

## **Builders opposed to new air pollution rules**

The Hanford Sentinel  
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HANFORD - A coalition led by South Valley builders is opposing new air pollution rules that they say would impose a tax on new homes and businesses without accountability and guarantee to clean air. The San Joaquin Valley Air Pollution District is proposing a new rule to reduce emissions of particulate matter and its precursor material from new developments.

With an additional permit created under the new rule comes new mitigation fees.

Robert Keenan, executive vice president of the [\[remainder of article available online only by paid subscription\]](#)

## **Links cited between deaths, air**

### **Mortality increases with rise in fine particles, nine-county study suggests**

By SARAH RUBY, Californian staff writer

Bakersfield Californian, Sunday, Sept. 25, 2005

Air in the San Joaquin Valley is less polluted with dust and diesel haze than it used to be.

But it still kills.

Evidence suggests that deaths from lung and heart disease increase with the amount of diesel fumes and other fine particles in the air, according to a nine-county study released by the state Friday.

In Kern, roughly 55 deaths are triggered by fine particles each year, the data shows. An additional 165 residents die from long-term exposure to fine particles, according to previous state studies. Together they account for nearly 5 percent of Kern's annual deaths, more than the state average.

"We are improving, but still, a lot has to be done," said Dr. Mushtaq Ahmed, a lung expert and founder of the San Joaquin Valley Pulmonary Medical Group in Bakersfield.

These and other statistics confirm what Ahmed knows from experience: air pollution makes people sick.

"We see our patients go to the emergency room" on bad air days, he said. "When they go to the coast they may not (need) medication. This is not one patient. This is 90 percent of our patients."

### **The good news**

Health risks cloud a potential victory for the San Joaquin Valley air basin, which is three months shy of achieving a major federal air quality standard.

If successful, the valley will have gone three years without violating the national standard for PM 10, or particulate matter less than 10 microns in diameter. The last time the basin met a federal standard it had previously failed was in 1990, when it cut carbon monoxide pollution. That year, the San Joaquin Valley spent more than 55 days in violation of the PM 10 limit. It hasn't had a PM 10 violation since 2002.

Wet winters help keep dust levels down, but regulators at the San Joaquin Valley Air Pollution Control District credit the improvement to new controls on construction and agriculture. Since last year, they've forced homeowners to keep their fireplaces dark on the worst air days. Winter burning accounts for a third of particulates in urban areas, according to the district.

"We are cautiously optimistic," said Kelly Malay, a spokeswoman for the air district. "We are definitely hopeful that this year is going to be a turning point for the valley."

Larger PM 10 particles are mostly dust, but the category includes "fine particles," known as PM 2.5, which are a 30th the width of a human hair. These airborne specks typically spew from tailpipes and smokestacks.

In the next few years, regulators will target PM 2.5 on its own. Monitoring stations have tracked these specks of pollution since 1999, and researchers are now using this data to show the dangers of breathing fine particles.

Bakersfield is home to three fine particle monitoring stations. On average, fine particle levels at two stations - one at California Avenue and Stockdale Highway and the other on Golden State Highway -- have gone

down, though they still exceed federal limits. Average levels have increased at East Planz Road and South Union Avenue.

#### The short term

People die of old age, diabetes, bronchitis, asthma, pneumonia and heart failure when fine dust and diesel smoke hangs in the air, according to a study released by the state Office of Environmental Health Hazard Assessment on Friday.

Researchers tracked mortality rates and PM 2.5 data across nine counties, which house 65 percent of the state population.

"We found that in general, when fine particles go up, the number of people that die in that county go up," said Bart Ostro, chief of the agency's Air Pollution Epidemiology Section. "It's not just the highest days."

The health effects of air pollution are small compared to the established risks of smoking and obesity, he said, but those factors had no impact on his study because they don't change when the air is bad. His team accounted for changes in weather and day of the week -- the latter because more people die on Mondays than any other day, Ostro said.

The results were similar from county to county, he said.

#### The long term

The long-term risks of breathing fine particles is two to three times greater than previous estimates, according to a study released last week by researchers at University of Southern California's Keck School of Medicine.

Residents of inland communities in Southern California are more likely to die of heart disease, stroke, lung cancer and other diseases than their coastal neighbors, said Medical Geographer Michael Jerrett, the study's lead author.

Moving east from the coast, adults' risk of succumbing to heart attack increases by 25 to 39 percent, Jerrett said. The risk of dying from lung cancer increases by 20 to 40 percent.

"We were surprised by the magnitude of it," said Jerrett.

Experts are still investigating why particulates are so harmful. One theory is that fine particles cause an allergic reaction and jack up people's heart rates as their bodies try to rid themselves of deeply lodged specks. Another theory is that fine particles deprive our bodies of oxygen, which accelerates heart disease.

When it comes to lung cancer, scientists wonder if the particles themselves cause cancer, or if danger lies in the body's reaction to them.

Jerrett and his team examined 18 years of medical and death records from 22,905 people. They used global positioning data to localize air quality measurements, accounting for the fact that some neighborhoods have cleaner air than others. They also accounted for various smoking habits, age, gender, race, neighborhood income level -- 52 variables in all.

Even so, the results were clear, Jerrett said. Los Angeles' biggest source of pollution is automobiles and trucks, he said, and "living close to these busy roads is hazardous to your health."

Residents of polluted neighborhoods should fix their furnaces with HEPA or electrostatic filters, Jerrett said.

#### Location, location, location

A separate University of Southern California study, also released last week, demonstrates that not all freeway hazards are fatal.

Children living near freeways are more likely to get asthma, its results show.

Researchers measured nitrogen dioxide, a tailpipe pollutant, in the homes of 208 Los Angeles-area children. Those children were more likely to wheeze or use asthma medication when pollution increased.

"There's been very little attention paid to the more local exposures," said James Gauderman, who led the study. "We see these links with asthma ... in places with quote good air quality."

Generally, 15 percent of children reported diagnosis with asthma, Gauderman said. But a child living a quarter mile from the freeway was 90 percent more likely to develop asthma than a child that lived a mile away, he said.

## **In California, Agriculture Takes Center Stage in Pollution Debate**

By Juliet Eilperin

Washington Post Staff Writer

Monday, September 26, 2005; A01

RIVERSIDE, Calif. -- On a clear day, San Joaquin looks like a bucolic farming community, complete with almond groves, cornfields and orange trees. But most of the time the valley -- trapped between the Sierra Nevada and the Coast Ranges, with two major highways running north to south through it -- is smoggy, filled with air that has fostered widespread respiratory disease.

Fifteen percent of the region's children have asthma, a rate three times the national average. Fresno -- the valley's biggest city -- has the third-highest rate of asthma in the country, and the San Joaquin Valley rivals Los Angeles and Houston for the dubious title of worst air quality in the nation. On bad air days, some schools hoist a red flag so parents can keep their children indoors; on good days, they raise a green flag.

Agriculture does not occupy a prominent place in America's environmental policy debates, but farming has arguably more of an impact on the land, air and water than any other sector in the U.S. economy, environmental and industry experts say. In addition to producing airborne emissions, farms take up nearly half of the nation's land, and nutrient-laden runoff from farms affects such waterways as local streams and the Gulf of Mexico.

"The sheer scope of farmland means that unless it is extremely well-managed, it's going to create serious problems," said Tim Searchinger, an agricultural policy specialist at the advocacy group Environmental Defense. "But with some tweaks and a few bold approaches, farmers and ranchers could do a lot of good."

Michael Kleeman, an environmental and civil engineering professor at the University of California at Davis, estimates that agriculture accounts for as much as half of the valley's air pollution.

The health problems caused by agriculture emboldened state Sen. Dean Florez (D-Shafter) to push to abolish farming's exemption from state air pollution laws. California was at risk of losing federal highway funds because of poor air quality, and Florez argued that farms had to curb their emissions like factories and power plants. By spewing smog-forming gases into the air, the legislature declared, cows had joined cars and trucks as major polluters.

"I wanted them to understand they've got to be part of the solution, not part of the problem," Florez said. "It's a cultural change for them."

Although California farmers are now legally accountable for emissions, environmentalists, regulators and farmers are feuding over how far the government can go in regulating things such as cow emissions and aging diesel equipment in the San Joaquin Valley. About a fifth of the country's milk production now takes place in this region, well more than that produced in Wisconsin.

This summer, the state Air Resources Board ruled that any existing farm with more than 1,000 milk cows had to apply for a permit on the grounds that dairies -- which release volatile organic compounds and ammonia -- rank as major polluters. Volatile organic compounds create smog when combined with nitrogen oxide, while ammonia reacts with that smog to form fine-particle pollution.

Dairy farmers have assailed the science underlying the rules and blocked a plan that would have made them install technology to capture methane and other gases that cows emit.

