland, Michigan, North Carolina, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia and West Virginia.

EPA officials said further improvements should result from a new program the agency announced in March requiring states in the East, South and Midwest, plus the District of Columbia, to reduce power plant pollutants that form smog and soot and drift downwind.

States have until September 2006 to submit plans for achieving the pollution reductions. If they miss that deadline, the EPA has said that it would write the plans for them.

Under those regulations, by 2015, nitrogen oxides pollution in 30 states will have to be reduced by 1.9 million tons annually, or 61 percent below 2003 levels, EPA said. Sulfur dioxide pollution must drop by 5.4 million tons, a 57 percent reduction, the agency said.

[Modesto Bee, Editorial, Sunday, Aug. 21, 2005](#)

Rapid growth calls for regional solutions

A lot of fingers are pointing at the folks streaming across the Altamont in search of a more affordable life. Some longtime valley residents are angry, insisting the quality of their lives has deteriorated with each successive wave of new arrivals.

Put your fingers back in your pockets. If anyone should be angry, it's the newcomers. We knew they were coming, and we've done an awful job planning for them. But this party is just getting started -- a lot more people are on their way.

An informal survey of planners around Stanislaus County found that more than 40,000 new homes are being seriously discussed for completion within the next decade. Some communities would double in size. Oakdale could get an additional 6,900 homes by 2015; Modesto at least 5,300 much sooner; and Riverbank might grow by 4,200 homes.

Stanislaus County had 156,830 housing units as of 2004. Adding 40,000 homes is like plopping down a new one after every third house.

Now, add 8,000 homes likely for Manteca, 2,500 in Ripon, perhaps 5,000 homes in Stevinson, and 6,000 around Tulloch and Don Pedro reservoirs, and you begin to see the scope. Figuring three people per home, that's an additional 120,000 people and probably 75,000 cars in Stanislaus County alone.

By the time your third-grader is applying makeup for her senior prom, she'll have roughly 50,000 more kids to text-message in the 209 area code.

"I used to say we had eight to 10 years to start making decisions, I now say it's two to three years," said Carol Whiteside, president of the Great Valley Center. "People are making massive investments and massive assumptions about what will happen in the region."

Such an influx will have impacts on the most important, and most minor, aspects of our lives. You buy a house in Turlock, but join thousands on Highway 99 going to work; watering your lawn helps suck arsenic through the aquifer into a nearby city's well; one school district lays off teachers while a few miles away, classrooms overflow.

Local planning isn't enough; we must reach beyond our communities and plan as a region. Then we've got to find ways to make those plans stick. This isn't about dictating local zoning, but about the big stuff -- the differences between livable and living hell.

"We're certainly not doing real regional planning in the valley," said Rollie Smith, who works for the U.S. Department of Housing and Urban Development. "And it really needs to be done -- desperately."

Traffic is a good example. The Grube Co. wants to build thousands of homes in Waterford. Those who live there will have to commute to work, but who will pay to improve Highway 132 into Modesto? An additional 900 homes are being built in Oakdale, but Highway 120 in San Joaquin County is already a deadly mess. On the western edge of Merced County, tiny Gustine must brace for traffic from the University of California at Merced heading for the coast on weekends.

If a planner doesn't know that a 2,000-home project is being plotted 20 miles away, even the best plan becomes inadequate.

"The first issue is that there needs to be a place -- whether through the counties or someplace larger -- where this stuff is all mapped and people can look at cumulative proposals," said Whiteside. "People are doing one approval at a time, so nobody looks at south San Joaquin or Merced. Clearly, there needs to be a clearinghouse of information."

[Air](#), water, health care, affordability, education -- all are directly affected by growth and all scream for regional solutions.

"In order to address all those issues, they have to be addressed on a regional basis," said Patterson's top planner, Rod Simpson. "Each city is not going to be able to do it all on their own."

Even the best-planned cities work in a virtual vacuum.

"The key is communication, that's the biggest thing," said Hughson's Barry Siebe. But without a formalized structure, real communication rarely happens.

Yet planners, politicians and concerned people are starting to coalesce, almost spontaneously, around areas of interest. That's wonderful. But such groups need an entity that can speak to local governments and speak for them at the same time.

