

Stanislaus County voters back growth limits

By GARTH STAPLEY

Modesto Bee, Wednesday, February 6, 2008

Both Stanislaus County growth measures sailed toward victory late Tuesday, with the more restrictive appearing to be more popular.

That's important because the one with the most "yes" votes will become law, while the other dies.

Measure E, which wrests control from county supervisors over housing projects in unincorporated areas, captured 47,177 "yes" votes, or 66.93 percent, and 23,305 "no" votes, or 33.07 percent, with 100 percent of precincts reporting.

Voters also liked its rival, Measure L, but awarded it only 44,729 "yes" votes, or 63.42 percent.

Measure E, also known as Stamp Out Sprawl, becomes the first successful growth initiative stretching across Stanislaus County. For 30 years, supervisors cannot change agricultural zoning for housing projects in unincorporated areas without ballot permission from county voters.

By contrast, Modesto's growth initiatives, approved in 1979 and 1997, require citywide votes but are not binding on the city's leaders.

"I'm quite confident at this point," said Modesto City Councilman Garrad Marsh. He teamed with former Councilman Denny Jackman to champion Measure E.

Supporters say Measure E should channel growth into the county's nine cities, which are better equipped to provide municipal services such as water, sewer and police.

The county gives millions of dollars in subsidies each year to noncities including Salida, Keyes and Denair, whose retail districts don't produce enough taxes to cover services required by townsfolk.

Took 2 years to get on ballot

People concerned about increasing traffic, [air pollution](#) and other aspects of rapid growth gathered about 16,000 signatures in 2006 to qualify Measure E for the ballot. But supervisors, faced with losing some long-held power, stalled it long enough to delay a countywide vote for nearly two years.

Meanwhile, developers put out big money to similarly qualify an initiative allowing Salida, the county's largest unincorporated community, to someday double its population of 14,000 and add huge shopping centers. And supervisors saved them the trouble by approving the growth plan outright, negating the need for a vote of the people.

But supervisors weren't done yet. They prompted staff to craft Measure L, a ballot counterstrike to Measure E.

Measure L called for supervisors to appoint a commission of volunteers to update the county's general plan, which guides growth. Voters later would weigh in on the rewrite, and officials could continue guiding growth with comprehensive power rather than subjecting the county to piecemeal, ballot-box planning.

But county officials said they're so proud of Measure L's provisions that they intend to adopt them this year regardless of Tuesday's outcome.

Measure E over Measure L

Measure L failed to capture widespread support, enlisting only the Stanislaus County Farm Bureau and prompting no fund raising.

Measure E did not fare much better, but garnered endorsements from the League of Women Voters of Stanislaus County and The Bee's editorial board.

The Bee also compiled housing permit statistics showing that despite county officials' claim of channeling residential growth to cities, they approved 2,939 houses in unincorporated areas since 2000. The number collectively represents more homes than are in the cities of Waterford or Hughson, which have 2,574 and 1,907 homes, respectively.

Voters largely were sympathetic to both measures, according to Tuesday's results, but 2,390 more -- of about 58,000 counted by 11 p.m. -- apparently favored Measure E over L.

Marsh said the measure's formal titles, chosen by county attorneys, may have misled some voters. He said Measure E's title, "Thirty Year Land Use Restriction Initiative," sounds much more harsh than L's "Stanislaus County Responsible Planning and Growth Control Initiative."

"All that matters is the one with the most 'yesses,' " Marsh said.

Recycling operator gets relief from fines

BY JAMES BURGER, Californian staff writer
Bakersfield Californian, Wednesday, Feb. 6, 2008

Kern County supervisors gave composting company Community Recycling, which operates at facility south of Lamont, a big vote of faith Tuesday.

Supervisors allowed Community Recycling to keep 48,000 tons of waste wallboard on land it leases from the Lamont Public Utility District indefinitely -- even though they ruled in October that the company is breaking county land use laws by keeping the material on the property and ordered Community Recycling to get rid of it.

The company also avoided, perhaps permanently, at least \$25,000 in county fines.

Supervisor Don Maben's motion leveled an immediate \$25,000 fine on the company because it had not met a clean-up deadline issued by the board. He also required it to pay \$10,000 in staff costs the county has incurred reviewing the hotly contested issue.

But Community Recycling, which is based in Southern California, was due to pay a \$60,000 fine today.

