

Deadlines for decreasing engine pollution discussed

By Dennis Pollock

The Fresno Bee, Wednesday, June 27, 2007

An agricultural leader from Fresno on Tuesday sharply criticized Gov. Schwarzenegger, accusing him of siding with environmentalists who want a faster smog cleanup and stricter regulations on farming.

Manuel Cunha Jr., who has lobbied for farmers while urging them to cooperate with air regulators, said the governor's position is "an absolute slap" to farmers, the San Joaquin Valley Air Pollution Control District and the state Air Resources Board.

All, he said, are working to address air-quality concerns.

And, said Bill Maile, a Schwarzenegger spokesman, so is the governor.

"The governor wants the federal government to act quicker to put new rules into place that allow the state to aggressively improve air quality, particularly with locomotives and diesel trucks," Maile said. "Not keeping the pressure on is letting them off the hook."

Cunha's criticisms came at a Kerman workshop that drew about 70 farmers -- along with air district officials and others -- to talk of looming deadlines for cutting emissions from internal combustion engines.

Schwarzenegger has called on state and local air regulators to take another look at a decision to delay a Valley smog cleanup plan by 11 years. He has vowed to "push for more aggressive action" to achieve cleaner air.

Cunha, who heads the Nisei Farmers League in Fresno, said Schwarzenegger appears to be siding with interests who have talked of "no-farm days" when ozone levels peak.

Environmentalists have said any "no-farm" approach would not happen overnight if authorities decided to implement such a plan. Farmers would get several years to replace old equipment, and government grants could be used to help pay for purchases. Years down the line, those who still had older equipment would not be allowed to use it on bad-air days.

At Tuesday's meeting, only a few audience members expressed anger with the new emission rules. When they did so, Roger Isom of the California Cotton Ginners and Growers Association came to the defense of the air district.

Isom said that considering the pressures from environmentalists, enforcement could be more stringent. He was the first to refer to the threat posed by "no-farm days."

"How about 'no-eat' days?" quipped Don Hornor of Kerman, a grower of raisin grapes and almonds.

Hornor has chosen to stay mostly with diesel engines. District officials say they favor switching from diesel or natural gas engines to electrical engines.

Nearly all stationary and portable engines of more than 50 horsepower will have to be replaced or retrofitted to meet new rule requirements under a series of deadlines that begin Jan. 1.

Financial incentives have come from a variety of sources, including utility companies, the federal government's Environmental Quality Incentives Program and the Carl Moyer Program for engine improvement through the air district.

Cunha said there are applications for \$60 million in matching funding through the Moyer program, but only \$20 million is available. And farmers need to act quickly to meet district deadlines and deadlines of funding agencies, said Wayne Clark, compliance manager for the air district.

Local air district to join EPA lawsuit

Pollution control advocates back governor on possible emissions suit

By Paul Burgarino, STAFF WRITER

Tri-Valley Herald, Sunday, June 24, 2007

Representatives from one of the worst air pollution regions in California voted last week to join the state in a possible lawsuit against the federal Environmental Protection Agency concerning emissions regulations for newer-model cars.

The San Joaquin Air Pollution Control District -- made up of eight counties in the middle of the state including San Joaquin and Stanislaus counties -- is the first local air district to formally join Gov. Arnold Schwarzenegger if a suit goes forward.

The potential lawsuit stems from the EPA's failure to grant California's request for a waiver pre-empting greenhouse gas emission regulations for passenger cars and trucks beginning in 2009, district officials say.

Under the Federal Clean Air Act, California has the right to set its own vehicle emission standards once they receive a waiver from the Environmental Protection Agency.

"We felt that the situation is severe enough and that the state is completely justified," said Jaime Holt, a spokeswoman for the air pollution control district. "It sets a precedent. California is trying to take the lead to push the industry in setting air quality standards."

In a June 13 letter, Schwarzenegger asked EPA Administrator Stephen L. Johnson to "act immediately on California's longstanding request. ... It is the right thing to do. It is urgent. And it is the law."

On April 26, California provided the EPA with a 180-day notice of intent to sue for a violation of the Clean Air Act and Administrative Procedure Act.

The district backed the governor in a letter saying that reducing greenhouse gas emissions is "essential to our efforts to meet the health-based standards for the criteria pollutants."

"Since mobile source emission control is largely under the authority of state and federal agencies, the (district) strongly supports new measures that reduce source emissions," the letter continued.

"Unfortunately, the EPA has been dragging their feet or just haven't chosen to act," district spokeswoman Brenda Turner said. "The San Joaquin Valley has one of the biggest air pollution problems in the country and most of that is because of mobile sources. We need those stricter standards in place."

Mobile sources make up between 60 and 80 percent of the toxins emitted in the region, Holt said.

"Steps like this are key, the area has a low threshold for pollution," she said. "This is one of myriad of things we are doing to address the issue."

County supervisors consider budget

BY JAMES BURGER, Californian staff writer
Bakersfield Californian, Wednesday, June 26, 2007

Supervisors debated funding for several major county departments during their Tuesday morning hearings on the county's proposed \$1.4 billion 2007-2008 budget.

The battle against gangs took top billing.

Supervisors are dropping millions of dollars in new funding into the Probation, Sheriff's and District Attorney's departments to fight the county's growing wave of gang violence and crime.

Budget hearings continue this afternoon.

Sheriff's Department

Twenty-four cents of every general fund dollar the county will spend this coming year will be in the Sheriff's Department.

