

Heat stabilized air quality

BY SARAH RUBY, Californian staff writer
Bakersfield Californian, Monday, Aug. 7, 2006

When mercury rises, air pollution doesn't necessarily follow.

Consider the recent heat wave. Temperatures soared to a high of 116 degrees in parts of Kern County, yet the air did not get appreciably worse. In some cases, the air was better than it had been when temperatures were cooler.

Kern's air was nothing to envy; we still violated the federal ozone standard most days. However, pollution levels didn't spike with the rise in temperatures, as it seemed to do in West Coast towns from Los Angeles to Seattle.

We may owe our stability to the heat itself. Wind and atmospheric pressure likely had something to do with it, but at extremely high temperatures, air swirls in the atmosphere are like molecules in a pot of boiling water. This encourages mixing, and it may have whisked pollution away before it reached lungs or air monitors.

Extra-high temperatures also help lift the lid that traps pollutants at lung level. This lid, known as the inversion layer, is created when surface air is cooler than the air above. Very high heat warms surface air to a higher temperature than the next layer, breaking the lid.

"(Pollution molecules) were basically being lifted up and out of the area" during the heat wave, said Shawn Ferreria, a meteorologist with the San Joaquin Valley Air Pollution Control District.

Moderate-to-high heat isn't generally good for air quality. It spurs evaporation from solvents, paints, trees and other emission sources. It speeds up ozone formation. And people use more energy when it's hot, increasing pollution from power plants.

The notion that excessive temperatures might have counteracted these extra emissions was bolstered by Arthur Winer, professor of environmental health sciences at the UCLA School of Public Health.

"Extremely high temperatures tend to break the ... inversions and ventilate a basin," he wrote in an e-mail. "This may explain the data you are looking at."

The mountains mislead

Visibility isn't a surefire indicator of what you're breathing.

Chances are, if you can't see the mountains, the air is bad. But if you can see the mountains, the air might still be bad.

It has to do with the angle of the sun. Unless the Sierra Nevada mountains are blocked by morning clouds or fog, you should wake up to a clear view. That's because the angle of the sun in the east doesn't reflect in a way that shows off pollution's haze.

In the afternoon, when the sun is at our backs in the west, its rays hit "chemical soup" at just the right angle to veil the mountains in brown, Ferreria said. The same principle applies to rainbows, he said.

Some locals have noticed better mountain views in recent years, and regulators are trying to figure out why Arvin is no longer a shoo-in for the valley's bad air award.

It might have something to do with pollution controls; ozone levels are down and restrictions on agriculture and other industries might have cut summer dust pollution, Ferreria said. Favorable weather is also likely a factor, he said.

What is the ozone?

High in the atmosphere, ozone helps protect us from the sun. At ground level it's a health risk, aggravating lungs and damaging crops.

Ground-level ozone, a chief smog ingredient, is caused by a chemical reaction between volatile organic compounds, nitrogen oxides and sunlight. Volatile organic compounds include benzene, ethanol and hundreds of other molecules, and are released by engines, trees, dairies and solvents, to name a few sources. Nitrogen oxides come from cars, power plants and anything else that burns fossil fuels.

Ozone is a problem in Kern in the summer, when the sun's rays are strong enough to produce it in dangerous quantities.

Source: U.S. Environmental Protection Agency

City won't support tax on oil companies

BY DAVID BURGER, Californian staff writer
Bakersfield Californian, Monday, Aug. 7, 2006

There are 13 initiatives that have qualified for the November election, but the Bakersfield City Council has only taken a position on one of them: Proposition 87.

Called the Clean Alternative Energy Act, the proposition aims to reduce gasoline and diesel usage by 25 percent over 10 years. Proponents add that the proposition, which imposes a drilling tax on oil companies, will spur alternative fuel research and use, cut down on air pollution and bring down gas prices.

So why is the Council, as well as hundreds of other opponents across the state, so opposed to it?

"No county in the state would be more negatively impacted by Proposition 87 than Kern County because of its oil production," said Scott Macdonald, communications director for Californians Against Higher Taxes, the anti-Proposition 87 group.

On July 16, the council voted unanimously to oppose the proposition and support Californians Against Higher Taxes.

Councilman Harold Hanson requested the item be placed on the council's agenda.

A staff report from Assistant City Manager Alan Christensen listed the three main reasons why some groups are opposed to the proposition:

- Possible higher prices at the gas pump and greater dependence upon foreign oil.
- Possible new state bureaucracy with no accountability to taxpayers.
- Possible cuts in existing revenues to schools, law enforcement and local governments.

All those threats are untrue, contended Yusef Robb, a spokesman for the "Yes on 87" coalition.

"The anti-87 effort is entirely bankrolled by oil companies looking to protect their profits," Robb said. "Big Oil will say and spend anything to stop (Proposition 87)."

The proposition, if passed, would enact a \$4 billion effort to reduce Californians' dependence on oil, Robb said. The program would be funded by a tax on oil companies that drill in California.

The money taken from the oil companies, Robb said, would be used for a number of programs, including research and development of alternative fuel sources. It would also fund incentives for people to trade in gas-guzzling cars for alternative-powered vehicles and entice people to use wind or solar energy at home and work.

Opponents of the proposition say oil companies would simply pass the cost on to the consumer. In addition, foes say it would make interstate oil production more expensive, thus increasing our reliance on fuel from the Middle East.

But supporters said the courts and the state Attorney General have ruled that raising oil prices because of the new tax would be illegal.

Proposition supporters also tout the program's reduction of air pollution as one of its goals.

Opponents say reducing pollution is a lofty goal, but a \$4 billion tax initiative is not the way to get there.

Although the November election is still more than three months away, battle lines have been drawn on both sides of the issue.

Proposition opponents include the Kern County Taxpayers Association, the Kern County Board of Supervisors, the Kern County Farm Bureau and the California Chamber of Commerce.

Those pushing for the proposition's passage are the Sierra Club, the Coalition for Clean Air and the American Lung Association.

And the fight is passionate.

"Every time someone looks into the sky and sees brown instead of blue, that's a vote for Prop. 87," Robb said. "Every time a child is diagnosed with asthma, that's a vote for Prop. 87."

Proposition 87, in its own words

Alternative Energy. Research, Production, Incentives. Tax on California Oil. Initiative Constitutional Amendment and Statute.

- Establishes \$4 billion program to reduce oil and gasoline usage by 25 percent, with research and production incentives for alternative energy, alternative energy vehicles, energy efficient technologies, and for education and training.
- Funded by tax of 1.5 to 6 percent, depending on oil price per barrel, on producers of oil extracted in California. Prohibits producers from passing tax on to consumers.

Program administered by California Energy Alternatives Program Authority.

Prohibits changing tax while indebtedness remains.

Revenues excluded from Proposition 98 calculations and appropriation limits.

Summary of impact on state and local governments: new state revenues annually - depending on the interpretation of the measure's tax rate provisions - of either about \$200 million or about \$380 million from the imposition of a severance tax on oil production, to be used to fund a variety of new alternative energy programs.

Reductions of unknown amounts in: local revenues from property taxes paid on oil reserves, potentially partially offset by state payments to schools to make up their revenue loss; state revenues from income taxes paid by oil producers; and, potentially, state and local revenues from gasoline and diesel excise and sales taxes.

Source: California secretary of state

Bill to curb greenhouse gases poses dilemma for Schwarzenegger

By SAMANTHA YOUNG of the Associated Press

In the Bakersfield Californian, Fresno Bee and San Francisco Chronicle, Monday, August 7, 2006

Over the past year, Gov. Arnold Schwarzenegger has sought to position himself as a leader on climate change issues.

He outlined a broad program to reduce air pollution during a speech at a United Nations summit a year ago and last week reached a publicity-generating agreement with British Prime Minister Tony Blair.

The Republican governor now faces a dilemma that threatens to undermine his environmental credentials at the same time he is trying appeal to moderate voters as he seeks re-election.

This month, the Democrats who hold a majority in California's Legislature plan to send Schwarzenegger a bill that would create the country's first law capping greenhouse gas emissions from industrial sources.

Schwarzenegger is eager to sign a global warming bill before he faces the state's Democratic-leaning electorate in November. But in his effort to appease conservatives, Schwarzenegger has asked for amendments that Democrats and environmentalists have criticized as undermining the bill.

They say some of Schwarzenegger's proposed "safety valves" would severely weaken the bill by indefinitely delaying enforcement of the emission caps.

Schwarzenegger also faces criticism from within his own party for even considering signing the bill. Most of the Legislature's Republicans are upset that he is negotiating with Democrats on an issue that Assembly Republican whip Doug La Malfa calls the "crisis du jour."

"There's such disparate views among scientists about what's going on with the concept of global warming," La Malfa said. "We don't need to go down this path until we have more certainty."

For Schwarzenegger, the bill requires a delicate balancing act. Signing it would help burnish his environmental image but also could alienate the state's business community, a key supporter.

A veto could leave him vulnerable to political attack on a message he's tried to own for more than a year.

"He hopes to have a bill on his desk this year that he can sign, but he wants to make sure it can be in a way that protects the economy and the environment," Schwarzenegger spokesman Darrel Ng said.

In June 2005, Schwarzenegger issued an executive order calling for the state to reduce greenhouse gas emissions to 2000 levels by 2010, 1990 levels by 2020 and to 80 percent below 1990 levels by 2050.

With Blair last week in Long Beach, the governor called again for action on global warming. The two signed a pact to have California and Britain work together to research cleaner-burning fuels and technologies. They also pledged to establish a system in which polluting industries could buy and sell the right to emit greenhouse gases.

"We know there is global warming, so we should stop it," Schwarzenegger said of the carbon dioxide, methane and nitrous oxide that many scientists believe are trapping heat in the Earth's atmosphere, leading to myriad environmental changes around the globe.

Democrats say they are taking Schwarzenegger's cue and putting his ceremonial orders into law by targeting the state's largest emitters of carbon dioxide, such as power plants, oil refineries and the cement industry. They say caps on those industries, coupled with a 2004 law restricting auto emissions, would achieve the governor's goals.

"What we're looking at is real," said Assembly Speaker Fabian Nunez, D-Los Angeles. "The fact of the matter is, the only way we're going to do something and take a leadership role on global warming is by getting other states to use our framework."

But with the end of the session scheduled for Aug. 31, the two sides remain apart over how to implement such caps.

One sticking point - described as a deal-breaker by Nunez - is an administration proposal for a new board that would oversee implementation of the emission caps.

The board would be composed of agency heads within the governor's administration and would take authority away from the independent California Air Resources Board. The Schwarzenegger administration says the existing air board lacks the resources to handle such a broad mandate.

