

Revvng interest in recreational vehicle area

Officials working to overcome hurdles before November deadline

By JAMES BURGER, Californian staff writer
Bakersfield Californian, Jan. 31, 2006

Dick Taylor stands on a hill overlooking Poso Creek where it cuts from a shadowy gorge into the sunlight of an open upland valley.

It is a stunning view on a crisp Friday morning with sun flashing from the creek and the hillsides carpeted in green winter grass.

Taylor takes it all in for a moment.

Then he turns to answer yet another question from the gaggle of government officials, off-road fans, reporters and environmental investigators he's dragged up into the hills a half-hour north of Bakersfield.

"Awesome's just the only word for this place," says Tyson Davis, a member of the Kern County Sheriff's OHV Team who is part of the tour.

Davis, Taylor and the rest are here because this cattle land may one day become the Bakersfield State Recreational Vehicle Area.

There would be long miles of trails over scenic hills, areas for cliff climbing and rock climbing. There could be child courses and motocross tracks and skateboard parks and acres to buffer all that from the public.

This idea has been Taylor's dream for five years, ever since urban growth began taking the Kern River bluffs away from motor-sports enthusiasts.

He's worked hard to build support from diverse groups of people that often oppose such parks, but have supported the Bakersfield location.

The OHV park is an ambitious attempt to preserve off-roading space from the voracious appetite of Bakersfield's real estate market.

The goal is "to continue the culture of family-oriented off-roading for the future -- before it all becomes one big housing tract," Taylor said.

But the plan is living on a deadline.

Eugene Gabrych of Fallbrook, near San Diego, owns the property. He's signed an option to sell it to the state for between \$8.8 million and \$11 million.

But that option is up in November and Gabrych said he has been approached by several groups about acquiring the land.

He's told them all that the land is engaged until November, he said.

But everyone knows that all bets are off after November, said city of Bakersfield planner Marc Gauthier.

City property manager Don Anderson said Gabrych has been great to work with and will stick with the option.

But city and county officials are moving swiftly to try and clear the last hurdles between them and buying the land before November comes.

Michael Brandman Associates, an environmental firm, has crews on the property now searching for cultural artifacts.

Other aspects of environmental review, from geology to [air quality impacts](#), will be studied.

Gauthier said the environmental report should be finished by April and ready for public review.

Public hearings on the project before the Kern County Board of Supervisors should be held by the end of summer.

The plan is to get the project approved by the supervisors, buy the property and turn it over to the state for construction.

"It is a realization, I hope, by everyone involved," Gauthier said. "We've got to get there quick or it's not at all."

The environmental report and public hearings are significant hurdles.

But the OHV park team still has to lock in the purchase of some nearby land to ensure there is a good road into the property.

Taylor knows that government doesn't often work as fast as the public would like -- especially on a unique project like this one.

"It has been 25 years since the state has done something like this," he said.

But Taylor said everything seems on pace to make the November timeline and secure this project for the future.

Frazier Park Estates ready for comment

Public has less than 2 months to weigh in on plan drawn for more than 700 families

By GRETCHEN WENNER, Californian staff writer

Bakersfield Californian, Jan. 31, 2006

A new community proposed for Frazier Park -- one with plans for more than 700 homes -- is ready for public comment.

Locals can respond to a draft environmental report for the Frazier Park Estates development until March 10.

The project, formerly called Frazier Mountain Estates, is set for about 846 acres on the west side of Interstate 5, south of Frazier Mountain Park Road.

Plans from developer Fallingstar Homes Inc. feature 705 single-family homes and 41 apartments. Some 135,000 square feet of commercial space includes a grocery store, restaurant and office space.

A new elementary school is planned. So are parks, trails and a wastewater treatment plant.

Since it was last in the spotlight more than two years ago, the project has been expanded to include possible annexation of 323 acres of Los Angeles County turf. The fingerlike segment pokes between the eastern border of Kern County and Interstate 5.

The Los Angeles land is sought mostly for roads, pipes and other infrastructure rights-of-way, according to project spokesman Larry Moxley.

Water will come from local groundwater supplies, Moxley said.