The county plans to flow an additional \$3.7 million to Sheriff Donny Youngblood to kick off a phased plan to power up the department's gang unit.

The department's total budget will increase to \$168.3 million.

Youngblood thanked county budget staff for working with him through the budget process.

"They were dealing with an impatient man," he said.

He also acknowledged tension between himself and supervisors over how to best launch an assault against gangs.

"Supervisor (Michael) Rubio and I were afflicted by the same disease," he quipped.

But he thanked supervisors for making crime fighting one of their top priorities, even if there was disagreement about how to go about fighting it.

"You've proven you're absolutely committed to public safety. You've spoken. We've heard you. Now it's time for the criminals to hear us," Youngblood said.

Probation

The Kern County Probation Department will get 58 new officers in the coming fiscal year to kick off efforts to keep young people with gang ties and gang crimes on their record from becoming hard-core repeat offenders when they are released from custody.

Supervisors asked probation boss John Roberts to keep close track of what benefit the public is getting from the new money supervisors are investing in his department.

"Find some short-term things that indicate we are doing the right thing," Supervisor Ray Watson said.

"This is really the reinvention of probation in Kern County," and supervisors will see results, Roberts said.

Before he closed his presentation, Roberts managed to get a dig in against Youngblood and Fire Chief Dennis Thompson, who both asked for new helicopters in their budgets.

"Could I at least get a remote-control helicopter that I could fly around my office at lunch?" Roberts quipped.

District Attorney

Supervisors focused their questions to Assistant District Attorney Dan Sparks on plans to step up district attorney prosecution of gang crime.

"The county is investing something like \$25 million dollars in the gang problem," Watson said.

He said he wanted a cross-department effort to track the fight against gangs and show if the money is making an impact.

"Hopefully we'll get to the point where we are arresting fewer people and prosecuting people because fewer crimes are being committed," Watson said.

Fire Department

Firefighting will get major attention — and a \$10.2 million bump in annual spending — in the next budget year.

Supervisors approved the reconstruction and launch of a new firefighting helicopter and the lease-purchase of a fixed-wing airplane.

Fire Chief Thompson said the department will also add a third firefighter to many outlying county stations, which now host only two firefighters.

"In August we'll be adding firefighters to six stations," Thompson said.

They include stations in Delano, Bear Valley, Stallion Springs, Glennville, Pine Mountain and Piute.

Thompson asked for more money than he'd been offered in the budget; he wanted to add six additional jobs, five vehicles and mobile computers in fire vehicles to his income.

He didn't get the extra money.

"The items you mentioned I'm not comfortable making a move on at this time," Supervisor Jon McQuiston said.

General Services

Supervisors pushed for standards on clean-air vehicles before the General Services Department spends the money it has been given to buy new county vehicles.

County Administrative Officer Ron Errea said the county is buying as many clean-air vehicles as it can.

If a clean-air vehicle can do the job, Errea said, the county is buying it.

Rubio, McQuiston and Supervisor Mike Maggard all called for more stringent review of decisions to buy vehicles, pushing for more efforts to help improve the county's air quality.

Allensworth bill hits fast track

By Jake Henshaw, Sacramento Bureau
Visalia Times-Delta, Wednesday, June 27, 2007

SACRAMENTO — With little discussion, a bill to create a buffer zone around the Col. Allensworth State Historic Park passed its first Senate review Tuesday and appeared to be on a shortcut to final passage by the Legislature.

The bill passed the Senate Natural Resources Committee and had been slated next to go to the Senate Rules Committee. But a spokes-man for Senate leader Don Perata, D-Oakland, said it would go straight to the Senate floor.

It wasn't clear when the bill might be considered by the full Senate. The Assembly passed the bill June 4. Once passed by the Senate, the bill would have to return to the Assembly for approval of minor amendments.

The legislation, AB576, would establish a 2.5-mile protective zone around the park that supporters said is necessary to keep a proposed 12,000-cow dairy operation from degrading the historical site with possible odors, flies and water pollution.

"I think we've pretty much educated members of the Assembly and the Senate on the importance of saving the park from the kind of development we've been discussing," said Assemblywoman Wilmer Amina Carter, D-Rialto, the bill's author.

The bill continued to draw opposition from the Tulare County Board of Supervisors, which has approved the dairy project, and from the Tulare County Economic Development Corporation.

Opponents stressed that the bill sets a bad precedent of overriding a local land use decision, and Paul Yoder, a lobbyist for Tulare County supervisors, argued that the measure is an "overreach."

"The bill in its current form would not just affect Mr. Etchegaray's land," Yoder added, speaking of Sam Etchegaray, the land- owner who is seeking to establish the new dairies.

"The bill in fact would affect close to 60,000 acres of land in Tulare County," Yoder added. "The bill in fact would affect over 100 landowners in Tulare County who surround the park currently."

The park was established in 1976 to preserve the town founded by Col. Allen Allensworth, an African Americans Civil War veteran, in 1908 for African Americans.

In addition to the legislation, the campaign to protect the park also has included lawsuits and negotiations between the state and Etchegaray over a possible state purchase of the land or its development rights.

Roy Stearns, a spokesman for the Department of Parks and Recreation, said an appraisal on the proposed dairy land has been forwarded to the state General Services Administration, which oversees state property.

Stearns said he couldn't comment on the negotiations, which include a private, nonprofit group, but stressed that the state wants to protect the park.

