

Community briefing

Modesto Bee, Wednesday, Dec. 24, 2008

GOVERNOR EXTENDS SAN JOAQUIN VALLEY PARTNERSHIP: The San Joaquin Valley got a political pat on the back Tuesday from Sacramento but no money. Gov. Schwarzenegger formally extended his California Partnership with the San Joaquin Valley for three years. He created the partnership in 2005 and legislators provided \$5 million in seed money in 2006-07, but funding is expected to wither by July because of the state's financial crisis. The partnership covers eight counties, from Lodi to Bakersfield, whose newly combined strength has won money and recognition for transportation projects, [air quality](#) and regional planning.

A smokeless Christmas

Mark Grossi, Smog Blog

Fresno Bee, Wednesday, Dec. 24, 2008

This is Christmas Eve at Giant Forest in Sequoia National Park, looking southwest into the San Joaquin Valley. A storm is coming in, and the wind will clean out pollutants.

You can burn wood in your fireplace today.

But the San Joaquin Valley Air Pollution Control District is urging you to go smokeless this Christmas, for the sake of your neighbors.

Here's what the news release says:

"Residential wood burning can contribute up to a third of harmful particulate matter (PM) - composed of soot, ash, tiny droplets of liquid and other matter - to Valley skies. Exposure to PM can cause serious health problems, aggravate lung disease, cause asthma attacks and acute bronchitis, and increase risk of respiratory infections. In people with heart disease, short-term exposure to particle pollution has been linked to heart attacks and arrhythmias." In case you were wondering, air-quality forecasts are available by county at 4:30 p.m. daily on the Web [at this address](#) or by calling 1-800 SMOG INFO (766-4463). Forecasts are in effect from midnight to midnight.

BREAKING NEWS: 'Merry Christmas!' From Air District

FRAZIER PARK TO GET ITS OWN AIR MONITOR AND BECOMES ITS OWN AIR CONTROL AREA

By Patric Hedlund with reporting by Katy Penland and Gary Meyer
Mountain Enterprise, Wednesday, Dec. 24, 2008

The Frazier Park area is no longer subject to the No-Burn Days imposed on Bakersfield or the San Joaquin Valley.

As we go to press, the San Joaquin Valley Air Pollution Control District (SJVAPCD) is informing *The Mountain Enterprise* that Frazier Park — as of Wednesday, Dec. 24 — has been officially assigned its own Air Quality Index. Brenda Turner, spokesperson for SJVAPCD, said, "A separate forecast for the greater Frazier Park area will now take effect.

This story was modified in the final minutes before press-time (also see story on this page "Frazier Park to Get Own Air Monitor).

The 1,721 signatures collected in four days on "No to No-Burn Day" petitions in Frazier Park had a nearly immediate impact on the governing board of the San Joaquin Valley Air Pollution Control District (SJVAPCD) at its Thursday, Dec. 18 meeting.

The petitions were presented by Brian Bierman of Pinon Pines, who told the board that mountain residents are concerned about the financial burden and health risks of not being able to burn wood to stay warm.

No-burn alerts had been triggered by poor air quality in Bakersfield during the winter when there is an inversion layer in the valley. Chuck Woerner of Frazier Park presented data to the board

about east-west wind currents in this region which appear to invalidate the premise that wood smoke in Frazier Park is contributing to Bakersfield's pollution problems.

Led by Kern County Supervisor Ray Watson and air district Executive Director Seyed Sadredin, board members voted 8-2 to direct SJVAPCD staff to establish the Frazier Mountain region as a separate air control area.

Prior to October 16, 2008, there was an exemption from No-Burn Days for mountain areas above 3,000 feet, but in a 5-4 vote (with virtually no advance warning to the public) the board removed that exemption for all mountain regions within its jurisdiction. Watson cast the deciding vote in that October meeting.

The supervisor said in an interview Monday, Dec. 15 that he had not considered the east-west alignment of this region earlier. He said the petition also makes a good point regarding the economic hardships posed by the sudden ban on wood burning when families had saved all year to buy their wood to stay warm for the winter.

Homes heated by propane or without a natural gas heater are not covered by SJVAPCD's No-Burn bans and may use wood-burning stoves and fireplaces.