There are limited examples of regional planning. In Washington, local governments are organizing to combat sprawl and air pollution. Florida established regional planning groups, but developers have begun to work around them. The Association of Bay Area Governments, the Tahoe Regional Planning Agency and the California Coastal Commission all provide regional voices in our state, some with more success than others.

"There are models to be had of interregional cooperation that need to be at least talked about," said Riverbank planner J.D. Hightower. "If no one's talking, you've got a problem. And right now, no one's talking."

It's a question of political will.

Californians, no matter where we live, share the same dreams -- a nice house we can afford; safety; a well-paying job close enough not to need a passport to get to work; roads that don't drive us crazy; [air we can breathe](#); decent schools; clean water; nice parks; fresh fruit; and good health.

It's easy to point a finger at what isn't being done and what needs to be done. It's harder to put all of our hands together and make our region as wonderful as we know it can be.

[Bakersfield Californian, Commentary, Saturday, Aug. 20, 2005:](#)

Community Voices

By DEAN FLOREZ, Shafter

With the sixth largest economy in the world, California is a leader on every front, from our agricultural and technological exports, to our innovation and ingenuity. There's a saying we often hear: "As California goes, so goes the rest of the world." It is time for us to lead again. Biotechnology holds the promise of a better tomorrow for the world's people, and California must lead the way. From the creation of new more powerful vaccines, to the related field of agricultural biotechnology, California's contribution to the advancement of this new science is, and must remain, second to none.

But there are those who want to turn back the clock on this promising new science, and want to ban agricultural biotechnology here in California and around the world.

Contrary to the scare tactics of environmental extremists, more than 3,500 scientists, 25 Nobel Prize-winning scientists, the National Academy of Sciences, the European Union, the American Medical Association and the Food and Drug Administration have all concluded that commercial biotech crops are no different than traditionally grown crops, and are safe for human consumption, animal feed and the environment.

Both the United Nations and the Vatican have been strong supporters of biotech agriculture because of its potential to help cure malnutrition and starvation in developing nations. Former President Jimmy Carter, himself a biotech farmer, has said that advances in agricultural biotechnology will save lives around the world by providing greater access to healthier food. Carter even has warned that we must not listen to those who seek to ban this technology, calling them "extremists" who peddle "false propaganda."

I have recently introduced SB 1056 which will allow for uniform standards to regulate all types of agricultural seed in California, under the existing California Seed Law.

My bill will preserve the rights of California farmers to decide what kinds of seeds to plant. If they chose to plant biotech crops, my bill will protect that choice. If they choose to farm traditionally, or organically, those rights also will be protected.

Critics of agriculture biotechnology ignore the positive effects this technology has in reducing pesticide use, and [improving air and water quality](#). More importantly, they ignore the fact that fewer pesticide sprayings in the fields means less exposure to pesticide for those who work in the fields, both farm owner and worker alike.

According to a new statewide poll, California voters strongly support agricultural biotechnology. When California voters are asked whether they "think farmers in California should be allowed to grow biotech crops if they choose to," fully 54 percent say yes, with just 31 percent saying no.

Support for biotech crops skyrockets here in the Central Valley, where 68 percent support the planting of biotech crops, and just 24 percent oppose.

California is supposed to set the pace for the rest of the world. We must continue to stand up to those who seek to turn back the clock of science and progress. Farmers who choose to take advantage of the promise of biotechnology should and must have that right preserved.

State Sen. Dean Florez, D-Shafter, represents the 16th District, which includes portions of Kern County and Bakersfield.

[Stockton Record, Commentary, Sunday, Aug. 21, 2005:](#)

There are plenty of oil and energy sources to keep fueling all of those SUVs

By H. Sterling Burnett

Those who regard SUVs -- rather than the gnawing poverty of developing nations -- as the chief threat to the world's environment often hide their hatred of our lifestyle behind the mantra "the planet is running out of fossil fuels."

Like many shared delusions of conventional wisdom, their mantra is completely false.

The world's 2 billion poor cause more air pollution than those in advanced democracies, and soon will produce more greenhouse gasses as well.

Just by decimating the forests of Amazon basin, Africa and southern Asia for wood-fuel, they spew immeasurable tons of pollutants into the atmosphere each day.

Their eco-systems would be much better off if they burned cleaner oil and natural gas using state-of-the-art emission controls.

