

## Ten no-burn days and counting — the new norm?

By Stacey Shepard, staff writer

Bakersfield Californian, Saturday, Nov. 22, 2008

If you're itching to light that fireplace you'll probably have to wait a few more days.

Saturday will be the 10th consecutive day that wood-burning in fireplaces, woodstoves and chimineas has been prohibited in valley portions of Kern County plus the Frazier Park area. And thanks to stubborn weather conditions, forecasters don't expect the ban to lift until the middle of next week.

"We have a very strong high pressure pattern over us and it formed a strong cap, or inversion, that trapped the pollutants," said Shawn Ferreria, a senior air quality specialist for San Joaquin Valley Air Pollution Control District.

"What we need to have come through is a situation where there's some windflow that breaks that lid in order to disperse those pollutants trapped over the valley."

The current string of no-burn days, which far exceeds last year's record of four in a row in Kern, is due mainly to a stricter residential burning rule adopted by the air district in October.

The new rule, which took effect Nov. 1, lowered the pollution threshold for calling no-burn days. Air district officials said the move was done to help the valley meet a new federal standard for fine particulate pollution, known as PM 2.5.

Fireplaces are one of the largest sources of directly emitted PM 2.5. Agricultural burning also contributes to fine particulate pollution though the practice has been largely phased out in the valley. It is allowed in limited circumstances but requires a permit from the air district.

The strengthened wood-burning rule will likely result in up to 43 no-burn days this winter compared to 12 last winter.

Almost all of the recent no-burn days were called because of the lowered threshold. Under last year's standard, burning would have been prohibited on only one or two days in the past week and a half, Ferreria said.

Ignoring the burn restriction can result in a first-time fine of \$50. Enforcement is mainly complaint-based, but air district inspectors can ticket any residence where they observe visible smoke.

As of Friday, four violations had been issued in Kern since the start of the no-burn streak, according to air district spokeswoman Brenda Turner.

Despite the no-burn restrictions, air quality has not been exceptionally poor, with most recent days being in a range that's unhealthy for sensitive groups.

But with weather patterns that tend to create stagnant air conditions, it will likely take a forceful system coming through Kern to alleviate pollution to a point where burning is allowed. Ferreria predicts that may come in the early to middle part of next week.

### ABOUT THE NO BURN RULE

- The no-burn season runs from Nov. 1 through the end of February.
- The rule applies to the valley portion of Kern County and the Frazier Park area. Homes with no natural gas service or where wood-burning is the sole source of heat are exempt.
- The daily burn status can be found by calling 1-800 SMOG INFO, going online [here](#), or by subscribing to the Daily Air Quality Forecast e-mail [here](#).

Anonymous complaints about burning on a restricted day can be made by calling the air district's complaint line at 1-800 926-5550.

### **No burn ban in Kings continues**

By Sentinel Staff

Hanford Sentinel, Friday, Nov. 21, 2008

FRESNO -- Kings County continues today with fireplace wood-burning prohibited.

The San Joaquin Valley Air Pollution Control District again prohibited burning in Kings, along with Tulare County and the Valley-portion of Kern County. The region has been in a no-burn status most of the past week, which has also featured record-high seasonal temperatures.

The ban is in effect until midnight. A new notice for Saturday's wood-burning status is available today after 4 p.m. on-line at [www.valleyair.org/aqinfo/WoodBurnPage.htm](http://www.valleyair.org/aqinfo/WoodBurnPage.htm).

### **City seeks grant to build bike path**

By Doug Keeler, Midway Driller Editor

Taft Midway Driller, Friday, Nov. 21, 2008

Taft is seeking \$1 million in grant funding to expand the city's bicycling opportunities and come one step closer to making the concept of a five-mile bike and walk path around the city a reality.

The Taft City Council unanimously approved an application for funding through Caltrans for projects that make commuting by bicycle through the city safer and more convenient. The city must come up with just over \$100,000 in matching funds, but city grants administrator Lucille Holt said most of that money will come from "in-kind" labor and materials from city staff working on the project with a small expenditure of city money from its capitol reserve fund.

The city is also seeking a grant that could cover the cost of the matching part, Holt said. There is no guarantee the city will get the grant, Holt said. "We're eligible for it but its competitive. All we can do is apply and hope," she said.

If the money comes through, it could pay to extend the Rails to Trails westward from Hillard Street to Sandy Creek and the build a trail along the west side of the Highway 119-Highway 33 corridor from Second Street to Wood Street. Holt said the section of path running west off of Hillard would be done first since the environmental studies have already been done.

### **Report: Elderly valley residents in poor health**

The Bakersfield Californian, Saturday, Nov. 22, 2008

Central Valley seniors are in the worst health in California and their struggles may foreshadow what happens throughout the state over the next 20 years when the elderly population is expected to double, according to a study out Thursday.

The UCLA Center for Health Policy Research said diabetes, obesity, falls, low mammography rates and couch potato lifestyles are bigger problems in the San Joaquin Valley.

Its report, Trends in the Health of Older Californians, also says doctor-patient efforts to prevent health problems are harder in the Latino-heavy valley for several reasons: inadequate community resources, language and cultural barriers and fear of using government health programs because of immigration concerns — even among legal immigrants and citizens.

The results came from findings of the California Health Interview Survey over three time periods: 2001, 2003 and 2005.

"This is a bad way to start the new century," the report's author, Steven P. Wallace, said of the health plight of all elderly Californians. "Unless there is an increased focus on the prevention and management of chronic diseases, the promise of a healthy and happy retirement will be unattainable for millions of Californians."

There was good news about California in general, such as better screening rates for several cancers and fewer older women taking hormone replacement therapy, which has been tied to increased risk of heart disease and breast cancer.

Among the Kern County findings for people 65 and older (all from 2005):

- 38 percent reported being in fair to poor health, compared to 32 percent statewide.
- 67 percent had arthritis, 34 percent high cholesterol, and 52 percent a condition limiting basic activities. Those were all much higher than statewide.
- Similar to the rest of California, 12.5 percent had asthma and 24 percent had ER visits.
- Other figures: 26 percent were obese; 47 percent hadn't had a mammogram in the last year; and 33 percent led a sedentary lifestyle.

For more on the study, go to [healthpolicy.ucla.edu](http://healthpolicy.ucla.edu).

## **California bulks up defenses against tide of global warming**

By Chris Bowman

Sacramento Bee, Monday, November 24, 2008

California is building a second line of defense against global warming, one that will prepare the state for a harsher environment while the other continues to cut climate-changing emissions.

The two-front approach acknowledges that rising sea levels, bigger floods, greater loss of species and other harsh effects of warming are inevitable, if not already occurring – no matter the state's success in slashing greenhouse gases.

Unlike the pioneering save-the-planet mandates to tighten automobile exhaust limits and renewable energy standards, Gov. Arnold Schwarzenegger is not loudly trumpeting these defense moves:

- The state Transportation Department is proposing to move a 3-mile stretch of ocean-hugging Highway 1 in Big Sur up to 475 feet inland, to keep ahead of the accelerating tidal rise and bluff erosion.
- State wildlife officials are deliberating plans for "triage," to decide which species should be saved from global warming and which can't be saved.
- The state's San Francisco Bay Conservation and Development Commission is consulting with Dutch engineers and holding an international contest to create designs for flood- resilient buildings.

On Nov. 14, Schwarzenegger issued an executive order to identify the state's biggest vulnerabilities to rising sea levels and draft an "adaptation strategy." State, federal and local managers of transportation, public health, wildlife, water and power supplies are being tapped for this task, along with business and public-interest groups.

"It's saying we need to take action today," Anthony Brunello, the state deputy secretary for climate change, said of the governor's directive. "We need to figure out what we should be doing."

To that end, the National Academy of Sciences will be asked to convene an independent panel of experts. The executive order calls on scientists to forecast a range of likely scenarios along the

coast through the end of the century. That panel would recommend ways to minimize damage to coastal roads, beaches, sewage and water treatment plants, wetlands and marine life.

Meanwhile, all state agencies are to immediately identify risks and account for them in planning their public works projects.

Climate change alters projects

Some major projects under way already account for climate change.