Maben, backed by the rest of the supervisors, delayed that fine and made it much easier for the company to avoid it.

If Community Recycling can separate the paper from the gypsum in the waste wallboard and stockpile it by Aug. 15 -- six months from now -- it will avoid that continuing \$500-a-day rolling fine.

Company officials estimated it will take two months to process and stockpile the gypsum.

Community Recycling officials exited the board chambers sporting huge grins.

Supervisors were convinced by testimony from Community Recycling lawyer Charles Melton that driving the wallboard to a landfill and dumping it would be a poor environmental decision.

Supervisor Jon McQuiston said he originally believed that was what the board had ordered the company to do in October.

But he acknowledged that Melton's arguments made environmental sense.

"I think it would be a real mistake to ask that that gypsum wall board be hauled away to somewhere else," said Supervisor Ray Watson.

Avoiding the landfill disposal saved Community Recycling far more than \$60,000. In a letter to supervisors Melton wrote it would cost Community Recycling \$1.8 million to \$1.9 million to dispose of the pile of wallboard.

To replace the landfill idea, Melton offered up the concept of spreading the gypsum on the company's 3,000 acres of farmland. Farmers and ag business owners who sell Community Recycling's compost spoke in support of the idea.

Supervisor Michael Rubio said the county will have to do a study, funded by Community Recycling, to see if land application is actually the best way to deal with the pile.

But supervisors, in general, accepted the land application idea.

When asked what deadline supervisors had placed on Community Recycling to remove the gypsum and spread it on fields, Rubio was silent for a moment.

"My deadline is as soon as possible," he said.

Engineering and Survey Services Director Chuck Lackey said supervisors didn't set a deadline.

Maben said Tuesday's decision gave Community Recycling a chance to prove it is a good corporate neighbor.

Supervisors also allowed Community Recycling to apply for a change to its operating permit that would allow it to take more wallboard and process it for sale -- without first getting rid of the wallboard it piled up in violation of county rules.

Get clean stove, get money to burn

Stockton Record, Tuesday, February 05, 2008

MODESTO - Residents who upgrade to cleaner-burning stoves and fireplaces could be eligible for cash incentives under a program launched Monday.

The San Joaquin Valley Air Pollution Control District has set aside \$108,000 to give to about 300 different stove owners, the district said Monday.

That means about \$350 for someone who upgrades to a natural gas or propane stove or fireplace insert.

Vouchers will be given to Valley residents on a first-come, first-served basis.

Applications are available at www.valleyair.org or at the district's Modesto office, 4800 Enterprise Way.

The vouchers can be used at participating retailers, which will install the new stove or insert and make sure the old one is destroyed.

For more information, call (209) 557-6400.

Air pollution director compares air of Bakersfield, Beijing pre-Olympics

The Bakersfield Californian, Friday, Feb. 1, 2008

Bakersfield and the San Joaquin Valley have some of the most-polluted air in the United States. San Joaquin Valley Air Pollution Control District director Seyed Sadredin is interviewed on how we compare in air quality to Beijing as it prepares for the 2008 Summer Olympics.

Chinese workers labor under a cloud of smog and pollution near the iconic National Stadium, nicknamed the "Bird Nest," under construction for the 2008 Beijing Olympic Games in Beijing.

Seyed Sadredin, executive director of the San Joaquin Valley Air Pollution Control District.

Question: How does Beijing compare to Bakersfield and the San Joaquin Valley?

Answer: On our worst days, the valley's air quality is 10 to 50 times better than typical readings in Beijing, Sadredin said. This past summer when wildfires throughout the state created such bad air that the district called for emergency cancellation of sports games, he said, our air quality was 10 to 20 times better than the Beijing norm. Sadredin said pollution is so thick in Beijing that its

normal for people there to cough up black mucous or see black char on a tissue after they wipe their faces. "I don't think they should have scheduled the Olympic games there," he said. "Athletes take in a much higher dosage of air they're breathing. A marathon runner running several hours under those conditions could have permanent lung damage." In China, industry is not regulated like it is here, he said. The valley air district started regulating stationary sources like factories in the 1970s, and those rules have been strengthened three to five times since. Because of that, a smokestack here puts out 80 percent to 90 percent less pollution than what comes from industry in China, Sadredin said. "That shouldn't give us any comfort," he said. "We still have a lot of work to do here."