"This is a very important park to a large segment of our population that feels it has its roots attached to this park," Stearns said, "and so we would like to see a buffer zone."

He emphasized that the parks department doesn't have a position on AB576 but is looking to negotiate a deal to create a protective zone.

Yoder said Tuesday that a negotiated settlement is the solution to the conflict.

"The state and Mr. Etchegaray need to cut a deal and hopefully the bill will not go to the governor," Yoder said.

But Carter said in an interview that she intends to send the bill to the governor, regardless of whether the state reaches a deal on the proposed dairy property.

"They would be complementary to each other," Carter said. "My bill would protect the park always from someone else who might want to come in and put a dairy on the other side."

While she and Yoder and Paul Saldana, president of Tulare County Economic Development Corporation, were on opposite sides on AB 576, they all expressed respect for each other, agreed on the importance of the park and suggested other development in the area.

Carter stressed that she only opposes a dairy near the park but supports other types of development, especially the type that could benefit visitors to the historic site.

"I'd like to see other kinds of development," she said. "We need to work with the county to develop shops and restaurants and a hotel because when we go there there is no place to stay."

Saldana agreed that the park presents an opportunity for increased tourism.

"We hope the attention drawn to Allensworth would be more than political opportunity," Saldana said, "but it would bring additional investment and necessary improvements so people have a better experience while visiting the park."

Alternative fuel ambassador

Lodi man hopes to sail to China in homemade biodiesel boat

By Matt Brown - News-Sentinel Staff Writer

Lodi News Sentinel, Wednesday, June 27, 2007

Barry Ware made an inspection of the boat he built, the SS Equinox, on Tuesday afternoon, a final once-over before setting out on his odyssey.

The 44-foot catamaran made of fiberglass and foam seemed sturdy enough. The whitewashed plywood cabin is cramped, but livable.

Soon, the 520-gallon fuel tanks will be filled with discarded french fry grease, and Ware will attempt to become one of the first people to sail across the Pacific Ocean in a biodiesel-powered boat.

Ware is an ambassador of alternative fuel and he is spreading his message all the way to China.

The Lodi resident plans to launch his craft today from Wimpy's near Walnut Grove. From there, he will motor down the Mokelumne River, into the Delta and on to San Francisco, where he will give a biodiesel demonstration. He hopes to chug under the Golden Gate Bridge on route to China by July 1.

"I'm doing it to set an example," said Ware, the founder of a biodiesel technology company located in Lodi on East Pine Street. "People will see me doing this in a homemade vessel with homemade fuel. I want people to understand that alternative fuels are the way of the future and people need to trust and use them."

Ware's 9,500 mile journey will take him to Hawaii, Johnston and Wake Islands, Guam, the Philippines and Taiwan before landing in China near Hong Kong.

After some biodiesel demonstrations in China, Ware said he will fly home and leave the boat as an exhibit to alternative fuel.

"It is basically a one way trip for the boat," he said.

The Equinox is fitted with the latest navigation tools including a satellite navigation system, a computer with an Internet connection and a ship-to-shore radio. There is also an alarm that will sound if a large super tanker gets too close in the dark.

"My biggest fear about being in the open ocean is being run over by a big ship," Ware said.

All the technology, including the desalinator, which turns sea water into drinking water, will run on solar power.

"Everything is energy efficient," Ware said. "That's the whole idea behind it."

The trip is being funded by a few donations, but mostly out of Ware's pockets. His company, Freedom Fuels, produces machines that turn leftover vegetable oil into diesel fuel.

On his solo journey, Ware will do a lot of reading and fishing, he said. He also plans to document his trip in words and photos and plans to post a blog on his Web site at <http://www.freedomfuels.net>.

Besides being broadsided by an ocean liner, there isn't much else that scares Ware about the open sea. The 50-year-old is a former Navy Seal and scuba instructor who has swam with sharks. If this trip is successful, his next adventure will be to circle the globe in an ultralight airplane, he said.

Ware won't be the first to sail across the Pacific in a biodiesel-powered boat. The New Zealand-based speedboat Earthrace made it from San Diego to Singapore in April. But Ware believes his trip will raise awareness for alternative fuels.

"There is nothing to fear with alternative fuels," he said. "This is a very reliable fuel. I'm willing to prove it by traveling 9,500 miles."

Biodiesel at a glance

Biodiesel is the name of a clean burning alternative fuel, produced from domestic, renewable resources. It can be used in diesel engines with little or no modifications. It is biodegradable, nontoxic and essentially free of sulfur and aromatics.

Biodiesel is produced from any fat or oil such as soybean oil, through a refinery process called transesterification. This process is a reaction of the oil with an alcohol to remove the glycerin, which is a by-product of biodiesel production.

It is the only alternative fuel to have fully completed the health effects testing requirements of the 1990 [Clean Air Act](#).

Big Lawrence Berkeley Lab biofuel project boosts Bay Area research status

Rick DelVecchio, Chronicle Staff Writer
S.F. Chronicle, Wednesday, June 27, 2007

The Bay Area's status as a world center for alternative energy research got a power boost Tuesday when federal officials announced that a group led by the Lawrence Berkeley National Laboratory will build and operate a \$125 million biofuels research center.

The announcement that one of three centers funded by the U.S. Department of Energy will be built somewhere in the East Bay came just five months after a team led by UC Berkeley landed an unprecedented \$500 million grant from petroleum giant BP for a separate research institute on biofuels.