Other mountain areas within the San Joaquin Valley district have a north-south alignment. Their smoke can pour into the valley. But they don't have natural gas, so they are still exempt from the ban imposed in the valley areas of Kern County. Frazier Mountain is the only mountain region with natural gas, which had brought it under the lower valley's No-Burn Day ban, despite the fact that wood smoke in this region is less likely to affect valley air quality.

An enforcement inspector has been on the mountain checking to see if there was "smoke coming from chimneys" on No-Burn days, SJVAPCD spokesperson Brenda Turner said in an interview the day of the meeting.

"There have been 23 [Bakersfield] no-burn days since the season started November 1," Turner said, acknowledging that temperatures had fallen to as low as five degrees in the Frazier Mountain region during the recent snowstorms and that Frazier Park homeowners often use wood burning stoves "to take the chill off" even when they have natural gas heating.

"Three or four citations" have been written to Frazier Mountain residents since November 1, Turner reports, adding, "There is a \$50 fine, or it can be contested. One can also attend an online 'fire place school' to waive the fine." Those who do not have natural gas in their homes can fill out an exemption form if they receive a citation.

Several Frazier Park and Lake of the Woods residents were heard vowing to ignore the no-burn rule as they signed the "No to No-Burn Days" petition last week.

Turner said she did not expect a no-burn day to be called for the remainder of this week or through Christmas.

In addition to Chuck Woerner, Sondra Woerner and Brian Bierman, Charles Ahnfeldt (who sells firewood) and Frank Williams attended the December event, which was teleconferenced to the Bakersfield office of SJVAPCD. The board itself met at the agency's headquarters in Fresno.

Frazier Park to Receive Its Own Air Monitor

San Joaquin Valley Air Pollution Control District's Brenda Turner told *The Mountain Enterprise* on Wednesday, Dec. 23, that Frazier Park will receive its own air monitor, hopefully by the end of January.

The statement came amidst an announcement that the Frazier Park area had officially been issued its own Air Quality Index.

Initially, Turner indicated that SJVAPCD would implement the new index based on historical data from an air monitor at Tejon Ranch. "How can data reflecting particulate matter from diesel emissions on Interstate 5 be applied to Frazier Park?" we asked.

"We're looking for a separate site for permanent air monitors in Frazier Park," Turner said.

Turner said the data they will use until Frazier Park's monitors are installed shows historically low amounts of particulate matter for January and February.

Turner said SJVAPCD's site will display air quality status updates separately for Frazier Park from now forward each day after 4:30 p.m.. Mountain residents can see each day's "No-Burn" status by going to www.MountainEnterprise.com and clicking the Air Quality link in the Community FYI section (down the left side of the page) and bookmarking it for future use. You can also check the daily No-Burn status in the Frazier Park area at the SJVAPCD's [Air Quality Status](#) page.

Details on railroad improvements

Modesto Bee, Tuesday, December 23, 2008

Locomotives

Two new 2,000-horsepower diesel genset locomotives made by RailPower Technologies Corp. in Pennsylvania just arrived.

They cost \$1.5 million each, and they will be paid for in part by a grant from the Carl Moyer Memorial Air Quality Standards Attainment Program.

These are the first new locomotives purchased by the railroad in nearly 60 years, and they are much more powerful, fuel efficient, quieter and [less polluting](#) than the company's other engines. They will replace two old locomotives, which will be sold as scrap.

Car house building

A facility is being constructed to enable trains to unload grain without stopping. It will allow hopper cars to dump grain into a pit while moving slowly through the building. The grain will be automatically conveyed into the adjacent storage facility.

By unloading the grain inside a building without stopping, there will be less dust, less noise and less energy used by the train. It also will take less time.

Loop track

More than one mile of new rail is being installed to enable 110-car trains to loop around and unload without interfering with cross traffic.

The new track is being built by Pacific Railroad Salvage of Portland, Ore., and it is expected to be finished in February. It will loop east of Codoni Avenue and west of Santa Fe Avenue in Empire.

Storage facility

A massive 4.5-acre building is under construction next to the new loop track. It will be leased to the Central Valley Agricultural Grinding company, which supplies cattle feed to dairies and feed lots.

It will have a Cover-All roof made of a nylon fabric that does not require interior support columns. It is being built by Sorensen Construction Inc. of Modesto and is expected to be finished in a couple of months.

