

Air district wins suit on dairy rules

Judge finds San Joaquin Valley agency meets state law in reducing ozone emissions

From Staff Reports

Tri-Valley Herald, Sunday, August 26, 2007

A Superior Court judge ruled last week that the San Joaquin Valley Air District fulfills state health requirements in reducing ozone emissions from dairy operations.

In 2006, a lawsuit was filed against the Air District from a group calling itself the "Association of Irrigated Residents" that claimed district rules failed to comply with state law pertaining to "confined animal facilities" such as dairies.

The court decision ruled in favor of the Air District on every issue raised in the lawsuit.

"The District rule in question is the most expansive and strongest regulation ever imposed on the dairy industry anywhere in the nation," said Seyed Sadredin, the district's executive director. "With public health being our primary focus, we exercise the utmost diligence and research in crafting our regulations, and this one is no exception."

The rule forces dairies to reduce "volatile organic compounds" by 21 tons per day, districtwide. Officials say this is the equivalent to removing one million passenger vehicles off Valley roads.

The regulation also reduces ammonia emissions by 100 tons per day from dairies and other confined animal facilities throughout the Valley.

Officials say these high-water marks are achieved when dairies exercise the best possible waste management and feeding practices and controls that minimize all gaseous emissions into the atmosphere.

The tough dairy regulations are described as an "integral component" of the Air District's "fast track" strategy for reaching the federal health-based standards for ozone, years earlier than federal deadlines require.

To date, the San Joaquin Valley has some of the toughest regulations in the nation for the control of emissions from industrial and agricultural sources of air pollution.

While progress is being made in the agricultural industry, the "fast track" plan is also addressing the need to reduce emissions from mobile sources such as cars and trucks, which generate 80 percent of smog-causing pollutants.

For more information about efforts to clean up Valley air, visit the district on the web at <http://www.valleyair.org>

East Side residents inquire about West Park

Written by Jonathan Partridge

Patterson Irrigator, Saturday, August 25, 2007

Public comments vary from enthusiastic to skeptical at meetings to discuss plans for an industrial project at the former Crows Landing naval base.

The project might not be in their backyard, but dozens of residents in central and eastern Stanislaus County showed up to meetings this week to learn more about a proposed industrial park in Crows Landing.

Public comments varied from enthusiastic to skeptical as representatives of developer PCCP West Park presented plans for a 4,800-acre complex at the former Crows Landing naval base.

"What happens in the west does affect us," Oakdale resident Susanne McBride said Thursday after a workshop at the Oakdale Community Center. "People have to understand that."

West Park hosted meetings about its plans in Ceres, Modesto, Turlock and Oakdale this week. Project officials also had a workshop in Riverbank on Aug. 17.

The West Park team, led by Sacramento-area developer Gerry Kamilos, has proposed a project that would link the Port of Oakland to a new terminal at the Crows Landing Air Facility via rail. West Park's proposal also includes a business park, industrial space, medical and job-training centers and a public safety site.

After selecting West Park's project outline in February, Stanislaus County supervisors have given the developer a little more than a year to complete a full-fledged project proposal, which they will vote on in April. In the meantime, West Park is required to complete several intermediate steps, including hosting this week's public workshops on the plans.

East Side attendees at the workshops had many of the same questions and concerns expressed at West Side meetings last week. Those included queries about what the project would mean for agriculture, traffic and [air quality](#), potential jobs offered at the industrial park and the project's water and financing sources.

However, some folks also had questions about issues specific to their region, such as improving east-west roadways and creating cross-county modes of mass transit.

Like the West Side workshops, each East Side meeting was equal parts promotional and conversational.

"They presented a very good sales meeting," said Oakdale resident Neil Hudson. He added that many questions must be addressed before the project can be approved.

Loads of questions

Larry Giventer, a professor of political science at California State University, Stanislaus, expressed cynicism during Wednesday's meeting in Turlock about the promise of 37,000 jobs at the business park and population projections for the region as a whole.

"Show me an employer anywhere in the San Joaquin Valley that has that kind of job density," he said.

West Park representative Mike Lynch wrote in an e-mail later this week that no one has disputed that Kamilos' proposed Metro Air Park project in Sacramento is slated to have 17.5 jobs per acre. By contrast, the more expansive West Park project would have only 7.7 jobs per acre, he said.