A 50-year, \$1 billion effort to restore thousands of acres of former Cargill Inc. salt evaporation ponds to tidal marsh in San Francisco Bay will have levees to prevent flooding from rising seas anticipated with global warming.

"You will always have a viable and healthy estuary even as the waters rise," said Will Travis, executive director of the Bay Conservation and Development Commission.

Likewise, state water planners are adding an extra foot of water depth in designs for a weir to control flows important to fish and drinking water quality in the south Sacramento-San Joaquin Delta.

"Hopefully, this will extend the life of the project," said John Andrews, executive manager for climate change at the state Department of Water Resources.

Extending the survival of certain plant and animal species threatened by rising temperatures will present scientific and ethical challenges, said Terry Root, a Stanford University biologist.

Root and other scientists are urging state and federal wildlife managers to categorize species according to their ability to withstand warming or migrate to more hospitable terrain. In some cases, she said, it may become necessary to move some species to save them.

"I didn't think I would ever have to say this in my life, but I do think we have to start prioritizing species," Root said in a September speech at the state's annual Climate Change Research Conference in Sacramento.

Root reluctantly calls such categorizing "triage."

"Do we save this species or do we let this species go?" she said. "It is not an easy thing to be working on. It's going to be exceedingly painful."

Change of direction; big cost

Some of the needed changes will be expensive.

The surf just north of Hearst Castle has been rapidly gnawing away at bluffs where Highway 1 hugs the shoreline, despite the rock facing installed by Caltrans.

"Rather than building up riprap and losing beach, we have been working with Caltrans on long-term solutions," said Tami Grove, an official with the state Coastal Commission, which regulates beach armoring and access.

Caltrans came forward in 2001 with a proposal to realign almost 3 miles of the highway, between the Piedras Blancas Lighthouse and the Arroyo de la Cruz Bridge in northern San Luis Obispo County.

Global warming weighed into the planning two years later, Grove said.

"Caltrans knew they had to realign. The question was how much. They had to factor in sea level rise," Grove said. "Our geologists and engineers worked with them to try to anticipate as we could the erosion that would be occurring."

Engineers figured the road should bend as much as 475 feet inland to protect the highway from erosion and storm surges for the next 100 years.

The \$50 million project, which requires approvals from the coastal commission and San Luis Obispo County, would start in 2013. Rock armoring would be removed from the beach, and bicyclists would replace motorists on the abandoned stretch of roadway, Grove said.

Other threatened sections of Highway 1 include those along Pescadero Beach in San Mateo County and Gleason Beach in Sonoma County, Grove said.

The governor wants, by mid-February, a Caltrans vulnerability rating of coastal roads and bridges, taking into account higher rates of erosion, land subsidence and storm surges.

Although sea level rise has been occurring since the end of the last ice age, its pace has accelerated in the past century as a result of global warming, according to the Intergovernmental Panel on Climate Change, the leading international network of climate scientists.

The tidal gauge at the mouth of San Francisco Bay – the longest continuously operating gauge in the Western Hemisphere – has recorded a 7-inch rise in sea level in the 20th century.

A governor-appointed panel of scientific advisers on the Delta recently urged him to prepare for another 16 inches of sea level rise by 2050 and 55 inches by 2100. Projections are based on the expansion of warming ocean water and melting of continental ice sheets and glaciers.

A 55-inch rise would likely overwhelm Delta levees. A major flood could send saltwater through the drinking water intakes in the south Delta, contaminating supplies for 25 million people in the Bay Area and Southern California.

Planning for a larger S.F. Bay

All the global warming predictions of accelerating sea-level rise have turned the mission of at least one state agency on its head.

The state Legislature created the San Francisco Bay Conservation and Development Commission in 1965 to keep the estuary from shrinking. Diking and filling the bay to make room for ports, runways, garbage dumps and industry had reduced the size of the open waters by nearly one-third.

"Now, with sea-level rise, the bay is getting bigger, and we have no authority to do anything about it," said Travis, the commission's executive director.

The commission is pushing for building designs that can withstand or even rise above flooding.

Maps posted on the commission's Web site illustrate 2,100 global warming scenarios: Large portions of Bay Area cities, including airport runways, are swamped by 3 feet of tidal water.

"We have to stop thinking of protecting the bay the way it is now and abandon the notion of restoring it the way it was," Travis said. "We need to design a new bay to account for different water levels, different salinity, different temperatures and probably different species."

### **Bad air quality means today's a no-burn day**

Sacramento Bee and Modesto Bee, Sunday, November 23, 2008

Although it may be a bit chilly tonight, don't fire up the fireplace. Today is a no-burn day in Sacramento County.

Because of a change in the weather pattern, the Sacramento Metropolitan Air Quality Management District prohibits all burning.

The ban in Sacramento County includes pressed fire logs, wood and pellets. First-time violations result in receiving a \$50 fine or having to attend a compliance school.

Higher fines are levied for repeat offenders.

## **Rail-like bus service proposed at AC Transit**

By Denis Cuff - CONTRA COSTA TIMES

In the Tri-Valley Herald, Saturday, November 22, 2008

Call it a bus service that acts like a railway: spacious vehicles arriving every four or five minutes to zip riders along on lanes reserved exclusively for them.

The payoff: more riders, less smog and global warming gases, and an overhaul of the image of public transit buses, from slow and creaky to speedy and cool.

The Alameda-Contra Costa Transit District is rolling toward key decisions in the next two years on its plan to build a \$234 million bus rapid transit system along a 17-mile route to connect downtown Berkeley, Oakland and San Leandro.

But bus rapid transit, known as BRT for short, still faces hurdles as the board gears up to make final decisions on the project and its precise route in 2010.

Some residents of Berkeley fiercely oppose bus rapid transit, saying it would steal scarce parking spaces and open the door for higher-density development in or near residential neighborhoods.

"Bus rapid transit is a terrible idea" said Mary Oram of Berkeley. "AC Transit is trying to shove BRT on us in an area where it doesn't fit. I want to live in Berkeley, not in San Francisco."

Several project opponents told the AC Transit board Wednesday they will continue to fight bus rapid transit, even though Berkeley voters decided by a 3-to-1 ratio Nov. 4 against a ballot measure that would have required a citywide referendum on limiting lanes to buses.

In another hurdle, AC Transit needs approval from city governments in Berkeley, Oakland and San Leandro to use their streets for bus rapid transit.

To minimize the loss of parking in a few areas, the transit district already has agreed to scrub plans for bus-only lanes along some of the route and instead route the express buses into regular traffic.

One such area is a portion of East 14th Avenue in San Leandro. Talks continue among staffers at the three cities and AC Transit over the route alignment and how much should be limited to buses.

"There are places where bus-only lanes don't work," said Jim Cunradi, AC Transit's bus rapid transit manager. "But you need to have enough of the route as bus-only lanes to make the project function at a high level — to provide fast, reliable bus service."

Much of the proposed route would run from downtown Berkeley along Telegraph Avenue to International Boulevard in Oakland, and on East 14th Street in San Leandro to the Bay Fair BART station.

Some 49 stations would be built on elevated street medians where passengers could buy tickets at self-service machines for quick loading onto buses.

About \$161 million of the \$234 million cost is already lined up from state and local funds, including bridge toll money and sales tax. But AC Transit also needs to land a \$72 million federal grant.

Toward that end, the AC Transit Board agreed Wednesday to seek proposals for contractors to spend up to \$250,000 to come up with a branding identity for the project — including a logo, decals, colors and perhaps a name.

Bus rapid transit critics complained it is premature to spend the \$250,000 to polish the image of a project not yet approved.

"I think it's outrageous to pay that much," said Joyce Roy, an unsuccessful AC Transit board candidate in this month's election.

AC Transit managers said they need to develop a brand to compete for the federal grant and to help explain the project to the public.

Critics contend that AC Transit instead ought to run frequent "rapid" buses along busy routes without restricting lanes to buses only. Under this proposal, passenger loading could be speeded up if AC Transit set up a way for passengers to buy bus tickets in advance at local stores, they said.

Cunradi said dropping the plan for bus-only lanes would sacrifice speedy and reliable service.

Relying on stores to sell tickets is unreliable, he said, because stores are closed many hours when buses run.

Cunradi agreed parking space losses are a serious issue. To offset the impact, the transit district will consider developing parking lots or garages, or installing parking meters on commercial side streets so the spaces turn over faster, he said.