"We're not convinced our cows are worse than all the cars and trucks in the world," said Michael Marsh, who heads Western United Dairyman, which represents just over half of the area's 1,900 dairy farmers. Marsh estimates that installing manure digesters could cost the industry \$1 billion. "If we're going to have this kind of mandate, how are we going to pay for it?" he asked.

Tom Mendes's family has been dairy farming in California's Central Valley for three generations, ever since his grandfather arrived from Portugal. But Mendes has told his 19-year-old son not to follow him into what he calls a dying way of life.

"I don't see a very good future for agriculture," said Mendes, whose son goes to college in nearby Stockton. "We're an industry under attack, and I don't want it for my kids."

Activists such as Brent Newell, a lawyer at the Center for Race, Poverty and the Environment, said farmers' recalcitrance and the local authorities' willingness to weaken their proposed rules have undermined the new law.

"The fact that the regulated industry fights it every step of the way is the saddest part of the whole thing," he said. As for San Joaquin regulators, he added, "They just look the other way and let it go."

Residents have formed a citizens' group to fight large dairy producers. Tom Frantz, a Shafter native who heads the Association of Irrigated Residents, said area farms are "like a factory in your midst."

"We're really irritated because our lungs are being used as an agricultural subsidy," said Frantz, who has asthma. His group notified farmer Rick Vanderham this month that residents plan to sue him for building a new 2,800-cow dairy without a Clean Air Act permit.

California's debate is not unique: Public health advocates in states including North Carolina and Iowa have pushed to regulate hog, poultry and dairy farms -- known as "confined animal feeding operations" -- with varying degrees of success.

In the Washington area, farms account for more than 30 percent of the pollutants that cause "dead zones" in the Chesapeake Bay -- where algae blooms deplete the oxygen, and fish and crabs cannot breathe. Maryland, Virginia and Pennsylvania have all tried to make farmers reduce the amount of fertilizer and manure washing off their fields. But environmentalists say their efforts, including pollution caps on some large farms, are not enough.

Under a 2000 agreement between North Carolina pork producers and the state attorney general, North Carolina State University professor C.M. "Mike" Williams has spent five years researching how to treat manure from the state's 10 million hogs in an affordable way. Williams, who has identified five effective technologies but is still gauging their costs, said the state needs to clean its waste load even if no "silver bullet" exists.

"I do not feel like that system is long-term sustainable," he said.

Large-scale livestock farms have mushroomed in recent decades -- 5 percent of U.S. farms now account for 54 percent of beef and dairy cattle, according to the Agriculture Department -- presenting a new challenge to regulators. Environmental Protection Agency officials began investigating the massive operations in the mid-1990s after nearby residents complained of respiratory and eye problems.

The government scored some initial wins: Missouri-based Premium Standard Farms agreed to monitor emissions at its hog farms in 1999, and the company has spent \$9.5 million on technology that converts hog waste and emissions into commercial dry fertilizer. But Bush administration officials ordered the EPA to stop investigating farm emissions in 2001.

Last month, the administration struck a deal with more than 2,700 livestock firms, exempting them from prosecution for air pollution violations until mid-2008 while the agency researches the issue. Each firm must contribute \$2,500 to help fund a study of two dozen livestock operations and pay a penalty on a sliding scale to address past violations.

"What the agency is trying to do is figure out the best way to get the most information, in a comprehensive way, in the most expeditious manner to determine if a problem may exist," said Jon Scholl, counselor to the EPA administrator for agriculture policy.

David Townsend, Premium Standard's vice president for environmental affairs, and other industry officials praised the deal, saying, "You have to have some reasonable data to say where [the industry] needs to go."

Environmentalists, on the other hand, assailed the pact as an industry giveaway. Aloma Dew, a Sierra Club organizer in Kentucky who monitors poultry farms, said: "It's not just a stink that's coming out of these farms. It's a real health threat."

But the EPA's amnesty for major livestock producers may amount to a temporary reprieve as even farmers' most loyal political allies are sensing a shift in public sentiment. Calvin M. Dooley, a former central California

farmer who served in the House for 14 years, said local attitudes hardened during his time in office, which ended this year.

"There's a different political environment in the Central Valley today," said Dooley, a Democrat who now heads the Food Products Association. "More and more people have become increasingly concerned about the health and environmental consequences of our air quality."

*Staff writer David A. Fahrenthold and researcher Carmen Chapin contributed to this report.*

## **It's harvest time and machinery is out in full force**

### **Farmers, growers working day and night to bring in nuts, tomatoes and grapes**

By TIM MORAN - BEE STAFF WRITER

Modesto Bee, Monday, Sept. 26, 2005

The trucks start lining up at Travaille and Phippen Inc. in Manteca at daybreak to deliver trailers to the almond orchards.

The growers are anxious to see them arrive, said Dave Phippen. "We have 10 to 15 growers wanting trailers, and we are trying to please them."

Travaille and Phippen operates an almond hulling and shelling plant, and also farms 600 acres of almonds, and provides farming services to 5,000 more acres.

Late summer to early fall is crunch time for them, and farmers across the Northern San Joaquin Valley as they work long hours to bring in the almonds, walnuts, grapes and tomatoes.

The harvest months, July through October, are their payday. The yearlong investment in time, labor and materials reaches a crescendo at harvest time. Trucks, shakers, sweepers and harvesting machines ply the fields, orchards, vineyards and roads to bring in the crops.

It's a busy and anxious time for growers. How big will the crop be? Will there be enough workers, enough trucks to bring it in? Will an ill-timed rainstorm threaten the year's work and investment?

By 8 a.m. at Travaille and Phippen, mechanical tree shakers are being serviced, preparing to head into the orchards. The squat vehicles rumble into the rows of trees and extend a huge claw, grasp a trunk and vibrate it, sending nuts, leaves and twigs raining down.

The process is repeated throughout the day, from one tree to the next and from one orchard to the next. A typical day stretches 10 to 12 hours.

The operator, enclosed in a small, boxy cab to protect him from the falling almonds, has air-conditioning and a stereo system to fight off fatigue and boredom.

In other orchards, nut sweepers also are heading out at 8 a.m., to push the fallen nuts into windrows, to be picked up by yet another specialized pickup machine.

Fans and chains in the machines separate the nuts from twigs, leaves and dirt — generating clouds of dust.

"That's where we get our dirty reputation with our city brethren," Phippen said.

Nick Gatzman, a farm manager at Travaille and Phippen and Dave Phippen's son-in-law, said the industry is working on the problem, developing machines that cut the dust by 50 percent. Travaille and Phippen uses no-till techniques to cut down on dust by not breaking up the soil, Gatzman said.

The swept-up almonds are dumped into a specialized cart that lifts them into those waiting trailers for the trip to the huller and sheller.

On a busy day, Travaille and Phippen takes in 25 to 30 trailers of almonds — 200,000 to 240,000 pounds of them — for processing.

The processing plant separates the remaining twigs, rocks and dirt, removes the almond hull and shell, sorts the nuts by size and sends them on to wholesalers such as Blue Diamond for packaging and marketing.

Running 24 hours a day, the plant produces a cacophony from two-story high machines that vibrate, vacuum, squeeze and measure almonds.

The leftover hulls and shells pile up in mountains behind the plant, to be sold to the dairy industry for feed and bedding, respectively.

### **Working around the clock**

While Travaille and Phippen try to harvest during daylight hours, the harvest in the valley happens around the clock.

At 8 p.m., Bill Berryhill is just heading out to start harvesting grapes near Westley.

Floodlights on the mechanical harvester illuminate the vineyard, and the machine straddles the row of vines as it plucks the grape bunches.

Berryhill, a fourth-generation grower, farms 350 acres near Ceres, and 280 more acres in Clements. He was harvesting a vineyard last week for another grower in Westley.

The harvest is late this year, he said, because cooler weather late in the summer slowed sugar production in the grapes.

Berryhill will be at it all night, until 8 or 9 the next morning. He harvests at night because the grapes come off the vine easier when they are cold, he explained, and they won't start to ferment on the way to the winery.

The wineries open at 1 a.m. during harvest to receive the grapes, crushing them when they are cold and in good shape, he said.

The timing of delivering a crop to the processor, whether it is a winery, a huller or a canner, is critical.

Chuck Cox, who farms 1,200 to 1,400 acres of tomatoes near Westley, delivers his crop to Stanislaus Foods in Modesto. The goal is to get the tomatoes in a can four to six hours after being picked, he said.

"We coordinate with the cannery. We pick on their schedule," Cox said. That means he is harvesting 24 hours a day. The large tomato harvester has a driver and four to six workers who stand on a catwalk and sort fruit as it comes through a conveyor system.

The harvester deposits the sorted fruit into a truck trailer driven alongside. As one trailer fills, another pulls up, and the full trailer goes to a staging area. Another truck hooks up the trailer and heads to the cannery.