Schwarzenegger's proposed amendments also include a provision allowing the new board to delay the caps if there is any economic harm, the technology to reduce greenhouse gases is not available or the environment might be harmed.

Administration officials say Schwarzenegger is willing to work with the Legislature to ensure that businesses are not given a free pass on meeting the caps.

"The safety valve will not be used as an escape for any business that can't meet the targets," said Linda Adams, secretary of the California Environmental Protection Agency. "It's meant to allow flexibility in the case of unforeseen significant circumstances like a natural disaster, pending litigation or technology that isn't available as quickly as expected."

Meanwhile, the bill's authors say they are willing to compromise but oppose a board of political appointees that would decide the fate of global warming regulations.

"I don't think that can all be fixed in the next few weeks," said Assemblywoman Fran Pavley, D-Agoura Hills, one of the authors.

Instead, Pavley said the governor and legislative leaders should focus on passing a bill that sets the caps and leaves the implementation to subsequent legislation.

"Let's establish a cap now and send the markets a signal so people can start investigating alternative fuels and then develop a program that makes sense," Pavley said. "When we set deadlines and we set caps, it's amazing what people can accomplish."

Both sides are gearing up for an intense lobbying campaign, beginning this week when environmental groups, water agencies, health advocates, local governments and religious leaders plan to converge on the Capitol.

Meanwhile, the business community, led by the California Chamber of Commerce, is sending the message that mandatory emission caps would make it more expensive for industries to do business in California.

"This noble goal of reducing greenhouse emissions and making energy use more efficient could backfire," said Dorothy Rothrock, a spokeswoman for the California Manufacturers & Technology Association. "It could hurt the economy and drive emissions outside California, thereby not improving the situation."

For now, the Democratic legislative leaders say they are not interested in putting Schwarzenegger in the hot seat. All sides say they expect to come up with a bill Schwarzenegger can sign.

"I want to give a victory to our children," Nunez said. "We want a sustainable planet."

Hybrid buses lose steam in Elk Grove

They sputter on freeways, and A/C systems have quit

By Loretta Kalb -- Bee Staff Writer

Sacramento Bee, Monday, August 7, 2006

When Elk Grove established its own transit system 19 months ago, it was hailed as another first for a city that prides itself on maverick moves.

A hybrid-powered commuter bus fleet -- the cleanest in the nation -- would be the heart of what's called the e-tran.

But now, Elk Grove's path to clean-air mass transit has taken a detour. Diesel buses, both chartered and purchased, currently make up nearly half of e-tran's 42-vehicle fleet and most of the daily commute buses to downtown Sacramento.

Instead of cruising into the nation's history books, the hybrid fleet has had trouble accelerating into the fast lanes of the freeways. Instead of comfortable rides, hybrid bus air conditioners have quit in triple-digit temperatures, leaving passengers sweating in ovenlike heat.

Now, only five of the city's 21 hybrids are used on freeways.

"In the quest to be leading edge, you have to take chances at times on new technology," Mayor Rick Soares said. "We took that chance."

No one is saying that the hybrid purchases, at a cost of \$434,300 each, were a waste. The city, once served by Sacramento Regional Transit, has seen a huge growth in demand for rides within Elk Grove, and that's where most e-tran hybrids now operate.

But there is disappointment.

"Hybrid may not be the way to go for commuter service," said e-tran Transit Manager Carlos Tobar, who was hired to run e-tran more than a month after the start of the new service. "Live and learn."

So, what's the problem with the hybrids? They perform best during stop-and-go traffic, Tobar said. The hybrid's electric energy booster, an ultra capacitor, works in tandem with a 145-kilowatt generator. That booster is recharged every time a driver applies the brakes.

That's great for intercity transit, but is troublesome on freeways where brakes are less often applied.

"At highway speeds, many of the systems are stressed," Tobar said.

Among the stresses are air conditioners that switch off on ultra-hot days during freeway travel. To relieve passengers, Tobar either pulls buses from service or delivers bottled water in ice buckets to buses on afternoons hotter than 105 degrees.

Still, passengers have been howling. With sunlight beating into bus windows, the hybrids have been compared to rolling hot houses.

"Last night, you were sweating in there," Fred Burriell said of his commute home to Elk Grove during the latest heat wave. "You didn't need a sauna." This isn't the first year the fledgling bus service has had these problems. Last year customers had similar complaints about air-conditioning breakdowns.

But the cooling problems haven't kept e-tran from building ridership. In January 2005, e-tran averaged 400 local rides a day and 800 commuter rides. By June of this year, daily rides numbered 3,600 -- two-thirds of them in town.

Last month, e-tran was named the fastest-growing transit system in the nation, with ridership up 78 percent in the first quarter compared with a year earlier, according to the industry trade weekly Passenger Transport.

And passengers seem to appreciate the city's attempt to use hybrid technology, one of the cleanest power sources available.

"Granted, I'm a supporter of hybrid technology. I wish it worked. I have my own (hybrid Toyota) Prius," said passenger Linda Beattie. "We've got to go with the next best alternative."

That next best alternative is buses fueled by compressed natural gas. On Wednesday, the Elk Grove City Council will be asked to approve the purchase of 10 such buses for a total of \$3.85 million. The buses would arrive in the second half of 2007.

Tobar also is proposing the conversion to compressed natural gas of nine of 10 diesel buses purchased from the Golden Gate Bridge, Highway and Transit District. The 10th diesel is being used for spare parts.

Compressed natural gas is the bus of choice for the Sacramento Regional Transit District, and Deputy General Manager Mike Wiley said the district has made a strategic commitment to the technology.

The hybrid power source is still in the early stages of development, he said.

For now, e-tran's mix of hybrid and diesel buses puts it on par, clean air-wise, with RT.

In terms of particulate matter and nitrous oxide emissions, "Their fleet average is equivalent to RT's," said Kristian Damkier, air quality engineer for the Sacramento Metropolitan Air Quality Management District.

That's little solace to passengers on problem buses. Elk Grove's hybrid buses also have had difficulty gaining enough speed to merge into the freeway diamond lane on Highway 99. On occasion, buses stall outright.

The sources of maintenance problems also aren't easy to detect, Tobar has said. Last month, he called in experts from both ISE Corp. of San Diego and Complete Coach Works of Riverside to solve the air-conditioning problems. ISE provided the hybrid system to Complete Coach, which remanufactured the buses for sale to Elk Grove.

"I still believe that Elk Grove made a visionary decision" in purchasing the hybrids, Complete Coach's Macy Neshati said Friday, noting the company believes the fleet will improve.

And Elk Grove is still committed to its goal for lower-emission buses.

"We really care about our riders," Tobar said. "We have had our challenges. But, like any champ that is knocked down, we get up and continue to fight."

Governor pushing vision for bioenergy

ERIN SHERBERT, Record Staff Writer
Stockton Record, Monday, Aug 7, 2006

SACRAMENTO - Gov. Arnold Schwarzenegger unveiled his bioenergy action plan when consumers are dejected by high fuel prices and when the demand for electricity is taxing the state's power grid.

The administration says his plan, released in mid-July, will push California to become a greener state, with recommendations to boost biomass production and renewable energy.

The goal is simple: Use the state's jammed landfills, urban waste and agricultural products to fuel cars and power homes.

"The governor recognizes the tremendous economic and environmental benefits that bioenergy will bring to California and the Central Valley," said Bill Maile, a spokesman for Schwarzenegger. "Governor Schwarzenegger is committed to keeping our economy strong while finding ways to increase energy efficiency and protect the environment."

Schwarzenegger, who is running for re-election in November, established goals this year to boost bioenergy production, including ethanol and biodiesel fuels from renewable resources.

That includes increasing biofuel production and renewable energy for electricity by 20 percent over the next four years, according to the plan.

The governor hopes to accomplish this by advancing and broadening biomass conversion technologies, developing reforestation projects that will supply 3 to 5 megawatts of biomass-fueled electricity and demonstrate the most-efficient biomass harvesting systems for small forest materials, according to the action plan.

Alternative fuel is a major component of the governor's push toward cleaner energy, said Susan Brown, a senior policy analyst for the California Energy Commission.

The action plan outlines ways the state can cut back on California's reliance on foreign oil, including bringing ethanol production and electric hybrid vehicles more into the mainstream, Brown said.

Ethanol is a grain alcohol produced from plant sources such as corn and is used as a clean-burning, high-octane, less-expensive fuel.

Farmers say it makes sense to tap into the agriculture industry to help advance alternative energy. It would benefit both farmers and the transportation industry, said Bruce Blodgett, executive director of the San Joaquin Farm Bureau Federation.

"It's something we view very favorably," he added. "Our farmers are up to the task."

The California Energy Commission is embarking on a more-detailed report, addressing the need for alternative fuels. That report will be presented to the Legislature next summer, Brown said.

"It's important that consumers have choice, and if gasoline is their only choice, they are held captive to rising gas prices," Brown said. "If we can develop an infrastructure for (ethanol) here, then when there is a hiccup in gas prices, you can run your car on ethanol."

The need for alternative fuel has become a major focus among state leaders as consumers continue to pay \$3 or more for a gallon of regular gasoline.

In April, when gas prices peaked above \$3 a gallon, Schwarzenegger asked the California Energy Commission to investigate whether oil companies had manipulated the market.

The commission issued an interim report in June that concluded the steep increase in fuel prices was isolated to California, where residents paid 42 cents more per gallon than the national average at the beginning of May.

The final report will be delivered to the governor Aug. 15, Brown said.

Research may spin rice straw into gold

New uses could turn field waste into ethanol or fast-food packaging.

By Herbert A. Sample -- Bee San Francisco Bureau
Sacramento Bee, Monday, August 7, 2006

ALBANY -- Since 1991, state law has forced Sacramento Valley rice growers to drastically cut the amount of straw they burn, obliging them to leave most of it in the fields after harvest or pay someone to cart the stuff away.

But far from the rice paddies, in this urbanized Bay Area town, research is finding new uses for material left behind after kernels are removed from the plant.

Workers at the federal Agricultural Research Service are looking into ways of converting rice straw, wheat straw and other "biomass" material into ethanol, or packaging material and fast-food containers.

All this work comes at a judicious time as gasoline prices continue their upward spike -- making ethanol an attractive option. And, more cities are considering following examples set by Berkeley, Portland and Oakland, which have prohibited Styrofoam food containers. San Francisco will consider a similar ban this summer.

"This is a good opportunity for farmers to make some extra dollars instead of burning this stuff," said Syed Imam, one of the researchers. "Right now, they're paying to get rid of the material from the field because they don't know what to do."

