

## **County seeks help to plan growth**

By Paul Bugarino, STAFF WRITER

Tri-Valley Herald, Wednesday, March 7, 2007

With the population of San Joaquin County expected to grow in coming years, county officials are hoping that a series of community workshops will help lay out a cohesive blueprint for future growth.

The San Joaquin Valley Blueprint Planning Process is an undertaking by the eight cities that make up the Valley to address growth issues in the central core of California for the next 40 years. The plan is funded by a \$4million state grant over a two-year period.

At the county level, the San Joaquin Council of Governments is leading the charge — conducting community workshops throughout the month of March. The hope is to engage input and participation by county residents, said Anthony Zepeda, a regional planner with the Council of Governments.

A workshop will be held in Lathrop on Thursday, while other community meetings are planned for Tracy and Manteca later this month.

"We need the input from the residents and for them to continually be involved. The whole Central Valley is where the state is going to see the most change over the next 30 years," said Kristy Sayles, mayor of Lathrop and the city's representative on the council of government.

San Joaquin County's population is 664,116, according to the 2005 U.S. Census. County officials hypothesize that number doubling by the year 2030, and will likely increase to over 1.7 million by 2050.

Some of the ripple effect of the increased population includes increased traffic, a balance between jobs and housing, concerns of [air quality](#), and the need for more affordable housing, Zepeda said.

The overall goal of the project is to generate a set of land use principles on how growth can be managed to the benefit of all involved as well as develop a set of tools to visually display short and long-term relationships of transportation and land use and how decisions will affect growth.

"It's going to be a completely different place and we have to plan for it now. We have one chance to get it right," Sayles said.

The intent is to give residents a chance to identify their problems and concerns while conveying their values and vision for the county's future. The program encourages local community leaders and elected officials to attend and participate in the dialogue as well, Zepeda said.

"We have to ask these questions like: How do we manage our massive growth? How do we want to grow?" he said. "These workshops help reveal the direction residents want to go."

The workshops are designed to allow residents to share their ideas and input through large and small group activities, primarily tackling the region's issues and the challenges associated with burgeoning growth.

Results from the series of March meetings will be presented to the local and regional committees. The second set of workshops will ask residents what sort of growth they want to see and different scenarios for the year 2050.

Organizers say the results from the workshops will be made public and distributed to local leaders as a guide for future decision-making as early as June 2008.

## **Truckers roll out plan to clean air**

**Swap-and-scrap idea would upgrade some vehicles, retire others.**

By Mark Grossi / The Fresno Bee  
Wednesday, March 7, 2007

California truckers say they've found an innovative shortcut to cleaner air, but state officials haven't seen enough detail yet to invest taxpayer money.

The industry wants the state to help owners pay for upgrading their 1994-2002 trucks to new, cleaner-running models. In a creative twist, the used trucks would be given to the owners of pre-1994 trucks -- high polluters that then would be scrapped.

The swap-and-scrap idea came from industry officials who are coping with new diesel regulations. The idea likely will surface at two air-quality meetings this month.

State officials say the funding and swaps are worthy of discussion, but officials would need to study details and close any possible loopholes.

"We don't want to be in the position of helping Wal-Mart buy new trucks for regular fleet turnover that would be taking place anyway," said Jack Kitowski, chief of the on-road branch of the California Air Resources Board. "We would have to be sure this would actually speed up fleet modernization."

Heavy-duty diesel trucks create more than 40% of a key smog-making gas coming from vehicles on San Joaquin Valley roads. Engine and fuel cleanup rules beginning this year will drastically cut both smog and toxic diesel particles in the future, and tighter rules are planned in 2010.

On Saturday, a seminar will focus on new regulations, emerging clean-air technologies and practical advice. The gathering will be at the New Exhibit Hall of the Fresno Convention Center.

The cost is \$15 per person, and commercial exhibits can be viewed from 8 a.m. to 5 p.m. The nonprofit Operation Clean Air and the California Trucking Association joined forces to set up the seminar.

On Tuesday, the state Air Resources Board will convene a workshop in Sacramento to talk about possibly revising guidelines for the Carl Moyer Program.

The program has provided millions of dollars to help industries that voluntarily reduce diesel air pollution in excess of requirements or earlier than the law requires.

The Moyer program is particularly attractive to truckers now because state officials are working on another set of rules to restrict pollution coming from trucks already on the road. To get Moyer money, truckers need to begin modernizing their fleets before the new rules pass.