Regardless, Giventer made it clear both during and after the meeting that he supported any project that would generate a good number of jobs.

"I'm not an opponent of the project, but I'm more of a realist," he said. "I'd like to know exactly what this project is."

By contrast, another man at the Turlock meeting questioned whether the project was a "Trojan horse" for housing and why developers thought the project would succeed.

Lifelong Modesto resident Ralph Sturtevant indicated at a meeting in Modesto that he was not a fan of the size of the project and how much farmland it would eliminate.

"I'm old enough to know what happened in San Jose, Santa Clara and that whole area," he said. On the other hand, a woman who said she works for the Alliance, the economic development agency that works on behalf of Stanislaus County and its cities, said she was all for the project and thought the Modesto workshop was informative.

"I liked it," said the staffer, who identified herself only as Jenny. "I think the people signing those petitions (against the project) should come to these meetings. ... (Kamilos) is willing to listen."

Common threads

Though each meeting was different, West Park representatives emphasized certain points throughout their countywide tour. For instance, they said the project's large size was needed to make each of its individual sectors, such as its business park and intermodal center, economically viable.

They also stressed that growth in the valley was inevitable and jobs would be needed.

Project officials regularly brought up a recent recommendation by Patterson's General Plan Advisory Committee that the city allow for a 5 percent annual growth rate, possibly leading to a population of more than 150,000 people in 2048.

"This is not the complete solution to the jobs-housing imbalance," Kamilos said Tuesday in Modesto. "This is more of a deposit."

Air quality was another talking point. West Park officials said the project would remove 1,200 trucks from the freeway that now travel from the Central Valley to the Port of Oakland each day. Lynch said a study indicated that truck emissions spike as trucks climb the Altamont Pass between Tracy and Livermore, and the intermodal station in Crows Landing would eliminate the need for that. But officials never addressed how trucks picking up goods from Crows Landing might contribute to air pollution locally.

As for traffic on area roads, West Park regional traffic engineer Chris Kinzel said most traffic would be from workers commuting to the job center. Potential employees could come from as far as Los Banos, Tracy and eastern Stanislaus County, he said. As a result, a comprehensive traffic study would be done of Merced, Stanislaus and San Joaquin counties, he said.

West Park representatives also responded to questions about financing, saying they planned to use private funding, state infrastructure bond money and contributions from other counties involved in their working group.

They described the project as a rare opportunity for Northern California cities and counties to team up to get state bond money.

"Too often, taxpayer money goes down to Southern California," Kamilos said Tuesday. Project representative Cathy Hallinan told the group in Turlock that other counties had committed to overpay the amount Stanislaus County would not provide.

Kamilos clarified by phone Thursday that jurisdictions involved have expressed a willingness to make the project work, but no commitments will be made until a bond application is in place.

Looking ahead

West Park is planning three more community workshops - a Patterson meeting on Sept. 10, a Spanish-language meeting in Crows Landing at a later date and a third meeting at a yet-to-be-determined place and time.

Meanwhile, representatives will give a project update to the county Board of Supervisors on Tuesday.

Though Kamilos did not go to Wednesday's or Thursday's meetings because of family commitments, he said all the meetings he had attended had varied tones based on who was there.

"Even the Patterson meetings were all different," he said.

At a glance

WHAT: Stanislaus County Board of Supervisors meeting; discussion topics include Crows Landing Air Facility project update

WHEN: 9 a.m. Tuesday

WHERE: Board chambers, basement, 1010 10th St., in Modesto

Carpool to school

Contra Costa Times, Saturday, August 25, 2007

Families in the San Ramon Valley Unified School District can now find school rides with through the online Carpool to School Ride-Matching Program.

The program is a multiagency partnership of the school district, the city of San Ramon, the town of Danville, ALTRANS Inc. and 511 Contra Costa County.

The program will help parents organize carpools. It is similar to Web-based ride-matching programs that have been implemented successfully in other communities. The program will provide a list of parents within the same neighborhood and school attendance area who are interested in forming a carpool.

Here's how it works:

Log on to the secure Web site at <http://www.pooltoschool.org> and follow the steps for your child's school online registration form.