"This has been the hub for the biotech industry and also for Silicon Valley," said Cal Professor Jay Keasling, who is involved in both projects. "We really believe we can stimulate a green industry that will help develop the next generation of biofuels."

Those familiar with both projects say they will be complementary and share a goal of producing affordable, renewable road fuels from plant fiber to help reduce global warming and air pollution, decrease the nation's dependence on foreign oil and open new international energy markets.

Some experts believe affordable alternative fuels won't be widely available for drivers for five to 10 years, assuming research is successful.

The Energy Department project in the Bay Area will receive \$25 million annually over the next five years to support work seeking high-tech chemistry breakthroughs to produce clean-burning fuels from plant fiber. The center is to receive its first allocation in October.

The center, to be known as the Joint BioEnergy Institute, eventually will be staffed by 130 scientists, researchers and support personnel. Also involved in the Bay Area project are UC Davis, Stanford, Lawrence Livermore National Laboratory and Sandia National Laboratories.

The Energy Department awarded the two other bioenergy centers to groups based at Oak Ridge National Laboratory in Tennessee and the University of Wisconsin in Madison.

The three centers, combining researchers from 18 universities, seven federal labs and at least one nonprofit organization, will bring basic biofuel research to the point where it can make a smooth transition to applied research, according to the Energy Department.

The centers stem from President Bush's goal of reducing U.S. gasoline consumption by 20 percent within 10 years through increased efficiency and diversification of clean energy sources. A second goal calls for making cellulosic ethanol cost-competitive with gasoline by 2012.

If production costs can be cut dramatically, cellulosic ethanol is a potentially cheaper and more energy-efficient fuel than ethanol made from corn grain. It is derived by breaking down the carbon stored in the woody and fibrous parts of plants.

The Bay Area center's work will initially take place at Lawrence Berkeley lab's West Berkeley Biocenter. It later will move to a permanent home in a leased building somewhere in the East Bay.

"The structure is to have a single location in the Bay Area that will operate much like a startup company, with dynamic allocation of resources so as we make discoveries in one division we can quickly enhance the science in the other aspects," said Keasling, a chemical engineering and bioengineering professor who will be the new center's chief executive officer and vice president for fuels synthesis.

The center will have a different mission from the \$500 million Energy Biosciences Institute funded by BP and hosted at UC Berkeley in partnership with the Lawrence Berkeley lab and the University of Illinois at Urbana-Champaign. Scheduled to begin operation this summer, the BP institute will support 100 university and federal lab scientists and 50 BP scientists and engineers.

The Energy Biosciences Institute is like a think tank, organized from the bottom up around proposals from hundreds of researchers. The Energy Department center, by contrast, is organized according to federal timetables set to achieve specific technological goals.

According to Keasling, one of the new center's four divisions will research new plants to create a source of farmed, renewable carbon to replace nonrenewable petroleum and coal extracted from the ground.

The second will scavenge the environment for enzymes that will transform plant cellulose into sugars.

The third will develop biofuels, including ethanol made from cellulose instead of from corn grain, and more energy-rich fuels expected to require at least five years of research: butanol, kerosene and jet fuel.

The fourth will support the three research lines and the biofuels industry in general.

At a news conference in Washington, D.C., Energy Secretary Samuel Bodman said the research on cellulosic biofuels could result in new opportunities for small farmers.

"Large-scale production of cellulosic biofuels could usher in a new green economy across the nation, one where family farmers embrace bioenergy feed stocks as a new cash crop," he said. "I believe all that can come to pass, but science has to show us the way."

Other members of the Berkeley-based center's leadership team include Harvey Blanch of the Lawrence Berkeley lab and UC Berkeley, Paul Adams of the Lawrence Berkeley lab, Stanford's Wolf Frommer, and Sandia's Blake Simmons and Kathe Andrews-Kramer.

The center is a significant achievement for Steven Chu, director of the Lawrence Berkeley lab and a leading advocate for alternative energy research, who worked behind the scenes on the deal. Two years ago, he launched the Helios Project as a framework for his total energy campaign and, not incidentally, a

way to market the Lawrence Berkeley lab to private and government funders and to inform outsiders about the lab's work.

Coalition sues in bid to block MTA fare hikes

Plaintiffs say higher fees could push more transit users into cars, adding to pollution. They want the agency to produce an environmental report.

By Tiffany Hsu, Times Staff Writer

L.A. Times, Wednesday, June 27, 2007

Three groups representing local public transit riders and conservation interests united Tuesday in an effort to require the Los Angeles County Metropolitan Transportation Authority to hold off on fare increases until their environmental effects can be measured.

A coalition of the Natural Resources Defense Council, the Bus Riders Union and the Labor/Community Strategy Center, a think tank, filed suit seeking to require the MTA to produce an environmental impact report and filed a separate injunction request to block fare increases until the suit is resolved.

The coalition said the MTA's increased prices would force more public transit passengers - mostly the working poor - into cars, causing pollution levels to surge.

In anticipation of a \$1.8-billion deficit over the next decade, MTA directors authorized the fare hike May 24. Los Angeles Mayor Antonio Villaraigosa had sought a smaller increase.

Effective Sunday, the monthly pass for buses and trains is to increase from \$52 to \$62, the day pass from \$3 to \$5 and the monthly pass for seniors from \$12 to \$14. Over the next two years, the single-ride fare is to climb from \$1.25 to \$1.50.

