

Zoning change, development OK'd by council

BY DAVID BURGER, Californian staff writer
Bakersfield Californian, Thursday, Aug. 17 2006

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The City Council wrestled to balance smart growth with a booming population once again Wednesday night, with land issues dominating the agenda.

Snow Road traffic woes

A proposed zone change near the intersection of Snow and Coffee roads in the northwest drew a multitude of neighbors objecting to the plan.

SmithTech/USA, representing the property owner of 90 acres north of Snow Road and west of the Beardsley Canal, asked the City Council to approve a zone change to allow about 370 homes on the undeveloped land.

But neighbors who lived south of Snow Road objected to the proposal, saying that the homes would bottleneck traffic on Snow Road.

Neighbors also said the homes would be too close together, bringing more people into their neighborhood and exacerbating the traffic problem.

To support the city staff's recommendation to approve the zone change, Assistant Public Works Director Jack LaRochelle gave a presentation of plans to alleviate traffic problems in the northwest.

Councilman David Couch, who has mediated discussions between the builder and neighbors, said he was "exasperated" trying to negotiate a compromise, with rumors swirling around that contained "untruths."

The council unanimously approved the zone change, but with conditions that limited the number of homes allowed and an average lot size of about 8,400 square feet.

Chicken Ranch crossing road

The council also unanimously approved a request from McIntosh & Associates that a housing development be built across the street from an egg-laying farm.

The property owners of 52 acres in south Bakersfield along Cottonwood Road had their request denied by the city Planning Commission earlier in the year.

The Farmer John Egg Co. has been located on Cottonwood Road for nearly 80 years, and its 180,000 chickens sent up a "fowl" smell for the commission.

[Commissioners said potential homebuyers would be disgusted by odors coming from the farm.](#) They added that the home builders made no effort at the time to mitigate the odor problems.

Roger McIntosh appealed that decision, and told the council that the odors were worst south of the farm -- not west of the farm, where the homes were planned.

Despite the council's vote in favor of the home builders, Councilman Mike Maggard asked city staff to develop a plan to address rising residential "encroachment," as he called it, onto agricultural land.

It won't get to 113 again, but things will warm up

By Jim Guy
The Fresno Bee, Thursday, August 17, 2006

Central San Joaquin Valley residents will continue to be treated to slightly below-normal temperatures through most of the rest of the week before things begin to heat up on the weekend, the National Weather Service says.

Fresno can expect a high today of 93, 2 degrees below the normal temperature of 95, but there will be a slight warming each day, according to Modesto Vasquez, a meteorologist for the National Weather Service in Hanford. Friday's high is predicted to be 95, followed by another increase to 97 Saturday. By Monday, the thermometer will edge up again to 99, and Tuesday will see a return to triple digits, with the forecast calling for 101 degrees.

By comparison, the hottest day on record for this date is 111 degrees in 1892, and the coolest is 77 in 1976.

Vasquez attributed the lower temperatures to the usual suspect - marine air making its way into the Central Valley. But he said the warm-up will follow because high pressure is building up, forcing out the cooler air.

In the Sierra Nevada, the trend is similar, except that high altitudes will mitigate the temperatures. Yosemite Valley is forecast to reach a high of 90 degrees today, 91 Friday, 93 for the weekend and 96 by Tuesday. At Lodgepole in Kings Canyon National Park, the temperature at 6,735 feet is expected to be 74 today, 77 Friday, 79 Saturday and 85 by Monday.

Those heading to the coast will find the temperatures hovering around the 70-degree mark. It's predicted to be 70 today and Friday in Monterey, 69 on Saturday and 72 on Monday.

Air quality for the Central Valley is forecast to be moderate in Merced, Madera, Fresno and Kings counties, while Tulare County residents are warned that air will be unhealthy for sensitive groups.

As is normal for mid-August in the Valley, there is little chance of precipitation because of the dry southwest flow of air, Vasquez said.