The mountainous site is surrounded, in part, by state and federal land. Planning maps show nature preserves embedded throughout the community. Some 345 acres will be "preserved open space," the report says.

Moxley said developers are doing "everything they can to keep the topography and feel" of the rural area intact.

Frank Arciero Sr. is Fallingstar's president and Frank Arciero Jr. its secretary, real estate records show. Aside from being homebuilders, the family is well-known in the auto racing world. It also owns a Paso Robles winery, Arciero Family Vineyards.

Robert Anderson, president of the Mountain Communities Town Council, which represents unincorporated communities in the Frazier Park area, said development is always controversial there.

"You can rest assured this issue is going to get close scrutiny by the community," Anderson said.

The town council will hear from county planners and Fallingstar representatives at its Feb. 16 meeting.

The project's eventual fate will be up to county supervisors.

Clean-air group: Steel company deal not enough

Berkeley business must install filter for odors and pay fines, but some want more permanent solution to emissions they say are harmful

Tri-Valley Herald, Jan. 31, 2006

BERKELEY - A West Berkeley clean-air watchdog group wants Pacific Steel to use recent fines levied by the Bay Area Air Quality Management District for air testing and community education about the plants' potential health and environmental risks.

Last month, the air district and Pacific Steel, a family-owned business that has operated in West Berkeley for 75 years, reached a legal settlement that requires the plant to install a \$2 million system to reduce odor emissions. Pacific Steel also must pay \$17,500 in penalties because of nine notices of violations from the air district last year.

The settlement followed at least two decades of complaints from residents and business people about the smell of burning plastic in the air, headaches, nausea and a tightness in their chests because of the odor.

But the West Berkeley Alliance for Clean Air and Safe Jobs, a grass-roots group, says the agreement does not go far enough. Alliance members say the factory's emissions are not just an odor problem but a threat to public health.

The group wants lower permitted odorous and odorless emissions, and a more permanent solution to the problem by eliminating toxic emissions, alliance member Janice Schroeder said.

To garner support, the alliance is to hold a community meeting tonight to discuss what it calls Representatives from the air district, Pacific Steel and City Councilmember Linda Maio's office will attend.

Pacific Steel Casting, with headquarters at 1333 Second St., has two other plants nearby. The company believes the odors are coming from Plant 3, "which has been operating with greater frequency this year to meet the rising demand for high-quality steel castings," according to a news release.

To control the odor, the company is to install a carbon absorption system in Plant 3. The company installed similar carbon filters in Plants 1 and 2 in 1991 and 1985, respectively, reducing odor complaints significantly. The alliance wants to ensure all plants have technology for controlling - or eliminating - emissions and odors.

The community meeting is planned for 7 p.m. at the West Berkeley Senior Center, 1900 6th St.

Deal Lets Big Farms Skirt Pollution Fines

By John Heilprin, Associated Press Writer

In the S.F. Chronicle and the Washington Post, January 30, 2006

WASHINGTON (AP) -- The Bush administration will let thousands of factory-style farms escape severe penalties for fouling the air and water with animal excrement in exchange for data to help curb future pollution.

The Environmental Protection Agency has signed agreements with 2,681 animal feeding operations in the egg, chicken, turkey, dairy and hog industries. They would be exempt from having to pay potential fines of up to \$27,500 a day for violations either in the past or over the next four years.

On Monday, the EPA said its Environmental Appeals Board had approved the first 20 of those agreements, selecting accords it thought were representative of the whole. EPA officials said those approvals set the stage for the remaining agreements to gain approval quickly.

The agreements include 10 swine-raising operations and 10 operations that raise egg-laying birds. The board said it determined that the agreements were consistent with the Clean Air Act, including its penalty provisions.

Jon Scholl, EPA Administrator Stephen Johnson's agriculture adviser, said the agreements are the most efficient way of obtaining the data needed to determine whether the animal feeding operations are complying with federal air emission laws.

"This is a very important step," he said. "This really paves the way for the study process to begin."

The EPA said its consent agreements with the animal feeding operations will cover more than 6,700 farms in 42 states. Another 7,000 farms are covered through Tyson Foods Inc., but because contract growers are independent business owners, the company said only that it will gain the exemptions.