Meanwhile, far from running out of fossil fuels, the world is awash in them and more are coming online each day. And viable alternative energies hold great potential as well. Consider a few hopeful rays:

New, eco-friendly drilling techniques and reasonable environmental rules will allow the United States to extract crude oil and natural gas in places like the Arctic National Wildlife Refuge, in many of the lower 48 states and off America's shorelines. Renewed interest in clean nuclear power, which safely supplies 85 percent of the electricity generated in environmentally conscious France, will allow the United States, China and India to shift from coal-fired utilities that belch pollution. Massive private/public sector projects like Stanford University's Global Climate and Energy are hard at work seeking new ways to filter pollution and greenhouse gas emissions from many of today's energy sources. The Alberta oil tar sands in Canada are projected to contain more petroleum than in the entire Middle East, and with oil in \$40 to \$50 a barrel range, extracting it becomes economically feasible. As its ace in the hole, the U.S. currently has an estimated 750 million years of coal reserves and is rapidly developing the technology to scrub pollution from every lump.

None of these new sources are immediately available.

If we start now we can have many of them online by the end of this decade.

One of the most hopeful signs has been the opening of the Baku-Tbilisi-Ceyhan, a 42-inch, 1,000 mile-long pipeline that will shore up energy supplies in North America and Europe well past mid-century.

Output from the fields in the tiny former Soviet Republic of Azerbaijan is expected to reach one million barrels a day -- about 1 percent of present global production.

Even at full production that will be like draining a drop of water each day from Lake Erie since the vast underground reserve is believed to hold upward of 220 billion barrels.

The pipeline will wend its way from the shores of Azerbaijan across the Caspian Sea through the Republic of Georgia to the Mediterranean coast of Turkey. U.S. Energy Secretary Samuel Bodman, who attended the grand opening ceremony for the pipeline, called it "a significant step forward in the energy security of the region."

It's more than that.

By spreading prosperity through many impoverished areas in Central Asia, it will bolster the world's fight against Islamic terrorism and decrease U.S. dependence on the potentially unstable oil supplies of the Middle East.

With a bright energy future on tap, it's time for American environmentalists to realize the very best way to clean up the environment and win the global war on poverty is to embrace the kind of full-throttle economic growth that supplies the surplus capital needed to achieve these goals.

Burnett is a senior fellow at the National Center for Policy Analysis www.ncpa.org a conservative think-tank in Dallas and Washington. He wrote this for Knight Ridder/Tribune News Service.

[Visalia Times-Delta, Letter to the Editor, Friday, Aug. 19, 2005:](#)

Trees aren't only factor in improving air quality

I am writing this article in response to Dawn Jones' letter on trees and air quality ["Your Views," Aug. 4]. While it is true that trees and other green plants do make oxygen, they are not alone. Microscopic "plants" in the ocean called phytoplankton actually do most of the job.

"Phytoplankton produce oxygen as a byproduct of photosynthesis; it is estimated that plankton produce 75 percent of the world's oxygen," says the Ocean Institute Field Guide.

Therefore, even if all the green plants were cut down, we would probably still survive. Chopping down even a large number of orchards around Visalia should not affect the oxygen levels enough to worry about.

Air quality measures the amount of pollution in the air, not oxygen. So, in order to get better air quality, we need to cut down on pollution.

JANINE HAVEMAN, 11th grade, Lindsay

[Modesto Bee, Letter to the Editor, Monday, Aug. 22, 2005:](#)

Tallow smell? Ha! Try cheesy stench

You people from Modesto think you have a stinky problem with your rendering plant? Maybe you should take a little trip west of Turlock on Lander Avenue. First you get a little cow smell, then a very bad smell caused by the Hilmar Cheese Plant. It's so bad the people of Hilmar can't open their windows. If you do, all you smell is the putrid odor of sour milk and cheese.

ROBERT AHLERS, Hilmar

[Modesto Bee, Letter to the Editor, Monday, Aug. 22, 2005:](#)

Don't cling to reliance on fossil fuels

Regarding "Power for 'clean' cars comes from fossil fuels" (Aug. 15, Page B-7): Power from hydroelectric cars comes from hydrogen. To produce hydrogen, all you need are two graphite electrodes, placed into water with electricity running through each to create gas bubbles. One is oxygen, the other is hydrogen. This electricity can come from clean sources such as solar, wind and hydroelectric.