Before the May board meeting, the coalition sent a comment letter warning the MTA of the possibility of a lawsuit opposing fare hikes, said Francisca Porchas, a Bus Riders Union organizer.

A judge is expected to rule on the injunction today.

In a similar situation in 1994, the MTA was sued by the National Assn. for the Advancement of Colored People and the Bus Riders Union over proposed fare hikes and the elimination of the monthly bus pass.

The agency ultimately signed a consent decree agreeing not to raise fares for several years.

This time, the coalition alleges that the MTA is violating the California Environmental Quality Act of 1970, which requires local government agencies to measure environmental effects before proceeding with development plans. The law allows agencies to restructure fares without such a report to meet operating costs.

Porchas believes the MTA plans to use the funds for construction of rail projects.

"It was a lot of what [MTA Chief Executive] Roger Snoble stated during the actual fare increase process, a lot of, 'Oh, some rail projects are going to have to wait if we don't get the money,'" Porchas said.

"To us, it looks like they're going to free up money to build capital projects," she said.

But MTA spokesman Marc Littman said none of the money from the fare increase was headed to construction plans.

With rider fees covering 24% of the bus and rail systems' operations costs, and subsidies filling the rest, even revenue from the price boost would not be enough to balance the MTA's budget, Littman said.

"To make this argument that we're going to have more money than we need is not true," Littman said.

"The point is, every penny of the fare increase is going into operations, just to maintain the current system."

But if the fares are increased, coalition representatives said, nearly 100,000 bus riders - with an annual median income of \$12,000 - could be priced out of public transportation; 2,800 of those, they said, would use cars.

For each 10% increase in fares, public transportation ridership drops 3% to 4%, Porchas said, citing a statistic that Littman said was outdated.

"These people are still going to need to get to school, work, church, etc.," said David Pettit, director of the Natural Resources Defense Council's Southern California Air Program. "And in some cases it might be financially worth it to go buy some piece of junk car. And they're going to tend to be older and more polluting cars."

The influx of drivers would further choke Southern California streets, plaintiffs said, and intensify respiratory disease, air pollution, greenhouse gas emissions, global warming and other environmental and health woes.

"It's something the MTA, in our view, ought to study," Pettit said. "They can study it and say it's trivial, but they wouldn't know that unless they look at it."

The MTA has refused to conduct an environmental impact report because, Littman said, state law exempts it from the resource-intensive process.

"These reports take a lot of time. They can go on for years, they're very expensive and, since we couldn't even sustain a growing operating deficit, it's untenable," Littman said. "We've never had to do that in the past. And in the meantime, we had a crisis."

The MTA takes in less than \$3 million a year from fares, said Littman, who argued that the agency's rates are reasonable considering its recent expansions in service.

And although the MTA expects to lose riders from the price hikes, it expects to win them back through increased service, Littman said, pointing to the costs of driving.

"Even with the fare increase, the average boarding is only 66 cents," Littman said. "But if you factor in the costs of a car - the cost of a gallon of gas alone, depreciation, parking, maintenance - there's no comparison, Metro's still a bargain."

100-truck convoy planned on Harbor Freeway this morning

The event is organized by a group that backs the L.A. and Long Beach ports' proposal to cut diesel pollution.

By Rong-Gong Lin II, Times Staff Writer
L.A. Times, Wednesday, June 27, 2007

Prepare for congestion - even more than usual - on the Harbor Freeway this morning.

Beginning at 8 a.m., a convoy of 100 diesel trucks plans to travel southbound in one lane of the freeway from South Los Angeles near Exposition Park, and then cross the Vincent Thomas Bridge to the Port of Long Beach, a trip expected to take about two hours. The convoy will be led by a hearse, which symbolizes premature deaths caused by pollution emitted at the port.

"It could cause traffic headaches. It's not often you see 100 trucks going down the road nose to tail," said Officer Richard Langsdale of the California Highway Patrol.

The convoy is being organized by the Coalition for Clean & Safe Ports, a group that includes truck drivers and environmental, health, labor and community groups in southern Los Angeles County. The group supports a draft plan by the ports of Los Angeles and Long Beach to slash diesel pollution from trucks by 80% in five years.

Some truck drivers have said they support the measure, arguing that they breathe in the pollution, too, but cannot afford to resolve the problem on their own. State air quality and health experts have linked 2,400 premature deaths a year to noxious emissions produced by the ports, which reported an average 10% increase in trade in 2006.

The plan would also increase drivers' income by requiring trucking companies to hire their truckers as employees, rather than pay them at a lower rate as independent contractors.

Representatives of trucking companies have opposed the plan, saying they would face additional costs, which could drive small companies out of business. They also have said that the ports' plan would illegally supersede interstate commerce laws.

Organizers said they chose the route because many truck drivers live in South Los Angeles. They will wind up at a closed-door meeting at the Port of Long Beach, where port officials will hear comments about its proposal. Port officials are expected to vote on the plan this summer.

"The intent is to get the voices of the drivers heard," said Patricia Castellanos, co-chairwoman of the coalition. "These drivers don't have the luxury of paying for high-priced consultants."

Langsdale of the CHP said it is illegal for drivers to purposely go slower than the flow of traffic. But it is not illegal to drive the speed limit for big rigs on the freeway - 55 mph.