Right now, rice farmers can't dash out to their fields, gaze lovingly at the rice straw and daydream about dollar signs. But work done on turning rice straw into useful products shows great promise, researchers say.

For decades, rice farmers collected leftover straw into heaps and set them ablaze. For downwind Sacramento residents, many a clear day would turn brown when rice straw went up in voluminous clouds of smoke.

But in 1991, then-Gov. Pete Wilson signed a bill by three legislators -- including then-Assemblyman Lloyd Connelly, D-Sacramento -- to gradually phase out rice straw burning.

For the past several years, straw from no more than a quarter of the planted rice fields could be burned, and then only under certain conditions.

In practice, that usually means that no more than 15 percent of the 1.1 million tons of rice straw produced in California annually is torched, said Paul Buttner, manager of environmental affairs at the California Rice Industry Commission.

But what doesn't get transformed into air pollution has to be dealt with in some way. Currently, demand exists for about 5 percent of the straw: bagged as erosion control pillows, in cattle feed and construction materials.

About 80 percent of it remains in the field, in an operation called "soil incorporation," in which farmers re-irrigate paddies so the straw decomposes. The resulting lakes also serve migrating ducks and geese, who assist in the process by walking around, mixing the soil and straw.

But that method costs farmers about \$43 an acre in extra soil preparation, compared with a few dollars per acre when widespread burning was allowed, Buttner said.

If farmers could find a way to sell their straw, they'd be mighty happy, he added.

"We've contributed substantially to the air quality of the Sacramento Valley through phasing down our burning," Buttner said. "What's still on the back of the farmer is an annual \$16 million to \$20 million bill for all of the costs of soil incorporation.

"If we had the demand for alternatives for using rice straw that are economical, we could chip away at that cost to growers," he added.

Enter the Agricultural Research Service, one of several research labs studying biomass. Through partnerships with companies, researchers there have come up with packaging material and soft drink holders formed from rice straw.

Another firm has test-marketed a "clamshell" hamburger container at McDonald's restaurants that looks much like its Styrofoam cousin but is composed of rice straw. Other companies already produce rice straw disposable plates and cups that are sold in stores.

Such products could help restaurants in Oakland, Berkeley and several dozen other cities around the nation comply with bans on nondegradable food containers, such as those made from Styrofoam.

Rice straw also is used as a supplement to cattle feed, but while cows seem to like it, they derive little nutrition from it, said William Orts, a research leader at the Agricultural Research Service.

But the path that may end up being the biggest user of rice straw is one that leads to ethanol, which in the United States is now made mostly from corn.

Researchers have figured out how to break down two of the three main components of rice straw -- cellulose and hemicellulose -- into ethanol.

However, making ethanol from rice takes longer than the corn version.

So the push is on to find a more economical way to convert rice straw into a fuel additive, said Bryan Jenkins, a professor of biological and agricultural engineering at the University of California, Davis.

Lignin, rice straw's third component, does not degrade easily but can be separated from the other two substances and used as a fuel.

Orts cautioned that while rice straw looks promising, it will not eliminate future energy needs.

"It's not the solution," he said. "We're not going to displace oil What it will do is potentially be strategic enough that it can lessen our demand on foreign oil and give farmers a new source of revenue."

Returning lawmakers face a flurry of bills

Driving habits and cable TV are among many areas of daily life that could be changed for Californians.

By Jim Sanders -- Bee Capitol Bureau

Modesto Bee, Monday August 7, Sacramento Bee, Sunday, August 6, 2006

A frenetic, four-week legislative sprint likely to produce hundreds of new California laws will begin Monday, when lawmakers return to the Capitol after a one-month summer recess.

At stake are nearly 1,500 bills, ranging from a proposed increase in the state's minimum wage to restrictions on greenhouse gas emissions, revision of school curriculum to reflect contributions by gays, and alteration of franchising laws to encourage competition in the cable television industry. Lawmakers are scheduled to adjourn for the year on Aug. 31.

Californians' behavior could be affected by many of the bills, including measures to ban hand-held cell phones while driving, prohibit long-term tethering of dogs, require children younger than 13 to ride in the back seat of cars, and permit racetrack patrons to bet through a video game -- critics call it a slot machine -- on one of 250,000 anonymous horse races.

Other legislation is designed to force pharmaceutical companies to discount their drugs to low-income families, encourage the use of alternative fuels and solar power, temporarily cap gasoline prices during times of crisis, and create a first-of-its-kind biomonitoring program to measure toxins in the bodies of volunteers.

Prison overcrowding will be one of the most closely watched topics. Gov. Arnold Schwarzenegger has called a special legislative session to consider a \$6 billion plan -- largely funded by bonds -- to build two new prisons, improve transitional facilities and expand treatment programs.

Decisions on pending legislation will be played out against a high-stakes political backdrop -- a year in which Schwarzenegger is running for re-election and 100 of 120 legislative seats are at stake.

Nonetheless, Schwarzenegger, who negotiated successfully with Democrats this year for an on-time state budget and four multibillion-dollar bond proposals, wants to continue working in a bipartisan manner in the waning weeks of the legislative session, spokeswoman Margita Thompson said.

"He wants to build upon that positive bipartisan momentum," she said.

Several political strategists, from both major parties, agreed that bitter partisan fighting is unlikely. "Schwarzenegger only has to do three things: not raise taxes, be tough on crime, and stick to the center on everything else," said Dan Schnur, a Republican political strategist.

Schnur said the Democrat-controlled Legislature also has an incentive to be productive. "The Legislature's leadership seems to understand that their approval ratings could stand for some improvement also," Schnur said. "Finding a way to work with the governor is probably in their best interest."

Garry South, a Democratic political strategist, said the governor learned a lesson last year when voters soundly rejected his package of government "reforms."

"The voters smacked him down, so he picked himself up and decided to go back in the direction of being a bipartisan problem-solver," South said. "That's the image he's trying to project."

Assembly Speaker Fabian Núñez vows to pass and present to Schwarzenegger an aggressive, pro-Democratic agenda of bills.

"The only difference is, he's better positioned to sign them than he was a year or two ago, because of the political shift that we've seen," Núñez said.

Senate Republican leader Dick Ackerman of Irvine said the governor has not tilted too strongly left or right.

"He's done a very good job on a bipartisan basis to reach out to Republicans, Democrats -- everybody," Ackerman said.

Because most GOP legislation already has died, Assembly Republican leader George Plescia said his caucus largely will "play defense" against any tax increases or "job killer" bills.

Schwarzenegger's legislative priorities include negotiating a signable greenhouse gas bill to gradually lower levels of smog-causing pollutants without hurting the economy, Thompson said. Thompson said the governor also wants to restore two items cut from the state budget before it was signed: \$1.6 million to operate the state Board of Education, and up to \$23 million to increase the number of low-income children with health insurance.

Sen. Alan Lowenthal, D-Long Beach, is pushing a proposal to strip from the Legislature authority to draw political districts -- called redistricting -- and give it to an independent commission.

Schwarzenegger will try to reach agreement with lawmakers to place a redistricting measure on the November ballot, said Adam Mendelsohn, the governor's communications director. If that does not happen, however, the governor will try to put a plan before voters in 2008.

Núñez has raised the possibility of a package deal in which a redistricting bill is passed along with legislation to alter term limits by allowing members to serve their entire career in either the Assembly or Senate.

Senate President Pro Tem Don Perata, however, opposes any linkage. "I'm not looking for the fusion of the two issues, at all," he said.

Los Angeles Mayor Antonio Villaraigosa, a Democrat and former Assembly speaker, has teamed with Núñez on legislation to give him power to ratify the hiring and firing of the Los Angeles Unified School District superintendent.

Another education-related bill, Assembly Bill 2975, would redefine "proficiency" to lower the rigor and ensure that more children meet a federal requirement that all students be proficient in English and mathematics by 2014.

Democratic leaders are split on how aggressively to push for boosting workers' compensation benefits for permanently disabled employees -- Perata vows to place such a measure before Schwarzenegger this year, but Núñez, while sympathetic, is wary of moving too hastily.

"I'm not going to do any last-minute things that disrupt the system," Núñez said.

The fate of proposals for targeted tax breaks for the film industry, jet fuel, manufacturing firms and for individuals who contribute to health savings accounts also is uncertain.

"We had all agreed that we could come back in August and talk about an overall tax policy," Plescia said of legislative leaders.

Major health-care legislation includes Senate Bill 840, to create a universal health-care system to ensure that no Californian is left uninsured; and Senate Bill 1414, designed to force large employers -- such as Wal-Mart -- to pay a minimum amount per hour for health insurance. Immigrant-related legislation remains hotly contested. Senate Bill 160 would enable illegal immigrants who graduated from California high schools to apply for college financial aid. Senate Bill 1160 would allow illegal immigrants to obtain driver's licenses if they meet identification and other security-related criteria.

Responding to California's flood risk, Assembly Bill 1528 would require cities and counties to share liability with the state for flooding of future subdivisions; and Assembly Bill 1899 would set minimal levels of protection for future housing projects on flood-prone land in the Sacramento and San Joaquin river watersheds.

Six years after Democrat Al Gore won the popular vote but lost the presidency to Republican George W. Bush, Assembly Bill 2948 would commit California to a compact in which participating states would cast all their electoral votes to the presidential candidate receiving a majority of votes nationwide.

Bills passed by the Legislature must be acted upon by Schwarzenegger before Oct. 1 or they become law automatically.

10 MEASURES TO WATCH THIS MONTH

Assembly Bill 2987 -- Encourage competition within the cable television industry by allowing AT&T, Verizon and other companies to obtain statewide franchises.

Assembly Bill 32 -- Require industries to report how much greenhouse gas they emit and place caps on emissions starting in 2012. Senate Constitutional

Amendment 3 -- Strip Legislature of its authority to draw political districts and give it to an independent, 11-member commission.

Senate Bill 1437 -- Revise school curriculum to reflect contributions by gays and lesbians to California and the nation.

Assembly Bill 2911 and Senate Bill 1702 -- Create a program to discount the cost of prescription drugs for families with incomes of up to \$70,000.

Senate Bill 160 -- Allow illegal immigrants to apply for college financial aid if they attended a California high school for three years and graduated from a California high school.

Senate Bill 1613 -- Ban use of hand-held cellular phones while driving.

Assembly Bill 1381 -- Give Los Angeles Mayor Antonio Villaraigosa, and future Los Angeles mayors, the power to ratify the hiring and firing of the Los Angeles Unified School District superintendent.