During a season, 400,000 tomato truckloads wind their way from fields to canneries in California, said Ross Siragusa, chief executive officer of the California Tomato Growers Association.

Tomatoes, like walnuts and almonds, are planted in different varieties and timed so they ripen at different times over a span of two to three months.

That's to avoid all of them arriving at the processor at the same time. It's a precarious balance — when the sugar levels are ideal in the grapes, they need to be picked. The later in the season a crop is harvested, the greater the danger of rain, and mold or rot damage.

### **Some are at nature's mercy**

Almond growers are particularly vulnerable, because the crop dries on the ground for up to a week or two. If it rains, they have to stay on the ground longer, risking more rain, and insect damage.

That's not as much a problem in walnuts, said Gerald "Rusty" Deardorff, a third-generation walnut grower farming 400 acres with his father in the Waterford area.

The walnuts are shaken and swept like almonds, but they are picked up immediately, and dried in a hot air dehydrator, Deardorff said.

The walnut harvest runs from sunup to sundown six days a week, and on Sunday as well if rain threatens, he said.

And at the end of the harvest, the day of reckoning comes.

"We get one paycheck a year," Deardorff said. "You either make it or you break it. We only get one shot, and once a year we find out if we made money or lost money."

A successful harvest benefits not only the growers and processors, but the entire regional economy. Billions of dollars flow back to the region from consumers in California, the United States, and from countries all over the world.

The money farmers get paid for the crop is re-invested in equipment, fuel, fertilizer, chemicals and wages for the next year's crop.

For city residents, the harvest season may mean more dust on the windshield, more traffic on the roads, and perhaps more noise at night from the adjacent farm. Dust, or PM-10 as air regulators call it, increases in the fall harvest months in the San Joaquin Valley, peaking in October.

"You have a lot of trucks on the roads — grapes, walnuts, almonds, tomatoes," said Wayne Zipser, Stanislaus County Farm Bureau executive manager.

"There are hullers and shellers with trucks in and out, farm employees trying to get to work, kids going back to school.

"There is a little more dust in the air, stuff you don't like on the windshield. But people have to understand that that's what makes our economy work, and people being able to buy what they want."

At a glance

The total value of the fall harvest to the Northern San Joaquin Valley economy is difficult to calculate because of the number of processors, shippers, suppliers and marketers in the region. The value to the economy is huge, however. Here are a few facts culled from agricultural commissioners' reports and industry sources:

The farm revenue from almonds in the Northern San Joaquin Valley was \$904.7 million in 2004.

More than two-thirds of California's almond crop is exported, with Spain, Germany, Japan, India and Italy the top markets.

Farm revenue from walnuts in the Northern San Joaquin Valley brought in \$163.6 million.

Stanislaus County has 35 nut huller-sheller operations, and 30 nut processors and exporters.

Farm revenue for tomatoes in the region was \$273.9 million.

Stanislaus County has three tomato canning operations.

Wine grapes brought \$238.3million in farm revenue last year.

Several of the nation's largest wineries are in the region. Sales revenues for Modesto-based E.&J. Gallo Winery alone are estimated at more than \$1.5 billion.

In addition to walnuts, almonds, tomatoes and grapes, crops now being harvested include corn silage, melons, Sudan grass, alfalfa and apples.

## **Loan bid for new dairy is blasted**

### **Opponents say Fresno Co. farm would create more bad air for Valley.**

By Mark Grossi / The Fresno Bee

Monday, Sept. 26, 2005

A Chino family wants a state pollution-fighting loan of \$8.4 million to help build a 3,200-cow dairy in Fresno County — an idea taking heavy flak from environmentalists and state Treasurer Phil Angelides.

Environmentalists are appalled, saying pollution-control loans should not finance a plan to move bad air into the San Joaquin Valley. The new dairy qualifies as a major air pollution source, adding 30 tons of smog-making gas per year to one of the country's dirtiest air basins, according to the most recent estimates.

Angelides wants a moratorium on such low-interest loans to dairies until after stricter air and water restrictions are in place. He said dairies should reduce dirty air beyond state standards to qualify for pollution-control loans.

"The loans should only be made for projects that clearly protect the environment," Angelides said. "That case can't be made for these dairies."

But this month, the \$8.4million financing cleared the first of two hurdles at the obscure California Pollution Control Financing Authority. The applicant, the Van Der Kooi family of Chino, must now assemble an air permit and other documents before seeking final approval.

The Van Der Kooi family says the loan would help build a \$16million, state-of-the-art dairy near Riverdale. The dairy is far more environmentally friendly than the family's current 1976 operation in the Southern California area of Chino.

"The requirements for building dairies are very strict in this state," Charles Van Der Kooi said. "A year ago, if I had known everything I know now, I might have gone out of state. This loan helps stimulate business in California."

Angelides supervises the Pollution Control Financing Authority, and he wanted to delay the Van Der Kooi loan. But decisions on the loans are made by the authority's governing board — three members, representing three top state officials.

This month, Angelides' representative was outvoted on the loan by the representatives of state Controller Steve Westly and Gov. Schwarzenegger.

A spokesman for Westly said the project will not get the controller's final vote if it is not a clean-operating business.

"This is just the first vote," said spokesman Yusef K. Robb. "Steve Westly thinks we need to do more to clean up the Valley's air, not less."

Last fall, the board approved a three-month moratorium after members had granted \$66million in loans for 18 dairies over the previous four years.

The projects were touted as preventing waste from taking up space in landfills. Environmentalists raised a ruckus by pointing out that dairies don't send cow manure to landfills. The manure is used in fertilizing farm fields.

The three-month moratorium expired in January, and Angelides this month has been pushing for another as regulators work on changes in air and water restrictions.

Angelides also worked with state Sen. Dean Florez, D- Shafter, whose Senate Bill 931 would block animal operations from the pollution-control loans until new restrictions are in place.

But the Florez bill is on hold until next year. And representatives of Westly and Schwarzenegger this month refused to pursue the moratorium.

In the transcript of the board meeting, member Anne Sheehan, representing the governor, explained her opposition by saying that air and water regulations often undergo revision. During those times, she said, businesses simply follow existing law and obtain permits.

"I am concerned about us holding this industry out to a different, higher standard under the law," she said.

The Van Der Kooi dairy loan, the first since the moratorium was called last year, then was approved after industry lobbies and environmentalists argued before the governing board.

Michael Boccadoro, executive director of the Community Alliance for Responsible Environmental Stewardship, an industry advocacy group, told the board that dairies already face a mountain of state regulation.

He said dairy owners want the same opportunities at low-interest loans as any other business.

"The authority in this program was created to assist businesses in California to fund the pollution-control mandates that this state places on businesses," he said.

Lawyer Brent Newell of the Center on Race, Poverty and the Environment replied: "The authority already has funded 18 projects that have blatantly misrepresented the public benefit. They've claimed that manure will be diverted from ... landfill storage; and that simply is not the case."

The paperwork on the Van Der Kooi loan does not claim benefits for diverting waste from a landfill.

On the controversial subject of air quality, the paperwork says construction would greatly reduce odor by capturing all the manure and mechanically separating the liquids from the solids.

But it says nothing about reactive organic gases, the hot-button dairy topic over the past 18 months. Dairies, with an estimated 2.5 million animals, are the area's No. 1 source of such gases, which combine with oxides of nitrogen from cars and other sources to make ozone or smog, according to recent estimates by San Joaquin Valley Air Pollution Control District. Van Der Kooi already has approached the Pollution Control District for a permit. The process is in the early stages. Van Der Kooi said he has no doubt his dairy will be a clean operation.

"This dairy is absolutely going to be an upgrade of the one built years ago in Chino," Van Der Kooi said. "And we can make the land more productive by using the animal waste as a natural fertilizer. It's a valuable commodity."

Gases coming from the animal waste are a main culprit in the dairy air problem, experts say. Scientists continue to study the gases to determine a more precise estimate of the emissions.

Locating in Fresno County opens a different issue: The county has no permit process for a dairy. It is one of the few counties in the Valley where the environmental study of new dairies is left up to the state water and local air agencies.

In arguing against the Van Der Kooi loan, environmental lawyer Newell said the studies have yet to begin.

"There has been no compliance, in this instance, with an environmental impact report," he told the authority this month. "There has been no negative declaration. There's been no initial study. There's been nothing."

## **Scrapping of old buses sought**

### **Lawmakers push to get pre-'77 school vehicles off road.**

By Jennifer M. Fitzenberger / Bee Capitol Bureau  
The Fresno Bee, Sunday, Sept. 25, 2005, 7:19 AM)

SACRAMENTO — State air regulators are cautiously deciding how to hand out \$25 million in state budget funds to replace and update old, polluting school buses.