Wild inferno ignites talk of forest thinning

By Paul Rogers, MEDIANEWS STAFF
Tri-Valley Herald, Tuesday, June 26, 2007

Ten years ago this month, President Clinton and Vice President Al Gore traveled to Lake Tahoe to unveil a plan to improve the clarity of the famous alpine lake and to reduce the risk of a catastrophic wildfire by thinning the thick, often sickly forests surrounding its shores.

Now, a raging forest fire in wooded neighborhoods three miles south of South Lake Tahoe has turned the spotlight again on fire risk.

So far, the government's record of success is mixed: Although forest-thinning work has been accelerating, only half of Clinton's goals have been met.

Since 1997 the U.S. Forest Service, which owns 80 percent of the 200,000 acres around Lake Tahoe, has thinned out brush and dead trees in 12,700 acres of forests around the lake -- an area nearly the size of Manhattan.

Still, that's far short of the rate that Clinton called for a decade ago, when he approved a plan at the Tahoe summit setting a goal of 3,000 acres a year to be thinned.

And it's only one-quarter of the 50,000 acres that the Forest Service says needs to ultimately be treated.

"At first funding was pretty low, there wasn't a lot of community acceptance and our staffing was based on a small program," said Dave Marlow, of the Forest Service's Lake Tahoe Basin Management Unit.

"But," he said, "we've been ramping up."

As of Monday afternoon, the Angora Fire had destroyed more than 200 homes and burned more than 2,500 acres in an area southeast of Fallen Leaf Lake, about three miles south of Lake Tahoe's south shore. More than 700 firefighters battled the blaze, whose smoke column could be seen from the Central Valley. There were no injuries or deaths. By late afternoon, it was 10 percent contained.

In recent months, the Forest Service has approved a new plan to thin 37,000 acres around Lake Tahoe by 2017 -- tripling the annual rate of the last decade. The thinning involves hand crews cutting dead trees and brush with a chain saw, raking it to large piles and burning it with fire trucks sitting nearby.

"They have the right idea. The problem is that there haven't been that many acres treated. We aren't coming close," said Malcolm North, a research scientist with the Forest Service and an associate professor of forest ecology at the University of California-Davis.

The problems have been threefold, experts say.

At first, residents who owned multimillion-dollar homes were wary of controlled burns near their property, fearing they might leap out of control. Second, residents and state air pollution officials have raised concerns about large amounts of smoke from the thinning efforts, which can send locals, particularly the elderly and children with asthma, to hospitals.

Finally, because Tahoe is a complex jigsaw of public, private and state-owned lands, getting permits and consensus has taken time. And it's not cheap. Clearing the land can cost \$1,200 to \$2,500 an acre.

Not a new problem

The origin of the problem dates back nearly 150 years.

Research by UC Davis scientists on tree rings shows that the Jeffrey and sugar pines surrounding the lake burned roughly every 15 years from lightning started fires before the 1800s. Those fires removed dead wood, accumulated needles and other fire hazards. As a result, when fires did burn, they typically remained close to the ground, and burned slowly.

By the 1860s, however, miners working on the Comstock Lode in Nevada clear cut large sections of Tahoe's forests to obtain supports for the huge networks of tunnels in their silver mines.

Sierra Club founder John Muir attempted in the late 19th century to convince Congress to establish Lake Tahoe as a national park as he did with Yosemite. But in large part because of Tahoe's damaged landscape, lawmakers refused.

Private development sprung up in the 1920s, including casinos, resorts and vacation homes. To protect those developments, fire crews began putting out fires. Today, large sections of Tahoe's forests have gone 100 years without a fire.

As a result, the forests have five times as many trees as is historically normal.

"There are more trees competing for the same amount of water," North said. "It stresses all the trees, and makes them very susceptible to diseases and pests, like bark beetles, which can kill a large number of trees at one time."

In some places, 25 percent of Tahoe's trees are dead.

"It's a long-term fix. We are trying to overcome 120 years of forest management based on preservation rather than forest health," Marlow said.

In 2000, U.S. Sens. Dianne Feinstein, D-Calif., and Sen. Richard Byran, D-Nev., secured authorization for \$300 million for Lake Tahoe forest and environmental projects. Another \$300 million over the next eight years was secured in 2003 by Sen. John Ensign, R-Nev., with the money coming from the sale of federal lands around Las Vegas.

Lake waters cleaner

Because of projects to reduce runoff and pollution from roads, golf courses and other properties, the lake's famous cobalt-blue clarity has improved by several feet to 72 feet, but remains well below the 102 feet in 1968.

"My view is that there has been considerable improvement at Tahoe, especially in terms of clarity of the water and removal of sediment from the lake," Feinstein said Monday. "But there is much more to be done."

Although environmentalists have appealed some thinning efforts in the Sierra Nevada, Forest Service records show that since 1997, none of the thinning projects around Lake Tahoe have been appealed.

"They haven't been promoting the kind of aggressive logging projects under the guise of thinning that we have seen in other national forests in the Sierra," said Chad Hanson, executive director of the John Muir Project, an environmental group in Grass Valley.

Hanson and other environmentalists have fought efforts by the Forest Service to pay for thinning by cutting some larger trees -- which are more fire resistant but can be sold to lumber mills to offset the costs. Monday, he said convincing homeowners to clear brush 100 feet around homes is more important.

Matt Mathes, a spokesman for the Forest Service in Vallejo, said thinning projects done as recently as one month ago slowed the Angora Fire and may have saved up to 500 homes. He predicted after the fire is out, more pressure will come from local residents and politicians to make Tahoe's forests safer.