Proposed crematorium is all about smoke and fury

by Matt O'Brien

Tri-Valley Herald, Tuesday, August 15, 2006

HAYWARD - William Fontaine tries to imagine what it might be like to have a crematorium at the foot of his classy Prospect Hill neighborhood.

He has visions of putrid smoke wafting over the back patio, marring his view of the Bay and inviting a daily sense of unpleasantness to his home life.

"We're all going to die. I'm probably going to be cremated too," Fontaine said, looking out from his backyard last week. "It's not that I'm against it, but I think the area itself is not the right place for it."

The location in question is the corner of Grace Street and Mission Boulevard in north Hayward, just a few skips down from Fontaine's home on Prospect Street.

Mission Funeral Home, which already has a mortuary on the corner, wants to convert its casket storage room into a crematorium and add the necessary metal heat stack on top.

Funeral Director Mike Matteuch did not return calls for comment this week or last week, but city officials say the proposal, after nearly a year of planning and review, will go before the Hayward Planning Commission for approval or rejection on Sept. 14.

So far, city officials say, Fontaine and his family members are among just a few neighbors who seem to have a problem with it.

"I was looking at the wind direction and it doesn't blow toward their home," said Carl Emura, an associate city planner.

The response in north Hayward has been markedly different from other communities where crematorium proposals recently caused an emotional uproar. In 2004, San Leandro city leaders

banned crematoriums outright. In July, the Richmond City Council rejected a large-scale crematorium in North Richmond after residents objected in force.

Fears arose on both occasions about toxic emissions, particularly from mercury tooth fillings.

When the application for the Hayward facility arrived in September 2005, a notice went out to neighbors living within a 300-foot radius of Mission Funeral Home.

The business is situated on a commercial stretch of Mission Boulevard dominated by used-car shops, vacant parking lots, a health clinic and the towering 1950s-era fiberglass statue known as "Big Mike."

It is also bound by two residential neighborhoods.

On the west end is the flatland Pearce Street area, a mix of multifamily rentals and 19th-century cottage homes. An informal house-to-house survey last

week of residents who can see the funeral home from where they live found that none knew about the proposal.

"This is the first I've heard of it. I'm opposed to it," said Glen Stanton, a Pearce Street resident since 1996. "To me, that's a service they should be doing in an area that's less populated."

Jack Bentz, who is restoring one of the historic cottage homes on Pearce Street and lives elsewhere, said he also did not know about the plan. But he did not believe a crematorium chimney could be much worse than the exhaust billowing out from cars and trucks on busy Mission Boulevard.

Apart from Fontaine's complaints, neighborhood response also has been low on Prospect Hill, which lies just east of Mission Funeral Home and is known for its historic, well-kept houses.

Fontaine's neighbor, Larry Olson, did not know about the crematorium plan and hasn't yet formed an opinion.

"I'd have to review all the facts," Olson said.

Emura said the city has completed an environmental review of the crematorium proposal and found the facility, if built properly, would not have a significant effect on the local environment. Because the metal heat stack might affect scenic vistas, the city would require the funeral home to put a chimney around it, the environmental report states.

Further concerns about objectionable odors and hazardous emissions would have to be reviewed by the Bay Area Air Quality Management District, according to the report.

"Some of the things they can do is reduce the number of cremations or raise the height of the stack," Emura said.

Aaron Richardson, spokesman for the air quality district, said the agency has not yet received a permit request from Mission Funeral Home. A permit application likely would not come to the district's office before the Hayward Planning Commission approves the plan.

Asthma attacks spike when kids head back to school

By Erin Kelly, Gannett News Service

USA Today, Thursday, August 17, 2006

WASHINGTON - For millions of American children with asthma, the start of the school year can bring a rise in severe attacks and frantic trips to the emergency room.

More than six times as many asthmatic children of elementary school age are admitted to the hospital in early fall than during the hot, smoggy days of summer, according to studies done by scientists in the United States and Canada.

"Researchers speculate that it has to do with kids getting together in small indoor spaces again and passing around viruses," said Dr. Norman Edelman, chief medical officer of the American Lung Association. "Getting a respiratory virus such as the flu or a cold can trigger an asthma attack."