In the past, the California Air Resources Board distributed such money based on population, meaning a large part of it went to Southern California.

This time, officials are considering giving areas with the most old buses spending priority, namely the San Joaquin Valley. More than 25% of buses in California built before 1977 are in the Valley, transportation experts estimate.

Board staff want the board and the public to debate the merits of the new spending idea — but doing so means missing the mid-September deadline to finish the plan and send it to the California Environmental Protection Agency for approval.

That means local officials will have to wait longer to buy new buses.

Sen. Dean Florez, D-Shafter, says board staff is moving too slowly and that politics is keeping old buses on the roads. But air board officials say it takes time to create a new plan and to make sure the public has its say.

"We're moving about as fast as events will allow," said Jerry Martin, a spokesman for the state board.

Florez said the money should immediately be given to local officials based on the number of older buses with high mileage. The longer the wait, the longer kids continue to ride on high-polluting buses, he says.

Earlier this month, Florez and Senate President Pro Tem Don Perata, D-Oakland, led a legislative effort to reject the confirmation of Cindy Tuck, Gov. Schwarzenegger's choice to chair the state air board. Tuck was criticized for having business ties with the energy industry.

Florez points out that he and Perata pushed hard during budget negotiations for the school bus funding.

Florez said that, during an August meeting, air board staff agreed on the new funding formula. After Tuck's confirmation failed in the Senate, the process to distribute the money was put on hold.

"We can't see it as anything other than petty politics being placed over a real need and a bipartisan agreement," Florez said. "They're going to have to put kids' lungs on the back burner."

Kirk Hunter, chief executive officer of Southwest Transportation Agency in Caruthers, also suspects political unrest — but not over Tuck. He believes the air board is being cautious because some air officials, perhaps in Southern California, won't like the new funding formula.

"There are air districts that don't have many pre-1977 buses and probably won't get much of this money until it comes their turn, and they don't want to wait their turn," said Hunter, whose agency transports children in 15 Valley school districts. His agency has about 100 buses, but most of them are newer and would not be replaced with the funding.

About 1,000 buses built before 1977 exist in California. They are considered the least safe, highest-polluting buses. Many of them don't meet federal safety standards.

Replacing all those buses would cost about \$135 million, Hunter said. The \$25 million will buy 92 new buses and retrofit nearly 1,400 built before 1987, when air pollution rules for diesel engines went into effect, Hunter said.

Sen. Chuck Poochigian, R- Fresno, said the money is a start. Poochigian sponsored a bill earlier this year that would have replaced most older school buses, but it failed in the Legislature.

"This is a very significant first step toward a broader objective of replacing all these old buses," he said.

Poochigian said he wants to make sure the money is distributed first to areas with many older buses. He said he doesn't believe Tuck's failed confirmation is a factor in the air board's decision.

"I'd rather they get it right than do it fast," Poochigian said.

Martin and H.D. Palmer, a spokesman for the Department of Finance, also say Tuck's rejection has nothing to do with the delay.

Extra time, scrutiny and public comment are necessary because the change in allocation would break precedent, Martin said.

Catherine Witherspoon, the board's executive officer, "felt that was a fairly significant change to make without consulting the board," Martin said. A public hearing is scheduled for mid-November.

Martin said the board wants to make sure the proposal is given public scrutiny. Earlier this year, the board's staff was criticized for making a secretly negotiated deal with railroad companies to reduce air pollution.

Said Martin: "If it takes us a little bit longer to get a forum with adequate public input, we're willing to take that time."

## **Spending plan for road tax approved**

### **Panel takes Measure C one major step in bid for renewal on 2006 ballot.**

By Russell Clemings / The Fresno Bee

Sunday, Sept. 25, 2005

With one dissenting vote, a committee drawing up plans to extend Fresno County's half-cent Measure C transportation sales tax signed off Saturday on the general outlines of a spending plan.

The proposal, aimed at the November 2006 ballot, was hashed out in two days of often-contentious debate. It will be polished at a final meeting in mid-October, then tested for voter reaction in a poll before specific details are added to the broad strokes.

"The project list is the next phase," consultant Gary Manross told the panel of two dozen local political, government and interest group leaders at the Fresno Convention Center.

Several members of the group expressed reservations about the outline but voted to support it, with one exception — former Fresno City Manager Jeff Reid, representing the Valley Taxpayers Association.

About 63% of the tax's proceeds would be spent in the Fresno-Clovis metropolitan area. But Reid argued for a higher share. He also said the plan should earmark more money for pothole repair and related street maintenance needs.

The plan approved Saturday would devote about 25% of the new Measure C's funds — \$428 million over its proposed 20-year lifetime — to public transit. Fresno would get \$12 million per year, Clovis \$1.7 million and the county Rural Transit Agency \$3.4 million.

About \$50 million over 20 years would be earmarked as seed money for a light rail or other advanced transit system in the metropolitan area, and \$5 million for studies to flesh out details on that system and a proposal to combine the Fresno and Clovis transit systems.

Cities and the county would get about one-third of the total — \$582 million — for "local transportation" needs, with slightly less than one-third of that earmarked for street maintenance. Also included in the local share is \$39.4 million for urban pedestrian trails and \$14 million for trails in outlying communities.

The rest of the local share would be left to local officials to spend as they wish. Under the current Measure C, that power has allowed Fresno to spend more than \$1 million on street construction subsidies for a north Fresno office park, among other things. But local government officials insisted that their hands not be tied. "The value of Measure C to us is that it is one of the most flexible sources of funding," Clovis City Manager Kathy Millison said.

The group nearly fractured over two other issues — trails and a plan to move the Burlington Northern Santa Fe railroad tracks to the Union Pacific corridor along Freeway 99 — competing for the same slice of pie. At one point, a trails advocate and a Sierra Club representative both threatened to withhold support if funds for trails and bike lanes were not increased. Coalition for Community Trails founder Mark Keppler referred to the results of a poll done by Manross' firm in July and August.

"With all due respect to rail consolidation, it scored very low on the survey," Keppler said. "Trails scored very high."

But Manross pointed to other survey findings that suggested support for the rail project might be stronger than it looked because of its potential for reducing air pollution and spurring economic growth.

The outline eventually approved would devote 6% of the measure's funds (\$103 million) to rail consolidation. But if other funding cannot be found to complete the project, the money could be spent instead on building overpasses at busy railroad crossings and on trails. The group also shifted about \$13 million to trails from rural public transit.

Additional money — about 30% of the total, or \$509 million — would be earmarked for regional highway projects, while 3.5% (\$60 million) would go for environmental projects.

The upcoming poll will gauge whether voters are likely to give the committee's plan the required two-thirds approval. It also will examine whether a 30-year extension would be supported, instead of the 20-year version now envisioned.

## **Chimney converts**

### **A gas-burning fireplace should be installed now, before it gets really cold.**

By Nzong Xiong / The Fresno Bee  
Saturday, Sept. 24, 2005

Temperatures start to drop, and people begin to think about cuddling in warm blankets next to a crackling fireplace. But if you think tossing in a few logs into your wood-burning fireplace will keep you warm this winter, you might want to reconsider. You might not always be able to light those logs.

On days that are declared no-burn days by the San Joaquin Valley Air Pollution Control District, you cannot light up your wood-burning fireplace. Granted, this past winter, there were only three days people were banned from using wood-burning fireplaces, but if you've been thinking about converting your old wood-burning fireplace for a new gas-burning one, now's the time to do it before the weather turns much colder.

Wood-burning fireplaces can be replaced with gas-burning inserts, which have flames licking at fake logs. Whether you can tackle this replacement job on your own will depend upon what kind of fireplace you currently have: a masonry one or a zero-clearance one.

Most newer homes and new- construction homes have a zero- clearance fireplace, meaning the fireplace is framed with a steel box. Unfortunately, homeowners with this kind of fireplace will need to call professional

installers because they may need to cut out part of the wall to make the fireplace flush to the hearth, says Kevin O'Neal, a sales agent at Energy House in Fresno.

If you go outside, look at your chimney and see real brick around it, then you have a masonry fireplace. With these, you can try installing a gas insert yourself if the fireplace has a gas line.

"The inserts have pretty detailed instructions included," says Jimmy Hutchens, sales manager of Fireplace Plus in Clovis.

If a gas line has to be added, a licensed plumber is needed. Cost of putting in a gas line and installing the insert can start at about \$275.

Before you shop for a gas insert, measure the fireplace opening — the height of the hearth, plus the distance from the bottom of the fireplace to the bottom of the mantel. The cost of gas inserts can start at about \$1,999.

Mary Grigsby of Fowler recently said good riddance to her two-decade-old wood-burning fireplace in the den.

"It's kind of dirty," says Grigsby, 81. "You have to clean ashes."