It is moronic to cling to the notion that fossil fuels are in our best interests for the long term. You can misinform the public and get away with it because people naturally resist change. But when big oil companies started price gouging, people started opening their eyes. Clinging to oil is like clutching the dinosaur's tail to extinction.

CAREY EGAN, Manteca

[Modesto Bee, Letter to the Editor, Saturday, Aug. 20, 2005:](#)

Valley dairies need downsizing

Over the years, I've gone to a number of meetings on the problems different operations have had in handling waste while complying with pollution regulations. I have yet to hear anyone question our basic assumption that bigger is better. But that is the thread running through all of the problems. The various operations produce too much waste in too small an area.

Now the spotlight is on dairies. Again, the problem is waste disposal from big operations. Supposedly, larger operations are more efficient, but that is only if the costs of the resulting pollution are not factored in. The general public pays those costs.

We don't need more dairies. We've been dumping our surplus milk on other countries for as long as I can remember -- and that's a long time. So the public is paying the price for something we don't need. We should be looking at how to downsize our dairies, not at how many cows we can have before regulations kick in.

Other foods can be grown here, and people can learn how to earn a living besides running dairies. In fact, I've found starting a new career later in life is quite rejuvenating.

CAROLINE MITTON, Modesto

[Modesto Bee, Letter to the Editor, Friday, Aug. 19, 2005:](#)

Bee slings muck at good businesses

The Bee is giving front-page coverage of perceived environmental issues with agribusiness. Negative coverage has condemned the largest cheese plant, the tallow plant, dairy cows, orchards, row crops (because of dust) and now the wine industry. The very same edition of The Bee condones massive development of tract housing, condos and affordable housing. The former creates employment while the latter creates a greater threat to the environment.

Dairies, wineries, cheese plants and others are not advertisers. The construction, building, landscaping and real estate firms are major advertisers in The Bee. This can lead only to one conclusion: You advertise and you are given favorable copy in The Bee, while those businesses and dairies who provide jobs and taxes are condemned in the editorial pages, letters to the editor and the front page.

If I wish to read muck-sliding media, I will pick it up in the supermarkets. I expect The Bee to provide balanced opinions and news articles, not sensationalism. Bee negative coverage of Congressman Gary Condit, the Peterson case, gang control activities, and education have created a very negative picture in the minds of persons throughout America.

WILLIAM J. TORRENS, Turlock

[Modesto Bee, Letter to the Editor, Friday, Aug. 19, 2005:](#)

Area was rural when plant was built

The Bee article on Aug. 9, "Tallow plant faces suit" (Page A-1), has a chronology starting with "1917: Modesto Tallow Co. opens along the Tuolumne River in a then-rural area south of Modesto." People knew what the plant was doing when they built around it. So how is it the plant's fault? Is that not why they built it in an area that at the time was rural?

PHILLIP CUARESMA, Ceres

[Modesto Bee, Letter to the Editor, Friday, Aug. 19, 2005:](#)

Houses came after the tallow facility

Here we go again with the Modesto Tallow Plant. The tallow plant did not invade your neighborhood; you invaded its territory. The tallow plant, being what it is, was not built in downtown Modesto in the first place. It was far enough out not to be a problem. Planners and real estate people, in their infinite wisdom, built houses in the surrounding area. What do you expect from a tallow plant, roses?

RICHARD SQUIRES, Hughson

[Modesto Bee, Letter to the Editor, Friday, Aug. 19, 2005:](#)

Environmental plans not so brilliant

The wackos have finally outwacked themselves. In Arkansas, where one ivory-billed woodpecker was sighted, the Nature Conservancy has come up with a brilliant plan. They are in the process of killing the trees on four four-acre plots so, in about two or three years, they'll die, thereby attracting beetles, which will produce larvae for the bird to eat (if it's still there). I wonder if they've talked this over with their tree-hugging pals?

Meanwhile, in a town in the San Joaquin Valley, a child who has been sent home for burping in class asks: "Mommy, can I have a glass of milk?"

"Oh, no dear. There is no more milk," answers Mommy. "Some very brilliant people have determined that cows cause more pollution than cars or trucks, so they killed all the cows. Aren't you glad? Now, the air will be so much cleaner."

NORM VOLPONI, Groveland