Senate Bill 1379 -- Create a first-of-its-kind program to monitor toxins in the bodies of volunteer participants.

Assembly Bill 2108 -- Require children under age 13 to ride in the back seat of vehicles.

Bay Meadows plan poised to move forward

by Aaron Kinney

Tri-Valley Herald, Sunday, August 7, 2006

SAN MATEO — Stockbridge Capital Partners, the real-estate investment firm that owns Bay Meadows Race Track, is in the business of making money for its investors.

Some San Mateo residents say they believe Stockbridge, which plans to tear down the track and replace it with a commercial and residential development, will turn a profit at the expense of the city by erasing the historic but financially beleaguered racecourse from the map.

But the project, poised to become reality after a judge's decision last month, has garnered endorsements from a diverse array of organizations, including the Bay Area Air Quality Management District, the League of Women Voters and the San Mateo Area Chamber of Commerce.

Two prominent environmental groups — Greenbelt Alliance and the Sierra Club — also have lent their support to the development, which would fill 83 acres near the Hillsdale Caltrain station with as many as 1,250 residential units, 1.25 million square feet of office space and 150,000 square feet of retail space. The first phase of the redevelopment, which is mostly complete, replaced Bay Meadows' practice track with 734 housing units and a 98,000-square-foot retail complex anchored by a Whole Foods supermarket.

Melissa Hippard, director of the Sierra Club's Loma Prieta chapter, said the redevelopment's second phase is a praiseworthy example of urban infill, a policy that aims to counter suburban sprawl by squeezing the most use out of the land a community has already developed.

"In order to save our natural areas, open space, wildlife habitat, wetlands and farmland, we need to accommodate growth as much as absolutely possible within the existing urban footprint," Hippard said. "The best way to preserve our remaining open space is by not paving it over."

The project's proximity to Caltrain, which will encourage residents to leave their cars at home and use public transit, is also important, as is the fact that the development combines a pedestrian-friendly mixture of residential and commercial uses, Hippard said. Last year, the Sierra Club named Phase II of the Bay Meadows project as one of 12 examples of smart development in a national report titled "Building Better: A Guide to America's Best New Development Projects."

The need for urban infill corresponds to long-term demographic projections, said Michele Beasley, field representative for Greenbelt Alliance.

"A big reason why the environmental community is supportive of urban infill is because we're going to see another 1.7 million people in the Bay Area in addition to what we have right now by the year 2030," said Beasley, citing statistics provided by the Association of Bay Area Governments.

Beasley said the alliance was impressed with the 15 acres the developer will set aside for an urban park. That's a much better use, Beasley said, than the 18 acres Bay Meadows currently devotes to a surface parking lot, "which is probably one of the worst things to do with land."

Vice Mayor Jack Matthews, who was part of a unanimous City Council vote last November to approve Phase II, said the council and Planning Commission both feel that transit-oriented projects are "the most responsible way to provide for the future needs of San Mateo in terms of jobs and development."

Some opponents of Phase II are concerned that, far from taking cars off the streets, the development will increase traffic congestion in the area. Friends of Bay Meadows, which sued in January to force a ballot measure aimed at overturning the council's approval of the plan, lost a pivotal ruling in July in San Mateo County Superior Court. The group plans to file a last-ditch appeal of that decision within the next three months.

Balloons work with satellite to gauge bad air days

By Deborah Zabarenko, Reuters
in the Washington Post, Sunday, August 6, 2006; 9:56 AM

BELTSVILLE, Maryland (Reuters) - The weather outside was frightful: hot, humid and layered with a haze of pollution so thick it seemed it could be cut with a machete -- a perfect day to use balloons and a satellite to monitor some bad air.

On the last full day of a monthlong heat wave, when most sensible people might prefer to be sitting in the shade with a cool drink, climate scientists were out in a sunny field, coordinating the launch of a weather balloon with a satellite called Aura that zoomed some 400 miles above.

"If Aura is up there trying to assess air quality, give us hot, polluted, hazy summertime in the Washington area and see how it does," NASA scientist David Whiteman said on Thursday, when temperatures in nearby Washington topped 100 degrees F

(37.8 C).

The balloon-satellite linkup took place at the Howard University Center for Atmospheric Science, a bucolic compound between the U.S. capital and Baltimore, not coincidentally in the middle of a heavily populated corridor along the U.S. East Coast that typically has some of the worst air pollution in the country.

"A research site of this quality and scope is typically not in this kind of environment," said Whiteman, who is based at NASA's Goddard Space Flight Center.

"It's placed in a more pristine area where it's easier to understand the atmosphere," he said. "Well, it's also important to try and understand the atmosphere where people live and where things get messy and polluted."

To do that, Whiteman and other scientists had to time the balloon launch of a cluster of weather instruments with Aura's pass overhead. So while Aura looked down from its polar orbit to make measurements of such greenhouse gases as methane, ozone and water vapor, the instruments rising on the tail of a big helium balloon took measurements at the same time.

GREENHOUSE GASES

Water vapor may seem harmless enough, but it is actually a powerful and abundant greenhouse gas. The higher the concentration of water vapor in the atmosphere, the more heat the atmosphere can hold. Greenhouse gases, including water vapor, contribute to global warming, trapping heat near Earth's surface like the glass walls of a greenhouse.

Data started streaming down from the balloon instruments immediately after launch, and researchers from NASA, the National Oceanic and Atmospheric Administration and Howard University watched the information on computer screens in mobile offices at the side of the field.

They were watching to see if the balloon data gibed with the information from Aura; ultimately, they want to use Aura and other satellites to predict air quality, but they need to check its data against proven sources, like the instruments on the weather balloon.

"This is a new thing to try and make these measurements from space and to try and do air quality forecasting," Whiteman said in an interview. "So we need to use more standard measurement techniques ... such as things we do from the ground, and compare those with the satellite and assess how well the satellite is performing."

Aura is meant to help figure out how Earth's climate is changing, but the phenomenon of human-caused global warming is not in doubt, according to a NASA fact sheet describing the satellite's mission.

"It is undeniable that human activity is beginning to alter the climate," the fact sheet reads. "The global rise in surface temperatures since the 1950s is correlated with the increase in greenhouse gases, especially carbon dioxide."

Green Buildings

By Sacha Cohen

Special to The Washington Post, Sunday, August 6, 2006; M03

Would you spend more money on your home if you thought it would cause less damage to the environment? If so, you're like the vast majority of Americans. A January poll by the American Institute of Architects showed that 90 percent of respondents said they would be willing to pay \$4,000 or \$5,000 more for a house that would use less energy and protect the Earth.

To meet demand for greener structures, architects and builders are increasingly incorporating ecologically sound practices into new developments, both public and private.

Want to experience green building in action? Here are a few locations to check out:

AMERICAN SOCIETY OF LANDSCAPE ARCHITECTS. By covering the roof of its building with black-eyed Susans, stonecrop, cactuses, sumacs and dozens of other types of grasses,

perennials and succulents, the professional association is helping to reduce heating and cooling costs, and improve community air and water quality.

"Landscape architects are leading many green roof projects across the U.S. and abroad, so it was only fitting that ASLA provide a demonstration project on this sustainable technology that can cure so many urban ills," says Executive Vice President Nancy Somerville. "We hope to provide a catalyst for more green roof development in Washington and beyond."

Call for info on public tours. 636 Eye St. NW. 202-898-2444.

ECOVILLAGE OF LOUDOUN COUNTY. This 180-acre community, with houses beginning in the low \$400,000s, preserves open space and uses solar power and environmentally sensitive technologies to conserve water and energy. Homes in the community have superior insulation in walls and roofs, as well as high-tech ventilation systems that reduce heating and cooling requirements, while maintaining excellent indoor air quality. Construction practices in and around the community preserve existing forest, and protect wildlife, soil and water, while landscaping emphasizes native plants, ground cover and wildflowers. Tours can be organized via the phone or Web. 12606 Trillium Glen Lane, Lovettsville. 540-822-9449.

HOTEL MADERA. One completely eco-friendly floor (the sixth floor) features water-efficient showers, lights, recycled papers and recycling bins for guests to use. Plus, all hotel rooms are cleaned with eco-friendly cleaning products. The entire Kimpton hotel group is moving toward more ecologically sound practices at all properties across the country. for more details. 1310 New Hampshire Ave. NW. 202-296-7600. **NATIONAL BUILDING MUSEUM.** "The Green House" exhibit includes a full-size, furnished version of a modern prefab home that features environmentally friendly design and materials including bamboo flooring, countertops made from recycled paper and energy-smart appliances. There are also miniature replicas of 20 green residences from around the world and interactive elements in the exhibit that help visitors learn about the five principles of sustainable design. The exhibit runs through June 2007. 401 F St. NW. 202-272-2448..

NATURAL RESOURCES DEFENSE COUNCIL. This nonprofit walks the walk with a building that features a Freon-free air conditioning system; formaldehyde-free carpets and ceiling tiles; countertops made of soybeans and recycled newspapers; an energy-efficient lighting system; and energy-saving computers and appliances. The features of the building help cut energy consumption by 50 percent. Call to arrange a visit. 1200 New York Ave. NW. 202-289-6868.

NUSTA SPA. This space proves that you don't need to sacrifice aesthetics when you go green. Wood salvaged from the oak beams of an old barn in rural Pennsylvania is used for the walls, while the spa's maple flooring is from a sustainable forest. A redesigned HVAC system removes more than three times as many particles as standard filters for superior indoor air quality. And the spa only uses biodegradable laundry detergent, nontoxic cleaning products and non-chlorine bleach. "Since we're all about health and wellness, it just made sense for the spa itself to be a healthy space," says owner Elizabeth Snowdon. 1129 20th St. NW. 202-530-5700.

ROBERTSON PARK YOUTH CENTER. Boasting insulation made from recycled blue jeans and floors fashioned from recycled tires and rubber, the new youth center is Gaithersburg's first public green building. Home to all kinds of sports activities, a computer-study room and a rock-climbing wall, its environmentally sensitive features include a geothermal heating and cooling system that saves energy and reduces air pollution; cabinets made from rapidly renewable wheatboard; and light sensors to control lighting and save energy. Conforming to standards set by the U.S. Green Building Council, the building also has educational signs that highlight environmentally friendly aspects and provide tips on how everyone can include green features in their homes. 801 Rabbitt Rd., Gaithersburg. 301-258-6166..

Tips for Eco-Friendly Living

Not everyone has the luxury of hiring an architect to build an eco-chic dream home. So, what can you do to make a difference? Here are a few suggestions:

- Plant shade trees and shrubs around your house. The foliage helps keep your home cool in the summer, and lets light through in the winter when the tree branches are bare.