With a new gas insert, enjoying the fireplace will be a lot easier this winter for Grigsby. "I'm older, and I don't want to be doing unnecessary work," she says. "It's cleaner and more convenient for us."

## **Fresno wasn't alone in frying pan**

### **World endures second-warmest summer ever.**

By Edie Lau / The Sacramento Bee

in the Fresno Bee, Monday, Sept. 26, 2005

SACRAMENTO — From hurricanes off the Atlantic coast to a blockbuster heat wave in the West, the summer of 2005 was a season of extremes.

Warren G. Roberts still can see the effects of California's prolonged July heat in the oaks, maples and pines around his workplace.

"Lots of the shrubs and trees look a bit bedraggled from that," said Roberts, superintendent of the arboretum at the University of California at Davis.

Fortunately, those effects visible two months later are merely cosmetic, he said, and a late-summer string of mild days has refreshed flower gardens with lingering bursts of color.

Judging from the plants, Sacramento's summer was all over the map, from mild to very hot to mild again.

But statistically, it will go down in history as one of the warmer summers — 22nd warmest, to be exact, out of 111 years for which the National Oceanic and Atmospheric Administration has records.

The summer that ended last week was an exceptionally warm one nationally and internationally, as well.

Anne Waple, a research climatologist at NOAA's National Climatic Data Center in Asheville, N.C., said it was the second-warmest summer on record for the planet, based on temperatures in June, July and August recorded from more than 800 stations around the globe.

It also was the second-warmest summer on record for the Northeast United States.

And in no state did the summer shake out with below-average temperatures overall.

"There were a few states that were near average, but by far, most of them were above average," Waple said.

Another extreme of the season, one still playing out, is in the number and strength of hurricanes.

So far, 2005 is the third-most active hurricane season in the number of tropical storms and hurricanes: We've had 17 to date.

There were 18 in 1969 and 19 in 1995.

Even more noteworthy: This is the first year the United States has seen two Category 5 storms in the Gulf of Mexico in the same season, Waple said — Katrina and Rita.

Category 5 storms are rare and devastating, with wind speeds exceeding 155 mph. Since 1851, only 27 Atlantic hurricanes are known to have reached Category 5.

Are the extremes of the summer evidence of global climate change? That's a question that can be answered only in retrospect.

"It's extremely hard to link one summer to global warming specifically; same with one hurricane season," Waple said.

"But we are [in] a warming trend, and we can certainly say that the warm summer is consistent with that trend."

In Sacramento, high heat in July brought the Sacramento Municipal Utility District, or SMUD, a new record in energy use, with 2,957 megawatts of electricity consumed on July 15.

But because June, some of August and September to date were relatively mild, the utility district found the summer as a whole to be typical, said Jim Tracy, the utility district's chief financial officer.

Not once did the utility district have to turn off the air conditioners of customers in "Peak Corps," a program in which people get a break on their bills in exchange for allowing the utility to turn off their air conditioners in times of peak demand.

"We see that program as essentially emergency reserves," Tracy said.

And despite the relentless heat in July — when temperatures hit 100 or above on 15 days — there never was a power emergency, he said.

Tracking with the heat, dirty-air days were clustered in July and early August.

In all, the Sacramento Metropolitan Air Quality Management District called 14 "Spare the Air" days — days on which the air was forecast to be unhealthy for sensitive groups or worse.

Craig Anderson, a meteorologist with Sonoma Technology Inc., which does air-pollution forecasting for the air district, said an average summer might bring 15 to 20 "Spare the Air" days.

They're usually sprinkled somewhat evenly through the summer months.

What's remarkable about this year, Anderson said, is that there hasn't been a Spare the Air day in Sacramento since Aug. 7.

"It's been a long time," he said.

It's not too late for more. Ozone season in Sacramento lasts through October.

But bad air and hot temperatures aren't in the picture immediately.

The National Weather Service forecast for Sacramento over the next few days is for more pleasant seasonal weather, with highs in the 80s.

The outlook for October, November and December is for near-normal precipitation and above-normal temperatures, said meteorologist Holly Snell.

But that doesn't mean a heat wave.

Said Snell, "I don't expect to hit 100 again this year."

## **Oil executive looks forward to new position, challenge**

Bakersfield Californian  
Business Section  
Sunday, Sept. 25, 2005

"It's going to be different, it's exciting and it's going to become the best job at Chevron." That is Roger H. Christy's quick and enthusiastic assessment of his new assignment with Chevron North American Exploration and Production, San Joaquin Valley Strategic Business Unit, Bakersfield. In July Christy became Chevron's policy, government and public affairs representative, succeeding Linda Robinson, who retired after 17 years with Chevron, the last decade in that position.

Christy, 45, says the appointment has moved his desk only 8 feet, but a world away from being Chevron's team leader in air quality -- in effect, from reducing air pollution to being Chevron's face in the community. His community consists of wherever Chevron has production activity from the southern San Joaquin Valley to the Central Coast.

Chevron is a major supporter in community service -- from health care to education to the arts -- and Christy is the "gatekeeper" to those services. He says that with oil being Kern County's economic base, the entire industry stands in line to help. He quotes Susan Hersberger, his counterpart at Aera Energy, as saying: "We compete furiously in business but in the community we're partners."

He says Chevron has activity in 180 countries, "and we want to do the right thing wherever we operate."

He points out that Chevron does a lot for education, from special education to scholarships. He applauds such things as CALM, which is a part of the Kern County Superintendent of Schools operation; the Bakersfield Museum of Arts; the Bakersfield Symphony; and the Kern County Museum.

The new representative finds himself with inherited tasks. He is now a board member of the Police Activities League and participated in a fund-raising activity honoring retired Foothill High School football coach Ned Permenter. That Saturday-night activity climaxed three days of participation. On Thursday he was at Leadership Bakersfield's kickoff event for the class of 2006, of which he is a member.

Friday was a fund-raiser put on by the Arts Council for gathering art for the soon-to-be completed William M. Thomas Air Terminal at Meadows Field. Christy said both Chevron and Aera have pledged to give significant art pieces.

Christy's new job also puts him on the Executive Advisory Council to the dean of the School of Business and Public Administration at California State University, Bakersfield. He is active in Vision 2020 on its steering and image committees. He represents Chevron on the Target First Reading Collaborative, which was started with a major Chevron grant. The Greater Bakersfield Chamber of Commerce has tabbed him for its energy and air quality committees.

He also works with the Gleaners, United Way, the Cancer Society, the Tree Foundation and other causes.

"We have a lot of things we need to take care of," he says in summary.

"Another surprise I have discovered is that there are so many people in Bakersfield who are willing to share their free time and their money in doing good in the community," he said.

His wife, Pat, is a registered nurse at Kern Medical Center, and he says that gives him a perspective into another segment of the community. Pat is a native of Georgia and the couple met when she worked for her sister in North Carolina. When they both wound up in the Los Angeles area they renewed their relationship and were married.

Christy was born and grew up in Sheffield, Pa., a small town in north Pennsylvania where there was some oil and gas production, and where some rural farm houses were heated with natural gas direct from wells. His parents, retired, were both educators, but he chose a different career path. He went to Pennsylvania State University, where he majored in petroleum and natural gas engineering, leading to a career path that led him to Bakersfield.

He was recruited on the Penn State campus by the late Charlie Short for a job with Gulf Oil Exploration and Development Corp. (He says he meets people who knew Short before Gulf was acquired by Chevron.)

Between his junior and senior years he worked the summer of 1981 for International Petroleum Service Co. in his home town.

His first Gulf job was in Pampa, Texas, as an engineer evaluating well productivity and supervising pulling units and workover rigs. He also was introduced to well stimulation. A year later he was transferred to Kilgore, Texas, where he planned, designed and supervised drilling and completion operations in Texas, Louisiana and Arkansas.

In 1985, Chevron acquired Gulf and Christy was assigned to Chevron's technology center in Houston as a drilling engineer in technology development. He designed primary cement slurries for various applications from geothermal wells to offshore high-temperature and pressure wells. Certified in a well-control course, he coordinated and instructed courses in the United States and Saudi Arabia.

In 1988, he came to California as a drilling engineer in the Ventura office. He supervised workover and abandonment operations in the Los Angeles Basin and offshore California sites, developed drilling fluids and cementing programs and supervised environmental compliance. He arrived in Kern County in October 1992 as drilling representative in McKittrick.

Christy became environmental engineer to the Air Quality Group based in Bakersfield in April 1998. Three months later he was appointed team leader-air quality for the San Joaquin Valley Strategic Business Unit. Those duties included managing 1,200 active air permits. It also brought him into the politics of air quality.

In November 1999, he presented industry air compliance issues at the Governor's Valley Economic Summit in Fresno. He chaired the Western States Petroleum Association's Air Strategy Group for five years, ending in January 2005.