Clean-air regulation reinstated by court

The New York Times

In the Contra Costa Times, Wednesday, Dec. 24, 2008

A federal appeals court in Washington reversed itself Tuesday and temporarily reinstated a Bush administration plan to reduce pollution from coal-fired power plants.

In July, the court had struck down the rule, saying the Environmental Protection Agency had exceeded its authority in designing a new emissions-trading system to reduce that pollution, and must rewrite the rule to fix its "fundamental flaws." Environmentalists criticized the decision as a major setback for clean air.

In Tuesday's decision, the court said that having a flawed rule temporarily in place was better than having no rule at all. The agency must still revise the rule but has no deadline for doing so.

The regulation, known as the Clean Air Interstate Rule, had been the centerpiece of the Bush administration's re-engineering of the Clean Air Act, which set significant targets to reduce pollution around the power plants and in the downwind states whose air quality was affected by the emissions.

Tuesday's decision, by the Court of Appeals for the District of Columbia Circuit, means that levels of smog-forming nitrogen oxides must be reduced in 28 eastern states and the District of Columbia beginning Jan. 1. Levels of sulfur dioxide, closely associated with the formation of deadly fine soot particles, must be reduced beginning a year later.

Environmentalists lauded the decision, saying it could form the basis for stronger controls to be drafted by the new administration. Industry groups were relieved to know what rules would cover their operations for the moment, but were pleased that the court's original objections to the rule were unchanged.

In Reversal, Court Allows a Bush Plan on Pollution

By Felicity Barringer

New York Times, Wednesday, Dec. 24, 2008

A federal appeals court in Washington reversed itself on Tuesday and temporarily reinstated a Bush administration plan to reduce pollution from coal-fired power plants.

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The court's second thoughts about striking down the rule came in response to complaints from state regulators, environmental groups, some utilities and the E.P.A. itself.

Judge Judith W. Rogers, concurring with the court's decision, said eliminating the rule "would have serious adverse implications for public health and the environment," because "the rule has become so intertwined" with the overall architecture of current Clean Air Act protections.

Both the new Congress and President-elect Barack Obama are expected to tackle the problem of nitrogen oxides and sulfur dioxide. That will include determining how the new controls on those emissions should dovetail with controls for mercury, a toxic pollutant, and with the carbon dioxide emissions that are associated with climate change.

Bob Meyers, who heads the Air and Radiation office at the E.P.A., said that he was disappointed that the court did not reconsider its underlying objections to the rule. The regulation, he said, "was

one of the main programs the administration was able to put forward to improve public health and the environment.”

He added, “To the extent that today’s hearing restores it — by removing immediate threat of vacating a rule — it is a good day.”

Dan Riedinger, a spokesman for the Edison Electric Institute, a utility trade group, said in an e-mail message that his group applauded the court for “providing greater near-term certainty for pollution reduction programs and emission markets, and maintaining important health and environmental benefits.”

But, he added, “It’s impossible to predict what comes next.”

Vicki Patton, the deputy general counsel with the Environmental Defense Fund, said that, while the E.P.A. must redesign the rule to meet the court’s objections, “the baton has been handed off to President-elect Obama and his team.”

The rule, Ms. Patton said, “provides a foundation for building a more comprehensive program that protects human health from the full sweep of pollutants that are emitted from coal-fired power plants.”

On Monday, the E.P.A. issued a report on fine-particle pollution that showed that the number of geographic areas failing to meet federal standards had nearly doubled, to 58, including part or all of 211 counties in 25 states.

Court reinstates clean air rule during EPA fix

By Jesse J. Holland, Associated Press Writer

In the S.F. Chronicle, Contra Costa Times and other papers, Wednesday, Dec. 24, 2008

WASHINGTON—In a ruling hailed by environmentalists, a federal appeals court on Tuesday reinstated one of President George W. Bush’s clean air regulations while the Environmental Protection Agency makes court-mandated changes.

In July, the U.S. Appeals Court for the District of Columbia Circuit threw out the Clean Air Interstate Rule, which required 28 mostly Eastern states to reduce smog-forming and soot-producing emissions that can travel long distances in the wind.

The court said the EPA overstepped its authority by instituting the rule, citing “more than several fatal flaws” in the regulation. However, a three-judge panel decided to reinstate the rule while the EPA develops a new clean air program.