Indoor air pollution ranging from mold growing on ceiling tiles to fur shedding off the class hamster also can cause attacks. Even the fumes from strong cleansers used by janitors can pose a threat.

"Then there's the problem of the diesel-powered school bus sitting out front with its motor running," Edelman said.

Making matters worse, many parents send their kids back to school without giving teachers and school officials the information and medication they need to help their children prevent a potentially deadly attack.

The lung association recommends that parents sit down with their child's doctor and write up an "asthma action plan" that informs school staff about a student's asthma symptoms, daily medications, and limits on physical activity.

"We don't want children to end up having a crisis at school - especially when it can be prevented," Edelman said.

Amalie Helms of Flint, Mich., has already been in touch with the pre-school teacher and school nurse who will help care for her 4-year-old twin boys when they start school this fall. Connor and Phelan have severe asthma.

"I let their classroom teacher know that one of the things that can bring on asthmatic attacks for my guys are perfumes and hair sprays," said Helms, a 35-year-old single mother. "They can literally be allergic to their teachers."

Patricia Sardinha of Juno Beach, Fla., said her 9-year-old daughter Emily's asthma attacks have been triggered by the stress of returning to school or taking a big test. She enlists the school nurse's help.

"I bring the nurse flowers at the beginning of the school year and line up all my daughter's prescription medications on her desk and we have a meeting," Sardinha said. "She knows what to do if Emily has trouble."

But Helms said she believes some parents are reluctant to talk to school officials about their child's asthma because sufferers often are unfairly stigmatized as weaklings who can't play sports or run around at recess with the other kids.

"When kids see TV shows like *Jimmy Neutron*, they see the asthmatic friend portrayed as a fat, nerdy kid with an inhaler," Helms said. "Teachers and coaches need to understand that, if asthma is controlled, these kids can do anything."

Smoky air gets easier to breathe

By Tom Kenworthy and H. Darr Beiser, USA TODAY
Thursday, August 17, 2006

Great Smoky Mountains National Park in the southern Appalachians took its name from the natural bluish mist that often obscures its tall peaks and hangs over its valleys.

In recent decades, air pollution and haze made the name even more apt. The 521,000-acre park straddling the North Carolina-Tennessee border had some of the worst air pollution in the East.

Air quality has improved in recent years, though the haze remains.

Last year, the National Park Service reported that air quality has either improved or stabilized at about two-thirds of 50 parks that monitor pollution.

Even with recent improvements, average visibility in Great Smoky Mountains National Park is about 25 miles, when it should be 113 miles, says Jim Renfro, the park's air quality manager.

"This is one of the haziest parks in the country," Renfro says. "The No. 1 reason people come to these parks is to view the scenery. They want to be able to see these mountains, to see the ridges and forests and valleys and sunsets and sunrises."

At Great Smoky Mountains National Park, Renfro says, "air quality is improving across all areas since the late 1990s. That's great news, and we want to stay on that path."

From 2003 to 2005, for example, the park exceeded ozone standards an average of seven days a year. This year, the park has had eight bad ozone days. During the 1990s, ozone pollution exceeded legal limits about 19 days a year. The drop is due primarily to tougher pollution controls on power plants, Renfro says.

Ozone, a key ingredient of smog, is produced when oxygen mixes with industrial compounds, such as nitrogen oxide emitted by power plants and autos.

Great Smoky Mountains National Park is home to old-growth, hardwood forests with 100 species of native trees, more than 5,000 species of plants and large populations of birds, mammals and fish.

Renfro showed what ozone pollution does to sensitive plants such as milkweed and black cherry: Dark spots on the leaves are evidence of damaged tissues and slowed growth.

"If it's doing this kind of damage to leaves, what's it doing to our lungs?" he says.

Businesses divided over warming bill's bottom line

Mark Martin, Chronicle Sacramento Bureau <mailto:markmartin@sfchronicle.com>
S.F. Chronicle, Thursday, August 17, 2006

Sacramento -- A push to make California the first state in the country to cap greenhouse gas emissions has many businesses split over whether the new limits would hobble the state's economy or create jobs and big profits.