Christy is a member of Angel Flight, a national group of pilots who fly special needs on occasion. Some members flew missions after Hurricane Katrina struck New Orleans and the Gulf Coast states. He said he has flown several missions in the past. He obtained a pilot's license in 1992 and in April of this year he was certified as a commercial pilot.

### **Developer begins work on 6,000-home subdivision**

MISTY WILLIAMS, Californian staff writer

Bakersfield Californian, Saturday, Sept. 24, 2005

A new 6,000-home community known as McAllister Ranch is finally taking shape in southwest Bakersfield after its plans sat dormant for more than a decade. Major California developer SunCal Companies began grading the 2,070-acre property about a month ago, Frank Faye, Los Angeles division president for the Irvine-based company, said Friday.

An estimated 27,000 people will eventually call the now vacant land home.

County supervisors approved the project in 1993. SunCal took over it over from Jasman Development LP last year.

The property is currently in the process of being annexed into the city.

SunCal has around 100,000 houses in its pipeline throughout the state.

McAllister Ranch will be a self-sufficient community complete with a golf course, lake, schools and fire station, as well as 65 acres of retail space, Faye said. Miles of trails will run throughout.

House prices could range from the low \$300,000s to possibly more than \$1 million, he said.

Residents might be able to move in as early as the end of next year.

The pedestrian- and family-friendly atmosphere will have less traffic, less stress and cleaner air, said Kern County Supervisor Ray Watson at a ground-breaking ceremony Friday.

County and city planners are working together to make sure the project is up to city standards, said Jacques LaRochelle, Bakersfield's assistant public works director.

### **Condo plan in works for Padre Hotel, officials say**

By JAMES BURGER, Californian staff writer

Bakersfield Californian

Monday, Sept. 26, 2005

You may soon be able to buy a piece of that legendary downtown landmark known as the Padre Hotel.

Plans for the renovation of the Padre are about to kick back into gear after more than a year of delay.

"We're moving forward" was all that Paul Holling, spokesman for Padre owner Pacifica Enterprises, would say.

But local officials have an idea of what Pacifica wants to make out of the Padre.

Pacifica will sell sections of the eight-story building as condos, said city of Bakersfield Economic Development Director Donna Kunz.

Kunz said she met with officials for Pacifica, while they were in Bakersfield this past week, about finding parking for the building and its future residents.

She said Pacifica is talking about selling sections of the Padre as condos with variable, customizable floor plans. All options, from ownership to rental, seem to be on the table, Kunz said.

Eydie Gibson, a Realtor for Watson Realty who is working on the Padre, said a formal announcement will likely be made in mid-October.

For the past three years, the owner's future vision for the Padre Hotel has been a moving picture. It was going to be a hotel, apartments or condos, or a mixture of those concepts - with retail on the ground floor.

Substantial work had been done on the building, including a new coat of paint and dramatic interior renovations.

But last year the Kern County District Attorney's office pressed the freeze-frame button on the action. The district attorney filed a lawsuit alleging that Pacifica improperly removed asbestos from the historic downtown landmark.

That suit was settled earlier in 2005 and Pacifica paid substantial fines without admitting fault in the matter. Since the settlement, city officials said, Pacifica has been re-evaluating Bakersfield's red-hot real estate market, trying to judge the best business plan for the Padre.

## **Haze, daily deaths linked**

### **Study finds higher levels of tailpipe exhaust increased mortality for the old and ill.**

By Chris Bowman -- Bee Staff Writer

Sacramento Bee, Monday, Sept. 26, 2005

Scientists have found what appears to be a significant association between the daily health-related death rate in Sacramento and other populous counties in California and the amount of haze in the air that day, state environmental officials said in what they described as the largest study of its kind.

The statistical analysis comparing daily mortality with levels of tiny tailpipe exhaust particles smudging the skies showed a strong enough correlation to implicate the wind-blown specks in the deaths, which would be limited mainly to people with heart or lung disease, the researchers said.

Health-related deaths in Sacramento County averaged 22 a day during the 1999-2002 study period.

"These people are dying earlier than what their life expectancy normally would be," said Bart Ostro, the state's top air pollution epidemiologist who conducted the study along with scientists at the University of California, Davis, and UC San Francisco. The results were released Friday.

The link is particularly evident among women, diabetics and people over 65, according to the peer-reviewed study, published in the scientific journal *Environmental Health Perspectives*.

The study raised several questions, such as why higher mortality rates were found among people with less than a high school education. Researchers said this was probably a reflection of poor diet and health care and higher exposure to heavy traffic, such as by living close to freeways.

Also, researchers could only speculate as to why the increase in the death rate from lung diseases in Sacramento County was more than double that of any other area studied, except Orange County.

The chemical composition of particles might vary by area, researchers suggested.

Ostro has launched a follow-up study to learn which factors - such as obesity, age, location of residence - might explain why the pollution affects some regions and some groups of people more than others.

Without identifying such risk factors, Ostro said, this would be "just another scare story."

The Office of Environmental Health Hazard Assessment, Cal-EPA's scientific arm, initiated the study to help regulators identify better ways to cut people's exposure to pollution, such as tougher auto emission controls, better land-use planning and encouraging healthier lifestyles.

"It's important to know the factors that affect our health, and fortunately this is something we can do something about," Ostro said.

In the past decade, many studies from around the world have tied the inhalation of microscopic specks, or soot, to heart attacks and lung-related deaths.

The correlations found in the California study are considered especially robust because it looked at a much larger population, about 23 million.

The study is one of the first to examine such associations with tinier pollutants, known as "fine particles," which studies show are more toxic.

"Overall, this large, multicounty analysis provides evidence of significant associations of fine particles with daily mortality among nearly two-thirds of California's population," scientists concluded in the paper.

The fine, wind-blown particles penetrate more deeply into lungs than ordinary dust, aggravating existing heart and lung conditions, such as asthma, and even triggering death, many studies show.

Even brief episodes of severe particle pollution - a day or two - can be enough to kill people with asthma or heart disease sooner than expected.

The California study focused on these day-to-day exposures, taking four years of data from air pollution monitors in downtown Sacramento and in other cities in Contra Costa, Fresno, Kern, Los Angeles, Orange, Riverside, San Diego and Santa Clara counties.

Death data during the same period were obtained from the state Department of Health Services.

The California findings come as the U.S. Environmental Protection Agency is revising national standards for fine particles, which measure 2.5 microns or less in diameter and are mainly products of fossil fuel combustion in automobiles, power plants and other sources.

A human hair is about 100 microns in diameter.

"The EPA administrator is going to have a harder time rejecting the stronger standards proposed by his own staff," said Dr. John Balmes, a volunteer consultant for the American Lung Association.

Balmes, a UC San Francisco professor of medicine, was not connected with the study.

The findings support California's initiative in setting the nation's strictest enforceable limits on fine-particle pollutants, adopted in 2002 by the state Air Resources Board, said Dr. Joan Denton, director of Cal-EPA's Office of Environmental Health Hazard Assessment.

She supports tightening standards nationwide.

"We should not overlook the potential health impacts of the smallest of these particles," Denton said.

California has some of the worst particle pollution in the nation.

Hardest hit are the inland, poorly ventilated counties in the southern San Joaquin Valley and in Riverside and San Bernardino counties.

The Sacramento area generally meets national standards for particle pollutants, except during the Thanksgiving and Christmas holidays when smoke from wood-burning fireplaces is heavy.

[Modesto Bee, Community Column, Monday, Sept. 26, 2005](#)

## **Valley residents are like lemmings going over growth cliff**

By ERIC CAINE

Only in the Central Valley do we find residents not only willing but eager to trade profit for loss. That's the only possible explanation for the reasoning behind those who argue that because agricultural income is rising, it's OK to pave over productive farmland.

While it's true that Central Valley ag profits are growing, that shouldn't mean replacing an acre of productive farmland with four or five houses makes sense — but that's the latest claim of the pro-growth lobby.

Most studies have shown repeatedly that more houses and more residents have a negative net effect on the majority of valley residents — who wind up subsidizing growth through increased taxes and fees while enduring an ever-declining quality of life.

No better example of the true costs of growth can be had than the one in a recent letter to Modesto residents from the mayor and City Council. Titled "Making choices in challenging times," the letter lists the consequences of severe budget cuts. In short, the letter tells us there's not enough money to repair the streets, a quarter of which are in poor or very poor condition. There's not enough money to hire police officers for a city that leads the nation in auto theft. Because there's not enough money, there will be less trimming of trees, less repairing of sidewalks, and fewer spring and summer park programs.

Meanwhile, Modesto city employees have rejected a pay and benefits package which would strain their ability to remain in public service and still provide for their families.

