

## **Smog Fighters May Make Builders Pay**

**In a U.S. first, a Central Valley agency is poised to impose air pollution fees on developers.**

By Miguel Bustillo, Times staff writer

L.A. Times, Tri-Valley Herald and other papers, Thursday, December 15, 2005

Convinced that sprawl begets smog, Central Valley air quality officials are expected today to become the first regulators in the nation to force builders to pay air pollution fees for new development.

Builders would pay less if their new homes, shopping centers and office complexes were designed in ways that limited automobile use - by locating banks and dry cleaners closer to houses, for example, or linking bicycle trails and walking paths to schools and work centers.

The developers could avoid the fees entirely if their projects were environmentally friendly enough.

The idea is to prod builders to cut down on traffic in an area where huge growth, and the cars that come with it, have combined with factory farming to create some of America's dirtiest air.

The proposal for the San Joaquin Valley, the southern part of the Central Valley, is being closely watched by regulators around the country. It pits the building industry, which loathes the idea and fears that it may spread, against farm groups, the valley's other major industry.

Builders and some advocates for low-cost housing say the fees will raise prices. Agriculture industry leaders fear that if developers are not required to help clean the region's air, farmers will bear the entire, costly burden.

The San Joaquin Valley has the highest asthma rates in California and now rivals the Los Angeles Basin for the nation's worst air quality, according to the health standards set by the U.S. Environmental Protection Agency.

Pollution from farms is a major factor in the region's air problems. Regulators have recently targeted farm emissions - including cow flatulence and wine vapors - to reduce smog.

But overall, motor vehicle exhaust is the valley's largest source of smog and soot. That pollution is expected to get worse as the region, home to 3.7 million people, doubles in population over the next four decades.

The table-flat, 400-mile-long Central Valley has become a popular real estate destination in the last 20 years as high housing prices in coastal regions have driven thousands inland in search of bigger, cheaper homes.

The result, particularly in the San Joaquin Valley, has been a seemingly never-ending expanse of tract homes near formerly agricultural towns such as Tracy, often populated by people who commute two hours every morning to jobs in the San Francisco Bay Area.

"By the end of this decade, our population is set to increase by 24% and vehicle miles traveled are going to increase 27%, and there is no end in sight," said Tom Jordan, special projects administrator of the San Joaquin Valley Air Pollution Control District.

"If we are ever going to get a handle on our air pollution problem, we must grapple with this," he said.

The attempt to link sprawl to air pollution has triggered legal threats from the building industry. Developers fear that similar requirements could eventually be adopted throughout California.

Builders beat back a similar idea in the Los Angeles area in the 1990s.

"We're opposed to the concept of regulating indirect sources" of air pollution, said Bart Doyle, an attorney for the California Building Industry Assn., which represents more than 6,000 developers, contractors, architects and engineers.

"There are no rules like this anywhere in the country," Doyle said, "and we see this as a way for the air district to raise money for other air pollution programs that have nothing to do with homes."

Builders and real estate organizations have mounted a campaign - titled "Stop the Air Board Tax: We'll All Pay!" - to defeat the regulation.

The group, which also includes some local elected officials and chambers of commerce, argues that the requirements and fees will cost Central Valley developers \$670 million over five years, raising home prices and shutting low-income buyers out of the market.

But farm industry spokesmen say the time has come for builders to pitch in.

"The ag industry, the oil industry, the food processors, the paint shops, the laundromats - everybody is doing their part" to reduce air pollution, said Manuel Cunha, president of the Nisei Farmers League, which represents about 1,000 growers.

"If the building industry doesn't do its part," he said, "someone else is going to have to pick that up - and ag isn't going to pick that up, that's for damn sure."

Environmentalists are encouraging air quality officials to brush aside the building industry's complaints, saying it's about time someone in California held developers accountable for the consequences of sprawl.

"Houses built at the periphery of town are indirect sources of pollutants, because the people that live in them have to drive everywhere they go," said Arthur Unger, a member of the Sierra Club's Kern Kaweah chapter, which has struck legal settlements with individual developers that have required the builders to help finance air pollution programs.

"Communities have to be made more walkable," he said, "and some developers have started to do this. But it's still not enough."