The debate has intensified as Democratic lawmakers and Gov. Arnold Schwarzenegger, a frequent ally of big business who also touts his efforts to fight global warming, try to reach a compromise before Aug. 31 on what is perhaps the most closely watched piece of environmental legislation in the country.

Traditional business groups such as the state Chamber of Commerce and Farm Bureau Federation oppose the legislation. The chamber is running a radio advertising campaign that seeks to torpedo support for the measure as the legislative session winds down.

But several venture capitalists and entrepreneurs promoting the legislation argued Wednesday that new regulations would create a boom in industries such as solar power and biofuels that will power the California economy for decades.

Also on Wednesday, a UC Berkeley study predicted that reducing greenhouse gas emissions in the state would create 17,000 new jobs and add \$60 billion to the gross state product by 2020.

"Green technologies, sustainable technologies, are the next big thing," said John Doerr, a partner in the powerhouse Silicon Valley venture capital firm Kleiner, Perkins, Caufield & Byers. "This really is the mother of all markets."

Business groups opposed

A coalition of business groups, however, forecasts higher gas and electricity prices and fewer jobs if California adopts the first-in-the-nation caps.

"It's just not appropriate for California businesses to go this alone," said Dorothy Rothrock, an executive with the California Manufacturers and Technology Association. "We are already in a state where it costs 24 percent more to do business, and this will only increase that."

The legislation, AB32, authored by Assembly Speaker Fabian Núñez, D-Los Angeles, and Assemblywoman Fran Pavley, D-Agoura Hills (Los Angeles County), would require a 20 percent reduction in the amount of carbon dioxide and other greenhouse gases emitted into the air by 2020. Industries would be required to begin making reductions in 2012. Schwarzenegger and lawmakers are still negotiating over some aspects of the bill, including who would set up new regulations for businesses and draw up other plans to meet the target.

Some measures to cut greenhouse gasses, such as a law requiring automakers to reduce car emissions and efforts to boost the use of solar power, already have been approved by state agencies.

The legislation has a key hearing today in the state Senate Appropriations Committee and could be voted on by the full Senate as early as Monday.

Governor supports caps

Schwarzenegger, who signed an executive order last summer setting state targets to reduce greenhouse gas emissions, has indicated he supports setting caps into law. But the administration has proposed amendments to the bill that some environmentalists say will weaken it by allowing deadlines to be delayed.

Both Núñez and Linda Adams, head of Schwarzenegger's Environmental Protection Agency, said this week they were working closely to come up with a bill that both lawmakers and the governor can support. And a legislative source familiar with the negotiations said an agreement could be announced as early as today.

The heart of the broader debate is how a major change in the energy use of businesses and individuals will affect the economy.

The coalition opposing the legislation predicts that limits on companies' energy use will be disastrous. The group has cited studies by Margot Thorning, a Washington, D.C.-based economist who works for the American Council for Capital Formation, a business-funded think tank.

Thorning argues that companies will move out of state to avoid the regulations, causing a loss of jobs in California. She also notes that greenhouse gas caps are likely to force some companies to simply slow down production, which also would hurt the economy, and could force electricity utilities to increase prices as they seek other sources to produce electricity.

The business coalition's push against the bill, which has included radio advertisements around the state, has angered some.

"The Chamber of Commerce needs to back off," Núñez said at a Capitol news conference Wednesday. "They've cried wolf one too many times."

Technology could add jobs

And other studies predict an economic boom. A Schwarzenegger-created task force formed to come up with ways to reduce greenhouse gases suggested that a cap would add more than 80,000 new jobs.

And the study released Wednesday, by David Roland-Holst, an adjunct professor of agricultural and resource economics at UC Berkeley, suggests that California businesses and consumers would save money through energy efficiency that will lower electricity bills. The report also suggests that businesses with lower power bills will invest money elsewhere and create jobs.