On another embattled front, Modesto radiologist Dr. David Li, in an impassioned plea for common sense and enlightened leadership, has been arguing against cutting county health services and selling the "17-acre property where the health facility is located." Li cites the need to consider "long-term consequences" to county health care, but valley leaders long ago mortgaged long-term health for short-term profits.

Chanting the mantra "you can't stop growth," valley residents march in lock step toward a future of ever-more-polluted air, less water of worse quality and higher crime rates. Some think the solution will be in a panel of regional growth "experts" recently appointed by Gov. Schwarzenegger, but like many advisory panels staffed by government appointees, this one's top-heavy with members who have vested interests in continued growth.

It's easy to blame our costly growth on Bay Area commuters, developers and Realtors, but the real culprit is the typical Central Valley resident — a creature content to gag on smog, idle in frozen traffic and be led quietly into a future dictated by a pro-growth lobby confident that local voters will never question the conventional wisdom.

If a Wal-Mart chief executive officer were to cite growing profits and booming business as reasons to reduce floor space and close stores, stockholders would rise as one to condemn the proposal. But when Central Valley citizens hear that growing profits are good reasons to replace productive farmland with deficit-producing houses, their silence speaks volumes. No wonder we're driving on roads to ruin.

[Bakersfield Californian, Editorial, Sunday, Sept. 25, 2005:](#)

### **What in the world is happening to Bakersfield?**

#### **Piecemeal planning devours farmland, fouls roads and air**

Kern County Planning Director Ted James was right-on in urging Bakersfield and Kern County leaders to step back and look at what they are doing.

At last week's joint meeting of the Kern County Board of Supervisors and the Bakersfield City Council, James insisted metropolitan Bakersfield's unprecedented growth requires a new look at the city-county general plan and a comprehensive review of the cumulative effects of pending projects.

City and county planning staffs are considering proposals for thousands of new homes and businesses. Developers want to convert about 3,000 acres of farmland in the county portions of metropolitan Bakersfield to urban uses. They are eyeing about 5,000 acres in the city. This is in addition to projects already approved.

About 15 years ago, city and county officials jointly adopted metropolitan Bakersfield's 2010 General Plan, establishing a blueprint for growth and principles for evaluating projects. The plan has served the area well. In 2002, it was modestly updated.

State law allows general plans to be amended four times a year to accommodate residential, commercial and industrial projects and provide flexibility for communities to grow.

James warns that metropolitan Bakersfield both the unincorporated and city portions may be growing too fast, with little regard for the cumulative effects of building thousands of homes on what once was farmland.

Sharing James' concerns, Supervisor Barbara Patrick warned at last week's meeting that growth may be killing "the goose with the golden egg" by paving over the area's rich farmland.

James proposes the city and county, once again, combine efforts to review the land-use, circulation (traffic) and conservation (agricultural land) portions of the metropolitan general plan.

Study the environmental consequences of pending development proposals while preparing a comprehensive general plan update. This would consider the cumulative effects on traffic, air pollution and agricultural land consumption.

Money and time are obstacles. Although city and county budgets are stretched, developers with pending projects will be required to help pay for the environmental review. Developers already are charged fees to pay for general plan updates. And grants should be sought to reduce the taxpayers' share of costs.

City and county planning staffs may justifiably be concerned that they are overwhelmed by the work of processing pending projects and cannot afford the time to update the general plan.

But we cannot afford to continue the present piecemeal approach. Kern County's and Bakersfield's relatively affordable land prices and California's hot real estate market are fueling development by out-of-county builders and speculators.

What will become of us when the market cools, or when these developers are done making their quick bucks?

We will be idling our cars in snarled traffic lanes, grumbling about the polluted air and wondering where all the fertile farm land has gone.

No doubt Bakersfield will continue to grow. And that's as it should be. But the growth must be planned and responsible.

For that to happen, we must pause to take a deep breath and consider what we are doing.

The process starts with the city and county planning commissions conducting public workshops to develop alternatives to changing the general plan's land-use and road designations.

The environmental consequences of alternatives will be studied before supervisors and council members are asked to adopt a new general plan.

This two-year process must begin now before it's too late.

[Modesto Bee, Editorial, Sunday, Sept. 25, 2005](#)

### **It's no secret: Escalon residents like its limit on growth, thank you very much**

By MIKE DUNBAR - BEE ASSOCIATE EDITOR

It's tough to keep a secret in a small town. Big secrets are tougher still.

Fallon Research & Communications does opinion research for home builders. One of Fallon's customers wants to build 490 houses in Escalon.

How do we know? Because Fallon Research assembled a focus group of seven Escalon residents Tuesday night and Paul Fallon's very specific questions revealed the details.

Among those enticed by a promise of \$75 were a retiree, a 22-year-old, an emergency medical technician, a businessman and a school teacher named Tammy Dunbar. She spells her surname the same way it's spelled in this column, which makes sense because — for better or worse — she's married to me. If Fallon Research had wanted to keep the intentions of its employer quiet, it got the wrong Dunbar. It also got the wrong town.

The group met as lightning flashed and thunder rolled outside the Red Lion Hotel in Modesto. After a couple of questions, thunder began to roll around the room, too.

Tammy is not a reporter, so I'll paraphrase the answers that Fallon got to questions such as: Does the lack of sports facilities, senior housing and fire stations in Escalon bother you?

Sure. It would be nice to have more places to play, affordable homes for our parents and another fire station.

We've got a great plan to build 490 homes on the north side of Ullrey Avenue, west of McHenry; it would have a sports complex, senior housing, land for a school — isn't that great?

Maybe. We've heard such promises before ... and seen them broken.

Are you aware of Escalon's cap of 75 permits for new homes each year?

Darn tooting we're aware.

Isn't such a cap a bit too restrictive?

No way! It might be too many.

What would you say to a builder if he or she proposed exceeding the 75-house limit in order to make all those amenities possible?

Goodbye.

What would you say if that builder was a woman raised in nearby Manteca; a woman who knew your area and your concerns well? Would that change your mind?

No. Manteca's fine where it is.

But what if certain members of the school board and the City Council were in favor of raising the cap or waiving it for a year, would that alter your opinion?

What! Give us their names, we'll start the recall petitions right now. ...

The session went on for nearly two hours. City Manager Greg Creeson said that by Thursday one member of the focus group had called to find out which council member was in favor of lifting the cap, not realizing how craftily Fallon had phrased his question. Creeson laughs: "I don't think anyone could get them drunk enough to even think about that one."

Escalon enacted its 75-home growth cap in 1978 to keep new homes from overwhelming community resources. Builders can hold permits a year, but no more than 100 new homes can be built in one year. All 75 permits have been issued only in the last few years.

Like the focus group, most Escalonians like their small town small. They're keenly aware of what rampant growth has brought to Manteca, Tracy and Modesto. No one yearns for such amenities in Escalon.

That's not to say the city of 6,900 is Shangri-La. Fifty trains a day roll through town; the fragrance of dairy is always in the air; Highway 120 is a race track; the high school roof leaks. But 490 new homes won't solve such problems.

You can put up with the trains and the smell of money being made if your neighbors say hello at the Fete; if your daughter's pal bags your groceries; if you regularly run into teachers at Missy's getting coffee.

It's a small town, and Escalon's growth limit has kept it that way.

"From what I've heard during the four years I've been here, far and away people support the growth management ordinance," said Creeson. "The common refrain is, 'It's the reason I moved to town.'"

It's why builders like Escalon, too. While Fallon didn't name his employer, most people know that Toni Marie Raymus — a Manteca native following in her late father Antone's footsteps — has long sought to build homes on Ullrey. But she's not the only one.

Frontier Homes wants to build 480 homes just around the corner, on Brennan Road. Frontier's plan is further along and the firm told the city it can live with the permit cap.

City officials want Escalonians to understand what another 480 homes — enlarging the city by 30 percent — would mean. The City Council and planning commission will have a workshop Oct. 5 at 6 p.m. at the library. And forget keeping any secrets.

[Fresno Bee commentary, Monday, Sept. 26, 2005:](#)

## **Nation's energy level faces still challenge**

**Our energy policy serves oil industry, not consumers.**

by Alan Cheah

The nation's energy policy can be summed up in the ill-conceived 2005 energy bill that President George W. Bush signed last month. It does nothing to reduce our dependence on foreign oil, does not protect Americans from continued price gouging, does not protect our health and does not protect our environment.

Quite simply, it puts America's security at risk through a harmful policy that helps the nation's energy producers and hurts just about everyone else.

The genesis of the bill was Vice President Dick Cheney's 2001 energy task force in which only big-energy executives and lobbyists were invited. This was not unexpected since many in the administration come from the oil industry.

Energy executives effectively wrote the energy bill and, unsurprisingly, it resulted in unprecedented giveaways to oil, gas, coal and nuclear companies.