The participating farms range from relatively small dairy operations, with perhaps five dozen cows, to large hog and dairy operations with tens of thousands of animals. Randy Spronk, chairman of the National Pork Producers Council's environmental policy committee, said the agreements will allow the EPA "to use sound science to develop practical policies that work for pork producers of all sizes and types."

Pollutants to be monitored include soot and volatile organic compounds, as required by the Clean Air Act, and ammonia and hydrogen sulfide, as required by Superfund's emergency reporting provision.

By signing on, the farms agree to abide by clean air, hazardous waste and emergency reporting laws after the data is collected. They would pay \$2,500 into an EPA fund and agree to let EPA-approved contractors monitor the air. The fund would pay for two years of air monitoring at 28 to 30 farms nationwide at a cost of up to \$500,000 each.

Companies also would have to agree to pay a civil penalty of anywhere from \$200 to \$100,000, depending on the size and number of farms they operate. Those fines would cover presumed violations, past and present, and fend off potential liability four years into the future, when the EPA expects to issue its air standards.

Without the deal, the air standards probably would take a decade or more to complete, EPA officials said; with it, companies gain some certainty about the science used to set emissions policies. Granta Y. Nakayama, the EPA's assistant administrator for enforcement and compliance assurance, called it "both good environmental policy and good business policy."

Already, environmentalists plan to file suit challenging the new consent arrangements.

"This decision is a great disservice for people who live around large factory farms," said Ed Hopkins, environmental quality director for the Sierra Club. "It basically gives these farms a free ride on the backs of the public. There's really nothing in this that holds the polluters accountable for the toxic air emissions they release."

EPA officials say they retain authority to take immediate action against any company if its operations pose an imminent or substantial threat to public health, and the deal won't affect state and local agencies' enforcement of their laws for corporate farm operations. The EPA has settled two recent Clean Air Act cases involving animal feeding operations.

The agency began work on the deal after the National Academy of Sciences reported in 2002 that the EPA needed to improve the way it estimates the air pollution from animal farms.

On the Net:

Environmental Protection Agency:

Sierra Club:

www.epa.gov <<http://www.epa.gov>>

www.sierraclub.org <<http://www.sierraclub.org>>

Bush Speech to Outline Energy Alternatives

By Nedra Pickler, Associated Press Writer

In the S.F. Chronicle, January 30, 2006

WASHINGTON (AP) -- Trying to calm anxieties about soaring energy costs, President Bush is using his State of the Union address this week to focus on a package of energy proposals aimed at bringing fuel-saving technologies out of the lab and into use.

In Bush's vision, drivers will stop at hydrogen stations and fill their fuel-cell cars with the pollution-free fuel. Or they would power their engines with ethanol made from trash or corn. More Americans would run their lights at home on solar power.

Bush has been talking about these ideas since his first year in office. Proposals aimed at spreading the use of ethanol, hydrogen and renewable fuels all were part of the energy bill that he signed into law in August, but that hasn't eased Americans' worries about high fuel prices.

Americans were hit with the biggest jump in energy prices in 15 years in 2005, and worries about the cost of gas and heating oil have damped spirits about the economy despite other recent encouraging signs.

Add in the unrest in the Middle East, and energy becomes a major problem for the president to address Tuesday night.

"I agree with Americans who understand being hooked on foreign oil as an economic problem and a national security problem," Bush said in a recent interview with CBS.

Eight in 10 Americans surveyed earlier this month by the Pew Research Center for the People & the Press said gasoline prices were a big problem.

Home heating fuel and health care were the other major economic concerns. It's not a coincidence that Bush will spend much of his State of the Union reassuring Americans that he has a plan to address energy and medical costs.

House Democrats sought to take the luster off Bush's speech with a television commercial that accuses the president and Republicans of tilting their policies toward the pharmaceutical, oil and investment industries. It shows lawmakers cheering Bush's words from three previous State of the Union addresses, and asks: "What Special Interest Will the Republican Congress Rubberstamp This Time?"