"Yes, there will be adaptation costs," said Alex Farrell, a UC Berkeley professor who helped with the study. "But those up-front costs will easily pay for themselves."

Some companies that have already made moves to reduce greenhouse gas emissions agree.

Sonoma Wine Co., which bottles 1.5 million cases of wine per year and which supports the legislation, is planning a \$2 million investment that will reduce its greenhouse gas emissions by 50 percent per case.

The changes will largely come through better insulation of its 135 wine tanks, which will dramatically lower electricity costs, said Natasha Granoff, director of business development for the company.

"It absolutely makes bottom-line sense," said Granoff, noting the company estimates it will recoup its investment in two years through lower energy bills.

[Commentary in the Madera Tribune, Wednesday, August 16, 2006](#)

The more things change ...

Special to the Madera Tribune
By Assemblyman Ray Haynes

Sometimes, I think that I am repeating myself over and over again. It seems that my liberal friends in the Legislature keep doing the same things over and over again, and never realize that it is what they are doing that is hurting the rest of us.

The latest thing is affordable housing. About a month ago, playing off of the theme of her husband's presidential campaign, Sen. Hillary Clinton said, "It's the American dream, stupid," obviously implying that Democrats should focus on making sure people can buy a home - the "American dream".

This has led to a lot of the Democrats in the Legislature trying to come up with ideas that would promote "affordable housing." Two ideas were on the floor of the Legislature this week. SB 521 by Sen. Tom Torlakson would allow Contra Costa County to assess an extra \$1 per page on the recording of documents for real estate transactions to provide "seed money" for affordable housing in Contra Costa County. SB 1432 by Sen. Lowenthal would allow the use of the so-called Mello-Roos districts to assess fees on existing houses to provide incentives for "lower income housing." SB 521 was expected to provide about \$2 million per year for lower income housing. SB 1432 could provide untold millions to the rest of the state by taxing existing homeowners (without a vote) for lower income housing. SB 521 failed, but SB 1432 passed.

These bills are an example of the insanity that grips the left in our Legislature. In 1972, Neil Diamond wrote "I am, I said", which starts out commenting on the weather, the flora, and the low

housing prices in Los Angeles. In fact, 80 percent of the people in California could afford a median priced home in 1974.

Then Jerry Brown became governor. In 1970, apartment owners in Los Angeles were offering free televisions to potential renters. In the next six years, the environuts took over the reins of California government, and through a series of changes in laws, regulations and tax assessments, cut down the number of houses and apartments in California. By 1980, the Los Angeles City Council had imposed rent control and the voters of California enacted Proposition 13 because housing prices and rental rates skyrocketed as a result of these changes in the law. Today, only 17 percent of the people can afford a median priced home.

I understand that people don't like growth. Freeways that once flowed freely get congested, neighborhoods change, and people now have neighbors where there were once just farms or trees. However, people have to live somewhere.

In 1980, the environuts enacted a "no-growth" initiative in Riverside. It stopped growth in Riverside, but caused an explosion of growth in the outlying areas, requiring people to drive further to work in order to have a place to live. The resulting traffic congestion and air pollution only complicated the problems of growth as people struggled to find a place to live and work. Today, the average new home has over \$75,000 in fees to the government built into its price.

As Milton Friedman once said, "If you want less of something, tax it."

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Ray Haynes, a Republican, represents Temecula and adjacent areas in the California Assembly.

[S.F. Chronicle commentary, Thursday, August 17, 2006:](#)

OPEN FORUM

A world of opportunity

Greenhouse-gas bill could help economy

By Kent Stoddard

CALIFORNIA'S RECENT heat wave painfully demonstrated the potential impact of global warming and the urgent need for state leadership. During these last two weeks of the legislative session, Gov. Arnold Schwarzenegger and legislative leaders will respond to this need as they hammer out the final details of the most important environmental bill of the decade. AB32, the California Global Warming Solutions Act of 2006 (authored by Speaker Fabian Núñez and Assemblywoman Fran Pavley, D-Agoura Hills) would require California industries to reduce greenhouse-gas emissions by 25 percent by the year 2020.