Besides making efforts to cut vehicle miles traveled, developers could lower their exposure to fees by cutting air pollution during construction - for example, by using equipment fueled by alternative fuels, such as natural gas. They could also reduce their fees by building more energy-efficient structures.

The California Department of Housing and Community Development has come in on the side of the developers, complaining that the proposed regulation could harm affordable-housing projects. The agency has also questioned whether air quality officials have the authority to impose fees on new developments. Some cities have raised similar criticisms, arguing that the regulation would erode local control over development.

Air quality officials maintain that opponents have exaggerated the costs of the rule. At most, they estimate that average home prices would go up \$1,770 by 2008 if developers made no changes to reduce fees. They say such increases would not affect affordability.

But Nathan Magsig, mayor of Clovis, near Fresno, says that even a small extra cost is too much. Magsig is also executive director of the Coalition for Urban Renewal Excellence, a nonprofit group that builds housing for low- and moderate-income families.

"A lot of people say that these fees won't be that much money - a couple of hundred dollars per new house," he said. "My response is that I deal with buyers that are already barely able to qualify for a loan. Any additional fee knocks some marginal buyers out."

Air quality officials say they have the power to regulate indirect emissions from development. They contend they are not creating new permit requirements that developers must meet, but merely demanding compensation for building plans that cause pollution.

"We don't interfere at all in land-use decisions," Jordan said. If city officials "want to build sprawling subdivisions, they can do so, but the projects will pay a bigger fee."

### **Pay to pollute**

Central Valley air quality officials are set to impose fees on developers who don't try to reduce air pollution when they build new projects.

Some things builders could do to reduce their pollution fees:

- \* Locate such facilities as day care centers, restaurants, banks or ATMs, dry cleaners and entertainment and recreation facilities on-site.
- \* Reduce parking availability.
- \* Charge parking fees to single-occupant vehicles.
- \* Provide "traffic calming" modifications to roads, such as narrower streets and speed bumps to reduce vehicle speeds and encourage pedestrian and bicycle travel.
- \* Build safe and convenient sidewalks and paths, including pedestrian facilities such as overpasses and shaded pathways.
- \* Install efficient appliances, such as water heaters, cooking equipment, refrigerators and furnaces.
- \* Improve the thermal efficiency of buildings by using automated temperature controls or occupant sensors.
- \* Install electric vehicle recharging stations in residential garages and parking lots.
- \* Build new homes with internal cabling that allows telecommuting.

Source: San Joaquin Valley Air Pollution Control District

## **California air regulators consider pollution fees from developers**

By Juliana Barbassa, Associated Press Writer

in the S.F. Chronicle, Bakersfield Californian, Orange County Register, Merced Sun-Star and other papers, Thursday, December 15, 2005

Fresno, Calif. (AP) -- Regulators working to clean up one of the nation's dirtiest air basins want developers to pitch in — or pay up.

The San Joaquin Valley Air Pollution Control District will vote Thursday on a rule that would require developers to reduce air pollution coming from new projects by including features such as bicycle lanes, sidewalks and energy-efficient heating and cooling systems.

If they don't do enough to preserve air quality under the proposed rules, they'd have to pay a fee of up to \$780 per house, though regulators say that's not their preference.

"We'd much prefer that they build pollution-reducing features into their projects," said Tom Jordan, an air district administrator. "The fee is almost a backstop."

If approved, the rule would take effect on March 1 and become possibly the nation's most stringent air pollution regulation on new developments, air regulators said.

Business leaders, developers and local officials say the measure could discourage industry from coming to the region and push the cost of housing out of reach for low-income families.

"Any time you impose new fees on businesses you create an uneven playing field," said Nathan Magsig, the mayor of Clovis, on the outskirts of Fresno.

He's also a member of a coalition of more than 80 developers' associations, chambers of commerce, businesses and others opposed to the fee.

"It's a disincentive for people to come here," Magsig said.

Air district officials are under federal and state mandate to clean the air. The region has missed several previous federal deadlines to conform to standards set by the Clean Air Act, and it stands to lose federal funding for highways if it doesn't comply.

Poor air quality has also been blamed for ever-increasing childhood asthma rates, heart disease, and even early death.

According to the state Air Resources Board, about 1,100 people die prematurely each year in the valley because of long-term exposure to particle pollution — tiny specks of soot, dust and other airborne chemicals.