Judge Judith W. Rogers said allowing the country to go without the protection of CAIR while the EPA fixes it “would sacrifice clear benefits to public health and the environment.”

The judges did not give EPA a deadline to come up with new regulations, but warned the agency that this decision is not an “indefinite stay” of its July ruling.

The Environmental Protection Agency had predicted that the Clean Air Interstate Rule would prevent about 17,000 premature deaths a year by dramatically reducing sulfur dioxide and nitrogen oxide emissions. In addition, the EPA said the rule would save up to \$100 billion in health benefits, eliminate millions of lost work and school days and prevent tens of thousands of nonfatal heart attacks.

Rep. Ed Markey, a Massachusetts Democrat who heads a House global warming panel, applauded the decision, saying that “common sense ruled the day.”

“Knocking down the Clean Air Interstate Rule completely would have left our lungs in a lurch,” the congressman said. “Today’s decision is significant because it gives the new Obama Administration some breathing room—and gives the American people some clean air to breathe.”

“Air pollution does not obey state boundaries and CAIR is essential to protect Americans living downwind of sources of dangerous emissions,” he said.

Said Vickie Patton, deputy general counsel at the Environmental Defense Fund: "Today's court decision is a welcome gift for the millions of Americans that face serious health threats from power plant pollution. Power plants across the East will reduce millions of tons of smog and soot pollution today while America's new leadership fixes the mistakes made by the Bush administration."

Jeff Holmstead, one of the authors of the CAIR rule when he served as EPA's air administrator, said the court had changed "nothing substantive from its earlier opinion."

Holmstead, who now heads Bracewell & Giuliani's Environmental Strategies Group, said that while the opinion "is more consistent with past precedent in its approach to rulemaking, there is still some uncertainty regarding exactly what the EPA will do in response. Until the Agency responds, regulated sources will have to comply with CAIR."

"The regulated industry looks forward to working closely with the new administration in formulating a response to today's decision. The resulting rule must balance important environmental, economic, and energy objectives," he said.

U.S. court reinstates key clean-air rule it had struck down

Michael Winter

USA Today, Wednesday, Dec. 24, 2008

Reversing its July ruling, a federal appeals court in Washington today temporarily reinstated a Bush administration plan to reduce pollution from coal-fired power plants, *The New York Times* reports.

Previously the Court of Appeals for the District of Columbia Circuit had invalidated the Clean Air Interstate Rule, saying that the Environmental Protection Agency had overstepped its authority in establishing an emissions-trading scheme. The court ordered the EPA to correct the "fundamental flaws" of the plan.

Today the court said that having a flawed rule was better than no rule. The EPA still must revise the rule, but the court set no deadline.

The ruling means that 27 eastern states, Texas and the District of Columbia must cut smog-forming nitrogen oxides beginning Jan. 1 and/or reduce soot-producing sulfur-dioxide emissions starting January 2010. Here's the [map](#).

Environmentalists hailed the ruling as a cornerstone for stronger regulations by the Obama administration. Utilities were happy the court still ordered revision in the rules they must follow. Read the [opinion](#) (pdf) and a [statement](#) from the Environmental Defense Fund, one of the plaintiffs.

County meets federal standards for soot in air

Mike Lee, Union-Tribune Staff Writer

San Diego Union-Tribune, Wednesday, Dec. 24, 2008

SAN DIEGO — The U.S. Environmental Protection Agency yesterday named 211 areas nationwide that have not met its new standard for microscopic air pollution — and San Diego County wasn't on the list.

That means the region won't have to pay for additional projects to reduce soot, which causes lung problems and contributes to cloudy skies, by 2014. The places that do include the Bay Area, Seattle and Milwaukee.

The agency's threshold is tied to a September 2006 rule for PM 2.5 particles, which are generated by engines, forest fires and other sources.

California must submit an air-cleanup plan to the EPA, but it won't directly affect San Diego County.

Three years ago, local air experts had feared the region's air quality might not satisfy the new standard. Yesterday, they said the county met the goal mainly because of reductions in tailpipe emissions through measures such as greater vehicle fuel efficiency.