Once you are registered online you will receive an email with names and e-mail addresses of other parents looking for a carpool.

You will automatically be alerted by e-mail when people in your neighborhood register for the program.

If you are unable to locate a carpool partner after your first visit to the Web site, try again at a later date. You can continue to log on at <http://www.pooltoschool.org> until you have found a carpool partner.

The most successful programs are those with the greatest number of participating parents. The more families that participate, the better the chances of a carpool match.

You can review the program at <http://www.pooltoschool.org>.

The program is sponsored by the Contra Costa Transportation Authority, Bay Area Air Quality Management District, and the communities of San Ramon, Danville, Lafayette, Moraga, Orinda, unincorporated Contra Costa County and the San Ramon Valley Unified School District.

For more information, call the San Ramon's Transportation Services Division at 925-973-2650 or the SRVUSD Transportation Department at 925-824-0264.

Cheyenne, WY: Breathe easy

The Wyoming town has the cleanest air in the U.S. Guess who has the worst?

By Gary A. Warner, Register Travel Editor
Orange County Register, Sunday, August 26, 2007

Cheyenne offered a breather. A big lungful of air that wasn't drenched in hydrocarbons and particulates.

When it comes to the air we breathe, you can't get any worse than Southern California, according to the American Lung Association.

I wanted to get out of the gray bowl of crud that passes for air in this region and go find some five-star breathing. I flipped the chart from the lung association and found it.

Cheyenne, Wyoming. Best air of any metropolitan area in the country. A couple of clicks of the mouse and we were gone, off to the clear skies of cowboy country.

I'd be a smogbird. Just like the snowbirds of Boston and New York who each January flee the ice and sleet for the warmer climes of Florida, the Caribbean and, yes, California.

But I would be fleeing summer smog, not winter snow.

California dream vs. reality

The air in Southern California has been a matter of life and death for my family for nearly a century. It probably still is, even though I am in denial.

My great-grandfather moved to Southern California in 1923 from Pennsylvania on the advice of his doctor, who wanted him to avoid cold winters and sooty air. He packed up the family and moved to Fontana in San Bernardino County.

No joke. The county now synonymous with choking smog was crystal clear back then.

"Breathing good, clean air by working outdoors is the reason, I believe, I have some years ahead of me yet," Great-grandpa, then 92, told a local paper in 1965.

By the time of the article, the air in Southern California had definitely taken a turn for the worse. For reasons of health, jobs or just restlessness, the once-empty valleys around Los Angeles filled up with people in the last half of the 20th century. As the suburbs boomed, the smog followed. If Great-grandpa moved to Fontana today, it would kill him.

A lot of technological changes have come along since to make cars, trains and businesses spew less. But the people keep coming, and each summer, the mountains - so close in winter - disappear behind the dirty air.

When I fly into John Wayne Airport in the summer, the plane clears the mountains to the east and enters a toxic basin of brown. The stuff I've breathed all my life. The stuff my children breathe today. When the air is unhealthy and the kids have to stay indoors, I look at my 6-year-old daughter and ask, "What are we forcing her to breathe here?"

Up from Denver

We landed in Denver and drove up toward Cheyenne. It was smoggy in Denver, the exhaust of millions of cars blown west until it smacked up against the front range of the Rockies.

But as we headed north and slightly east, the Rockies dropped away. We knew we had crossed the state line by the huge retail fireworks warehouses on the Wyoming side of the border.

The winds picked up, the prairie grass waved. A massive thunderstorm turned the sky black, then it poured in sheets and as quickly moved off to the west, the skies lit by the jagged blasts of lightning.

I rolled down the window and breathed it in. The cool air behind a thunderstorm.

Approaching Cheyenne, it was easy to see why the air is so pure. Wind. The landscape rolled gently as it eased up against the Rockies - like a slightly wrinkled rug pushed against a wall. It was treeless except for the few patches planted by farmers and ranchers, and the windmills that still run the water pumps and generate some of the local electricity were whirling away.

We rolled into town, past the restored 19th-century brick buildings and the old rail station. See the Big Boy Steam Engine sitting by the depot. Old No. 4004 was the kind of big engine needed to pull freight up and over the Rockies.