The district's ultimate goal is for new housing or business developments to reduce by 33 percent emissions of nitrogen oxide, which mixes with sunlight to form ozone, and to cut back by 50 percent emissions of particle pollution.

Officials estimate the proposed fees will bring in about \$103 million in three years. The money would be used to mitigate pollution elsewhere, such as providing funds for communities to purchase clean-burning buses.

Air district officials are also clamping down on other pollution sources.

Residents with fireplaces are banned from burning wood on days when particle pollution levels are high. Farmers, long exempted from the air regulations that applied to industry and municipalities, now are asked to replace old diesel engines with cleaner models, and cut down on dust and chemicals floating from their land.

"Ag stepped up to the plate," said Manuel Cunha, president of the Nisei Farmers' League. "Now the building industries have to do their part for local communities."

The region's population is booming, and without getting developers to pitch in, "we'll never get healthy air in the valley," said Sierra Club activist Kevin Hall.

The district on Thursday is also set to consider five other rules, including imposing the nation's first air quality control on wineries.

## **Tallow company will close Stockton-based firm will take over some business**

By Michelle Machado

Stockton Record, Thursday, December 15, 2005

STOCKTON -- California Spray Dry Co. will assume a portion of the business Modesto Tallow Co. must abandon under a settlement with the San Joaquin Valley Air Pollution Control District.

For now, that business will be consistent with California Spray Dry's current focus -- the conversion of imperfect eggs, blood products and brewer's yeast into powdered proteins and flavors for pet products, nitrogen fertilizers and plywood adhesives.

"From the eye of the public, you won't see anything. It will just be an extension of the business we do now," said Jeff Podesto, a California Spray Dry owner and Modesto Tallow shareholder.

Podesto characterized the planned increase in business and employees as "moderate."

Business partner and plant manager Jerry Ball did not exclude pursuit of new business lines in the future, though.

"We're not taking anything off the table at this point," he said.

Business expansion, however, is not allowed under California Spray Dry's current use permit, said Jim Glaser, Stockton's director of community development.

"They are allowed only to continue or maintain their present business," he said.

The company may apply to obtain a variance, allowing for an expansion of up to 10 percent, Glaser said.

California Spray Dry is classified as a rendering plant, a legal nonconforming use recognized as incompatible with the residential development that surrounds the plant, but able to coexist because of its long-standing presence.

The operation was part of James Allan and Son, a San Francisco-based meatpacking company that located in Stockton in 1972. In 1980, Modesto Tallow purchased the Allan business site in Stockton, and the Allan Spray Dry Division became California Spray Dry Co. and a subsidiary of Modesto Tallow Co.

Residents fear that an increase in activity also will mean an increase in the foul smell that they say often hangs in the surrounding neighborhood.

"We can't leave our windows open. Some days, we can't go outside," said Sondra Wade, who lives half a mile south of the facility. Wade described the odor as a "dead animal stench."

"We don't want to close them. We just want the stink to go away," Wade said.

An expansion in California Spray Dry's business beyond the limits of its current Air District permit would mean the company would have to apply for a permit modification, said Jaime Holt, a district spokeswoman.

During the life of the company, California Spray Dry has received 1,235 citizen complaints and 15 Air District violations, she said.

"It's a classic case of industry in the midst of residential," said Ball, who maintained that the company strives to be a good neighbor.

Holt said many more air-quality concerns were behind the closure of Modesto Tallow, which will cease all operations by the end of 2006.

In 1917, the company located at a site on Crows Landing Road in Modesto, then an agricultural area, according to a district news release announcing the settlement. Over time, and over Modesto Tallow's objections, homes and schools were built around the plant.

For more than a decade, the air district required the company to make improvements to address air-quality issues, including installing costly equipment such as thermal oxidizers.

Operations such as Modesto Tallow and California Spray Dry are a necessary part of the state's huge agricultural industry, Ball said.

"A chicken doesn't come in a Colonel Sanders box. You have to deal with the feathers, neck and feet somewhere," he said.