Greg Harper, an AC Transit board member from Emeryville, said the fear of denser development is an underlying fear that has fueled opposition to bus rapid transit.

Harper conceded that denser development might occur, but he said it is up to cities, not the transit district, to make land-use decisions.

"It's our job to create transit opportunities," he said, "not to limit them."

## **City manager pushes waste-to-energy proposal; county cautious**

By Terri Hardy

Sacramento Bee, Saturday, Nov. 22, 2008

Same trip, very different impressions.

When Sacramento city officials recently traveled to Japan to tour a plant that disintegrates garbage with superheated plasma, they came away eager to push forward with a proposal to build a similar plant back home. Yet county officials on the same study mission concluded there were too little data and too many warning signs.

"This particular type of technology in our opinion is not ready for prime time," said Paul Hahn, who heads Sacramento County's Municipal Services Agency. "Maybe more importantly, we have questions about the economics and whether this makes sense."

The city spent \$9,512 to send City Manager Ray Kerridge on the trip, but he didn't tour the plant in the northern city of Utashinai. When the delegation visited another waste-to-energy plant in Tokyo featuring a different technology, members said Kerridge skipped that, too.

"For personal reasons, Ray didn't take the same flight as everyone else, so he arrived after the tour of the Utashinai plant," said city spokeswoman Amy Williams in an e-mail. "He did meet with the general manager of the facility and his staff that evening as well as in the morning."

Kerridge spoke to The Bee about some details of the proposal this week, but, through Williams, said he would not be available to discuss the trips. Some written questions from The Bee were answered; others weren't.

Asked why Kerridge did not visit the Tokyo plant, Williams responded that he "went to a presentation about the Tokyo plant technology."

The plasma arc gasification process Kerridge has backed is "the opportunity for the city of Sacramento to be global leaders in this technology," Kerridge said earlier this week.

Hahn, however, said he was more impressed with the technology used at the Tokyo plant. City representatives didn't seriously consider that option and the only mention of the Tokyo plant came at the end of a July 15 council meeting, when Councilman Robbie Waters read a short report of the trip: "We also toured other municipal solid waste gasification plants in Tokyo to see how these plants operate in urban environments," he said.

Council members also said there was no public airing of reservations voiced by air quality officials following the trip in private meetings with city staff members.

These omissions are the latest example of inadequate "due diligence" by city staff members regarding the proposed waste-to-energy plant, council members said. The Bee previously reported that two of the independent experts who testified before the council had financial ties to the company proposing the plan.

"This is the 1,001st nail in the coffin," said Councilman Kevin McCarty. "It seems our staff is stuck justifying plasma arc."

City Councilman Steve Cohn was even more blunt.

"Our staff was sold a bill of goods," Cohn said. "This whole process has bothered me. We made a decision so quickly, settling on one technology and one company."

Asked about this concern via e-mail, Kerridge's spokeswoman said the city is at the beginning of the process. "We believe we have taken all the steps necessary to preserve the city's and citizens' interest," she wrote.

The city manager is pushing for the council to sign a binding agreement soon with U.S. Science & Technology, the local firm proposing the "plasma arc gasification" plant. But now, a growing number of council members are saying Sacramento needs to take a look at other technologies and proposals, according to McCarty, Cohn and Lauren Hammond, who has been the chief proponent for plasma arc.

Trying to find ways to stop trekking garbage to Reno and filling up landfills, the city last year put out a call for waste-to-energy proposals. A committee of city employees and academics – without council input – chose the plan from U.S. Science & Technology.

With plasma arc technology, company officials say electrified gas reaching temperatures of the sun's surface vaporizes trash, producing a synthetic fuel that can be sold to energy companies.

## **State emissions plan debated at Sacramento hearing**

By Jim Downing

Sacramento Bee, Friday, Nov. 21, 2008

Business and environmental groups argued Thursday over whether California's plan to fight global warming will be a boon or a burden for the economy and low-income communities.

More than 200 people from around the state signed up to testify at the final public hearing on the Air Resources Board's proposal for cutting climate-warming emissions to 1990 levels by 2020, as required under a 2006 state law.

The strategy, first released in June, would get most of those cuts by mandating large improvements in energy efficiency as well as rapid expansion of the state's renewable power capacity. It also calls for a market for buying and selling the right to produce greenhouse gases – a so-called cap and trade system.

The air board is scheduled to approve a final version of the framework at its meeting Dec. 11-12 in Sacramento. State regulators will spend the next two years filling in the details, with most policies taking effect in 2012 or later.



By cutting power and fuel bills and fostering a green-tech industry, the plan should ultimately deliver billions of dollars in net economic benefit, according to the state's analysis.

But the transition to a lower-carbon economy carries uncertain costs – a point several business leaders emphasized Thursday.

"They don't tell us how we get there," said Edwin Lombard, a board member of the California Black Chamber of Commerce, in an interview.

Environmental groups, along with some business and venture capital interests, argue that efficiency improvements have been shown to pay off quickly.

"This is not an experiment. This is pretty straightforward stuff," said James Fine, an economist with the Environmental Defense Fund, in an interview.

The cap-and-trade proposal also drew criticism Thursday. Groups representing low-income and minority groups have united to oppose it altogether, arguing that a market would tend to concentrate polluting industries in their communities. At noon Thursday, about 100 activists rallied outside the air board headquarters.

The crafting of the state's plan is being watched across the country and may serve as a model for federal greenhouse-gas strategies. Indeed, air board Chairwoman Mary Nichols is rumored to be a candidate to head the U.S. Environmental Protection Agency under President-elect Barack Obama.

### **Tracy is going greener — whether it wants to or not.**

Tracy Press, Friday, Nov. 21, 2008

With a promise of state help, Tracy's City Council on Tuesday voted to embrace policies to lessen air pollution and the amount of garbage dumped in landfills, cut commute miles and reduce gas use, conserve water and energy, protect agricultural land and open space, and make sustainability a part of how the city grows.

The vote was 4-1, with Councilwoman Suzanne Tucker dissenting, and with Mayor Brent Ives asking several questions before voting yes.

For the state Department of Conservation, Tracy is a sort of testing ground, one of a few "pilot" cities chosen to see whether and how its goals can be reached and where resistance might come from.

Requirements for cities to cut greenhouse gas emissions are coming in a few years, thanks to laws that are making their way through the Legislature. It seems just a matter of time before reports aimed to gauge how a proposed development effects the environment will include a scorecard for greenhouse gases — and ways to cut them.

By volunteering now to shoot for goals outlined by the state, the conservation department will help Tracy out with grant money and expertise.

"It's a toe dip into the water," said Bridgett Luther, director of the California Department of Conservation. "We can't do this at the state until we get local communities involved."

The city set aside \$40,000 earlier this year to come up with ways to lessen the city's carbon footprint. On Tuesday, the council voted to spend \$2,500 of that to join the Climate Registry so it can tabulate the city's greenhouse gas emissions, a baseline Tracy will look to shrink in the future.

And \$30,000 of the \$40,000 will be paid to something called the National Charrette Institute, a nonprofit group that helps plan sustainable cities. The institute has a subcontract with Town-Green, an Oakland company whose head, Steve Croyle, co-founded National Charrette.

Luther said Town-Green will bring a couple of economic development experts into Tracy to see how jobs might be created here, possibly in the alternative energy industry.

The city estimated it would cost \$250,000, though, to have others work with people in city government and in the private sector to come up with a plan to meet state goals.

Tucker wondered where that money would come from and worried what costs might fall on businesses, and ultimately voted against her colleagues.

The state conservation department's Luree Stetson told the council that she'd seek grant money to help with the cost.

Ives questioned the term "target" to describe what he thought were green concepts, and he balked at the state asking the city to "commit to implement" eco-friendly goals. When "implement" was changed to "pursue" in a resolution, Ives supported it.

Part of what the council voted for were polices that cut suburban sprawl, yet the council has told developers to move ahead with plans to add more than 7,000 homes in the southwestern part of town in the Ellis and Tracy Hills subdivisions, which by definition are suburban sprawl.

How the city might mesh its efforts to meet state guidelines with the possible construction of Ellis and Tracy Hills remains to be seen.