- Select materials that have minimal or nontoxic properties, and that don't shed dust or fiber.
- Seal gaps or cracks in your home where moisture can get in, and heat and cooling can leak out.
- Turn down the thermostat in winter months. Lowering it by just one degree can reduce heating energy costs by about 4 percent. Raise the thermostat in summer for similar savings.
- Conserve energy by purchasing major appliances with an Energy Star rating.
- Install low-flow shower heads, faucets and toilets. According to the National Building Museum, if all households used low-flow toilets, Americans would save 2.1 trillion gallons of water and \$11.3 million every day.
- Buy nontoxic paints, carpet and cleaners.

Anatomy of a heat wave

By MILES MUZIO, contributing columnist
Bakersfield Californian, Sunday, Aug. 6, 2006

Editor's note: Miles Muzio is the chief meteorologist for 29 Eyewitness News and Fox 58. Muzio takes a look back at the recent spate of hot weather we've had and tells us what characteristics made it unique. He looks to the future as well, to tell us what we can expect for the rest of the summer.

How bad was the most recent heat wave?

On a scale of 1 to 5, it was a doozy, clocking in at a category 4 here in Kern County and hitting the top of the scale in Fresno County.

This was our third heat wave of the summer and, though August has begun moderately, we are still in the early days of the month.

Still, July 2006 will be etched into our minds as the hottest month in recent memory.

For Bakersfield it was the 10th warmest July. In Fresno it proved to be the warmest on record (since 1887).

Here in Kern, the mercury topped 116 in Arvin and Wasco. Meadows Field reached 112 degrees, the warmest since 1978. Only those in their mid-30s or older have any recollection of a similar period of hot weather in Bakersfield.

This summer has featured three heat waves so far.

Heat Wave No. 1 ran the last nine days of June, from June 22 to 30. It was rated a category 2 and was noteworthy for five consecutive days with unhealthy air quality and one record-high minimum temperature of 80 degrees.

Heat Wave No. 2 was the least impressive -- from July 8 to 11. A category 2 event, it lasted four days and included one unhealthy air quality day and one record high minimum.

But the headline event of the season has been Heat Wave No. 3.

It started July 14 and ran through July 29, lasting 16 days (with 15 days of consecutive triple-digit heat). Only one unhealthy air quality day was recorded, but monsoonal moisture kept overnight lows well above normal. Five high minimum records were set or tied. The string of seven days with low temperatures at 80 or above came in second in the record books to a stretch of eight days in July 1978. And there were several bouts of heavy thunderstorm activity in our mountains.

This category 4 episode inflicted multi-faceted damage in Kern County, but was classified a category 5 (most intense) heat wave in Fresno, where the impact was even greater.

Over the past two years, there has been a dramatic return to "old time" heat waves reminiscent of the 1930s. Long-time residents in the Bakersfield area can clearly recall days of unbearable heat that had to be endured without the help of air conditioning.

The introduction of extensive agriculture and irrigation has over time added incrementally higher humidity to the lower atmosphere that, in turn, has mitigated extreme temperatures. But lately that trend has seemed to turn around.

The results have been costly.

- Weeks after Heat Wave No. 3, confirmed heat-related deaths continue to rise as autopsies are performed. Up to 164 Californians may have perished due to heat stroke.
- It appears the California dairy industry has taken an enormous hit. Federal disaster assistance has been requested and losses have been estimated as high as \$1 billion.
- Other crops, including grapes, also suffered. Jennifer Hashim-Buckey, University of California viticulture farm adviser, says color development among Kern County grapes has been widely affected. Red flame seedless grapes aren't turning red due to complicated chemistry associated with the extreme heat of July. "If color doesn't develop beyond 80 to 90 percent," she explains, "the grapes aren't sold." Additionally, there have been widespread reports of shriveling of Thompson seedless and wine grapes.
- Energy bills already are soaring.

The Central Valley is no stranger to heat waves. It isn't the magnitude of the heat as much as the relentless day-after-day hot weather that takes its toll.

In 2003, I developed a method to quantify the effect of prolonged heat. It categorizes the threat in five ascending degrees of impact, much as the well-known Saffir-Simpson scale of hurricane intensity and the Fujita scale of tornado damage do.

Primary parameters include maximum and minimum temperature, humidity, air quality and the length of time these values remain high. My effort to define what a heat wave is has led to the wider application of realizing an interconnecting effect on physiology, agriculture and the economy.

Heat such as we endured in July poses a physiological hazard for humans and other animal life. After many days of extreme heat, those who work outdoors may suffer compound distress. The risk of injury from heat exhaustion or heat stroke increases dramatically. Animals reduce their activity due to overheating. At category 3 and above, laborers must alter their work schedule to avoid life-threatening injury. Extreme heat is dangerous to those without air conditioning and people particularly susceptible to medical complications.

Farmers face an enormous challenge with relentless heat. Wilting and reduced yield may result. Growers confront a loss of revenue due to poor quality and lower yield combined with increased costs to combat the heat and prevent field workers from suffering.

As the mercury soars, air conditioning use in homes and businesses increases. Residents spend less in the economy and more on their energy bills. Businesses spend more to cool large spaces, reducing profitability. Electric demand often exceeds supply. This can result in rolling blackouts, which may also have a large impact upon business and commerce. Even air conditioning in our vehicles affects gas mileage.

A heat wave scale quantifies these threats and can help government officials prepare in advance.

What lies ahead?

Long-range forecasting is sometimes more art than science, even with today's technology.

I look at a combination of Pacific sea surface temperature anomalies and long-wave trends, then teleconnect them to broad jet stream patterns across the Northern Hemisphere. Based upon the current cooler-than-average water south of Alaska, that would argue for a continued ridge of high pressure in the western U.S. Ocean temperatures are fairly conservative, changing slowly, which makes them a better tool for long-term forecasting. At the same time, these anomalies change mainly as a function of vertical movement in the ocean, which is difficult to forecast. The National

Weather Service's three-month projection calls for a high probability that it will remain warmer and drier than normal through the autumn.

I expect about two more heat waves through the middle of September. The next one could be upon us by the end of this week as a marginal category 1 event.

Heat waves in Kern County have not increased substantially due to global warming of the past several decades, but the length and magnitude of future heat waves may expand if current trends persist.

However, these are natural cycles caused by natural causes such as oceanic circulation changes and are not brought about by human activity.

In a 2005 interview with Discover magazine, Dr. William Gray, a renowned hurricane expert at Colorado State University, said: "If you don't know anything about how the atmosphere functions, you will of course say, 'Look, greenhouse gases are going up, the globe is warming, they must be related.' Well, just because there are two associations, changing with the same sign, doesn't mean that one is causing the other."

Air quality officials in Northern California recently declared that 25 percent of the state's PM-10 particulate matter pollution actually comes from China, as *The Californian* reported last month. Without detailed analysis, local sources would have been assigned a disproportionate contribution of PM-10 pollution. Such is the case with anecdotal evidence that is misinterpreted to assign a commanding proportion of climate change to human activity.

In fact, there is a great deal of disagreement in the scientific community regarding the cause of global warming. While microclimates and regional air quality levels are affected by civilization, people are exceedingly insignificant in the big picture and cannot alter the earth's climate one way or the other.

Seventy percent of the globe is water and humanity resides on a small portion of the remaining 30 percent. Alterations in climate are brought about by large stimuli, such as volcanism, changes in the solar constant, ocean circulation and variations of earth's albedo (surface reflection).

Still, barring global cooling (such as was observed in the 1940s through the 1970s), it's a safe bet that Kern County will continue to deal with heat waves for the foreseeable future. Being prepared for the next one is as important for Central California as is readiness for the next Katrina along the Gulf Coast.

- The latest 100-degree high temperature in Bakersfield was recorded Oct. 17, 1959.
- Heat waves become unlikely after the middle of September, although just three years ago a three-day category 2 heat wave occurred from September 21 to 23.
- Bakersfield has on average 38 100-degree-plus days per year.
- In 1939 we had 67 triple-digit days (the most).
- In 1965 and 1969 we had 12 triple-digit days (the least).
- The earliest 100-degree high was on April 23, 1910.
- The latest first 100-degree high in a season occurred only eight years ago on July 16, 1998 (an El Niño year).

Source: Miles Muzio

Talent

Modesto Bee, Saturday, August 5, 2006

SEEKING STUDENT ARTISTS Through Sept. 30

The San Joaquin Valley Air Pollution Control District is looking for student artwork for its 2007 Clean Air Kids Calendar. 557-6400.

Judge cuts award for Modesto dry cleaning pollution

The Associated Press

In the Bakersfield Californian, Saturday, Aug. 5, 2006

A \$175 million jury verdict awarded to the city for water contamination from dry cleaning chemicals was reduced by a San Francisco Superior Court judge to \$13 million, a clerk said.

Judge John E. Munter reduced the punitive damages Tuesday against two chemical companies, but rejected a request to order a new trial.

Damages against Vulcan Materials Co., based in Montgomery, Ala., were reduced to \$7.25 million from \$100 million. Dow Chemical Co., based in Midland, Mich., was ordered to pay \$5.5 million, down from \$75 million. The verdict for RR Street & Co. Inc., of Naperville, Ill., remained at \$75,000.

A jury decided in June that the companies acted with malice because they failed to tell dry cleaners how to use and dispose of chemicals without harming the environment.

Two other chemical companies - Pittsburgh-based PPG Industries and Dallas-based Occidental Chemical Corporation - were ordered to pay \$3.2 million for water pollution, but they were not hit with punitive damages.

Two local dry cleaning businesses that were named in the lawsuit, Modesto Steam Laundry and Cleaners and Halford's Cleaners, did not have to pay.

News in brief from Northern California

The Associated Press

In the Bakersfield Californian, Fresno Bee and San Francisco Chronicle, Friday, August 4, 2006

A device being tested in Placer County would give anti-smog advocates a new weapon in the fight against air pollution from locomotives.

The Advanced Locomotive Emission Control System is a sort of mechanical "bonnet" that descends on the smokestack of an idling locomotive and scrubs the diesel exhaust clean of all but 1 percent of the hazardous sulfur dioxide and soot.

The device was tested this week in Roseville, a Sacramento suburb. A 2004 study by the state Air Resources Board showed the Roseville train yard was the single largest generator of diesel exhaust in the Sacramento region.

More than 70 cargo trains a day stop or pass through it. Each time, a plume of locomotive soot extends about 100 square miles and raises the cancer risk for an estimated 165,000 area residents, the Air Resources Board study found.