Q: The Chinese government said it will reduce Beijing traffic by half and shut down factories nearby to drastically cut air pollution during the Summer Games. Will this work?

A: Cutting down pollution this way has an immediate impact, Sadredin said, but it wouldn't work in the valley. "There are things you can do in a totalitarian environment that you can't do here, like telling people and factories what to do," he said. However, some air pollution rules in the valley are based on this idea. The district's wood burning rule prohibits residential wood burning on days when air quality is bad. It has helped hold pollution at bay on those days and prevent air quality from degrading to a point where it becomes unhealthy, Sadredin said. "We definitely do see merit in curtailing activities," he said.

Q: To prevent rain during the Summer Games, the Chinese government also plans to perform cloud-seeding beforehand. Could rain also help clean the air before the games? (Cloud-seeding involves injecting silver iodide or dry ice into clouds to make rain. The chemicals can be fired into clouds by anti-aircraft artillery or spread over them using airplanes. Moisture molecules in the clouds are attracted to the chemical until they become heavy enough to fall as rain.)

A: "Rain is the best cleanser you can have," Sadredin said. "I've actually thought about (cloud-seeding) as a measure we could pursue here. As expensive as it is to clean up our air, maybe we need to look at some of these out-of-the-box ideas that might at first seem like science fiction to deal with some of these issues. "But you have to be careful. Depending on how you generate those clouds, some of those activities may have other consequences on the environment."

County businesses quickly going green

Pilot program now available to all cities

By Shaun Bishop, MEDIANEWS STAFF

Tri-Valley Herald, Wednesday, February 6, 2008

A pilot program recognizing San Mateo County businesses that install low-flow faucets and energy-efficient light bulbs will be expanded to all 20 cities in the county.

The Board of Supervisors voted unanimously Tuesday to ramp up the Green Business program, which was launched last July in six cities and unincorporated areas for a six-month trial period.

Supervisor Mark Church, who spearheaded the program, said he has been pleased with the results.

Seventeen businesses in four categories - repair shops, hotels, restaurants and office buildings - were certified, and 35 more are in the approval pipeline.

The expansion approved Tuesday will also allow eight new business types to participate: dentists, printers, painters, auto body shops, remodel contractors, landscapers, wineries and small schools.

Interested business owners must fill out a checklist of environment-friendly business practices and score a certain number of points in different areas, such as air pollution, solid waste disposal and water efficiency.

Utilities, such as PG&E or water companies, then examine the businesses to make sure they have met the requirements.

For their efforts, businesses get window decals trumpeting their green-ness and a mention in a green business directory for some modest free advertising.

Jim Porter, director of the county's public works department, said becoming the first county building to be certified was "quite easy to do."

The climate may be right for a global warming bill

Interest is growing in Congress, but the first measure to advance since Democrats took control has hit some roadblocks.

By Richard Simon, Los Angeles Times Staff Writer
L.A. Times, Wed., February 6, 2008

WASHINGTON -- Scores of climate change bills are stacking up in the legislative queue. Numerous hearings, the most recent on the polar bear, are highlighting the issue. And some regulation-averse corporate executives have even called on Congress to step in.

But despite the dramatic shift in the Capitol in favor of doing something to reduce greenhouse gas emissions, global warming legislation remains a long shot for this year.

Proponents always knew it would be tough to get a bill with mandatory limits through a narrowly divided Congress and past President Bush. But the first bill to advance since Democrats won an effective majority in 2006 has run into unexpected roadblocks.

Some environmentalists are complaining that it isn't strong enough, and they worry that it may even be watered down. They want to wait to take up a bill after the November election, when Democrats might capture more seats in Congress, as well as the White House.

Many business groups are no more enthusiastic, saying the bill would drive up costs and make it harder for them to compete globally at a time of anxiety about the economy.

And if the criticism from both sides isn't enough, this is of course an election year -- a time when partisan tensions heighten in Congress, making it difficult to pass anything controversial.

Still, congressional leaders are determined to press ahead.

"We must pass the strongest bill we can," said Sen. Barbara Boxer (D-Calif.), the chairwoman of the Senate Environment and Public Works Committee, "but we must remember that the perfect cannot be the enemy of the very good."