But Luther expects tension to emerge at some point and for the state to learn lessons from local critics— lessons it can later use when the guidelines become requirements.

"Growth is a beautiful thing," said the governor's appointee, "but we've got to grow in a way that we can keep people here. Hopefully, it starts the dialogue."

## **Bush angers environmentalists with last-minute rule changes**

**Many of the 'midnight regulations' open wilderness for oil and gas drilling, and loosen environmental safeguards. President Bush has pushed 53 through in three weeks, researchers say.**

By Jim Tankersley

L.A. Times, Nov. 21, 2008

Reporting from Washington -- As the hour grows late, President Bush, like many chief executives before him, seems to hear the call of the wild.

Honoring a tradition that dates at least to the Reagan administration, Bush is pushing through a bundle of controversial last-minute changes in federal rules -- many of them involving the environment, national parks and public lands in the West.

President Clinton used his final weeks and months in office to strengthen a host of environmental rules and lock up federal lands with wilderness and other protective designations. Bush is using the same window of opportunity to open wilderness for oil and gas drilling, and to loosen safeguards for air, water and wildlife.

In recent days, the Bush administration announced new rules to speed oil shale development across 2 million rocky acres in the West. It scheduled an auction for drilling rights alongside three national parks. It has also set in motion processes to finalize major changes in endangered species protection, allow more mining waste to flow into rivers and streams, and exempt factory farms from air pollution reporting.

Researchers who track "midnight regulations" say Bush pushed 53 of them through the federal Office of Information and Regulatory Affairs in the last three weeks, nearly double the pace of Clinton at this point in his final year.

Some of the most controversial rules deal with the environment -- a legacy-cementing area where Bush diverges sharply from Clinton and from President-elect Barack Obama.

In the mid-1990s, when Clinton was in the White House, the GOP-controlled Congress established rules designed to rein in late-inning regulatory changes. But the move has had little effect.

Outgoing presidents "have an incentive to push stuff that the next administration won't be in favor of," said Veronique de Rugy, a senior fellow at the Mercatus Center at George Mason University who tracks midnight regulations. "It's your last chance . . . to extend your influence into the future."

White House officials say they've taken pains to avoid a late-term blitz. Spokesman Tony Fratto said that Bush is keeping roughly the same regulatory pace as last year, and that many rules won't be enacted because agencies missed a Nov. 1 deadline for final action, set earlier this year by Chief of Staff Joshua Bolten. Bolten's order allows exceptions for what are considered extraordinary circumstances.

"It's unprecedented in the history of administrations to try to do something this way, and do it the right way," Fratto said.

Environmental activists and government watchdogs, on the other hand, say Bush rushed several of the rules to completion so that Obama could not easily overturn them.

Obama can summarily reverse anything not enacted by the time he takes office, a lesson Bush learned by blocking several of Clinton's last-ditch environmental measures, such as a ban on road-building in national forests.

"The Bush administration is trying to prevent Obama from doing to it what it did to Clinton," said Matt Madia, a regulatory policy analyst for OMB Watch, a Washington-based watchdog group.

Under federal rules, it takes 60 days to enact an economically "significant" regulation, which carries an estimated impact of \$100 million or more. Other regulations take 30 days. Today is the deadline for "significant" regulation, though Fratto calls it "irrelevant to our process."

The process moved especially quickly in the case of oil shale. In July, the administration proposed rules that would eventually lead to leasing 2 million acres of public land in Colorado, Utah and Wyoming for oil shale extraction, even though serious questions remain about how much power and water -- a particularly scarce resource on much of that land -- would be needed to make it work.

The rules were finalized this week.

The American Petroleum Institute praised the move as "an integral step" toward increased domestic energy production. "It lays the groundwork, lets investors know what they're going to face going forward," said Andy Radford, a senior policy advisor for the institute.

Environmentalists cried foul. Sen. Ken Salazar (D-Colo.) said Bush had "fallen into the trap of allowing political timelines to trump sound policy."

Activists also accuse Bush of disregarding public comments on a proposal to change how the Endangered Species Act guides federal projects. Currently, federal agencies must check with government species experts before building a dam or paving a road.

Bush would allow the agencies to determine on their own if they were putting protected species in danger. The change would be "absolutely necessary if we're going to move projects forward,"

said William Kovacs, vice president of environment, technology and regulatory affairs at the U.S. Chamber of Commerce.

Opponents say administration officials breezed through 250,000 public comments -- most of them criticizing the proposal -- in less than a week. "They've clearly made a predetermined decision to issue it no matter what the public comments say, which is not what we're supposed to do in this country," said Andrew Wetzler, director of the endangered species project at the Natural Resources Defense Council.

The NRDC, the Sierra Club and other groups also oppose several rules not subject to the deadline and likely to be enacted soon, including eased restrictions on mountaintop mining near streams, reduced pollution reporting for large farms and weakened air quality controls near national parks.

If those rules are approved, Obama would need to initiate a potentially cumbersome process to revise them.

"They wouldn't be able to just put out a notice and just overturn them the next day," said Karla Raettig, the legislative representative for wildlife conservation for the National Wildlife Federation. A little-used law from the 1990s might allow Congress to overturn many of the regulations.

### **EPA, with White House nudge, eases rule on lead emissions Critics say the change, which leaves out dozens of factories from regular emission checks, undermines efforts to guard children's health.**

By Michael Hawthorne. Chicago Tribune  
in the L.A. Times, Monday, Nov. 24, 2008

Reporting from Chicago -- Looking to bolster the fight against childhood lead poisoning, the Environmental Protection Agency last month approved a tough new rule aimed at clearing the nation's air of the toxic metal.

But at the last minute, federal documents show, the Bush administration quietly weakened a key provision, exempting dozens of polluters from scrutiny. A new network of monitors that is to track lead emissions from factories has been scaled back.

Critics say the change undermines a rule that otherwise has been widely hailed as a powerful step in protecting children's health.

The federal rule was prompted by compelling research showing lead is more dangerous than had been thought. Even low levels of the toxic metal in young children have been linked to learning disabilities, aggression and criminal behavior later in life. Many scientists say there is no safe level of exposure.

Faced with a court order to act more aggressively, the EPA last month lowered the maximum amount of lead allowed in the air. The new standard, 0.15 micrograms per cubic meter, is 10 times more stringent than the standard set in 1978.

To help meet the new limit, the EPA had planned to require lead monitors next to any factory emitting at least half a ton of lead a year. But after the White House intervened, the agency raised the threshold to a ton of lead or more, according to e-mails and other documents exchanged between the EPA and the Office of Management and Budget.

As a result, dozens of factories won't be checked regularly. Federal and state officials debate the exact number, but a review of EPA records found the number of U.S. plants monitored could drop by nearly 60%, from 203 to 87.

"This sleight of hand by the administration ignores major sources of a dangerous neurotoxin,"

said S. William Becker, executive director of the National Assn. of Clean Air Agencies.

The Obama administration could try to amend the lead rule, but that process would take months.

National lead emissions have dropped 97% under the old standard, largely because lead was removed from gasoline. But cement plants, smelters, steel mills and other factories still emit about 1,300 tons of lead into the air each year, the EPA said.

After tiny lead particles settle to the ground, they can stay there for years. Exposure can occur when people, especially children, handle or play with contaminated soil and then put dirty hands into their mouths.

"If we can keep bringing down blood-lead levels in kids, there could be considerable benefits over the years to a wide swath of our population," said Bruce Lanphear, a researcher at Simon Fraser University in British Columbia, Canada, and a member of a scientific panel that urged the EPA to set tougher lead standards.

Dozens of monitors scattered across the country already check lead levels in the air, but the EPA estimated that it would take dozens more to track emissions from polluters releasing at least half a ton of lead.

Industry lobbyists waged a fierce battle against the new standard and the additional monitoring. They argued that lingering dust from leaded gasoline and lead paint are a much bigger threat to children than ongoing industrial emissions.

In written comments filed with the EPA and the Office of Management and Budget, lead battery manufacturers and recyclers said many of their facilities would fail to comply with the tougher standard. If factories had to reduce lead emissions, they said, companies would be forced to move operations to countries with lax environmental policies.