"The trend in acres treated is up. We're improving," Mathes said. "Yesterday was a horrible day. If I lived there, this fire would make me a big believer in thinning and prescribed burning."

Schoolyard secrets

When it comes to kids' safety, why do we tolerate a public right not to know?

By Joy Horowitz

LA Times, Wednesday, June 27, 2007

THE ARREST this month of a reporter, accused of trespassing for taking soil samples at a pesticide-contaminated Paramus, N.J., middle school, is a powerful reminder of our tolerance for official secrecy about environmental health risks at schools.

Michael Gartland, of the Bergen Record in Hackensack, first reported an environmental consultant's warning that soil at the school was contaminated at levels 39 times greater than the state's safety guidelines. The school district knew about the pesticides in January but never informed the public or tried to fix the problem until Gartland began asking questions. Officials closed the school and promised to clean it up. But when Gartland removed soil from the school's soccer field - which it is claimed wasn't marked off-limits - for independent testing, the authorities thanked him with handcuffs and seizure of the samples.

The story reflects a cynical paradigm about environmental safeguards in our schools - namely the public's right *not* to know. The sad truth is that the suppression of environmental health information by government officials is a national scandal. In New Jersey, state law doesn't require that the public be notified of hazardous contamination at schools or how it will be handled. In California, state watchdogs only have the funding to investigate proposed schools, not existing ones.

And even after investigation, worries about declining property values and tax revenues tend to prevail. When federal Environmental Protection Agency investigators found dangerously high levels of asbestos at a school in the Sacramento suburb of El Dorado Hills, the head of the school district successfully lobbied elected officials to pressure the EPA not to declare the area a Superfund site. No cleanup was required, despite the well-documented medical link between asbestos exposure and mesothelioma, a deadly lung cancer. Clearly, limiting legal exposures has taken precedence over limiting toxic ones.

It's notoriously hard to prove that environmental exposures of various types cause specific diseases. But as scientists try to understand that puzzle, it makes sense that we all need to know - should be able to find out - what those exposures are.

Take, for example, my own alma mater - Beverly Hills High School. Four years ago, I began to investigate the possible link between an elevated incidence of cancers among its graduates and the fact that the campus is the site of 19 oil wells, which have brought at least \$50 million in royalties to the school district, the city and its residents for nearly 50 years.

A public records search documented that the campus oil wells and a power plant next door in Century City have emitted tons of hazardous chemicals for decades. Still, legal loopholes obfuscated the public's right to know exactly what was going on.

When I filed a Freedom of Information Act request with Beverly Hills, public records were conveniently labeled "privileged" by the city attorney in light of ongoing litigation - more than 1,000 former students, teachers and residents are claiming that their cancers and other illnesses were caused by exposure to benzene, hexavalent chromium and PCBs at the school. (A Superior Court judge dismissed the first 12 of those cases, saying there was not enough evidence to establish medical causation; his decision is being appealed.)

Other records that should have been available to the public also were off-limits. The South Coast Air Quality Management District, citing proprietary concerns of corporations, redacted documents that would have revealed the chemical constituents in gas lines - an important issue because testimony in court alleged that from the early 1980s to 2006, Southern California Gas Co. pipelines feeding the power plant next to Beverly High were contaminated with PCBs banned as cancer causing by Congress 30 years ago. State health officials also denied my request for public records about the use of radioactive materials at the oil wells. This time, a bureaucrat cited homeland security concerns in light of 9/11.

The federal Clean Air Act requires "major" sources of air pollution to notify the public about their operations. How did Sempra Energy, which ran the power plant adjacent to Beverly High until last year,

meet the letter of the law? In 2004, it placed an ad in a Valley newspaper and in the Spanish-language *La Opinion* - not exactly where most Beverly Hills residents would see them. The notice mentioned "steam" but said nothing of the release of carcinogens such as formaldehyde, chromium and benzene. An annual Sempra Proposition 65 "toxic chemicals" warning, in the Beverly Hills Courier, listed only oil, gasoline and natural gas that "may be in and around" the facility, without specifying chemical exposures.

California, of course, is a leader in promoting environmental protections, and yet the state's Department of Toxic Substances Control has no authority to oversee an independent health investigation at a school without the district's voluntary compliance, and its willingness to foot the bill. That is one way Beverly High managed to evade independent scrutiny, even as the school's neighbors and some parents and teachers raised questions about fumes and the potential for explosions.

When you can smell oil in the air and see your students' desks shaking from the vibrations of massive industrial boilers next door, it's a good idea to ask questions. Last month at an international conference, 200 environmental health scientists warned that exposure to common chemicals makes babies more likely to develop health problems later in life, including diabetes, cancer, fertility problems and thyroid disorders. The scientists agreed that timing, not dose, is what's important. Children are especially vulnerable.

How has the Bush administration responded? The EPA recently announced business-friendly rules to slash reporting requirements of the Toxics Release Inventory, the database of industrial pollution that is a cornerstone of our right-to-know laws.

There is some good news. Two bills before Congress would update the Freedom of Information Act to streamline responses to requests and restore the original reporting requirements of the Toxics Release Inventory database.

And in New Jersey, newspaper lawyers went to federal court and got Gartland's soil samples returned. Unfortunately, the soil from the soccer field turned up traces of chlordane, a pesticide used to kill termites and banned in 1988 because even short-term exposure can cause anemia and leukemia.