Truck owners could face bills for thousands of dollars in improvements on older trucks. For those who want to further upgrade, new trucks would cost \$100,000 or more.

The Moyer guidelines should be adjusted to help out, said Jim Ganduglia, who owns a Fresno trucking firm and represents the California Trucking Association.

At the moment, the program helps owners replace trucks older than 1994 models. For diesel trucks manufactured between 1994 and 2002, the program only helps replace the engines.

That makes no sense to Ganduglia.

"Why bother replacing the engine?" he asked.

"You've still got a truck with a lot of miles. You still wind up owing thousands of dollars more when something else goes wrong with it."

Instead, the state should help buy new trucks for the owners of 1994-2002 models, he said. The used trucks then would go to farmers who use older, higher-polluting models during harvests.

The higher-polluting trucks -- some emitting four or five times as much pollution as the later model years -- would be permanently retired.

Manuel Cunha Jr., president of the Nisei Farmers League in Fresno, agreed: "Put a bullet in the block of a 1986 truck and replace it with a 1998. You're getting a more modern fleet, and it makes more economic sense."

There may be an alternative to Moyer funding, said Tom Jordan, special projects administrator for the San Joaquin Valley Air Pollution Control District. In the coming years, the district will receive millions of dollars in fees from developers and Valley vehicle registrations to fight pollution.

## **A Piece of History Lands in a Contemporary Fight**

By PATRICIA LEIGH BROWN

N.Y Times, Wednesday, March 7, 2007

ALLENSWORTH, Calif. — It is an unlikely place for a utopia: this cracked-earth landscape of two-lane roads in the Central Valley, so remote that the lilting staccato of freight trains can be heard from miles away.

Yet it was here, nearly a century ago, that Allen Allensworth, an escaped slave from Kentucky who became the nation's highest-ranking black Army officer at the time, forged an idealistic community dedicated to Booker T. Washington's principles of self-help and self-determination. In 1908 he established Allensworth Colony, which flourished for a fleeting moment in the California heat and dust.

About 220 miles southeast of San Francisco, the colony drew pilgrims like Cornelius Pope, now 77, who recalls his sense of revelation upon entering the two-room schoolhouse, where everyone was black and photographs of Abraham Lincoln and Booker T. Washington hung on the walls. As the child of migrant cotton pickers, Mr. Pope had lived in cow barns and tents with dirt floors.

"She taught me how to read and write," he said of Alwortha Hall, his teacher, who was named after the town. "It was the first true happiness I'd ever known."

Now the site of Colonel Allensworth State Historic Park, with its array of board-and-batten buildings restored and rebuilt, California's first planned black community continues to exert a powerful pull, especially among former residents like Mr. Pope, who helped champion the park's creation in the 1970s.

So the prospect of a giant dairy with over 16,000 cows and waste lagoons planned near the park's periphery has elicited a wave of emotion among those protective of its history, including several former residents and black R.V. clubs that gather regularly to speak about the park to the nearly 10,000 tourists drawn here each year.

"You can relocate cattle," said Nettie Morrison, the mayor of the adjoining hamlet named for the colony. "You can't relocate history."

Allensworth was the westernmost black settlement among the scores founded as refuges from lynch mobs, segregation laws and dependency sharecropping. Among them were Nicodemus,

Kan., now part of the National Park Service, and Boley, Okla. (current pop. 1,126), then the most bustling of about 50 all-black towns.

Collectively, the communities represent an under-recognized chapter of American history that began in 1879 with the “exodusters” who migrated from the South to escape racial oppression after Reconstruction. “Most of these places have been forgotten,” said Jeffrey A. Harris, diversity director for the National Trust for Historic Preservation. “It’s a perspective on history that’s been washed out of the general narrative.”

This is a corner of California with milk in its veins: Tulare County is the country’s largest producer, with more than 300 dairies — a literal cash cow. The county’s Board of Supervisors has tentatively approved the dairy complex, and a final vote will be on March 20. Assemblywoman Wilmer D. Carter, a member of the black caucus, recently introduced a bill that would prohibit any animal-feeding operation within five miles of the park.