The Assn. of Battery Recyclers wrote in comments to the Office of Management and Budget that a tougher lead rule would lead to "environmental and human health risks attributable to mishandling, improper disposal and illegal export of millions of spent lead acid batteries."

A related organization, the Battery Council International, told the EPA that the more stringent monitoring standards would be "unjustifiably low."

Last month, two weeks after lobbyists from the industry met with Bush administration officials, the White House ordered the EPA to raise the monitoring threshold to a ton or more, federal records show.

An industry lawyer declined to comment, saying the publicly filed comments "speak for themselves."

EPA officials said states could add lead monitors if they thought it was necessary.

"We selected an approach that would still ensure monitoring around those sources that have the potential to contribute to a violation of the standards," Cathy Milbourn, an EPA spokeswoman, said in a statement.

## **Local Leaders Balk on High Residential Density Goal**

Valley Voice Newspaper, Monday, Nov. 24, 2008

San Joaquin Valley – A goal to preserve farm land and reduce air pollution by increasing housing densities got a little tougher with the passage this year of state Senate Bill 375 that requires the state Air Resources Board to set requirements in planning to meet air quality standards.

The San Joaquin Valley Blueprint process is a collaborative effort of eight Central Valley counties to increase housing density in the San Joaquin Valley. Besides Tulare County, the other counties are Kern, Kings, Madera, Merced, San Joaquin and Stanislaus. The goal is to manage growth in a way to preserve ag land and limit air pollution.

Two weeks ago, at the regional advisory committee meeting of the group, a curve was thrown at the planners in that they now want a bigger increase in density than what most counties had settled upon.

For Tulare County, a goal of increasing housing density by 25 percent over the next 40 years was dwarfed by a new goal of between 100 to 150 percent increase in housing density.

The Regional Advisory Committee is made up of community members and elected officials of the eight Valley counties.

However, at Monday's meeting of the Tulare County Association of Governments (TCAG), lead agency in the Blueprint process, the stated goal of increasing housing density by 25 percent was reaffirmed by the board.

Mike Olmos, assistant city manager for the city of Visalia, said the local cities were trying to be practical with their goals. "It comes down to what we believe our infrastructure can maintain and what our local market will accept," he said. "Our systems are not designed yet to deal with that level of density."

TCAG had come up with the 25 percent increase to density after a series of meetings around the county, including with each city council. That increase would have, on average, increased the number of dwelling units per acre from 4.3 to 5.3. However, according to Elizabeth Wright, associate regional planner with Tulare County, the goal that came out of the regional meeting is "definitely higher." A figure of 10 housing units per acre has been mentioned. A scenario of increasing densities by 75 percent only put 7.5 housing units per acre.

"They would like more densities than what the county's come up with," said Wright, adding that data is still being compiled that will better define what the density goal will be.

"Essentially, the board and cities feel the higher densities were not feasible for the region," said Wright. The regional committee had come up with a plan that calls for 32.6 percent of new housing developments to include 20 housing units per acre or more, but the Tulare County group agreed to stay with a goal that 7.9 percent of new housing stock will be built with 20 dwelling units per acre or greater.

The TCAG board will take final action on the density issue Dec. 8.

"SB 375 is a real big deal to our planning," said Wright of the need to go back and rethink the density goal. The bill basically forces counties to come up with planning that will reduce air pollution and one way of doing that is increasing housing density. She said that while current transportation funds will not be impacted, future state transportation dollars may be tied to higher densities. "We will have to upgrade our modeling of land use policies to meet those goals," she added.

She said it was that legislation that "influenced" the regional board to recommend higher densities than what the counties had come up with individually.

The density will be based on an average of land zoned for residential growth. It does not take in rural areas or the mountains and Wright said densities will probably be higher in the larger cities than in the smaller cities.

## **Blueprint Process**

In conjunction with Fresno, Kern, Kings, Madera, Merced, San Joaquin and Stanislaus Councils of Government, the San Joaquin Valley Air Pollution Control District and the Great Valley Center, TCAG is working to establish a Valley-wide 50-year growth vision.

Blueprint is a comprehensive scenario planning document that takes into accounts all of the changes that likely to occur in the Valley over the next 50 years. Tulare County received approximately \$500,000 for the process. The Blueprint's plans for accommodating future growth and improving quality of life will be designed for implementation at the local level.

## **Brentwood civic center project evolves**

By Paula King, East County Times

In the Contra Costa Times, Sunday, Nov. 23, 2008

Over the past decade, the Brentwood civic center project has evolved from a functional City Hall building into a controversial, multifaceted complex that proponents say will last beyond a century and become a downtown anchor.

"It is what I would call a legacy building in terms of really adding to the character of downtown," City Manager Donna Landeros said. "This is the heart of the community, and you don't do that with a building that looks like any other building in a strip mall. We really want it to be an investment that encourages the private sector to invest in downtown."

But despite a decade of planning, city leaders are struggling to turn the ambitious plan into reality as they battle economic concerns and public skepticism. Since the project's inception, some residents have opposed various changes, including the demolition of the existing City Hall building and the neighboring community center and revamping City Park.

Last summer, the project faced vocal opposition from Liberty Union High School District officials who said its construction will cause traffic, safety, noise and air quality issues for neighboring Liberty High School.

In recent months, the struggling economy has forced city officials to re-examine the project's construction timeline. Last week, the City Council voted to separate the \$73 million project into two phases.

The first phase will encompass the construction of a new City Hall and community center, while the second will include the multilevel parking structure. Timing for the first phase is unknown, but the second phase will likely be delayed for at least three to five years.

"In terms of being fiscally responsible, I think phasing is the correct decision," Councilman Chris Becnel said. "The idea was to make sure that we get the most appropriate items out of the civic center plan that give the most benefit to the community."

The council has also made refurbishment of City Park a priority. The park plans call for a more functional community park with better lighting, walkways, sidewalks, a performance area for special events, a water feature and the preservation of some mature trees.

The recent changes require the city to seek alternative temporary parking. According to officials, this won't be a problem because the center will not have the high parking demand in the short term that will exist when Brentwood's population grows.

More decisions await the council in coming months that will be affected by the economy, bidding climate, seasonal weather and the city's ability to pursue bonds.

"Those are the four factors that they all want to take into consideration in deciding when to proceed with construction," Landeros said.

In March, the council will have to decide whether it is the right time to solicit bids. The city has the potential to save 15 percent to 20 percent on the project by soliciting bids in the near future, according to Becnel.

"It is an extremely favorable bid or construction market right now. So one of the advantages of moving forward with this is that we should get the benefit of much lower construction costs," he said.

If the financing is not available and the economy is still poor, Becnel said the city will know that before the bidding process starts.

Mayor Bob Taylor said the council will not rush the project.

"If the climate is not right in March, I cannot foresee this council proceeding until it is proper and correct in terms of financing," he said.

Financing for the project will come from multiple sources, but Becnel said it will not affect the city's general budget.

"We are not going to be putting ourselves in a position where we are paying for the civic center at the expense of the normal operations of the city."

Longtime Brentwood resident Kathy Fredenberg is concerned about the project's price tag, and doesn't want to see it downtown. She maintains that the costly project could bankrupt the city.

"Brentwood has a small, hometown feel, and all of a sudden you are going to have this huge monstrosity with people looking down on you," she said.

Brentwood Chamber of Commerce executive Harry York disagreed, arguing that the civic center is critical for the downtown's continued improvement.

"You can go to any community that has successfully redone their downtown, and it is either around a civic center or theater project that becomes the anchor for more business," York said.

## **Hold the euphoria; it's gloomy now on Capitol Hill**

By Larry Margasak, Associated Press Writer  
Contra Costa Times, Saturday, Nov. 22, 2008

WASHINGTON—Before the inaugural euphoria on Capitol Hill comes the gloom.

A lame-duck Congress returned for a week of depressing tasks, displaying none of the soaring spirit that will greet Barack Obama for his historic swearing-in at the Capitol's West Front on Jan. 20.

A mood of desperation trailed lawmakers representing autoworkers.

Big Three auto chief executives arrived in private jets to grovel for money, turning even bailout supporters into skeptics.

House members hammered the treasury secretary with pent-up fury for bailing out banks but not homeowners.