Environmentalists petition EPA over ozone concern

By Susan Montoya Bryan, Associated Press Writer

In the Contra Costa Times, Tri-Valley Herald and other papers, Wednesday, Dec. 24, 2008

ALBUQUERQUE, N.M.—An environmental group filed a petition with the U.S. Environmental Protection Agency on Tuesday to force 16 Western states to revise their air quality regulations in an effort to trim ozone pollution.

WildEarth Guardians contends in its 25-page filing that large cities throughout the West have already violated clean air standards limiting ozone and the problem is spreading to rural areas, including northwestern New Mexico and western Wyoming.

"The Western states are facing an unprecedented challenge in addressing the impacts of ozone air pollution. For the sake of public health, it is a challenge that must be met aggressively," Jeremy Nichols, WildEarth Guardian's climate and energy program director, wrote in the petition.

Ground-level ozone, a key component of smog, forms when emissions from tailpipes and smokestacks mix with sunlight. The colorless gas can irritate the respiratory system, reduce lung capacity and aggravate asthma.

WildEarth Guardians is asking the EPA to force New Mexico, Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington and Wyoming to revise their air quality regulations to strengthen ozone safeguards by 2013.

The group wants the agency to designate an interstate transport region for the West that would prioritize the development of regional solutions to ozone pollution. It also wants the EPA to create an interstate commission to assess the degree of ozone pollution transport and strategies to combat the problem.

According to the petition, all or portions of the 16 states are expected to exceed ozone pollution limits by 2018.

"With air quality projected to worsen throughout the West, we need regional solutions, not piecemeal plans or fingerpointing," Nichols said. "The Environmental Protection Agency can provide the leadership and direction needed to put the West on the path toward clean air."

The petition calls for the agency to act on the group's requests within 18 months.

EPA spokesman Jonathan Schrader in Washington, D.C., said Tuesday that once the agency receives the petition it will be reviewed and the agency will respond appropriately.

The EPA earlier this year lowered the federal health standard for ozone from its previous level of 0.08 parts per million to 0.075 ppm.

The agency estimates that more than 300 counties nationwide will not be able to meet the new standard, although it is not expected to make official non-attainment designations until 2010.

WildEarth Guardians contends that the EPA has authority under the Clean Air Act to force states to revise their air quality regulations if the rules are found to be "substantially inadequate." Nichols argues that is the case—or soon will be—in the Western states.

WildEarth Guardians decided to petition the EPA now rather than wait for a new federal administration to take over, saying the problem needs to be addressed immediately.

"Filing it now really tees it up for the new EPA administrator to give it the priority attention it deserves," Nichols said. "... We are hopeful the next administrator will not just realize what's legally required, but what is the right thing to do from a public health and environment standpoint."

On the Net:

U.S. Environmental Protection Agency: <http://www.epa.gov/>

WildEarth Guardians: <http://www.wildearthguardians.org/>

S.F. fliers may pay their way in carbon usage

Michael Cabanatuan, Chronicle Staff Writer

S.F. Chronicle, Wednesday, Dec. 24, 2008

Environmentally conscious travelers flying out of San Francisco International Airport will soon be able to assuage their guilt and minimize the impact of their air travel by buying certified carbon offsets at airport kiosks.

The experimental program, scheduled to start this spring, would make SFO the first airport in the nation - possibly the world - to offer fliers the opportunity to purchase carbon offsets.

"We'd like people to stop and consider the impacts of flying," said Steve McDougal, executive vice president for 3Degrees, a San Francisco firm that sells renewable-energy and carbon-reduction investments and is teaming up with the airport and the city on the project. "Obviously, people need to fly sometimes. No one expects them to stop, but they should consider taking steps to reduce their impacts."

San Francisco's Airport Commission has authorized the program, which will involve a \$163,000 investment from SFO, but is still working out the details with 3Degrees. Because of that, McDougal said, he can't yet discuss specifics, such as the cost to purchase carbon offsets and what programs would benefit from travelers' purchases.

But the general idea, officials said, is that a traveler would approach a kiosk resembling the self-service check-in stations used by airlines, then punch in his or her destination. The computer would calculate the carbon footprint and the cost of an investment to offset the damage. The traveler could then swipe a credit card to help save the planet. Travelers would receive a printed receipt listing the projects benefiting from their environmental largesse.

The carbon offsets are not tax deductible, said Krista Canellakis, a 3Degrees spokeswoman.