The device is manufactured by the Colton-based Advanced Cleanup Technologies Inc. Union Pacific must now decide whether to permanently install them for trains idling at the Roseville yard.

The chief concern is whether it would stall train traffic. The system can suck exhaust from up to eight locomotives at a time, said Ruben Garcia, president of Advanced Cleanup Technologies.

Los Angeles, Long Beach to clean up ports

\$2 billion campaign to significantly reduce air pollutants in five years

by John Pomfret, Washington Post

Tri-Valley Herald, Friday, August 4, 2006

LONG BEACH — In the first effort of its kind in the nation, the ports of Long Beach and Los Angeles are about to launch a \$2 billion campaign to clean up the ships, trucks, cranes and locomotives that ply and pollute the waterfronts in country's busiest ports.

The two ports are among the biggest polluters in a region known for some of the nation's dirtiest air. Federal officials say that unless something is done, the pollution at those ports and many others across the nation will drastically worsen. The Environmental Protection Agency is predicting that by 2030, smog-causing nitrogen oxide emissions and particulate matter from ships and other commercial vessels will have doubled their current levels.

The California proposal, expected to be formally adopted next month, aims to reduce particulate matter by 81 percent and nitrogen oxides by 62 percent in five years. The plan includes a program costing several hundred million dollars to replace or retrofit the 16,300 trucks that service the ports on a regular basis and an aggressive attempt to force international shipping companies to switch to cleaner fuels, slow down as they enter the harbor and retrofit their ships so that they can be powered by electricity when unloading.

Environmentalists and government officials say the cleanup program underscores that, while California may have lost national prominence in areas including education, prison reform and transportation infrastructure, it remains the leader in environmental issues. They said that leadership was on display earlier this week when British Prime Minister Tony Blair visited the Long Beach port and met with Gov. Arnold Schwarzenegger, R, and leading industrialists to discuss joint efforts to reduce global warming.

"California historically has been the laboratory from which others learn," said Bill Becker, executive director of the State and Territorial Air Pollution Program Administrators. "It started regulating cars in the 1960s. Now while the rest of the country is sitting idly by, its ports are taking appropriate steps as well."

Combined, the Long Beach and Los Angeles ports are the biggest in the nation and among the top five in the world, occupying more than 60 miles of waterfront along the dirty waters of San Pedro Bay.

The places are vast, dotted with mountains of 40-foot cargo containers, gangly 300-foot tall cranes, oceangoing ships, and warehouses stretching into the Southern California smog. Each year, more than 40 percent of all containerized trade in the nation — valued at more than \$300 billion — flows through these ports, filling Wal-Marts and other big-box stores across the land.

An engine to Southern California's growth, the ports generate more jobs — 500,000 — than Hollywood's movie industry. The longshoremen who work the ports have some of the highest-paying blue-collar jobs in the nation, averaging more than \$120,000 a year.

In recent years, as trade with Asia, especially China, has boomed, so has activity in the ports. In 1990, the two ports handled the equivalent of 3 million 20-foot containers. This year, they will process more than 16 million, according to Art Wong, a spokesman for the Long Beach facility. S. David Freeman, chairman of the powerful Los Angeles Harbor Commission, estimated that traffic will double by 2020.

The problem, Freeman said in an interview, is that if the ports hope to handle that increased cargo, they will have to grow.

But each time the ports — located in a region that is home to more than 14 million people with no shortage of active environmental and neighborhood associations — have put forward a plan to grow, they are sued. And increasingly they lose.

In 2001, for example, a lawsuit by the National Resources Defense Council blocked the Los Angeles port from constructing a 174-acre terminal for the China Shipping Holding Co. because the port did not conduct an environmental impact study. The resulting judgment forced the port to conduct the study and pay \$50 million in environmental mitigation measures.

"We realized it was either clean up the air or lose business," Freeman said in an interview. "The time for yakking is over. The only way we're going to remain competitive is by growing and cleaning up the air at the same time."

The job of cleaning up the ports will be daunting, Freeman said. In the Los Angeles area, oceangoing ships, harbor tugs and commercial boats regularly emit many times more smog-forming pollutants than all the power plants in the region. Daily, the Los Angeles port spews more nitrogen oxide, 32 tons, and more particulate matter, 1.8 tons, than half a million cars, a typical refinery and power plant combined.

"The L.A. ports are like a toxic Superfund site when it comes to the public health threat," said Frank O'Donnell, president of Clean Air Watch, a D.C.-based environmental group. "It is one of the single largest sources of pollution in all of Southern California."

The most difficult part of the equation, port officials estimate, will be cleaning up the tens of thousands of trucks that ply the port every day. They alone are believed responsible for 40 percent of the nitrogen oxide pollution and 31 percent of the particulate matter emissions from the ports. Most of the trucks are older, dirtier short-haul vehicles that travel between the port and the hundreds of distribution centers that line the region's highways. Persuading drivers to switch to cleaner, newer vehicles will be an expensive proposition, even if much of the job is subsidized by the ports themselves, said Thomas Jelenic, an environmental specialist at the Long Beach port.

Smog-monitoring pigeons? PETA says, 'No!'

Animal rights group protests plan to put gadgets on birds

By Keay Davidson, science writer

San Francisco Chronicle, Friday, August 4, 2006

Animal rights activists are protesting an art professor's plan to fit more than 20 pigeons with smog-monitoring gadgets and release them from a San Jose arts festival Saturday evening.

Calling it a "grassroots scientific data-gathering initiative designed to collect and distribute information about air-quality conditions," Professor Beatriz da Costa of UC Irvine plans to unleash about 20 birds at 6:30 p.m. Saturday from the San Jose ZeroOne and International Symposium of Electronic Art festival at the San Jose Museum of Art. A second group of birds is scheduled for launch Tuesday.

People for the Ethical Treatment of Animals is "shocked that this project was even conceived of, and we're outraged that nobody at UCI stepped up and said, 'No, you can't do this without a good reason,'" said PETA research associate Matthew Mongiello, who investigates cases of alleged animal cruelty by science researchers.

In a statement, PETA called on UCI Chancellor Michael Drake to call off the flight. Drake couldn't be reached for comment Thursday.

The project was also protested Thursday by Humane Society Silicon Valley. "The decision to use animals with cumbersome equipment that could potentially endanger their lives -- it boggles my mind why (da Costa) would make that decision," said Beth Ward, vice president of animal and customer care.

UCI officials approved the project and believe it won't hurt the birds, a campus spokesperson said Thursday.

While some people dismiss pigeons as trashy urban critters, "pigeons are intelligent and sensitive animals. They deserve protection just as birds and cats," Mongiello said.

Orthodox air pollution experts don't rely on pigeons, and it's hard to see how such a project could generate very useful scientific data, said Ralph Borrmann, a spokesman for the Bay Area Air Quality Management District, which operates air-monitoring stations over a 6,000-square-mile area.

"We have 28 air-monitoring stations, and all of them are outfitted with very sophisticated and expensive equipment. These things tend to be big sampling devices. I don't know how you could get that on a pigeon," Borrmann said.

In theory, the birds will fly around for an undetermined period of time, carrying on their backs electronic instruments used to measure and transmit information about smog levels at their altitude over San Jose. Eventually the birds are supposed to return to their owner's home about 30 miles away. The owner is a pigeon racer whose identity could not be determined Thursday.

In its statement, PETA called the instruments "heavy and cumbersome equipment" that "could result in injury and exhaustion for the birds," and noted that the air district already monitors pollution levels.

The project was defended by Steve Dietz, director of ZeroOne San Jose, billed as "A Global Festival of Art on the Edge & the 13th International Symposium of Electronic Art," which runs Aug. 7-13. The image of birds equipped with radio transmitters is used as one of the festival's logos.

The smog-monitoring pigeon launch "is a project by an artist (da Costa) with a long track record of working with artwork looking at important environmental and other political issues," Dietz said, adding that the instruments will weigh less than 10 percent the creatures' body weight.

Earlier this year, da Costa said she wasn't sure if the pigeon launches have real scientific value but she defended them because of tradition and aesthetic appeal.

"As much as I think that PETA is doing important work, I think they should focus on people who actually are abusing animals," she said in a brief phone message left with the Chronicle on Thursday.

Officials at UC Irvine also defended the project, which was approved by the campus's Institutional Animal Care and Use Committee, according to a statement issued Thursday by campus spokeswoman Jennifer Fitzenberger.

"The backpacks worn by the pigeons, as well as the GPS equipment inside, have been specifically designed for use with pigeons and are neither heavy nor cumbersome," the UCI statement said.

Deone Roberts is a spokesperson for the American Racing Pigeon Union in Oklahoma City. Festival organizers consulted the group regarding da Costa's project, but the group is not connected to the project.

"It's simply an art event for entertainment," Roberts said. "If something informational comes out of it, how unique!"

A photo of one of the pigeons outfitted with the device is at da Costa's Web site at www.beatrizdacosta.net/.

Judge blasts EPA's efforts

He denies request for later deadline, says agency is 'foot dragging' on air standards

By Jane Kay, environment writer

San Francisco Chronicle, Friday, August 4, 2006

The U.S. EPA devoted substantial resources to making discretionary rules, many of which are "more congenial to industry," instead of fulfilling its legal obligation to curtail toxic air contaminants, a federal judge has ruled.

In the opinion issued Wednesday, U.S. District Judge Paul L. Friedman in Washington, D.C., sided with the Sierra Club and told the Environmental Protection Agency that he didn't accept the agency's excuse that it missed deadlines for regulating some industries because it was busy taking other actions.

Friedman in March told the EPA to complete regulations by 2009, denying the agency's request for a 2012 deadline.

The EPA has set emission standards for only 15 of the 70 industries that must be regulated under the Clean Air Act of 1990, the judge said in the opinion, which gives his reasons for ordering tougher deadlines.

Some of those unregulated industries include the manufacturing of plastics, paints, pesticides and chemicals. Others include businesses that strip paint, distribute gasoline, refurbish cars, preserve wood, and forge iron and steel. Dozens of different hazardous air pollutants come under regulation.

The EPA also has missed deadlines to control sufficient amounts of smog-forming emissions from consumer and commercial products, the judge said. Products such as spray paints and solvents, for example, can emit compounds that contribute to smog.

The opinion comes a week after the Government Accountability Office released a report saying that the EPA hadn't given top priority to regulating air contaminants, and had failed to protect the public.

On Thursday, EPA spokesman John Millett said the agency "is working to meet the new deadlines set by the court."