Democratic senators took independent Sen. Joe Lieberman of Connecticut to the woodshed for his support of Republican John McCain for president—and his unkind words for Obama—but ended up only slapping him on the wrist.

Sen. Ted Stevens of Alaska, the longest-serving Republican, celebrated his 85th birthday as a convicted felon and learned that he lost his election.

The senator in charge of inaugural activities threatened jail time for scalping tickets that are supposed to be free.

For lawmakers representing a lot of autoworkers, the week was filled with hairpin turns as they tried to keep the carmakers—who employ their constituents—from driving over a cliff. Their



nightmare: thousands of voters in their states and districts thrown out of work because their representatives couldn't save them.

The automakers' CEOs, who came to Congress looking for bailout support, were berated for "self-inflicted wounds" in a tone they don't hear in their executive suites. They left empty-handed.

"What happened here in Washington this week has not been good for the auto industry," said Senate Majority Leader Harry Reid, D-Nev. "These guys flying in their big corporate jets doesn't send a good message to people ... anyplace in this country. We want them to get their act together."

Treasury Secretary Henry Paulson wasn't able to lift the gloom. Members of the House Financial Services Committee, thinking of their constituents losing their homes, spewed venom at him for failing to help homeowners facing foreclosure.

"It appears that you seem to be flying a \$700 billion plane by the seat of your pants," said an unhappy Rep. Gary Ackerman, D-N.Y.

Stevens, after his lousy 85th birthday, strode to the Senate chamber to say his goodbyes, as colleagues rose to praise him—only days after several of them threatened to kick him out if he won.

Perhaps the senators were expressing relief that Stevens had lost.

"I rise to say farewell to our distinguished colleague, the senior senator from the state of Alaska," Reid said. "Ted Stevens' public service has been more than a career; it has really been his life's calling."

Only recently, Reid said in a television interview, "Seven felonies. He is gone."

Senate Democrats vented their anger at Lieberman in a private meeting as a mob of reporters stood outside waiting to hear his fate. Democrats decided to vote for reconciliation. They allowed him to keep his chairmanship of the Senate Committee on Homeland Security and Governmental Affairs but said he had to give up the chairmanship of a subcommittee that deals with air pollution and nuclear safety.

"It's time to unite our country," said Lieberman supporter Ken Salazar, D-Colo.

Democrats could just as well have explained they needed Lieberman's support in a chamber where it takes 60 of the 100 senators to pass controversial legislation. Counting Lieberman and independent Sen. Bernie Sanders of Vermont, they will have 58, with two races in Minnesota and Georgia still to be decided.

Senators did lift the gloom a little for millions of laid-off workers whose unemployment checks were about to stop before the holidays. They passed an extension and rushed it to President George W. Bush, who signed it Friday before flying to an economic summit in Peru.

It took the liberal lion of the Senate to create a bit of cheer for a fleeting few minutes. Sen. Edward Kennedy's face glowed, despite his battle with brain cancer, as he returned to the Capitol flanked by his wife, Vicki, and dogs Sunny and Splash. It took the Senate's big caucus room to hold all the staff members who greeted him with a "Welcome Back Senator" banner.

There was a brief moment of bipartisan good feeling when Reid congratulated Republican leader Mitch McConnell of Kentucky on his election victory. Reid noted that a columnist compared McConnell to the 19th-century statesman and lawmaker Henry Clay, also of Kentucky. It was hard to tell whether the good cheer moved McConnell, who maintained his never-changing stoicism.

Perhaps the mood of the week was best expressed by an outraged Sen. Dianne Feinstein, the California Democrat in charge of the inaugural at the Capitol.

Feinstein warned Web sites to stop scalping outdoor inaugural tickets, sternly saying on the Senate floor: "This is not a football game."

The legislation she introduced included fines and up to a year in prison for selling and counterfeiting inaugural tickets.

Feinstein delivered the warning in an all-black suit.

Downright gloomy.

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On the Net:

Senate's site on inauguration: <http://inaugural.senate.gov/>

Senate: <http://www.senate.gov/>

House: <http://www.house.gov/>

[S.F. Chronicle commentary, Friday, Nov. 21, 2008:](#)

### **California, still the climate leader**

By Robert Collier

Despite new signals from President-elect Barack Obama and Congress that they may defy predictions of delay by pressing forward with legislation on global warming, California's role as the key battleground for climate policy is greater than ever - and local communities will be on the front line.

Environmentalists had reason to be encouraged by Obama's message to the two-day Global Climate Summit in Los Angeles earlier this week, in which he promised "a new chapter in America's leadership on climate change." Thursday there was more good news when Rep. Henry Waxman, D-Los Angeles, who has championed the fight against global warming, unseated Rep. John Dingell, D-Mich., a staunch defender of the auto industry, to become chairman of the House Energy and Commerce Committee.

But it is still an uphill fight. Congress is not expected to pass comprehensive legislation until late 2010 or 2011, and international negotiations for a follow-up treaty to the Kyoto Protocol are stymied by disputes with China and other developing nations.

What's needed now more than ever is leadership from California. The state has long played a unique role in cajoling and dragging federal policymakers to take action on energy conservation and climate change. With climate-change deniers and delayers at long last out of power in Washington, California needs to push aggressively toward its ambitious climate goals.

California's influence was amply demonstrated this week at the Los Angeles summit, where officials from around the world came to hobnob with Gov. Arnold Schwarzenegger and study the state's progress on energy and climate. California, in fact, has been making slow progress in complying with its showpiece 2006 climate-change law, AB32. The double-whammy of fiscal and financial implosions are making further compliance even more difficult.

So far, results have been few on the most tangible element of AB32 - the requirement that private utilities produce 20 percent of their electricity from renewable sources by 2010. None of those companies are on track to meet that goal. Yet on Monday, Schwarzenegger doubled down on his bet, announcing that the goal would be raised to 33 percent from renewables by 2020. It was a laudable and necessary step, but such results will not come cheaply. The state Public Utilities Commission warned in a report last month that achieving this stepped-up goal would require about \$60 billion to build wind and solar generation facilities and "smart grid" transmission lines. It would be "an infrastructure build-out on a scale and time line perhaps unparalleled anywhere in the world," the report said.

State lawmakers, who will need to pass legislation to facilitate this switch to more renewable power, say the economy's collapse makes it much harder to go green.

"We're in terrible budget crisis, and this will be a big challenge for climate-related programs," said Nancy Skinner, a longtime activist on global warming who was elected this month to the state Assembly in the East Bay.

"Some of these programs (at risk) are very basic. For example, on the table will be very significant cuts to funding for public transit. This will affect greenhouse gas emissions and air pollution. We need to expand transit, not cut it," she said.

State legislators are hoping that in the next few months, Congress will pass an economic stimulus bill that includes plenty of funds for rescuing local governments as well as creating "green jobs" - everything from weatherizing homes to building solar and wind energy installations.

"A lot of local governments have set aggressive targets for carbon (pollution) reduction that exceed state targets, and certainly the federal government's," said Michelle Wyman, executive director of ICLEI-Local Governments for Sustainability, an Oakland nonprofit. "But without more resources, more actual dollars for local governments to work with, whether on transportation or development, it will be hard to make as much progress as needed."

Skinner and other state legislators still hope to move forward in ways that don't cost much money. "We have to be innovative," she said, pointing to a plan to encourage Californians to replace their dark-colored roofs with light-colored roofs. This would save energy and help reflect the sun's heat back into space, thus counteracting the effect of global warming.

The steps that are perhaps most important - and that would affect people most directly - are the innumerable land-use decisions by local cities that determine whether to keep growth sprawling or begin to kick the addiction to the automobile. State legislation passed earlier this year steers government funds away from developments that encourage sprawl.

So will California lead Washington in the next few years, creating political momentum for Congress and the Obama administration to save the planet from global warming? The state's decisions are a much more diffuse and less glamorous set of moves than anything you're likely to see come out of Washington. But they're the leadership that counts.

### **What's next**

Here are the big decisions ahead on climate change:

#### **International**

**Kyoto Protocol** - New treaty to be signed December 2009 in Copenhagen - but delays are likely. Disputes over emissions by China and other major nations.

#### **Federal**

**California's EPA waiver** - President -elect Obama is expected to reverse the Bush administration stance by allowing California to enforce its 23 percent cut in heat-trapping emissions from new cars by 2012 and a 30 percent cut by 2016.