## **No toasty fire? Blame the weather**

### **Stagnant pattern likely to keep hearths cold from now until Christmas, forecast shows**

By Sarah Ruby, Californian staff writer

Bakersfield Californian, Thursday, December 15, 2005

Forget lumps of coal. This winter's holiday spoilsport could be a cold fireplace.

Stale weather is trapping air pollution in the valley and triggering a rash of no-burn days that make it illegal for most residents to light their fireplaces.

And so far, not so much as a windstorm is forecast between now and Christmas, said Shawn Ferreria, a meteorologist with the San Joaquin Valley Air Pollution Control District.

"We are still under this stagnant pattern (and) we could have a higher particulate situation next week," he said.

Particulate pollution is the valley's winter scourge. Studies show tiny dust and combustion fumes aggravate asthma and, in some cases, cause death. Even healthy people should be wary of the airborne stew that's brewing, according to the air district.

Only the weather can save the hearth-side holiday, said Brenda Turner, spokeswoman for the air district.

"We don't want to ruin anybody's holiday but by the same token, our first priority is public health," she said. "(Asthma and lung diseases) don't go away on Christmas, unfortunately."

This has been a particularly bad year for particulates. Kern has had nine no-burn days so far, and one of them fell on Thanksgiving. Last year, Kern had two no-burn days all season, which runs from November through February.

It's still unclear if this year's particulate levels are enough to rob the valley of its particulate-cutting progress. Official air quality measurements are sent to a laboratory and take at least a month to analyze.

Restricting fireplace use is meant to keep bad air from getting worse and violating federal standards, according to the district.

Today's air quality health index was forecast to hit 169. A score of 151 or higher is dangerous for everyone, even the healthiest among us.

Sources of particulates include trucks, cars, factories, oil fields, agricultural equipment and fireplaces.

The fireplace rule doesn't apply to everyone. Homes without natural gas service are free to light up, as are those at 3,000 feet in elevation or higher. Residents with no other source of heating can burn fireplaces, and cooking appliances are also exempt.

## **Valley air district seeks two representatives**

News Brief in the Merced Sun-Star

By Chris Collins

Thursday, December 15, 2005

Merced County Supervisor Mike Nelson is looking for two people to represent the county's agricultural and industrial industries and to sit on the citizens advisory committee for the San Joaquin Valley Unified Air Pollution Control District.

Nelson said he needs a representative and an alternate representative.

The candidate who is selected will serve a three-year term beginning in 2006 and is asked to attend monthly meetings in Fresno.

As members of the committee, those appointed will make policy recommendations to the air pollution district regarding air quality and pollution issues facing the San Joaquin Valley.

The committee meets the first Tuesday of every month at 10 a.m. at the Central Region Office's Governing Board Room, 1990 E. Gettysburg Ave. in Fresno.

Anyone interested can get an application from Sissy Smith, the air pollution district's clerk, at 559-230-6038.

## **Care to spare it?**

By Michael G. Mooney, staff writer

The Modesto Bee, Wednesday, December 14, 2005

For the first time since November 2003 - when valleywide controls over wood-burning devices first were imposed - people in Stanislaus, Merced and San Joaquin counties have been ordered not to burn wood in their stoves or fireplaces.

The San Joaquin Valley Air Pollution Control District in Stanislaus and Merced counties put the ban in place Friday. Generally, most people seemed to be complying with the law.

Art Weisberg of Modesto is among those who have been careful to observe the air district's no-burn days.

"Yeah, I've been paying attention. Yeah, I'm complying. But I don't like it," he said Tuesday. "We have central heat and air, but I enjoy a blazing fire. I love my fireplace. I'm not happy sitting in my chair when there's no fire."

Weisberg said he wonders how much chimney smoke from wood-burning fireplaces contributes to the area's air pollution.

"I'd like to know how they quantify it; how they measure it," he said. "I know (wood smoke) probably is a pollutant. But in the (overall) scheme of things, I'm not sure it's going to make a whole lot of difference."

As of Tuesday, only about a dozen violation notices had been issued, said air district spokeswoman Kelly Hogan Malay. She indicated that more could be on the way.

\$50 fine for first-time offense

Exceptions to the mandatory wood-burning ban include:

Devices using natural gas or propane exclusively

Homes without connections to natural-gas service

Homes in areas 3,000 feet or higher in elevation

Homes in which no other heating device exists and wood-burning is the sole source of heat

Hogan Malay said people who violate the ban face a \$50 fine for a first-time offense, but fines can escalate to \$1,000 for repeat offenses.