Although many mysteries about the colony remain, what is known is that as a slave, Mr. Allensworth was sold and taught to read and write by his new master’s son. He escaped and joined the Union Army; later, he served as a delegate to the Republican National Conventions in 1880 and 1884. For 20 years, he was a chaplain for the 24th (Colored) Infantry, one of the famed all-black “Buffalo soldier” regiments. His dream was to create a place where African-Americans could control their own destiny and Buffalo soldiers could retire.

The colony thrived at first, with a 75-cents-a-night hotel, restaurants, general stores, a library, a girls’ glee club, a theater club and a debating society, and its own branch of the N.A.A.C.P. “Of all the all-black towns of the period, none were as well-conceived,” said Dr. Lonnie Bunch, director of the National Museum of African American History and Culture in Washington.

Alice Royal, born in 1923 — “the year electric lights went on in Allensworth” — said she recalled walking at night, committing the constellations to memory. “Even the night was an education,” Mrs. Royal said. The grand plans included a vocational school that would be the Tuskegee of the West.

But the colony’s troubles soon began. There were legal disputes with the white-owned company that sold Mr. Allensworth’s association the land over promised water allotments from wells. By the time they were resolved, the water table had dropped precipitously. The Santa Fe railroad, which stopped on the land bought by Mr. Allensworth, refused to change the name on the local depot, then called Solita, claiming Allensworth was too long to fit on the sign.

In 1914, the railroad bypassed Allensworth entirely, essentially strangling its economy. Perhaps the biggest blow came later that year when Mr. Allensworth died after being struck by a motorcycle driven by two white youths — an “accident” that is still being researched by historians. By the 1960s, arsenic contamination in the water had turned the place into a ghost town.

“There was nothing but old rag-tag houses you could see clear through,” Mr. Pope said. “There was not even a sign that said Allensworth, not even any arrow.”

Previous plans for land close to the park have included a turkey farm and an industrial food grease dump. Luke Cole, director of the Center on Race, Poverty and the Environment, said such land uses were “about as close to intentional discrimination as you can see.”

In recent years, the environmental impact of megadairies on the San [Joaquin Valley, with some of the country’s worst air quality](#), has led to lawsuits and a push for tougher regulations. Concerns include air pollution resulting from waste lagoons and the contamination of aquifers.

"It's not the dairy itself — it's the position of the dairy," Mrs. Royal said. "Especially in hot and windy times, it's a stench out of this world. Nobody will want to come picnicking or celebrating in the park."

Samuel Etchegaray, a 64-year-old rancher, wants to build the dairy, and in recent weeks, the state, which has invested \$8 million in renovations at the park, has enlisted the nonprofit Trust for Public Land to discuss with him the possibility of a conservation easement that would preclude agricultural use.

David Albers, a land-use lawyer in Bakersfield who is representing Mr. Etchegaray, said he and his client were evaluating the trust's proposal. "If it meets our goals and the state's goals," Mr. Albers said, "then there will be a deal."

David J. Organ, a historian at Clark Atlanta University who is writing a book on Allensworth and other black settlements, said that although the colony was short-lived, its message remains relevant.

"Preservation is the last frontier of the civil rights movement," Mr. Organ said. "Especially post-Katrina, we have to reconstruct the memories of these communities before we can physically reconstruct them with hammer and nails. That's the legacy of Allensworth."

## **Suit against carmakers questioned**

State must prove danger to citizens

Bob Egelko, Chronicle Staff Writer

S.F. Chronicle, Wednesday, March 7, 2007

The federal judge hearing California's global-warming lawsuit against six carmakers said Tuesday he was uncertain how courts could determine the effects of automobile pollution on a single state's climate -- the underpinning of California's case against the companies.

"There is a (legal) landscape that could support such a claim," U.S. District Judge Martin Jenkins said at the end of a 90-minute hearing in San Francisco on the companies' request to dismiss the suit. But he questioned courts' ability to decide whether, as the state argues, greenhouse gases produced by cars jeopardize Californians' health and safety.

"Don't I have to have some standards" to determine if the effects on Californians' well-being are "substantially unreasonable?" Jenkins asked. He noted that there is a "fairly raging debate" about how much different industries contribute to climate change.

He also said it could be difficult for a judge or jury to determine how much California residents were being harmed by one industry's contribution to a global problem.

But the judge also seemed skeptical of the companies' argument that a damage suit by a state would interfere with the federal government's regulation of auto emissions.

"There are significant areas that have been left off" the federal Clean Air Act, which lacks any explicit reference to carbon dioxide or other heat-trapping gases, Jenkins said.