**Economic stimulus** - Congress likely to pass bill in January or February. About \$15 billion annually for clean energy, advanced biofuels and "green jobs."

**Energy bill** - Congress may pass it in mid 2009. Funds for advanced vehicles, biofuels and electric grid?

**Climate change** - Late 2010 or 2011? Federal cap-and-trade system to limit emissions for businesses and create tradable emissions credits, and a wide variety of energy-saving measures.

#### **Local**

**Emissions** - San Francisco, Berkeley and Santa Monica have committed to sharply reducing emissions by 2050. Compliance plans still being worked out.

**Solar power** - Berkeley is pioneering a program that finances residential solar installations with municipal bonds that are later repaid by homeowners. Test phase started October, full roll-out next year, with possible later expansion to include insulation and energy-efficient heaters and furnaces.

Source: Robert Collier research

### **California**

**Cap and trade** - Regulations unveiled in December (2008) for emissions limits and tradeable credits.

**Offsets** - State plans to allow up to one-half of future emissions reductions to be fulfilled by purchases of credits for emissions-reducing projects in developing nations such as China. Business supports the plan, some environmentalists call it a sham.

**Low-carbon fuel standard** - New rule orders a reduction in carbon intensity of passenger vehicle fuels by at least 10 percent by 2020. Depends on multibillion-dollar investments by oil firms.

**Cool roofs** - Requirement for reflective, "cool colored" surfaces for new residential sloped roofs takes effect in July 2009. Possible strengthening by Legislature.

*Robert Collier is a visiting scholar at the Center for Environmental Public Policy at UC Berkeley's Goldman School of Public Policy.*

[Bakersfield Californian editorial, Sunday, Nov. 23, 2008:](#)

### **Obama may be a boon for high-speed rail**

**The president-elect is determined to slash greenhouse gas emissions, reduce dependency on fossil fuel and restore our transportation infrastructure.**

Supporters of California's high-speed rail plan got themselves a friend in the White House when Barack Obama was elected president Nov. 4.

The Obama administration is likely to look favorably on not only the development of new high-speed intercity rail corridors like the one California voters reauthorized with Proposition 1A, but on Amtrak and other public transportation investment.

Obama seems determined to slash greenhouse gas emissions, reduce dependency on fossil fuel, and restore the country's transportation infrastructure, in part through the creation of a proposed National Infrastructure Reinvestment Bank.

Record gasoline prices and assorted problems with air travel have done much to push the U.S. toward the appropriate frame of mind. Meanwhile, the nation's passenger rail system -- once the target of much ridicule -- has started picking up passengers in record numbers. Revenues are hitting new highs.

Amtrak carried 14 percent more customers in fiscal 2008, which ended Sept. 30, than it did in fiscal 2007, the sixth straight year of increases. A record-setting 5.5 million passengers rode Amtrak's California routes.

But the American Public Transportation Association says 85 percent of rail systems, like Amtrak, fall short of the capacity to accommodate peak-hour demand. In other words, America will need more track and more trains, and soon.

Over the past quarter-century, a succession of Republican presidents, abetted by members of Congress from both parties, have tried to tear down Amtrak and end its annual handout.

Their crystal balls failed them. Overreliance on foreign oil, deteriorating freeways and increasing evidence of health problems stemming from dirty air aren't issues that just showed up last week.

It's the same sort of thinking that got U.S. auto makers into trouble, saddling their stockholders, and, potentially, American taxpayers, with an underachieving industry.

High-speed rail has the potential, in terms of innovation, to be everything the U.S. auto industry has not been since the 1970s. Though its business plan is incomplete and its route not definitively set, the future of California high-speed rail is actually the brightest it has been.

How can that be? Here's how: Passenger rail is in a growth position in terms of consumer demand, supportive chief executives are in place (or soon will be) in Sacramento and Washington, and the push toward a green economy seems to be approaching the tipping point.

The state's High-Speed Rail Authority still needs to nail down the private and federal funding needed for the project, but Quentin Kopp, chairman of the agency, says he will head to Washington next month to discuss the situation with members of Congress. He's likely to find receptive ears.

The High Speed Rail Authority's budget plan, released shortly after the \$10 billion bond measure was approved, says the rail system will haul 50 million people and generate a yearly \$1.1 billion surplus by 2030. Benefits also include a reduction in air pollution and, in the intermediate term, the creation of an estimated 450,000 jobs.

Critics say the plan lacks the details necessary to lure venture capitalists. Those concerns have validity; the authority must spell out more specifics, and soon. But investors will recognize that the weight of history is increasingly on the side of public transportation -- and high-speed, intercity transportation in particular.

[Washington Post editorial, Friday, Nov. 21, 2008:](#)

### **Rushed Regulations**

**Agencies ignore a White House deadline on rule changes.**

ACKNOWLEDGING "the historical tendency of administrations to increase regulatory activity in their final months," White House Chief of Staff Joshua B. Bolten issued a directive to federal agencies in May to release any final regulations before Nov. 1. The administration billed this as a bit of "good government." We would agree, were it not for new rules with broad implications that continue to churn their way to adoption long after Mr. Bolten's deadline.

The Interior Department wants to revise the application of the Endangered Species Act. The Environmental Protection Agency wants to do the same with the Clean Air Act. If what's being proposed goes through, air quality in and around national parks, and threatened plant and animal species, would be imperiled. President-elect Barack Obama might be saddled with policies that run counter to his environmental vision.

Interior's action on the Endangered Species Act was the result of listing the polar bear in May as "threatened" under that law because of climate change. The statute was never intended to regulate the greenhouse gases that are warming the planet and melting the Arctic ice habitat of polar bears. So Interior Secretary Dirk Kempthorne proposed stripping the Fish and Wildlife Service, the National Marine Fisheries Service and other agencies of their roles in consulting with federal departments on building projects that are "likely to adversely affect" a listed species. The rationale that their experience complying with the Endangered Species

Act gives agencies enough expertise to determine for themselves whether a project is likely to harm a species, not just polar bears, is flawed. Without those protective services in the consultative loop, there will be no check against the ambitions of agencies that want to complete projects -- and no safeguard for threatened and endangered species in the agencies' path.

Over at the EPA, construction of coal-fired power plants and other polluting facilities would be allowed near national parks and wilderness areas under a revised method of measuring air quality, according to documents obtained by Post writer Juliet Eilperin. This most certainly could

lead to more plants spewing more pollutants, clouding the air and degrading the parks. Ms. Eilperin also reported that there is vigorous resistance among EPA regional administrators to this change.

Which brings us back to Mr. Bolten. In his May directive, Mr. Bolten noted that exceptions would be made to the Nov. 1 deadline in "extraordinary circumstances," which were not defined. Given that neither the EPA's nor the Interior Department's rule change is needed for the continued functioning of the republic for the next 60 days, Mr. Bolten should hold true to his good-government instincts and order the EPA and Interior to stand down.

[Letter to the Fresno Bee, Sat., Nov. 22, 2008:](#)

### **Burning wood pollutes air that we all breathe**

It's that time of year again to write about my favorite upwind neighbors, Ol' Smokey and his wife, Wheeze. Here in the Valley, we've barely had a cool evening and already they've been burning wood several weeks now 24/7. This carbon eternal flame of my cold-blooded fellow Fresnoans makes no sense. I guess they're too busy hauling and chucking wood in the stove to even know what's going on in the world around themselves, let alone to know about the air we breathe in common. Perhaps I could divert their attention from their rapid oxidation obsession, to let them know that it's a no burn day and evening. Maybe they could grab a house sweater with their sap-stained hands, and/or quit trying to save so much on the PG&E. Then the rest of us can breathe a little easier and a little longer.

*Sean Walker, Fresno*

[Letters to the N.Y. Times, Sunday, Nov. 23, 2008:](#)

### **Does Ethanol Help or Hurt?**

**Re "Honesty About Ethanol" (editorial, Nov. 18):**

We agree that the Environmental Protection Agency should use the most unbiased, accurate accounting possible in measuring the life-cycle emissions of biofuels. But this accounting will take additional time to perfect.