Those hoping to pass the bill point out that just a year ago it was unimaginable that environmentalists would win a decades-long fight for tougher fuel economy standards. After the auto industry relented, the measure passed and Bush signed it.

Environmentalists hope that scenario will be repeated with global warming.

"You now have a big chunk of industry saying, 'Let's just get this done,' " said Manik Roy, director of congressional affairs for the Pew Center on Global Climate Change.

The Senate has moved faster than the House. Boxer's committee has approved a bill by Sens. Joe Lieberman (I-Conn.) and John W. Warner (R-Va.) that would cap greenhouse gas emissions from power plants, factories, oil refineries and other polluters.

The bill, called America's Climate Security Act, would require companies that exceed the limits to buy credits from other companies that more than meet them.

The House is still working on its bill. Its leaders say they are determined to try to send a bill to the president before Congress adjourns this year, but they acknowledge that it will be difficult.

More senators support mandatory emission reductions than the last time the issue came up for a vote. That was in 2005, when a bill drew the support of 38 senators.

With Democrats holding a narrow working majority in the Senate (the two independent senators generally vote with them), the bill's supporters need Republican votes to reach the 60 required to overcome a filibuster. But when the measure passed the Senate's environment committee, it received the support of only one Republican: Warner.

And a prominent Republican who was an early advocate of mandatory emission reductions opposes the bill. Sen. John McCain of Arizona objects that the measure doesn't promote nuclear power, a low-emission energy source he sees as a crucial part of the solution.

The bill has generated concern from industry groups such as airlines and oil and gas producers. The American Iron and Steel Institute said the bill would make U.S. businesses less competitive, saying that it "applies an uneven standard to American manufacturers, while not addressing the carbon footprint of our major foreign competitors."

William Kovacs, vice president for environment, technology and regulatory affairs at the U.S. Chamber of Commerce, dared Democrats to pass a bill he said would drive up utility costs at a time of high economic anxiety.

"Go for it," he said, warning that lawmakers could expect their votes to become a campaign issue.

In a sign of the difficult road ahead, Duke Energy Co., one of the companies that has supported an emissions cap, objects that the measure "unduly penalizes consumers in the Midwest, Great Plains and Southeast who depend on coal for much of their electricity."

Opposition from coal-using utilities is important because a large number of senators hail from states that produce coal or rely on it to produce electricity.

Still, there are companies, including Alcoa, that see the bill as a way to end the uncertainty over regulation they think is inevitable. The aluminum producer called the bill a "strong enough start."

Some environmentalists agree with Boxer that the time to act is now, noting that the bill is the strongest yet to come before the Senate. They are hopeful that it could pass, citing senators who voted against the 2005 bill -- including Elizabeth Dole (R-N.C.) and Max Baucus (D-Mont.) -- who support this year's bill. And they think it's important to bring up the bill to keep climate change in the forefront of the election debate.

"If you believe that action on global warming is increasingly urgent, a sit-back-and-wait strategy doesn't make a lot of sense, particularly when we have an opportunity to move good legislation now," said Jeremy Symons, director of the National Wildlife Federation's global warming program.

But others complain that the measure doesn't go far enough.

"This bill doesn't do the job that science tells us we need to do," said Melinda Pierce, a Sierra Club lobbyist.

Brent Blackwelder, president of Friends of the Earth, called it "an embarrassment."

The measure would reduce greenhouse gas emissions by mid-century to 70% below 2005 levels, but environmental groups claim that is short of the 80% scientists say is needed. A number of

groups also object that the bill would, at least initially, give away pollution allowances to companies, reducing the incentive to cut emissions.

Environmental groups hope to strengthen the measure. But that is likely to be difficult in the narrowly divided Senate. And some fear that the bill's sponsors will make "further concessions to an already compromised bill," said Frank O'Donnell of Clean Air Watch.

Some environmentalists worry that industry groups are eager for action this year only because they think they stand a better chance of shaping a bill to their liking than if a measure were to be crafted after the November election.

"The political reality is -- and I think it's unfortunate -- today in the United States Senate, we do not have a 60-vote majority on a strong global warming bill," said Chris Miller, director of Greenpeace USA's global warming campaign. "The only way you move anywhere close to getting the 60 votes you need is to weaken the bill even further."

For that reason, some want to wait.