She said air conditions improved slightly over the weekend, prompting a warning that discouraged, but did not ban, the use of wood-burning devices in Stanislaus, Merced and San Joaquin counties.

But the ban was reimposed Monday and again Tuesday in Stanislaus County. Use of wood-burning devices was prohibited Tuesday in Merced and San Joaquin counties.

Hogan Malay said the wood-burning moratorium is triggered when the Air Quality Index records readings of 151 or higher.

A reading of 151 means there are enough pollutants in the air to harm the health of the general public - not just sensitive people such as those with asthma or other respiratory or cardiovascular diseases.

The goal behind the no-wood-burning law is to keep the air free - as much as possible - of tiny bits of soot and industrial ash, known as particulate matter.

Hogan Malay said particulate matter is divided into designations - PM 10 and PM 2.5. The main difference is the size of the fibers:

PM 10 particles measure 10microns, or 1/7 the width of a single strand of human hair. Particles of dust would fall into this category.

PM 2.5 particles measure 2.5microns, or 1/28 the width of a lone strand of human hair. Pollutants such as nitrates, salt, smoke and other byproducts of combustion engines are part of the PM 2.5 designation.

Winter weather isn't helping

From November through February in the valley, Hogan Malay said, PM 2.5 particles are of major concern. The tiny fibers can penetrate deep within the human body, invading the bloodstream and lodging in the lungs.

The valley is one of the worst places in the nation for such pollution.

When combined with winter weather conditions, breathing the potent P M2.5 pollution cocktail can be hazardous to your health.

The generally dry conditions in the valley of late have only exacerbated the problem.

Shawn Ferreria, air district meteorologist, said a highpressure system has settled over the valley, causing warmer air to form well above the valley floor.

Cooler air, meanwhile, hangs closer to the ground.

Ferreria, who grew up in the Winton and Atwater areas, said as air temperatures rise during the day, pollutants such as soot, industrial ash and the like - with no wind or rain to wash them away - become suspended in the air.

Each day that passes without wind, precipitation or moisture causes the pollutants to build up in the air.

Levels of PM 2.5 generally have been rising over the past few days, Hogan Malay said, and are expected to remain high.

The high concentrations of particulate matter have resulted in several no-burn days throughout the district, which stretches from Stockton to Bakersfield.

Tuesday marked the first time wood burning has been prohibited in all valley counties.

While the wood-burning ban has been lifted today in Stanislaus, Merced and San Joaquin counties, the air district is discouraging the use of wood-burning devices.

The wood-burning ban remains in effect for Fresno, Tulare and Kings counties, and the valley portion of Kern County.

## **Parents ask how air pollution affects kids**

By David Pace, Associated Press Writer

in the S.F. Chronicle, Washington Post and other papers, Thursday, December 15, 2005

(AP) -- The people who breathe the nation's most unhealthy factory air worry about more than just asthma and other respiratory problems. They also want to know if their daily dose of toxic pollution is slowing the academic and physical development of their children.

In the Ohio River Valley along the Ohio-West Virginia border, factories annually send into the air hundreds of thousands of pounds of manganese dust, a heavy metal that can harm the brain and nervous system.

Biologist Dick Wittberg, who heads the mid-Ohio Valley Health Department, has been pressing for years for a full-blown government study to determine if those releases are harming the children in his hometown of Marietta, Ohio.

Several years ago, Wittberg took part in a study that compared Marietta children with those in a similar-sized Ohio town on academic and physical tests. The Marietta kids fared significantly worse.

"We didn't do anything that in any respect proves that this is manganese that has done this, because there are other scenarios that are entirely possible," he said. "But in my opinion, it really points to some environmental problem that is causing some neurological differences, and one has to suspect manganese. Nobody knows for kids how much is too much."

Similar concerns span the country, though communities with the worst factory pollution sometimes are frustrated they don't have more research to rely on.

In the Detroit suburb of Ecorse, which has sued U.S. Steel over decades of air pollution, Mayor Larry Salisbury wants the Centers for Disease Control and Prevention to investigate how industrial toxins affect health.