In the park across from the depot, a band played on a stage while children ran around in between the 8-foot-tall, wildly painted cowboy Big Boots that were placed around the park and depot. The storm light came in sideways from the west, bathing everything it struck with a deep golden hue.

The thought crept into my mind, the one that sends shivers down the spines of every resident of the mountain states when it crosses the synapses of a Californian on vacation.

"I could live here."

Not so wild West

After a night at the Little America Hotel, we hurried downtown.

A man steps out onto the main street of Cheyenne, raises a shotgun and lets go with a blast that makes people strolling the sidewalk jump. In other cities, such an event would lead to the SWAT squad cordoning off the area, but in Cheyenne it's just the announcement that the daily show of the Cheyenne Gunslingers is about to begin in Old Towne Square.

The volunteer cowboys and one cowgirl head to a lawn in front of a mock Western town that looks like something out of Knott's Berry Farm. There's a pitch about firearm safety, a few jokes at the expense of Hillary Clinton (remember, Wyoming is Vice President Dick Cheney's home state) and some visitors in the crowd from Seattle. ("If you go downtown, there is a picture of the

sun on a wall. That's so residents know what it looks like since you never see the real sun in Seattle.")

A series of blasts leaves most of the gunslingers sprawled on the grass.

"It's just blanks, folks," says announcer Rick Tillery. "Every time we shoot real bullets, you folks kept moving way, way to the back and the gunslingers stopped showing up."

My crimes are many, my excuses few when I'm pulled out of the crowd and a noose is placed around my neck. I'm singled out for my tourist attire: T-shirt, shorts, white tennis shoes and Wayfarer sunglasses. I hadn't planned on it being so hot, so I had packed little from home. My garb screams tourist and I'm an easy target.

I'm led up to the gallows while the cowboys discuss with the crowd which of them should get my wife and kids after I'm swinging from the rope.

Just before the snap of the noose, the sheriff steps in and calls a halt to the proceedings. Cheyenne is civilized. No hangings without the judge, and the judge is taking a nap, so I'm to be let go.

After my release, my wife, caught up in the Western spirit, signs us up for a raffle to win a replica Winchester repeating rifle. I take the opportunity to ask the gunslingers about the air. Yeah, they love it too. But this calm, clear day is a rarity.

"There's too much wind for the pollution to stick very long," says Rebel "Waco" McCormack, a former Garden Grove resident. "If the wind stopped, I think all the people in town would fall over." Edward "Drifter" Olson jokes that fighting the wind could blow a person away.

"We measure the wind by how many rocks you have to keep in your pocket to stay on the ground," he says. "We may not get a lot of pollution in the usual sense, but it can get pretty dusty."

Afterward, we wandered over to the Wrangler western store, where we spent a small fortune on shirts and pants and hats. Our list of must-sees in Cheyenne is short. The sturdy state Capitol, the historic downtown Cheyenne Depot and Plains Hotel.

My wife explored the Cheyenne Botanic Gardens, which have been the recipient of much love, attention and, most of all, money over the decades from Cheyenne's wealthy. Across the way, kids jumped into the lake at Lion's Park.

My little piece of the day was a short drive out to Warren Air Force Base to check out the three decommissioned intercontinental ballistic missiles by the main gate. The seemingly empty plains north and east of Cheyenne are actually dotted with silos built during the Cold War to house three generations of nuclear-tipped missiles.

I was on a very tight schedule and was supposed to head out of Cheyenne late that afternoon for the Colorado Rockies for a dose of clear, though thinner, fresh air.

But Cheyenne got the ultimate compliment from me - an extra day. I canceled our hotel down in Boulder and instead hauled my kindergartener daughter to the hotel swimming pool, where she ran and played all afternoon, jumping into my arms and doing handstands while holding her breath. When she surfaced, she gasped and filled her lungs with clear, clean Cheyenne air. For once, I was glad to be far, far from home.

U.N. climate talks seek deal on warming

By William J. Kole, Associated Press Writer
in the Modesto Bee, Monday, August 27, 2007

VIENNA, Austria - More than 100 nations struggled Monday to strike a balance between what rich and poor countries must do to cut greenhouse gas emissions and slow global warming.