"The odds are pretty good that whoever is the next president is going to take a better position on global warming than Bush," O'Donnell said. "That in itself makes you wonder, is it wise to race ahead?"

But Tony Kreindler of Environmental Defense warned that environmentalists should push for action now rather than "rolling the dice" on whether the political climate will improve. "Climate right now is very much at the top of the congressional agenda," he said, "and you've got to ride that momentum when you have it."

[Tracy Press Editorial, Monday, February 4, 2008](#)

Barbs & Bouquets

BOUQUET: To the Republican presidential candidates, who in their final debate before Tuesday's primary joined their Democratic counterparts in lining up behind California's right to limit tailpipe emissions of greenhouse gases. This means that whomever succeeds George W. Bush will support California's quest for stronger standards from the outset.

[Visalia Times-Delta and Tulare Advance-Register, Opinion, Wednesday, Feb. 6, 2008:](#)

High-speed rail still holds questions

High-speed rail is alive for Visalia.

At least as alive for Visalia as for the rest of California.

The state High Speed Rail Authority today will consider planning for a stop in the Tulare-Visalia-Hanford area.

This is the height of speculation, because there is some doubt whether a bullet train will be built in California at all.

But for the 15 years or so it has been talked about, there has also been debate over whether there ought to be a stop in Visalia and Tulare County.

California's long-dreamed-of express train would be a 700-mile rail line carrying trains traveling at more than 200 mph. It would bring the northern and southern ends of the state within hours of each other.

But would it do anything for us the middle? Would it alleviate California's transit problems or poor air quality? Would it address its energy needs?

The problem with high-speed rail is it still has more questions than answers.

Local officials earnestly want Visalia to have a stop. It would bring jobs and economic stimulation and literally put the area on the map.

Left to question is whether the bullet train would ultimately benefit the area: It could also accelerate growth, bringing its own set of problems.

In the 15 years since it has been proposed, the state has managed to establish the High-Speed Rail Authority and virtually nothing else. Funding for the authority itself has continued to be cut. A series of attempts to put funding for high-speed rail on a statewide ballot have failed or been postponed. High-speed rail exists in theory only.

The next attempt to make high-speed rail more concrete will be a \$9 billion bond on the state ballot in November to begin the process of land acquisition and construction. Before the first phase of the project is completed - the train from Los Angeles to San Francisco - it is expected to cost \$40 billion and take more than 10 years to build.

California has bigger transportation problems than whether people ought to be able to travel from downtown San Francisco to downtown Los Angeles in about two hours. The state's highway infrastructure is not keeping pace with its growth. Even with the passage of a huge transportation bond last year or nearly \$20 billion, it will be hard for the state to catch up to those expenses.

Compare that total with the price of high-speed rail. Funding for light rail, regional public transportation and energy innovation would probably create more bang for the buck in California than an extensive high-speed rail system.

Gov. Arnold Schwarzenegger supports high-speed rail in principle. He sees it as an inevitable innovation of the future that will bring prestige as well as prosperity to the state. But with a \$14 billion budget deficit to contend with, Schwarzenegger has had to tone down his enthusiasm. He has tried to get the proposition removed from the November ballot. Now he is trying to push legislation that would require matching federal or local funds for the project to proceed.

Schwarzenegger has positioned himself as a green warrior, sounding the alarm about global warming. It's another area in which there are questions about high-speed rail. The train itself would reduce air pollution. But the additional cars traveling to the stops in the Valley from the increased population would harm air quality.

As for Visalia, it has been an uphill fight to keep this area included in the discussion for a stop. The train would travel through the Central Valley, so that stops in Fresno and Bakersfield are more or less given. The question is whether the 200 mph train would stop in between.

Visalia's chances have been up and down in this debate, and currently there is some hope for getting Visalia back on the high-speed rail route.

We have continued to point out the questions about high-speed rail and have yet to receive the answers. However, if high-speed rail does arrive, we would want Visalia to have a stake in its benefits. The bullet train would transform California in ways that are barely imaginable. It could very well put the center of the state on an equal footing with its huge counterparts to the north and south. The innovation in transportation alone might stimulate more innovation in transportation, leading to a cleaner, greener state all around.

Supporting high-speed rail would be a lot easier if we could be sure of the outcome.

Visalia will get another shot at becoming a high-speed rail player today. Like almost everything else about high-speed rail, how it turns out is no sure thing.