"We think there have been citizens who had an early death because of health issues related to that steel plant," Salisbury said. "It would be great if the CDC would study certain towns to make the case."



"Sometimes I think the government doesn't want to know the answers," he said. "Once they do, they have a certain liability to enforce."

U.S. Steel spokesman John Armstrong said his company took over the Ecorse plant in 2003 from bankrupt National Steel and has spent millions cleaning up problems. "We take great pride in our environmental stewardship and are addressing these issues as quickly as possible," he said.

An Associated Press analysis of federal pollution, health and Census data found that more than 30 neighborhoods around the Great Steel Works plant in Ecorse rank among the worst 5 percent nationally for potential health risks from industrial air pollution.

AP used health risk scores calculated by the Environmental Protection Agency. The measures can be used to compare the chronic health risk from industrial air pollution from one part of the country to another.

The study found that eight states — Ohio, Pennsylvania, Illinois, Indiana, Texas, Michigan, Wisconsin and Missouri — account for almost half the total health risk nationally from factory air. Nearly one-tenth of the total risk is concentrated in Ohio, especially along the heavily industrialized Ohio River corridor.

Farther east, Camden, N.J., is home to more than 100 contaminated industrial sites and seven minority neighborhoods that rank among the top 1 percent in the nation for the long-term health risk posed by factory pollution.

Dr. Robert Pedowitz said his Camden practice sees about 25 patients a day for asthma or allergy complaints, more than any other private practice in New Jersey. One of the main triggers, he said, is air pollution.

"It severely affects the quality of life," Pedowitz said. "It makes people tired, affects their ability to function."

In the Ohio River Valley where Wittberg lives, nine neighborhoods in and around Marietta and Wood County, W.Va., rank among the worst 100 nationally for health risks from factory emissions.

There are more than 20 industrial plants along or near the Ohio River. Those plants regularly spew tens of thousands of pounds of manganese, chromium, sulfuric acid, and formaldehyde.

"It's a toxic soup of contaminants because of all the different facilities in the area," said Michelle Colledge, an environmental health scientist with the federal Agency for Toxic Substances and Disease Registry.

The river corridor also is a major contributor to factory air pollution in West Virginia, which has the highest health risk per person of any state. Indiana ranks second in per capita health risk, followed by Ohio, Pennsylvania, Iowa and Alabama.

Residents around Marietta, with the help of Sen. Mike DeWine, R-Ohio, petitioned the government several years ago to study the health impact of the region's air.

Tina Trombley, president of Recover, a local environmental group, said residents want to find out for sure if the high incidence of asthma and several types of cancer are the result of air pollution.

"We need to do a full-fledged study and we're hoping that's what they will be able to do for us," she said.

The initial study found arsenic and manganese in the air consistently exceeded levels that scientists believe harm health. Colledge said there wasn't enough information to determine if pollution actually was a health hazard. Further monitoring at specific sites was ordered.

The initial federal study focused on an industrial complex south of Marietta that includes four major facilities. The largest, the Eramet Marietta metal refinery, released more than 550,000 pounds of manganese compounds in 2000, and more than 25,000 pounds of chromium compounds. Another facility, Eveready Battery, releases more than 16,000 pounds of manganese compounds a year.

Jeff McKinney, environmental manager at Eramet, said neither the study nor any other data suggest that "emissions from area industry have adversely impacted the health of residents. Moreover, we have not seen manganese exposure-related neurological effects in our long term employees."

Colledge and Wittberg said the area offers an unusual opportunity to study the impact of manganese dust on humans, particularly children.

Wittberg has been campaigning for such a study since the late 1990s, when he teamed with an EPA researcher and a University of Quebec scientist to measure differences between children in Marietta and Athens, a similar-sized Ohio town 45 miles away.

They gave a battery of 13 tests to fourth-graders in both cities, who had been matched for age, sex and parental education. The tests measured such things as educational proficiency, balance, visual contrast sensitivity and short-term memory.

"The Marietta kids did worse on almost everything," Wittberg said.

The implications are potentially far-reaching if the children's IQ scores turn out to be 10 to 15 points lower, he said.

"Brilliant kids are now simply smart; smart kids are average and average kids are not average any more," Wittberg said. "I believe it is the whole lives of the kids that are affected. I don't think that the damage can be undone."