"While the carbon offsets purchased at kiosks can't be seen or touched, they are an actual product with a specific environmental claim whose ownership is transferred at the time of purchase," she said.

Mike McCarron, airport spokesman, said the projects offered will be chosen by the mayor's office, in conjunction with 3Degrees, from a list certified by the city's Environment Department. Airport Director John Martin told the commission that projects could include renewable energy ventures in developing countries, agriculture and organic waste capture, coal mine methane capture, and sustainable forestry.

Nathan Ballard, a spokesman for Mayor Gavin Newsom, said a portion of each offset purchase would go to the San Francisco Carbon Fund, which supports local projects such as energy-efficiency programs and solar panel installations for low-income housing, as well as efforts to convert waste oils into biodiesel fuels.

The cost of offsets for SFO travelers is still being negotiated, McDougal said, but figures on the company's Web-based "carbon calculator" suggest that a two-hour trip uses about 1,000 pounds of carbon dioxide per person, and the cost to offset that would be about \$4. Offsetting a trip to Europe would cost \$36.

"It's definitely not going to double your ticket or anything," he said. "It's going to end up being a small percentage of your total airfare."

Under the agreement, the airport will provide the kiosks and 3Degrees will supply the software and the certified carbon offsets being sold and will operate the program. Kiosks will be placed throughout the airport, with locations at the customer service desk in Terminal 3 and two wings of

the International Terminal. 3Degrees will get 30 percent of each purchase, with the rest going to carbon-reduction projects. The agreement calls for a one-year program, with a possible extension.

"The carbon kiosks will not only reduce global warming," Ballard said, "they will serve an educational function. It's something interesting to do while you're killing time at the airport."

Given the innovative nature of the venture, airport officials said they don't expect 3Degrees will turn a profit - at least not at the outset. McDougal said it's impossible to predict how many passengers will want to make what is essentially a voluntary contribution to compensate for the impacts of their air travel. But he hopes the program takes off.

"Hopefully, it will be successful," he said. "But if we just have a lot of people stop and read the information and think about it, that's something we've accomplished."

Marine Terminal Operators Suspend Saturday OffPeak Shift as Cargo Volume Falls

Fresno Bee, Tuesday, Dec. 23, 2008

LONG BEACH, Calif. -- Marine terminal operators at the Ports of Los Angeles and Long Beach today announced that they will suspend Saturday OffPeak shifts due to declining cargo volume. The new weekly schedule comes into effect on January 17, 2009. The last Saturday shift will be on January 10, 2009.

As the economy has slowed sharply, cargo container volume at the two ports in October and November fell 19 percent compared with the same period in 2007. Labor costs on Saturdays are 1.5 times the base rate, while night shift labor rates are 1.33 times the base rate.

"With the drop in cargo volume, terminal operators must reduce their operational costs," said PierPASS President and CEO Bruce Wargo. "When economic activity rebounds and cargo volume growth resumes, we will evaluate whether to reinstate the Saturday shift." Wargo noted that there continues to be significant unused capacity during the second half of the night shift on weekdays.

The OffPeak program was established in 2005 to reduce congestion and air pollution in and around the Los Angeles and Long Beach ports. Under the program, all international container terminals in the two ports established five new shifts per week (Monday through Thursday from 6 p.m. to 3 a.m. and Saturday from 8 a.m. to 6 p.m.). As an incentive to use the new OffPeak shifts and to cover the added cost of the shifts, a Traffic Mitigation Fee ("TMF") is required for most cargo movement during peak hours (Monday through Friday, 3 a.m. to 6 p.m.). The program is administered by PierPASS, a not-for-profit company created by marine terminal operators at the ports to address multi-terminal issues such as congestion, security and air quality.

The marine terminal operators, through an independent consultant, are analyzing the current costs for the OffPeak program, assessing current traffic patterns and volume and the impact of ending the Saturday shift. The evaluation is scheduled to be completed in January. The terminal operators will then determine whether any modification to the TMF is warranted.

For more information, please go to www.pierpass.org.

Tobacco shenanigans in Asia?