Millett cited the agency's announcement of stronger regulations on dry cleaners three weeks ago as an example. By 2007, EPA's regulations will have cut emissions by an estimated 1.7 million tons per year, he said.

Millett wouldn't say whether the EPA intended to appeal the decision. The agency had argued that it couldn't meet deadlines because it needed the time to produce high-quality regulations and was burdened by other regulatory responsibilities.

In the opinion, the judge said he supported the Sierra Club's argument that "it is inappropriate for an agency to divert to purely discretionary rule-making resources that conceivably could go toward fulfilling obligations clearly mandated by Congress."

The EPA, including its Office of Air and Radiation, "currently devotes substantial resources to discretionary rule-makings, many of which make existing regulations more congenial to industry, and several which since have been found unlawful," the judge said.

"EPA has been grossly delinquent in making serious efforts to comply" with congressional direction in the Clean Air Act, he wrote.

The history of regulation under the law's air toxics and consumer products provisions shows that the "EPA has fulfilled its statutory duties only when forced by litigation to do so," the judge wrote. "By all appearances, EPA's failure to promulgate the required standards owes less to the magnitude of the task at hand than to 'the foot-dragging efforts of a delinquent agency,' " he said, citing language from a U.S. Court of Appeals decision, "or to an attempt by EPA to prioritize its own regulatory agenda over that set by Congress."

Earthjustice, a nonprofit law group that represents the Sierra Club, had supplied the judge with a list of discretionary rules from the EPA that took time away from adopting the air toxics rules for businesses. It included removing coal-fired power plants from the list of sources for which air toxics standards are required and reducing industry's toxic-release reporting requirements.

"We're pleased that the judge has put EPA on a schedule to finally control this toxic pollution," said Thomas Pew, an Earthjustice attorney.

State officials push for better hybrid cars

Drive to get automakers to hit next frontier: over 100 mpg

by Douglas Fischer

Tri-Valley Herald, Thursday, August 3, 2006

SAN FRANCISCO — The concept sounds like a no-brainer for the Bay Area, given the number of gasoline-electric hybrid automobiles on the road.

But the idea came from Texas:

Push automakers to develop hybrid vehicles that churn out 100 miles to the gallon or more, and watch energy imports and greenhouse gas emissions drop off.

Last summer, Austin city leaders and their local utility, Austin Energy, launched such an effort, with the utility providing \$1million in seed money for the purchase of next-generation hybrids. Wednesday, state and regional leaders committed the Bay Area to the program, dubbed "Plug-in Bay Area."

Terry Tamminen, Gov. Arnold Schwarzenegger's senior adviser on science and the environment, offered the state's endorsement.

Jack Broadbent, top executive of the Bay Area's air district, said advances driving the next generation of hybrids represents "an important technology that needs to get out there in the public's hands."

The first goal, organizers said Wednesday, is to get manufacturers to accelerate development of 100-mpg hybrids. Plug-in Bay Area's supporters hope to persuade government agencies to use the considerable pressure of fleet purchases to steer the technology forward.

Hybrids today — such as the Toyota Prius — use a gasoline engine to supplement the electric motor and

recharge the car's batteries. The next generation, often called "plug-in hybrids," are expected to contain beefier batteries and a plug, giving drivers the option of bypassing the gasoline engine entirely and recharging batteries via a standard electrical outlet.

Today's hybrids typically get from 40 to 50 miles per gallon, about 20 percent more than they would obtain without hybridization. A plug-in hybrid, supporters maintain, can easily top 100 mpg and offer tremendous potential in reducing fuel consumption and air pollution.

It could also provide a boon to electric utilities looking to sell off-peak power: A typical plug-in hybrid owner would drive the car all day, return home in the evening and plug it in, drawing power at the exact time a utility would like to sell it.

"You will never know the difference when you drive a plug-in hybrid," said Bob Graham of the Electric Power Research Institute, one of the program's backers. "You could put a plug-in hybrid in your pickup, your SUV, your minivan and drive it and never notice the difference.

"It is just a road map to using electric-drive technology to reduce emissions."

The hitch is battery technology. Durability is a chief concern, said Irv Miller, spokesman for Toyota Motor Sales Inc., the nation's leading seller of hybrid cars. Cost is another.

"Toyota is looking very seriously at the issue," said Miller. "But the battery technology right now doesn't support moving forward. We just don't feel confident bringing the batteries to market."

Those spreading the gospel of plug-in hybrids Wednesday hope that, as volume builds, costs drop and durability concerns fade, plug-in hybrids will quickly filter into the mass market.

Maybe so. Toyota's Miller recalled how a similar sense of hope and promise swept the activist community when automakers, in response to an all-but-rescinded California mandate, rolled out electric vehicles in the 1990s.

"Those folks didn't emerge as purchasers or leasees," Miller cautioned. "And for the technology to survive and propagate, you need to translate emotion and energy into a market."

[Modesto Bee, Letter to the Editor, Monday, August 7, 2006](#)

Poverty helped kill heat

Thank you for your coverage of the heat wave, especially for the attention to the suffering of the most vulnerable and the compassionate response of the community. People living in poverty are the most likely to become ill and die in the heat. It is poverty, as well as the heat, which is killing.

While part of the heat crisis was beyond our control, it is crucial that we choose to act on the root causes over which we have some control — economic injustice, inadequate health care, global warming, social isolation and air pollution.

KEN SCHROEDER, Modesto

[Modesto Bee Editorial, Sunday, August 6, 2006](#)

Legislature returns for August push

When the California Legislature reconvenes Monday, topic A will be prisons and Gov. Schwarzenegger's proposal to spend \$6 billion to build two large prisons and add smaller facilities to the state system.

But there are hundreds of other issues to be debated and voted upon. They range from a bill to allow industrial hemp to be grown in California to one that would raise the minimum wage. Among the proposals especially important to our area:

- AB 959 — This bill would raise the reimbursement amounts for Medi-Cal patients seen at publicly owned clinics, such as those operated by the Stanislaus County Health Services Agency. Currently, the higher reimbursement is available only to county hospitals.

This proposal likely will get through the Legislature because it is the federal government, not the state, that ultimately foots the bill for Medi-Cal, which is California's version of the federal Medicaid program.

The bill won't solve the problem, but it will improve the financial outlook for county health clinics.

- AB 1997 — This proposal by Assemblyman Dave Cogdill, R-Modesto, is a strategy to get gross-polluting vehicles off valley roads. It would give an income-tax deduction to individuals, businesses or government entities that donate nonpolluting vehicles to the San Joaquin Valley Air Pollution Control District. People who have gross-polluting cars then would be eligible for one of the donated, nonpolluting vehicles.

This is an alternative to a previous program that gave people money to turn in a gross polluter. The problem, according to Seyed Sadredin, executive director of the air district, was people often got the money, then turned around and bought another gross polluter, not decreasing the valley's smog problem.

- AB 2987 — We now have reservations about this bill regarding cable television, in part because of the persuasive arguments of local officials.

As it stands, this proposal would allow AT&T and Verizon to offer video service along with Internet and phone services.

By creating state franchise agreements, the law would allow cable companies, such as Comcast, to shed their responsibilities to local governments.

The proposal could create havoc for noncommercial channels — those broadcasting educational, governmental and community issues. The bill only requires that there be three such channels per cable provider and limited funding for them. The provider could change something as basic as the format requirement for videos, leaving locals unable to produce their community programming.

Of even greater concern in Modesto is the fiber-optic network Comcast provides under contract with the city. That network links city fire stations, for example, and all Modesto City Schools campuses, which use it to distribute educational programs. The city and school district invested millions in this project, counting on the contract to last 15 years. Only two years have passed. If the city and school district had to buy or lease that fiber-optic network, the expense could be huge.

[S.F. Chronicle commentary, Sunday, August 6, 2006:](#)

'Green' governor needs to cool it

MAYBE IT'S because California has sweltered through a bake-oven summer, but global warming has shot up on the public's list of crucial election issues, even as a new poll shows Gov. Arnold Schwarzenegger is trusted on the environment.

The poll by the Public Policy Institute of California also shows Schwarzenegger well ahead of state Treasurer Phil Angelides to win in November, but Arnold shouldn't get a big head. It's fine to see him flourishing his pen with British Prime Minister Tony Blair on global warming, but he shouldn't get ahead of himself on an issue that requires a careful, multidisciplinary, reasoned response.

Among other things, the governor wants to take some of the power from the California Air Resources Board and give it to a special group focused solely on the gases and emissions linked to global warming.

I am always leery of new layers of government. We have an extensive state Environmental Protection Agency, and our activist state Air Resources Board has dragged California out of the polluting 1970s. We've added millions of residents over the last 30 years, yet smog is way down in Los Angeles, the Inland Empire, Bay Area and San Diego. Other nations copy us. Smoggy Seattle and Denver steal California's ideas -- after ridiculing us for years. Moreover, the California Chamber of Commerce and big business were proved dead wrong in their 1970s predictions that our massive air cleanup would harm business. Instead, the war on smog spawned high-paying jobs for engineers, scientists and others who design, build, install or sell the smog scrubbers, conservation equipment, smart buildings, efficient appliances and other green ideas.

My concern is that in his desire to maximize his polling advantage, the governor will forget how easy it is to muck things up by messing with a large bureaucracy. According to the PPIC survey of 1,225 likely voters, Schwarzenegger has a big 43 percent to 30 percent advantage over his opponent, Angelides. His "I'm not Bush" approach is paying off. Among likely California voters, 44 percent approve and 36 percent disapprove of Schwarzenegger's environmental policies -- remarkable for a Republican in a Democratic state.

On May 31, he unveiled his global-warming plan at the U.N. World Environmental Day Conference. He has proposed a rollback in emissions of gases believed linked to global warming to 2000 levels by 2010, followed by a series of further rollbacks.

Which brings us to his proposed "Climate Action Board," which would oversee a "comprehensive emission reduction system" affecting buildings, landfills, agriculture, the energy sector and many other areas. BreAnda Northcutt, of the California EPA, tells me, "The Air Resources Board has made it clear they don't have the expertise or manpower to operate a comprehensive emissions management system." The new board would not merely push through environmental regulations. It would have the power to stop regulations that curb greenhouse gases -- if those rules hurt the economy. It would decide upon "cap and trade" provisions that give monetary incentives to low polluters (a great idea), but allow some polluters to pay to avoid sanctions (a necessity, until we figure out how to make industries cleaner).