Both the governor and the Legislature are clearly committed to building on California's legacy of environmental leadership by taking extraordinary steps to address the threat of climate change. But there are still major issues to be resolved. These include defining the roles of the Air Resources Board and other state agencies, the need for regulatory flexibility to address unforeseen events or unintended consequences of a state program, and preventing the potential loss of businesses and jobs to less regulated states.

Waste Management strongly supports AB32 as well as several critical amendments proposed by the governor. We also believe it is essential that the final compromise include an implementation strategy that uses all of the existing economic and technical expertise within the state's business and regulatory agencies. It won't work to overload the Air Resources Board with this monumental new program. We need all of the expertise and the regulatory authority that exist within the Public Utilities Commission and other state agencies. The bill must also include a clear pathway to encourage the banking and trading of voluntary emission-reduction credits, first at the regional level and then nationally.

We fully expect the final compromise to mandate the use of "best management practices" to reduce greenhouse-gas emissions and include strict prohibitions against any regulatory "backsliding" from the state's standards for toxic pollutants.

The reduction strategy embodied in AB32 is entirely consistent with the approach Waste Management has taken over the past 20 years to help improve the quality of the state's environment. Today, we are California's largest recycler of municipal solid waste. We also have the largest fleet of natural-gas garbage trucks in the nation, and we are one of North America's largest producers of waste-derived energy. Our Altamont landfill, which has handled San Francisco's garbage for more than 20 years, captures landfill gas to generate 8.5 megawatts of renewable electricity. The combined energy savings from our company-wide recycling business, along with the energy production from our 100 waste-to-energy and landfill gas projects, provides enough green energy for 1.6 million homes.

Waste Management and PG&E also received leadership awards from the Department of Energy's Clean Cities Program for an innovative emissions trading project that replaced 120 diesel garbage trucks with new natural-gas vehicles. The project produced 37 tons per year of NOx credits needed by PG&E to offset the emissions from a proposed new natural-gas power plant. The new natural-gas truck fleet also eliminated 2.7 tons per year of harmful particulate emissions and more than 1,200 tons of greenhouse gases.

All of this recycling, green-energy production and transition to clean fuels wasn't achieved overnight. It took decades of regulatory mandates, tax credits, grant programs and an innovative emission trade with one of the state's largest utilities. This is the same comprehensive approach that must now be launched to achieve massive reductions in greenhouse-gas emissions.

AB32 will spur new investments in improved technologies that will increase recycling, generate more renewable energy and expand the production of clean fuels from organic wastes.

AB32 will place California in the forefront of a critical environmental challenge while providing a model for every state in the nation. The governor and Legislature have just two weeks left to finalize a balanced plan that will help California play an important role in helping to avoid the devastating impact of climate change.

Kent Stoddard is vice president for public affairs for Waste Management.

[Bakersfield Californian, Letter to the Editor, Thursday, Aug. 17 2006:](#)

Too many people

Let's talk about the ecology and the direction in which the world is headed and some of the possible measures taken to offset some of the problems.

To begin with, the globe is rapidly reaching the saturation point insofar as population is concerned, which means that we will not be able to provide space needed to house the population. The space needed to house people is the space that would be used for agriculture, grazing, timber and all other facets of living needed to support the populace.

We are told that cattle and other domestic animals add to the ozone problem, but what about all the paved areas, black top and concrete road surfaces, roof tops, car tops, etc., the high-flying jets spewing sulfur and acid into the atmosphere (and actually obscuring the sky), and the billions of humans exhaling carbon dioxide into the atmosphere day and night? Doesn't that count? Why aren't those items ever mentioned as part of the pollution problem?

The rapid increase in population means that there are more people on the highways, and people travel more simply because more of them commute from city to city. Add in the truck traffic, and thus more highways are needed. Creating more highways may be the answer to a stabilized population, but at this point in time it is just a Band-Aid that just adds to future problems.

Shouldn't overpopulation be addressed as the primary cause of world problems?

-- JOSEPH F. LICASTRO, Bakersfield