By Michael Casey, Associated press

In the Merced Sun-Star, Contra Costa Times and other papers, Wednesday, Dec. 24, 2008

BANGKOK, Thailand — Two of the world's largest tobacco companies, seeking to expand sales into Asia, worked to undermine anti-smoking policies in Thailand and China by infiltrating one research institute and funding another, researchers said Tuesday.

The allegations — highlighted in two separate studies — come as tobacco companies are aggressively marketing cigarettes in the developing world as lawsuits and anti-smoking laws hit revenues in the West.

"As the high income countries put more and more obstacles in the path of the cigarette companies, they have to look for new markets," said Edouard Tursan d'Espaignet, epidemiologist with the WHO's Tobacco Free Initiative.

In Thailand, Philip Morris, the world's largest cigarette maker, planted a scientist in Chulabhorn Research Institute in Bangkok in a bid to get researchers to shift their attention away from secondhand smoking and toward other forms of air pollution, according to one study. Public health researchers from the University of Sydney and the University of Edinburgh produced the study by analyzing internal industry documents made public following litigation in the United States.

A separate study alleges that British American Tobacco, the world's second-largest firm, provided funding in China for the Beijing Liver Foundation in a campaign to shift focus away from links between smoking and ailments such as liver disease.

Both companies denied the charges presented online in the Public Library of Science Medicine journal. The two studies were partly funded by the National Cancer Institute in the U.S.

However, longtime anti-smoking advocate Stanton Glanz said the tactics are "part of long-running and continuing tactics by the tobacco industry all over the world," and he called on the two Asian institutions to end their ties with the industry.

Anti-smoking groups say big tobacco for years has sought to covertly influence western government's smoking policies and squash scientific findings highlighting hazards of smoking.

Now, some charge, the tobacco countries are taking these time-tested tactics to the Asia, Africa and Latin America where the WHO estimates 80 percent of the 8 million tobacco-related deaths will occur by 2030.

The University of Sydney's Ross MacKenzie said that in Asia, tobacco companies have fought to prevent the publication of ingredients used in their products in Thailand and worked in Cambodia to undermine advertising bans.

"They have shown they are willing to take advantage of economic situations and lax legislation in many Southeast Asian countries to aggressively market their products," MacKenzie said, citing previously released company documents.

In the Thai study, MacKenzie and University of Edinburgh's Jeff Collin allege that Philip Morris scientist Roger Walk lectured and organized conferences at the government-funded Chulabhorn from the early 1990s through 2006.

The researchers say this allowed Philip Morris to develop relationships with key officials and scientists in efforts to discount the threat of secondhand smoke.

Spokeswoman Marija Sepic of Switzerland-based Philip Morris International — which was spun off by the Altria Group in the United States earlier this year — dismissed the documents as outdated and said the company never hid its affiliation with Walk.

Walk, who now works for Altria's Philip Morris USA unit, could not be reached for comment.

Chulabhorn Associate Vice President Jutamaad Satayavivad said the institute was not aware Walk worked for Philip Morris until about a decade into his tenure. After seeing the study, institute officials plan to bar him because he was "not straightforward in sharing with us," she said.

The other study alleges that London-based British American Tobacco used the Beijing Liver Foundation to lobby China's Health Ministry in a campaign to forestall smoke-free legislation.

The company also provided training for industry, public officials and the media to spread its message that secondhand smoke was an insignificant source of pollution, it said.

"Despite the tobacco industry's public efforts to appear socially responsible ... there is a fundamental conflict between the interests of tobacco companies and public health," said the Mayo Clinic's Monique E. Muggli, who conducted the study with four other researchers.

China's Health Ministry did not immediately respond to a faxed request for comment.

British American Tobacco spokeswoman Catherine Armstrong said it was illogical to suggest that any link the company has to a medical charity "was an attempt to divert attention away from smoking related disease."

However, Glanz, a University of California San Francisco professor who has led research into secondhand smoke, said he's not surprised to hear the studies' results.

Asia is particularly attractive to tobacco companies because "understanding of the effects of smoking and passive smoking is low," Glanz said.

On the Net:

British American Tobacco documents: <http://bat.library.ucsf.edu>

Legacy Tobacco Documents Online: <http://legacy.library.ucsf.edu/>

[Bakersfield California Commentary, Wednesday, Dec. 24, 2008:](#)

Lois Henry: Christmas wishes for Kern County

Dear Santa, I only want one thing this year.