In Beverly Hills, the oil wells at the high school are still operating; a lease agreement runs until 2016. And no one is making it easy to find out exactly what chemicals those wells may be emitting; government officials simply insist that there is no safety problem whatsoever.

Such assurances mean little without accurate information and accountability. The principle that government information belongs to the people is more than a quaint idea.

JOY HOROWITZ, a former Times staff writer, is the author of the forthcoming "Parts Per Million: The Poisoning of Beverly Hills High School."

Following is an excerpt from a lengthy *Washington Post* article:

Leaving No Tracks

By Jo Becker and Barton Gellman, Washington Post Staff Writers
Washington Post Wednesday, June 27, 2007

Sue Ellen Wooldridge, the 19th-ranking Interior Department official, arrived at her desk in Room 6140 a few months after Inauguration Day 2001. A phone message awaited her.

"This is Dick Cheney," said the man on her voice mail, Wooldridge recalled in an interview. "I understand you are the person handling this Klamath situation. Please call me at -- hmm, I guess I don't know my own number. I'm over at the White House."

Wooldridge wrote off the message as a prank. It was not. Cheney had reached far down the chain of command, on so unexpected a point of vice presidential concern, because he had spotted a political threat arriving on Wooldridge's desk.

In Oregon, a battleground state that the Bush-Cheney ticket had lost by less than half of 1 percent, drought-stricken farmers and ranchers were about to be cut off from the irrigation water that kept their cropland and pastures green. Federal biologists said the Endangered Species Act left the government no

choice: The survival of two imperiled species of fish was at stake. Law and science seemed to be on the side of the fish. Then the vice president stepped in.

First Cheney looked for a way around the law, aides said. Next he set in motion a process to challenge the science protecting the fish, according to a former Oregon congressman who lobbied for the farmers.

Because of Cheney's intervention, the government reversed itself and let the water flow in time to save the 2002 growing season, declaring that there was no threat to the fish. What followed was the largest fish kill the West had ever seen, with tens of thousands of salmon rotting on the banks of the Klamath River.

Characteristically, Cheney left no tracks.

The Klamath case is one of many in which the vice president took on a decisive role to undercut long-standing environmental regulations for the benefit of business.

By combining unwavering ideological positions -- such as the priority of economic interests over protected fish -- with a deep practical knowledge of the federal bureaucracy, Cheney has made an indelible mark on the administration's approach to everything from air and water quality to the preservation of national parks and forests.

It was Cheney's insistence on easing [air pollution](#) controls, not the personal reasons she cited at the time, that led Christine Todd Whitman to resign as administrator of the Environmental Protection Agency, she said in an interview that provides the most detailed account so far of her departure.

The vice president also pushed to make Nevada's Yucca Mountain the nation's repository for nuclear and radioactive waste, aides said, a victory for the nuclear power industry over those with long-standing safety concerns. And his office was a powerful force behind the White House's decision to rewrite a Clinton-era land-protection measure that put nearly a third of the national forests off limits to logging, mining and most development, former Cheney staff members said.

Cheney's pro-business drive to ease regulations, however, has often set the administration on a collision course with the judicial branch.

The administration, for example, is appealing the order of a federal judge who reinstated the forest protections after she ruled that officials didn't adequately study the environmental consequences of giving states more development authority.

And in April, the Supreme Court rejected two other policies closely associated with Cheney. It rebuffed the effort, ongoing since Whitman's resignation, to loosen some rules under the [Clean Air Act](#). The court also rebuked the administration for not regulating greenhouse gases associated with global warming, issuing its ruling less than two months after Cheney declared that "conflicting viewpoints" remain about the extent of the human contribution to the problem.

In the latter case, Cheney made his environmental views clear in public. But with some notable exceptions, he generally has preferred to operate with stealth, aided by loyalists who owe him for their careers.

When the vice president got wind of a petition to list the cutthroat trout in Yellowstone National Park as a protected species, his office turned to one of his former congressional aides.

The aide, Paul Hoffman, landed his job as deputy assistant interior secretary for fish and wildlife after Cheney recommended him. In an interview, Hoffman said the vice president knew that listing the cutthroat trout would harm the recreational fishing industry in his home state of Wyoming and that he "followed the issue closely." In 2001 and again in 2006, Hoffman's agency declined to list the trout as threatened.

Hoffman also was well positioned to help his former boss with what Cheney aides said was one of the vice president's pet peeves: the Clinton-era ban on snowmobiling in national parks. "He impressed upon us that so many people enjoyed snowmobiling in the Tetons," former Cheney aide Ron Christie said.

With Cheney's encouragement, the administration lifted the ban in 2002, and Hoffman followed up in 2005 by writing a proposal to fundamentally change the way national parks are managed. That plan,

which would have emphasized recreational use over conservation, attracted so much opposition from park managers and the public that the Interior Department withdrew it. Still, the Bush administration continues to press for expanded snowmobile access, despite numerous studies showing that the vehicles harm the parks' environment and polls showing majority support for the ban.

Hoffman, now in another job at the Interior Department, said Cheney never told him what to do on either issue -- he didn't have to.

"His genius," Hoffman said, is that "he builds networks and puts the right people in the right places, and then trusts them to make well-informed decisions that comport with his overall vision."

Read the rest of this article at

http://blog.washingtonpost.com/cheney/chapters/leaving_no_tracks/index.html