The U.S. Supreme Court is scheduled to rule by the end of June on a suit by California and 11 other states challenging the Bush administration's refusal to set limits on vehicle emissions that contribute to global warming. Another federal judge is considering automakers' challenge to a California law that requires vehicles to limit emissions of greenhouse gases, starting in 2009.

Jenkins did not say when he would decide whether the case could proceed.

The suit was filed in September by Attorney General Bill Lockyer and continued by his successor, Jerry Brown, against General Motors, Ford, Chrysler and the North American outlets of Toyota, Honda and Nissan.

The state argues that emissions from the companies' vehicles, though legal, are a significant cause of climate change and are already damaging the state's economy and natural resources, contributing to coastline erosion, smog, fire hazards and a decline in the Sierra snowpack. The suit seeks unspecified damages.

"This is the only way that California can have its voice heard," Deputy Attorney General Ken Alex told Jenkins. He said courts have tackled other complex problems such as desegregation, prison overcrowding and tobacco litigation without waiting for Congress, and have unraveled pollution cases involving multiple sources from different states and countries.

But the automakers' lawyer, Theodore Boutros, said California was asking the courts to "wade into a completely standardless area" that should be left to other branches of government.

"How does a court determine what (emissions) levels are reasonable?" Boutros asked. Even if a jury found that the companies had acted unreasonably, he said, the only options would be to limit vehicle sales, limit driving or order fuel economy standards to be made more demanding than those set by federal regulators.

## **Community divided over hospital project**

By Shaun Bishop, MEDIANEWS STAFF  
Tri-Valley Herald, Wednesday, March 7, 2007

Dozens of residents lined up Monday night to both voice support and decry a proposal for a large medical center in San Carlos, reflecting the continued polarization of the community over the project.

The large turnout at the city's Planning Commission meeting was sparked by a controversial \$300 million hospital project by the Palo Alto Medical Foundation that would be located on Industrial Road near Highway 101.

The commission intended to consider certifying the 478,500-square-foot project's environmental impact report — a document required by law to assess the potential effects of a development on the surrounding area — as accurate and complete. The project remains at least months away from the final approval stage.

However, at press time, the commission had not taken a vote on certifying the environmental report.

Many speakers did not limit their comments to that document, despite the pleas of commission chairman Lee Thompson to stay on topic. Instead, in front of an audience that peaked at more than 100 people, the residents spoke for more than an hour and a half on a range of issues, often with consecutive speakers voicing opposite positions.

"There really needs to be much better dialogue between city staff and the local community," said Sam Herzberg, a member of the Laureola Neighborhood Association.

"I think the city ought to start talking with the residents longer than two minutes," added Bob Gard, referring to the time limit for each speaker.

Some residents said the impacts from the hospital would diminish the quality of life in the city by causing gridlock on nearby roads and creating more noise and [air pollution](#); others said they

believe the foundation is active in the community and would help the city by providing donations to schools and athletic facilities.

Several expressed frustration at the process itself, criticizing the city for what they said is a lack of transparency and a failure to open lines of communication with residents on the issues surrounding the project.

[Modesto Bee, Sacramento Bee and Tri-Valley Herald, Commentary, Wednesday, March 7, 2007](#)  
**Bureaucrats meet deadline for a change**

by Daniel Weintraub - The Sacramento Bee

Before California voters passed the largest public works bond in U.S. history in November, they heard that a big chunk of the money for new transportation projects would be heading out the door with extraordinary speed. The state was supposed to approve the first \$4.5 billion from the \$20 billion bond by this past Thursday, less than four months after the election.

Well, it wasn't pretty, but the California Transportation Commission met its deadline. Acting Feb. 28, the panel adopted a plan for spending a pot of money dedicated by the voters to removing bottlenecks on state highways and improving connections between cities and towns.

Billions more from the bond — known as Proposition 1B — will go for public transit, intercity rail, local streets and highways, [air quality](#) improvements and speeding the movement of truck traffic from the state's booming ports.

But the first piece was the highest profile, because it promised an immediate infusion of cash to widen freeways and build interchanges, improving mobility in a system that in recent years has been starved for new money to add capacity.

The final list didn't satisfy everyone. In a couple of cases, small towns with big needs got shoved aside by urban areas with more congestion — and more clout. But the result is likely to produce a noticeable reduction in urban traffic delays, or at least prevent backups from worsening as the population grows.