They contributed \$115 million in campaign contributions, three-quarters of which went to Republicans. What did these payoffs buy them? Oil and gas subsidies account for \$6 billion, \$9 billion for coal and \$12 billion for nuclear power. The reported price tag is \$12.3 billion but that is only the cash that is paid out (appropriations). It does not account for the hidden costs in tax credits, depreciation, accelerated write-offs, rollbacks in regulations and more.

'Transfer of wealth'

These hidden costs are real money. We, the people, will bear these costs in some form of tax or an increase in the national debt, which your children and grandchildren will pay off. This is a systematic transfer of wealth from the people to energy companies. We subsidize their business, they sell energy to you at usurious rates, they profit handsomely, and we pay for the cost of their polluting the environment.

Besides huge giveaways, here are some of the bill's provisions, which highlight how this bill hurts Americans:

Exempts from the Safe Drinking Water Act a coal-bed methane-drilling technique called "hydraulic fracturing."

Exempts oil and gas companies from the Federal Water Pollution Control Act during drilling construction.

Reauthorizes the Price-Anderson Act, which caps any liability for nuclear power plants built in the next 20 years.

Allows transmission line owner to charge consumers more by replacing the cost-of-service rate-making with incentive-based rate-making.

Limits our ability to detect market manipulation by directing only Federal Energy Regulatory Commission to monitor electricity trading.

Repeals the Public Utility Holding Company Act (PUHCA), an essential consumer protection that ensures that electric utilities exist to serve the people, not the interests of large corporations.

This bill not only funds the oil, gas and nuclear industry but also protects them from any liability, takes control away from the states, exposes consumers to continued price gouging and opens our coasts and lands to indiscriminate drilling and polluting.

What is more revealing is what has been left out of the bill. The Senate rejected an amendment to improve automobile fuel economy standards. They voted down measures to reduce greenhouse gases, reduce oil imports and address climate change. The House rejected the establishment of a renewable energy standard and the increase of fuel economy from 25 mpg to 33 mpg by 2015.

Fossil fuel energy has built America's strength and prosperity since the Industrial Revolution. It has served its purpose but now it is destroying America. The fallout from fossil fuels results in a dramatic rise in asthma, cancer, polluted air, land and water; destruction of wildlife and the Earth; and global warming; and an increase in frequency and intensity of natural disasters. It is time for an energy revolution — renewable energy and alternative fuels.

Better approach

Doesn't it make sense to tilt the energy bill funding toward renewable energy, alternative fuels and technologies that promote conservation. Imagine an America with 50% green power in 2025. What are the benefits?

Imagine breathing cleaner air, being healthier, seeing the mountains every day, and tax revenue going to education and universal health care instead of paying for the destruction caused by the use of fossil fuels. Imagine businesses paying less on health insurance. Imagine not having to wage war to satisfy our need for oil. Imagine no longer being price-gouged or worrying about OPEC.

The right argues that green power is too expensive and would weaken our economy. You will find that this archaic notion is promoted by conservative think tanks funded by big energy companies. In fact, many businesses have installed solar photovoltaics (see [www.greatvalley.org/solar](http://www.greatvalley.org/solar)). Their energy costs have dropped and their profits increased.

The time for change is now.

*Alan Cheah is an electrical engineer, software designer and fellow at the Central California Institute, which provided this commentary. The institute is a Fresno-based progressive think tank.*

[Commentary in the LA Times, Sept. 24, 2005](#)

## **No love for tunnels**

By Rick Cole

DECADES AGO, a gadfly candidate for Los Angeles mayor promoted a quick fix for smog: Drill tunnels through the San Gabriel Mountains and use giant fans to blow the dirty air out the other side. Amazingly, a similar scheme is currently getting serious consideration — and not from crackpots. This time, three massive freeway tunneling projects are being studied by regional transportation leaders. Two are funded by the pork-laden federal transportation bill recently signed by President Bush.

Each of the tunnel options purports to fill gaps in the region's freeway network. The city of Palmdale is pushing a highway hole through the San Gabriels to Glendale. An aide to L.A. County Supervisor Mike Antonovich calls it "a sorely needed link that will provide incredible pollution relief and traffic mitigation." The head of the Los Angeles County Metropolitan Transportation Authority is pitching a tunnel to solve the 50-year stalemate over plowing the Long Beach Freeway through South Pasadena. And at least six Orange County cities back a tunnel under the Cleveland National Forest to ease commuter trips to cheaper housing in Riverside County.

The fallacy of these boondoggles isn't that the stupendous environmental, engineering and financial obstacles will doom them. The problem is that they are colossally bad ideas.

Let's pretend for a moment that the federal pork fairy were to grant the fervent wishes of the tunnel boosters. What would we gain? Go back as far as the yellowed newspaper clippings of the 1920s and the answer is always the same: congestion relief. The scale and costs of projects grow ever more Pharaonic, yet harried motorists continue to be gridlocked by empty promises.

You'd think Southern Californians would finally wise up. Remember when the interchange of the 5 and the 405 in Orange County was widened to 26 lanes? Even that record-breaking "gridlock buster" is clogging up. A landmark study by UC Berkeley, based on 18 years of data for 14 California metro areas, concluded that added trips quickly engulf "improved" roadways, reproducing the original congestion. The research showed that every 10% increase in capacity spurred an average 9% increase in traffic within four years. The moment the ribbon is cut on new mega-projects, sprawl and "induced demand" start filling them up. New suburban rooftops spawn shopping centers, schools, businesses and infrastructure, fueling even more outward population dispersion. That's how we grew into a region of 18 million people spread across six counties.

There's one catch, however. In the past, sprawl just undermined our environment and quality of life. In the new era of pricey oil, it threatens our region's survival. Experts dispute how high and how quickly gas prices will rise. But no one questions that they will increase. U.S. oil production peaked in 1986, making us steadily more dependent on foreign crude. Most industry analysts predict that the global production peak is just ahead — or may already be in our rearview mirrors. Demand is soaring. Our appetite for Hummers may fade, but China is projected to overtake the U.S. in guzzling oil within a decade.

The Southern California Assn. of Governments calls for \$115 billion in transportation spending between now and 2030. Three-quarters will go just to maintain what's already built — the rest for projects already approved. To cover those staggering bills, it projects barely \$120 billion flowing from already strapped local, state and federal sources. With a population expected to grow by 5 million over that time, it's obvious that

every spare nickel should go to projects that reduce our dependence on cars, not to goofy ideas that will deepen it.

Southern California needs to grow up — not out. Some critics question whether L.A. Mayor Antonio Villaraigosa (in his new role as head of the MTA board) can fulfill his vision of completing the region's rail network. Yet his goal represents a far more attractive future than the tunnel vision behind more suburban sprawl. Our best bet is to link transit investment to smarter land use, not indulge in profligate pipe dreams.

*RICK COLE is a former mayor of Pasadena and now the city manager of Ventura. His views are his own.*

[Letter to the Fresno Bee, Monday, Sept. 26, 2005:](#)

### **'It's not right'**

I'm 85 years old. I've always been interested in the preservation of our world, to protect our air and water. In the last 30 years, laws have been passed to make our air cleaner and to keep our rivers, lakes and streams clean.

Lately I've heard some disturbing facts. The corporate world has policies in place to poison our air and water for decades to come. Vital protections may be wiped out. Plans are in place to excuse Exxon, Mobil and others from provisions of the Clean Air Act and allow them to spew more pollution. This will dramatically increase asthma, heart attacks and premature deaths.

I'm angry as a citizen, a mother and a grandmother. I have grandchildren who suffer on bad air days. Should they suffer more so that big companies can become wealthier?

The American people must not suffer so that corporate fat cats can boost their profits. Must we allow the corporate world to devour our health and national treasures? We all voted for a good, kind man, President George W. Bush. I can't believe he will allow this to happen to us. We must tell him it's not right.

Bonnie L. Salcido, Madera

[Sacramento Bee, Letter to the Editor, Sunday, Sept. 25, 2005](#)

### **Moving beyond cars**

Re "State's path to the future?" Forum, Sept. 18: Transportation also includes walking and bicycling. Many more trips are made by these modes than by public transit, and at far less cost. If the blueprint land-use model is followed for new and infill development, almost five times as many trips will be made by walking and bicycling as by transit.

With a commitment from local governments to provide safer streets and more sidewalks, trails and bike lanes in areas that are already developed, more trips yet will be made by walking and bicycling. That includes many trips made in conjunction with transit.

Too often, transportation discussions tend to focus on commutes. More than 80 percent of all trips are not work-related. Energy costs and air quality, including California's commitment to reduce global warming, are likely to profoundly affect how we travel.

If we are wise, we'll start paying more attention to walking and biking and devote more than a pittance in government funding and staffing to encourage them.

Walt Seifert, Sacramento  
Executive Director, Sacramento Area Bicycle Advocates