The U.N.'s top climate official, Yvo de Boer, said delegates to the Vienna meeting were trying to forge a practical way forward before a major international climate summit in Bali, Indonesia, in December.

A key goal is forging a rough consensus on emissions targets that industrialized countries can formally agree to in Bali, said Leon Charles, a negotiator from Grenada who is helping oversee the Vienna talks.

Underscoring a growing sense of urgency, German Environment Minister Sigmar Gabriel issued a blunt warning: "Time is limited. We must act now to prevent the worst consequences of climate change."

De Boer pointed to the European Union's recent goal of reducing emissions by 20 percent by 2020 - and by another 10 percent if other nations join in - as an example of what can be done.

"That's exactly the kind of thing that developing countries are looking for from rich countries," he said.

He praised President Bush for sending a delegation he said was "fully engaged" in this week's talks, but also took a good-natured jab at Washington, which has refused to ratify the 1997 Kyoto Protocol, which requires 35 industrial nations to cut their global-warming emissions 5 percent below 1990 levels by 2012.

The Bush administration has been under mounting international pressure to take tough action.

"I guess you could say President Bush has taken the bull by the horns. The question now is where will Bush and the bull go," de Boer said, provoking laughter.

The chief U.S. climate negotiator, Harlan Watson, said consensus among rich and poor nations was key.

"We feel if we can get agreement among such disparate countries, we'll have accomplished something," he said.

De Boer said China and other developing nations such as India, Mexico and South Africa deserve credit for setting ambitious goals such as China's commitment to cut energy consumption by 20 percent per unit of gross domestic product, along with a 10 percent cut in major pollutants, between 2006 and 2010.

"There's this myth out there that developing countries are doing nothing," he said. "It's not true."

China failed to hit its initial targets last year, however, and by some accounts already has overtaken the U.S. as the world's biggest polluter.

A new report by the U.N. Framework Convention on Climate Change warns that governments and the private sector will have to spend about \$210 billion a year - mostly in the developing world - to maintain greenhouse gas emissions at their current levels in 2030.

Over the next two decades, the world is projected to spend \$20 trillion on energy, and delegates are trying to ensure those investments are as environmentally friendly as possible.

"Unfortunately, we're seeing things happen to normal people right now," Hans Verolme, climate change director for the World Wildlife Fund, told The Associated Press. "Senior negotiators have pulled out their wallets, shown me pictures of their children and said, 'This is why I do this.'"

Forging even a general, nonbinding consensus on how far to cut emissions "will send a very strong message that developed countries are taking the climate change problem seriously," Charles said.

The work will continue at two other key pre-Bali sessions: a Sept. 24 meeting at U.N. headquarters in New York, and a meeting three days later in Washington of the world's 15 biggest polluters, including the U.S., China and India.

[Commentary in the Madera Tribune, Saturday, August 25, 2007](#)

Governor's clean-air words to be put to test

By Thomas Elias

When California's chief smog-fighting agency tried in June to impose firm restrictions on emissions of carbon dioxide (CO₂) and other known greenhouse gases that contribute to global warming, Gov. Arnold Schwarzenegger essentially sacked the board's chairman and its executive director soon resigned.

Just about two months from now, the ARB will take up the same CO₂ issue, this time under a different chair, Mary Nichols, a longtime environmental regulator who served under ex-Gov. Jerry Brown and President Bill Clinton.

She says he has a mandate from Schwarzenegger to fight for clean air. But despite all his public talk over the last year about the danger of greenhouse gases and the global warming they help cause, there is plenty of reason to wonder if he really means it.

For one thing, he resisted for months last year before finally agreeing to sign the state's landmark greenhouse gas law, known as AB32. At his insistence, it contains an immense loophole allowing him and subsequent governors to suspend the law's requirements in case of an emergency - with only the governor allowed to define an emergency.

Then, also in June, his proposed budget aimed to eliminate a \$39 million allocation to sustain Williamson Act farmland property tax subsidies, a 42-year-old program that now assures no housing or commercial developments will be built on 16.5 million acres of farmland which pulls more than 1.75 million tons of CO₂ from the air yearly. Schwarzenegger proposed that budget cut without even asking - let alone knowing - how much those lands contribute to mitigation of global warming. The act, fortunately, was restored to the budget, which passed and was signed this week.