Please, please, please! Bring the good people of Kern County some gumption.

It is my most fervent Christmas wish to see more people involved in deciding how their community will grow, where it should spend its money, how best to educate its children, and so on.

Civics is not just a class to get through in high school.

When you're an American, lucky enough to live in a country where government actions are legally required to be conducted in the open, records are available to anyone and regular citizens can voice whatever opinion they want, it's downright criminal to sit silently by.

I've often heard from people that they would like to get their foot in the door of community life but

1) nothing ever changes, so why try? 2) they're overwhelmed by the size and number of our problems and 3) they don't know HOW to get involved.

I'll try and address the issues listed above and, hopefully, Santa will sprinkle a little "anti-apathy" powder over Kern County tonight. But the rest is up to you!

Yes, things do change when average people get involved.

Major kudos to the residents of Frazier Park for proving that point just recently.

The San Joaquin Valley Air Pollution Control District implemented severe no-burn rules this winter, greatly curtailing days we can burn wood in fireplaces and stoves. And they did away with a previous exemption for people who live in higher elevations.

That was a big problem for Frazier Park folks.

They got involved, learned about the issue — including the fact that the district never did a study showing smoke from the mountains harms valley air, or even that it fouls Frazier Park's air the way it does in the valley when the inversion layer traps soot — then took their case to the district.

And they won, sort of. The district began a new forecasting system specifically for Frazier Park that will likely show much cleaner air than in the valley and allow more burn days.

If it seems like problems are lurking around every corner (they are) and it's just too overwhelming, then stop looking around every corner.

Look at your own corner.

That's what Carol Bender did. Bender, a strong advocate for better planning in northwest Bakersfield, joined her neighbors to kibosh a giant double overpass at the intersection of Allen and Hageman roads over the Burlington Northern Santa Fe railroad tracks, pushing for an underpass design instead.

County planners took heed and have been working on designs that are more in tune with the neighborhood, according to Kern's Roads Department director Craig Pope. They are planning another public meeting to look at design options in January, he said.

"We don't have a strict answer yet as to design because we want to build a consensus" with the people who will have to live next to the interchange.

Of course, all bets are off for now, as the state has frozen all infrastructure funding.

Sigh. But that's another rant.

If your neighborhood is just perfect, pick a topic that fires up your passions and tackle that. Such as better fitness instruction in schools, the lack of services for juvenile addicts, Kern County's horrible animal overpopulation problem and on and on.

As for how to get involved, start by asking questions. Lots of questions.

What agency is in charge of the topic you're interested in? Where can you get more information? Are there any community groups also working on this topic?

Ask us. It's what we do! In fact, we publish a regular feature — Ask The Californian — every Monday in which we answer questions from readers.

Use government resources to keep tabs on what's happening. The city and county both have very rich websites where you can pick through agendas, meeting minutes, reports, fee schedules and more. You can even watch meetings live online or on KGOV, cable Channel 16.

And, of course, make sure you read The Californian daily to keep up on what's going on.

Then let officials know you're watching.

Attend meetings. Nothing puts you in touch with decision makers and other community members better than actually being there.

Call council members and supervisors, write letters, send emails — be a squeaky wheel!

These people work for you, not the other way around. It's your hard-earned money that's paying for every government program you see.

Your say matters. But you have to use your voice.

[Note: The following clip in Spanish discusses 9 states fall below new air pollution standards, including California. These western states have high levels of air pollution that are dangerous to their residents, especially children and adults with respiratory diseases. For more information on this Spanish clip, contact Claudia Encinas at \(559\) 230-5851.](#)

Desaprueba la EPA contaminación del aire en nueve estados, incluido California

Manuel Ocaño, Noticiero Latino
Radio Bilingüe, Wednesday, December 24, 2008

La Agencia federal de Protección Ambiental (EPA) reprobó a una serie de condados y regiones de nueve estados del oeste del país que tienen niveles de contaminación del aire peligrosos para su residentes, especialmente para niños y ancianos.

La agencia encontró deterioro peligroso en partes de Utah, Montana, Arizona, Idaho, Oregon, Washington, California y Alaska.

EPA determinó que para mejorar la calidad del aire, los condados y ciudades deben coordinarse mejor con autoridades estatales y federales, y seguir recomendaciones gubernamentales.