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On the Net:

The Environmental Protection Agency:

Details of the EPA's Risk Screening Environmental Indicators Project at:

[www.epa.gov](http://www.epa.gov) [www.epa.gov](http://www.epa.gov)

[www.epa.gov/opptintr/rsei/views.html](http://www.epa.gov/opptintr/rsei/views.html)  
[www.epa.gov/opptintr/rsei/views.html](http://www.epa.gov/opptintr/rsei/views.html)

[Fresno Bee columnist, Thursday, December 15, 2005:](#)

## **Builders' squawks about fees foul the air**

By Bill McEwen

Our local builders have cornered the market on gall.

Next year they'll sing the praises of Measure C and gladly help pay for feel-good commercials asking voters to extend the transportation sales tax two or three decades.

There will be scenes of cars zooming on freeways, workers fixing potholes and people boarding buses. There will be talk of pumping up the economy and cleaning our dirty air.

And hardly a peep about Measure C being a tax.

But come this morning, our local builders will pose as the fiercest tax fighters on earth at a San Joaquin Valley Air Pollution Control District hearing.

They and their sycophants will complain to the district board about proposed fees for new development that in turn would pay for proven clean-air programs.

Some builders, I'm sure, will present letters of protest with the official, handy-dandy, opposition logo: a stop sign and the words "Stop the Air Board Tax/We'll All Pay."

A confusing message, don't you think?

Today, builders are up in arms over the prospect of passing as much as \$780 in air fees to a new-home buyer.

Next year, they'll lead the parade to allow government to dip into our pockets every time we buy something.

You don't suppose it's because the Measure C extension, if passed, would designate about 30 cents of every dollar to building major roads and highways?

Or because new roads and highways spur development — and make millionaires out of developers?

Given what our local builders pay their lobbyists and flacks, you'd think somebody in the room would have said, "With Measure C coming up next year and asthma a really big deal around here, do we really want to get into an ugly fight with the air district and environmentalists?"

You'd think someone else in the room would have said, "The air fee isn't any different than granite counters. If it costs us \$780, we'll add \$2,000 to the price and nobody will be the wiser."

And you'd think someone else would've paid attention to history.

Big oil cried like a baby when the air district proposed tightening emission standards on refineries. Guess who won that battle? The air district.

Agriculture had to be dragged screaming and kicking under the umbrella of regulation. Then it was anyone with a wood-burning fireplace. And big dairies.

Home builders and commercial developers must think they're smarter and more influential than big oil, agriculture and fireplace owners combined.

They must believe in the magical power of sputtering, threatening and shouting "junk science."

Otherwise, they'd show up at the air-fee hearing endorsing the concept and offering suggestions about how to tweak things for everyone's benefit.

Measure C has been a good thing and its extension is vital to Fresno County's future.

It would be a sad day if it fails because voters are turned off by the hypocrisy of builders who want taxes for new roads — but not healthy lungs.

[Letters to the Modesto Bee, Thursday, December 15, 2005](#)

## **Race Irrelevant in plant's location**

John Campopiano, principal at Shackelford Elementary School, stated in the Dec. 9 Bee ("Neighbors cheer news of plant's closing," Page A-24) that "it would never happen on the other side of town."

He's right. It would never happen on the other side of town, nor would it happen again on his side of town! The tallow plant was built in 1917, long before anybody lived there. People elected to build and live around the plant. The county would never allow a new tallow plant to be built in any residential neighborhood, let alone target a Latino neighborhood.

Let's stop using race to explain everything. Race had nothing to do with it.

Rayanne Tamayo, Modesto

## **Surely people knew about the plant**

Interesting article in The Bee on Dec. 10 ("More travel time for dead livestock," Page A-20) about the tallow plant closing.

It seems that "the people" did to it what the federal government did to Microsoft. Those homeowners knew very well what the consequences were when they purchased a home near the plant, as did the school system when it built a school near the plant.

Everyone knew about the foul smell; if they didn't, then their Realtors should have filled them in. Yet they still chose to buy a home there. If anything, they should sue their real estate agents for not telling them.

When one plant closes (or is forcefully shut down), somewhere else one opens.

Karl Mesojednik, Modesto