Arnold wants Assembly Speaker Fabian Núñez, a Los Angeles Democrat, to amend AB32 to create his Climate Action Board. But some environmentalists are queasy, seeing the governor's idea as a possible end-run around the Air Resources Board. Do we want the governor to control this powerful new bureaucracy via an appointed body? It's true that the governor also appoints the members of the Air Resources Board, and it also serves at will. But the ARB has a long and steady history of doing its job. We know its work. Yet we don't even know who the governor will be six months from now. What if Schwarzenegger creates this powerful new body, and it immediately comes under control of "Gov. Phil Angelides"? I certainly don't want Angelides

choosing the nine people who make global-warming decisions for California. He's clueless. But more importantly, because Schwarzenegger has a vision for how it should operate, shouldn't he wait until he knows whether he is re-elected the governor before he creates it?

Nobody knows how to address global warming. Recent reports say that the burgeoning Chinese economy is creating a lot of California's smog and there's not a thing we can do to stop them. Nobody knows if we are on a short trajectory to climatological disaster, or, as some believe, if we are overreacting to an eons-long process that will begin a vast self-correction and cool down without us. Or something in between.

Schwarzenegger should move slowly here. In California, it is rare to see an agency that does its job and helps society, as does the successful Air Resources Board. The more common outcome, by far, is the Law of Unintended Consequences.

Jill Stewart, a print, radio and television commentator on California politics, can be reached at www.jillstewart.net.

[Sacramento Bee, Commentary, Sunday, August 6, 2006](#)

Daniel Weintraub: Clearing air on California's success in pollution fight

By Daniel Weintraub -- Bee Columnist

One of the biggest successes of government regulation over the past generation has been the project to clean California's air. But most of the state's residents have no idea how things have changed, or why.

In a recent poll by the Public Policy Institute of California, half the adults surveyed said they believed the air quality in their region was worse today than it was 10 years ago, and another 13 percent said it was the same. Only 21 percent said it was better.

But by almost any measure, the air is cleaner today in just about every corner of California than it was a decade ago. And the progress over the longer term has been even more dramatic.

The change is all the more impressive because it has come amid the state's relentless growth. California's population of 37 million has nearly doubled since 1970, when the effort to clear the air began in earnest. Over the past 10 years, we've added 5 million people. But still the air gets cleaner.

Twenty years ago, smog alerts were fairly common, especially in the Los Angeles region. In a first-stage alert, school districts were warned to use caution when allowing children to play outside. In a second-stage alert, businesses that produced a lot of ozone, a major ingredient in smog, were told to cut back their operations or switch to cleaner burning fuels. Now those warnings are relatively rare.

The transformation began in the mid-1970s, with the federal Clean Air Act and the phasing out of leaded gasoline. The lead in fuel caused many problems, but one was crucial: It prevented the use of catalytic converters to clean the exhaust, because the lead poisoned the devices.

Catalytic converters are filters that reduce an engine's emission of carbon monoxide, hydrocarbons and nitrogen oxide, which come from burning fuel and are the major ingredients of smog. The introduction and development of the catalytic converter and the invention of cleaner burning fuels greatly reduced the amount of pollution produced by cars and trucks.

The other big change, especially in the past 10 years, has been the reduction in pollution from diesel engines.

Before 1993, the average sulfur content of diesel fuel was around 3,000 parts per million, according to the California Air Resources Board. Cleaner-burning fuel introduced in the early 1990s reduced that to 500 parts per million. Soon, it will be 15 parts per million.

Regulators have also cracked down on other sources of pollution, from boats and lawn mowers to fireplaces, gas cans and household cleaners. Some critics certainly saw this as overkill. But it is hard to argue with the results.

California's air basins today violate state and federal clean air standards far less than they used to.

In the Sacramento Valley, between 1980 and 1985, the region exceeded the national one-hour standard for ozone an average of 19 times a year. Between 1990 and 1995, the average number of days exceeding that standard was 12. And from 2000 to 2005, the average dropped to just four days in excess of the one-hour national standard.

In Los Angeles, which was once famous for its dirty air, the average number of days exceeding the national standard dropped from around 160 in 1985 to 120 in 1995 to about 30 in 2005. "Air quality is much better than it was 10 years ago," says Jerry Martin, a spokesman for the state air board. "A lot of people probably don't remember those old days. Twenty years ago, people saw giant leaps in improvement, saw it very rapidly. But you don't see the big reductions now because we don't get large reductions any more. We get small, incremental reductions. All the big things have been done."

The new focus is on particulate matter, the tiny specs of pollutants that come from dust, dirt, soot, smoke and moisture produced by factories, power plants, cars, trucks and construction activity. This is still a big problem, but most of the state has seen slow but steady progress on that front as well.

Why don't more people know this? One reason might be migration. As people move from coastal areas to the inland valleys, where smog is worse by comparison, they think pollution has been getting worse in their new neighborhood, even if it's not.

Another is the nature of our politics. Democrats tend to downplay the progress because they are pushing for more regulation to make the air even cleaner. Republicans are generally suspicious of regulation and don't want to celebrate one of its success stories.

So there is a conspiracy of silence. And widespread ignorance.

[Lodi News Sentinel, Guest Commentary, Saturday, August 5, 2006](#)

An opposing view: Delta site is wrong

Victor Road location would spur sprawl and create congestion, destroy Native American history

By Mary Hoff and Karen Munro

Many believe that having a community college campus in Lodi would be great. We couldn't agree more. We validate the educational, cultural and economic benefits that would flow to Lodi by having a Delta satellite campus in the community. However, we are opposed to the Victor Road site selected for Delta's satellite campus.

Thousands of voters approved the educational bond measure that promised to improve the Delta campus in Stockton and develop existing plans for satellite sites. Surely voters did not envision that Delta would use the educational bond money or its status as an educational institution to contravene AG40 zoning for commercial developers. We are strongly opposed to the use of

Educational Bond Funds for any purpose other than Education. You should be, too — it's your tax money.

Delta is considering purchasing 168 acres on Highway 12 (Victor Road) and Kennison Lane for \$17 million, using Educational Bond Funds. This would be more than twice the land it needs for its satellite campus, and therefore Delta intends to sell off about half to developers for "multi-unit housing and retail shops" to provide economic support for the college. By doing so, and only through this loophole, this agricultural land can be converted to commercial zoning.

We are opposed to Delta using its educational status to change the agricultural zoning to allow the commercial developers to get their grip on the vineyards, and Mokelumne River land east of Lodi. This area will turn into the likes of Pacific Avenue in Stockton, with malls, fast food, etc. Delta has stated they would like retail and other services complementary to the college. However, once the land is sold to developers, the college has no say about what can be built on this land.

Remember how the downtown area in Stockton withered and died due to the development of retail and homes around the northern Delta campus? Lodi's downtown area is in a fragile state and deserves protection against further retail development which would draw shoppers away from the downtown area until it is safely established as a destination. Any economic impact study should include what would happen to the downtown economy if retail and other commercial venues are established on the east side of Lodi. If the "Economic Impact" report, which was recently reported in the Sentinel is accurate (and we find this questionable, given Delta's own 2001 report), the impact is transferable to any place in Lodi and is not tied to the Victor Road site.

Traffic is a major issue. Roads will need to be widened from Lockeford to Lodi and Highway 99, and on/off ramps will need major improvements to accommodate the additional traffic. Turner Road will need to be extended along the river to the campus, thereby taking out acres of vineyards and existing homes. Who will pay for all of this, and where are these displaced people expected to go?

The Mokelumne River area, being a wildlife and bird sanctuary, and a Native American historical site, is something to be treasured, not plowed under for buildings and parking lots. Well known environmental groups and Native American historical groups will investigate and contest the Environmental Impact Report based on transportation, habitat and air quality issues, which appear to be many. Much of the proposed site, which is located in the 100-year flood plane, is currently still underwater, since the levee broke earlier this year.

We should encourage Delta to come to Lodi; but a more prudent course of action would be to select land that is affordable and does not require commercial development to make it work. There are several other very suitable sites in and around Lodi (near Interstate 5, Highway 99 and the downtown area), any one of which would make a perfect home for Delta College. These properties have good access to local highways, better infrastructure capabilities and fewer negative environmental impacts. Some of these locales have recently been communicated to Delta's L.A. site selection consultant for consideration. It has even been suggested that Delta consider joining in the revitalization of downtown by locating its culinary school there. It is our hope that Delta would look at these alternative sites before they choose where to locate their satellite campus.

Lodi is known for its vineyards and the beautiful Mokelumne River. Why seed urban sprawl which will surely come from the commercial development, required to enable Delta College to fund its campus buildings at the Victor Road site? Why compromise the integrity of what Lodi is all about? There are creative ways to bring a community college to Lodi without endangering the habitat of what little wildlife and agriculture is left, and tearing down something beautiful to put up a parking lot.

There is a petition circulating Against Using Bond Funds for any purpose other than education. If

you would like to sign this petition or request additional information to be sent to you, please send your contact info to deltacollegelodi@yahoo.com.

[Modesto Bee, Letter to the Editor, Saturday, August 5, 2006](#)

Problem is housing, ag too close

Regarding "Keep ag processors near crops" (July 20, Letters): Everyone agrees to keep processors near agriculture areas; this is not the problem. The problem is that many of our agriculture areas are located in between or along subdivisions. We can, of course, blame the master plan of the city and county, the supervisors, city officials and, hey, why not God himself. Modesto has failed to prevent growth on our prime agricultural land.

First, we need to consider the effects on the people. We have no choice. We have intermixed agriculture and family homes for years. What's more important? People.

Second, why are they abandoning the current plant -- because of costs? I understand remodeling is expensive; so is health care. There are many individuals who could or would be affected by overall air quality and traffic congestion.

We already have trucks taking shortcuts from Maze Boulevard to Carpenter Road. Who's to say haulers won't do the same? Kansas, Dakota and Rosemore are country roads, and there are a lot of stop signs between here and there. There will be backups. Processing plants are not the responsibility of the people who've invested, pay taxes and live.

SHERRIE LAMBAREN, Modesto

[Stockton Record, Letter to the Editor, Saturday, August 5, 2006](#)

Testing some "truths"

A July 24 letter to The Record ("Gore probably won't be inconveniencing himself") criticized Al Gore for his "dire predictions" concerning global warming and claimed "environmental scientists insist weather phenomena occur in cycles - some warmer and some cooler."

It's wise to appeal to scientists.

Is it wise to listen to the minority of scientists who think climate change is due to weather cycles, instead of the vast majority who agree it's caused by humans?

Is it wise to heed research funded by oil companies instead of research done by academic and government institutions?

What does this "doomsday crowd" ask of us?

» To drive less and use energy-efficient appliances, which reduce pollution and our crippling dependence on foreign oil.

(no writer's name given)