And then the officials who left the air board reported his chief of staff and cabinet secretary both lobbied them hard to go slow on carbon emission rules.

There's also an ongoing dispute with lawmakers who wrote AB32 over whether firm caps on greenhouse gas emissions should be imposed before setting up a carbon exchange system allowing big polluters to pay for the privilege of continuing to emit.

Lawmakers want a firm cap in place, with provisions for ever-lower statewide emissions, before any exchange system is approved. But a 107-page report commissioned by Schwarzenegger concluded that "We can get to our goals at a much lower cost if we include, alongside regulation, a cap-and-trade program."

Such a program now exists for smog in Southern California, with companies that emit less air pollution than they are entitled to getting credits they can sell to polluters who can't bring their own emissions into line. The system has helped that region's air grow steadily cleaner over the decade or so since it began. It works only because there is an overall limit, or cap, on regional emissions and that cap grows lower each year.

So far, the Air Resources Board has neither set any CO₂ cap nor devised a system of steady greenhouse gas reductions aimed at cutting emissions back to 1990 levels - about a 25 percent reduction from today's levels - by 2020, which AB32 requires.

The board may set up that kind of system at its October meeting. If so, the devil will be in the details, as it is with most laws and regulations. If the new rules allow companies to buy their way out of cleanups by paying off businesses in Great Britain and other locales where Schwarzenegger has negotiated vague carbon exchange "memoranda of understanding," that will reveal a lot.

Whatever happens, the active role played by Schwarzenegger and his staff over the last year - combined with the fact that much of the air board serves at his pleasure - means whatever plan it adopts in October will essentially be the Arnold plan.

Its details will tell whether the governor really means what he so often says about his global warming worries, or whether he's just a loudmouthed phony using this issue to make an international reputation and personal political gains.

[Tri-Valley Herald, Letter to the Editor, Sunday, August 26, 2007](#)

It's cool and you're no fool to carpool to school

SCHOOL CARPOOLS offer many benefits: They can save you money by reducing the number of miles driven on your car, reduce traffic congestion, improve air quality and save you time (my wife and I reduced our driving by six or seven hours each week when we carpooled).

The only difficulty will be is following the 10-page directive the school will provide for entering and exiting the school's carpool lanes.

Some school districts are now offering a link on their Web site where you can find other parents in your neighborhood who want to join a carpool. Another trend is the "Walking School Bus," where groups of children walk specific routes to school with adult supervision. Kids are picked up along the way - just like a bus. It's a great way to get some exercise.

The key to a successful carpool, say the experts, is rules that are agreed upon by all participants - parents and students. It only takes one consistently late driver or student to sour the entire experience. I also recommend taking the advice of our first contributor below - a seasoned carpool organizer.

Thanks to the parents and grandparents who contributed a parenting tip this week. Please share your good ideas with the readers of this column.

Don't carpool without one

As the organizer of a school carpool for six high school students, I gave each of the parents a list of home addresses and phone numbers - including the cell-phone numbers of the students (if they have one).

The lists are laminated and kept in the parents' cars. On one side are the home addresses and phone numbers of the parents (home, work and cell) and school. On the other side are the cell phone numbers of the students.

Believe me, these numbers will frequently come in handy during the school year, like when a parent forgets to drive on her scheduled day or when you can't find a student after school.

- *N.T.M., Pleasanton*

[Modesto Bee, Letter to the Editor, Monday, August 27, 2007](#)

Sylvan schools should raise this flag

With the new school year upon us, I just wanted to thank the Modesto City Schools and many private schools in Modesto for raising the asthma flags on their flagpoles. Unfortunately, Sylvan Union School District does not do this. It is a shame because there are more than 20 million asthmatics nationwide, and 6.2 million of them are children.

Sylvan Union School District has an "Every Day Counts" student attendance campaign -- or does it?

There are more than 10 million missed school days in our country due to asthma. Asthma is the leading reason children miss school. There are 4,200 preventable deaths each year from asthma. It is a disease that can be controlled, but we need to educate people on this disease. One way is to raise awareness. We can accomplish this in the community by raising and flying the asthma and air quality flags.

JANET FANTAZIA, Modesto