"This is really a down payment," Marian Bergeson, chairwoman of the Transportation Commission, told me last week. "As much money as it is, it's not going to solve all the problems in transportation in California."

By law, the money had to be split geographically, with 60 percent going to more populated Southern California and 40 percent going to the north state. Beyond that, however, the commission had wide discretion to choose among urban and rural areas and to decide how much of a project the bond would finance.

That flexibility led to a more wideopen process. And, ironically, a decision by the commission's staff to not engage in private negotiations with local transportation planners led to a very public airing of political priorities as the list of projects was tweaked. That sort of transparency is certainly better than having all of the decisions made behind closed doors. But it is a turn-off to purists who think that politics somehow can be removed from decision making in a democracy.

It also heightened the disappointment of a handful of communities that first learned they had been recommended by the professional staff for funding, then were removed from the list.

The big losers were the people of Mendocino County, who thought that a long-awaited bypass for U.S. Highway 101 around the town of Willits finally would be funded.

A similar fate befell another project on U.S. 101 in San Luis Obispo County. That one would have added one lane in each direction to the Santa Maria River Bridges. Now, it might never be built.

Those projects and more were sacrificed mainly to make room for one very expensive addition, a \$730 million proposal to build a northbound car pool lane along 10 miles of Interstate 405 in Los

Angeles. That project was the highest priority of Los Angeles Mayor Antonio Villaraigosa and Assembly Speaker Fabian Núñez, and they enlisted another Angeleno, Gov. Schwarzenegger, to back the effort.

The pressure campaign was very public and very blunt, with Núñez threatening to hold up the entire package in the Legislature if the project was not added to the list. But I-405 in Los Angeles is the most congested freeway in the nation, and Caltrans engineers recommended that the project be funded from the bond. It will be.

Construction is scheduled to begin in 2009.

[Tracy Press Editorial, Tuesday, March 6, 2007](#)

### **Editorial: Benefits outweigh costs**

The benefits of the Environmental Protection Agency's new regulations curbing harmful soot and nitrogen oxide from diesel locomotives and ships sure outweigh the costs that all Americans will eventually bear.

Costs of the new pollution requirements are estimated at \$600 million by 2030, adding less than 3 percent to the price of a locomotive and 1 percent to 3.6 percent to the price of boats using the cleaner engines.

Health benefits are estimated at \$12 billion by 2030, including 1,500 fewer premature deaths, 1,100 fewer hospitalizations and 170,000 more work days by people breathing easier.

With that disparity between costs and benefits, who can dispute such rules that reduce 80 percent of the emissions for the smog-causing nitrogen oxide and 90 percent for soot

Our disappointment is that full benefit of the EPA's new rules is more than a generation away.

[Sacramento Bee, Letters to the Editor, Wednesday, March 7, 2007](#)

### **Letters: Transportation, environment**

#### **Bring on mass transit**

Re "Caltrans, city share a bumpy road," Back-seat driver, March 5: As stated in this article, the fact is that downtown Sacramento has too many cars competing for too few parking spaces.

An obvious solution would be to make mass transit a more convenient and attractive option for the commuter who can't or won't carpool.

This would not only remove the demand for more parking spaces, but also reduce the pollution created by too many drivers trying to squeeze into our compact downtown community.

Instead of slashing over half the mass transit budget, as proposed by the governor, we need to provide full funding for public transportation.

- Dorothy Eller, Carmichael

#### **When trains get in the way**

The March 6 editorial "Inconvenient truths," calling for steps to be taken in the fight against climate change, was good as far as it went. However, there are some simple steps that would cost little or nothing but still have an impact on air quality.

Reducing the time that light rail warning lights and safety gates are blocking busy streets would help. Currently streets such as 19th, 16th and 15th are blocked for two or three minutes with no light rail trains passing through and cars sitting and idling.

Better synchronization of traffic signals would reduce wait time for traffic on major arteries. Bus service to major events such as Sacramento Kings games would reduce the use of automobiles.

And, of course, elimination of the granddaddy of all traffic tie-ups, the Union Pacific Railroad trains cutting through the heart of the city while cars sit and wait, would save enormous amounts of fuel and exhaust. Some of these remedies could be put in place overnight and with little sacrifice, yet they would certainly work toward making our air cleaner. I am sure there are many more if we just look around.

- Larry North, Sacramento