Officials said the commercial would air only once, on Fox, in the run-up to Bush's speech, making it more like a guerilla-style attack on the GOP than an attempt to mold public opinion.

Bush told CBS that he does not support a big raise in the gas tax, as others have proposed. Instead, he is looking for tax breaks that encourage new technologies, which is popular with farmers, with industry and with consumers of those products.

"We have got to wean ourselves off hydrocarbons, oil," Bush explained. "And the best way, in my judgment, to do it is to promote and actively advance new technologies so that we can drive - have different driving habits."

For example, he said, the federal government could push more widespread use of corn-based ethanol and spur production from other sources.

Almost all ethanol produced now comes from corn. Although non-corn ethanol from sources like grasses, wood chips and even garbage is widely talked about, a practical and cost-effective process for producing it appears years away.

Bush noted to CBS that about 4.6 million cars on the road in the United States can run on ethanol. The fuel works in more than 30 models, including General Motor's Yukon, Chevrolet's Silverado and Ford's Taurus. However, almost all drivers of those vehicles outside the Corn Belt fill up with gasoline.

Automakers and environmentalists are also excited about the prospect of fuel cells, which would run on hydrogen that would only emit water instead of gas fumes. But fuel cell vehicles are extremely expensive to produce and lack an infrastructure of fueling stations to make them viable. The government has said it hopes hydrogen fuel cell vehicles will be available in car showrooms by 2020.

When it comes to alternative ways to power homes and businesses, very little U.S. electricity now comes from renewables such as wind, solar, geothermal, wood and waste. But that share is expected to increase as the price of fossil fuel rises.

___ On the Net:

<<http://www.whitehouse.gov>>www.whitehouse.gov <<http://www.whitehouse.gov>>

N.C. Sues TVA Over Air Pollution

By Emery P. Dalesio, AP Business Writer

In the S.F. Chronicle, Monday, January 30, 2006

Raleigh, N.C. (AP) -- North Carolina's attorney general sued the Tennessee Valley Authority on Monday, accusing the nation's largest federal utility of causing a public nuisance in his state by failing to reduce pollution from its coal-fired power plants.

"What we're asking for in this case is to stop a particular utility company from sending specific pollution into our state and harming our people and our economy," Attorney General Roy Cooper said.

Cooper, who had threatened such action for years, claims TVA has not taken enough steps to reduce the sulfur dioxide, nitrogen oxides, mercury and soot that has wafted into North Carolina from 11 coal-burning plants in Tennessee, Kentucky and Alabama.

The lawsuit said TVA was creating a "common law public nuisance," because the pollution damaged public health and obstructed public rights.

But TVA Chairman Bill Baxter said the utility already complies with all federal clean-air laws and has done more than North Carolina utilities to install scrubbers to capture harmful pollutants. He said TVA raised its rates in 2003 as part of a program to spend \$5.6 billion on pollution controls, and has since cut nitrogen oxide emissions by 70 percent and is on schedule to cut sulfur emissions by 85 percent by 2010.

Sulfur dioxide leads to acid rain that kills plants and the regional haze that reduces scenic views in the Great Smoky Mountains National Park, 30 miles away on the Tennessee-North Carolina border.

TVA supplies electricity to about 8.5 million people in most of Tennessee and parts of North Carolina, Kentucky, Alabama, Mississippi, Georgia, and Virginia.

In 2004, eight states and New York City sued TVA and four more of the country's largest power producers to demand they cut carbon dioxide emissions, which are believed to be linked to global warming. That federal case was dismissed in September.

[Stockton Record, Editorial, Jan. 31, 2006](#)

Still smoking out the danger

California leads the nation in a lot of silly things.

The state's aggressive efforts to isolate and marginalize the harm done by smokers isn't silly.

Officials of the California Air Resources Board - normally concerned about diesel exhaust and agricultural burning - declared last Thursday that secondhand smoke is a toxic air pollutant.

We're the first state to make that determination.

The agency has plenty of data on which to lean: A recent report found a sharply increased risk of breast cancer in young women exposed to secondhand smoke.

Drifting smoke also was linked to premature births, asthma, heart disease, other types of cancer and health problems in children.