It is easy to show that biofuels recycle carbon in a way that fossil fuels can't. But the E.P.A. is now trying to figure out how growing crops for biofuels in the United States might affect land-use decisions in other countries. Academic experts have pointed out that there are many interconnected causes of land-use change. Our existing models for predicting the impact of biofuels are inexact and often driven by assumptions.

At the end of the day, we believe firmly that advanced biofuels are poised to reduce greenhouse emissions, lower fuel prices, foster energy security and create new jobs. That is why it is so important that the E.P.A. get the analysis right.

*Brent Erickson, Washington,*

*The writer is executive vice president of the industrial and environmental section of the Biotechnology Industry Organization.*

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Your editorial about ethanol does not mention the carbon impact of the large amount of fossil fuel-based fertilizers used on a conventionally raised field of corn.

And what about the other serious environmental concerns posed by corn-ethanol production, like the degradation of topsoil, the huge quantities of fresh water used by refineries, and pesticide and fertilizer runoff?

There is far more to the ethanol debate than tabulating carbon emissions.

*Anderson M. Gansner. Chicago,*

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As a teacher of the history of science at Stevens Institute of Technology, I often assign students the task of figuring out whether corn-based ethanol offers a net-positive energy gain.

The goal is to get them to realize how politicized science and technology can become when entangled in multibillion-dollar interests like agricultural subsidies, petroleum and auto manufacturing. Throw in Nafta, Cafta and, soon perhaps, a "free trade" agreement with Colombia, and the jumble of vested interests becomes impossible to untangle.

*Daniel Newsome. Elizaville, N.Y.,*

[Note: The following clip in Spanish discusses President Elect Obama could name Mary Nichols as head of EPA. For more information on this and other Spanish clips, contact Claudia Encinas at \(559\) 230-5851.](#)

### **El presidente Obama podría nombrar como jefa de la EPA a Mary Nichols**

Manuel Ocaño

Noticiero Latino

Radio Bilingüe, Monday November 24, 2008

El equipo de transición del presidente electo, Barack Obama, está considerando a la presidenta de la Oficina de recursos del Aire de California, Mary Nichols, como potencial jefa de la Administración Nacional de la Agencia Federal de Protección Ambiental.

Nichols, perteneciente al Partido Demócrata, fue asesora en asuntos de ecología del ex presidente Bill Clinton, un antecedente de peso para la próxima administración de Barack Obama.

Aunque el equipo aún menciona a Robert Kennedy Júnior y otras dos posibilidades, Nichols es la candidata que más probabilidades tiene de obtener el puesto, pues ha encabezado la mayor campaña política contra la contaminación del aire en el país.

[Note: The following clip in Spanish discusses installation of solar panels in a cemetery.](#)

### **Instalan paneles solares en el cementerio**

Daniel Woolls

[La Opinión](#), Monday, November 24, 2008

MADRID, España (AP) \_ El poblado de Santa Coloma de Gramenet, de clase trabajadora y ubicado en las afueras de Barcelona, ha colocado un mar de paneles solares sobre los mausoleos de su cementerio, convirtiendo así un lugar de descanso perpetuo en un centro de energía virtualmente inagotable.

Los terrenos planos y bien soleados son especialmente escasos en la región, siendo el cementerio el único lugar disponible en su tipo para el programa de energía solar de la población.

La energía generada por los 462 paneles, equivalente a la consumida anualmente por 60 casas, es enviada a la red local para su consumo normal y representa un intento poco común para cooperar en el combate contra el calentamiento global.

"El mejor tributo que le podemos rendir a nuestros antepasados, independientemente de la religión, es generar energía limpia para las nuevas generaciones. Esa es nuestra principal motivación", dijo Esteve Serret, director de la empresa española Conste-Live Energy, que administra el cementerio y realiza trabajos en el área de energía renovable.

Fila tras fila de paneles de un gris azulado descansan sobre los mausoleos de cinco niveles que albergan los féretros de los muertos locales, muchos de ellos adornados con ramos de flores de plástico.

Los paneles " que están apuntados casi completamente hacia el sur, lo cual les permite captar la mayor parte de la luz del Sol " empezaron a funcionar el miércoles, marcando el inicio de un proyecto que tardó tres años en ser implementado.

La idea es aprovechar un área ideal para generar energía solar en una población tan densamente construida. Los 124 mil habitantes de Santa Coloma están concentrados en apenas cuatro kilómetros cuadrados (1,5 millas cuadradas) y casi no hay lugares aprovechables para los paneles.

Al principio, la idea de colocar los paneles en el cementerio fue algo difícil de aceptar, dijo Antoni Fogue, miembro de la legislatura local y uno de los principales promotores del plan.

"Digamos que escuchamos cosas como '¡Están locos! ¿Qué se creen? ¡Qué falta de respeto!', indicó.

Pero la alcaldía y la administración del cementerio realizaron una campaña para explicar el valor del proyecto y el cuidado con que serían instalados los paneles, que fueron colocados en un ángulo lo menos molesto posible para los visitantes del camposanto.

El cementerio alberga los restos de unas 57 mil personas y los paneles apenas se concentran en el 5% de su superficie total.

Su instalación fue realizada con una inversión de 720 mil euros (900 mil dólares) y su uso equivale a dejar de producir unas 62 toneladas anuales de dióxido de carbono, un contaminante atmosférico, indicó Serret.

[Note: The following clip in Spanish discusses unmet goals against climate change.](#)

### **Metas incumplidas en la lucha contra el cambio climático**

**Informe de la ONU indica que las emisiones de gases contaminantes aumentaron en países industrializados. El reporte indica que el incremento se disparó en un 2,3% entre el 2000 y el 2006.**

Roger Harrabin

Terra, Monday, Nov. 24, 2008

Lo que indica que las emisiones de gases contaminantes han aumentado desde el 2000 pese a promesas de recortes. Los aumentos más importantes se produjeron en países de la antigua Unión Soviética y Canadá.

Un portavoz de la ONU afirmó que los países deben trabajar más rápido para evitar la posibilidad de un peligroso cambio climático.

El mes próximo líderes del planeta se reúnen en polonia para las negociaciones anuales sobre cambio climático.

Nada bueno

Las nuevas cifras no dan mucho optimismo.

Pese a que indican que en realidad las emisiones de gases invernadero disminuyeron en 2006 un 0,1% el secretariado sobre cambio climático de la ONU aseveró que esta pequeña caída era estadísticamente insignificante.

La tendencia desde el 2000 es al alza a pesar de que los países en cuestión prometieron recortar sus emisiones.

El peor comportamiento lo experimentó Canadá. Sus emisiones desde 1990 han aumentado 21,3%, pese a que debieron haber disminuido 6%.

Recientemente el mayor aumento fue registrado en Europa Oriental con un 7,4% desde que se inició este siglo.

El Reino Unido es uno de los pocos países que han cumplido con sus metas de reducción.



Pero un reciente informe del gobierno británico sugiere que incluso las emisiones del país podrían estar aumentando si se cuenta la contaminación proveniente de los barcos y aviones y el carbono presente en bienes importados.

[Note: The following clip in Spanish discusses draft against air pollution in California includes more rules and sanctions.](#)

### **Borrador contra la contaminación en California incluye más reglas y sanciones**

Manuel Ocaño

Noticier Latino

Radio Bilingüe, Friday, Nov. 21, 2008

La Oficina de Recursos del Aire de California presentó públicamente un borrador del proyecto que someterá a votación en diciembre para mejorar su desempeño en regular la contaminación.

El borrador incluye nuevas medidas y multas hasta por unos mil 500 millones de dólares anuales para formar un presupuesto que sirva precisamente para controlar el deterioro del aire.

La idea es contar con recursos propios para llegar a reducir en el año 2020 los niveles de contaminación del aire e igualarlos con los que había en California en 1990.

Con ese fin, la oficina estatal propone medidas aplicables tanto a las mayores empresas como a los residentes.

[Note: The following clip in Spanish discusses agreement against climate change has been signed by 4 countries and 13 governors.](#)

### **Firman acuerdo contra cambio climático cuatro países y 13 gobernadores**

Manuel Ocaño

Noticier Latino

Radio Bilingüe, Thursday, November 20, 2008

Los gobernadores de 13 estados y representantes de cuatro países, entre cientos de otros funcionarios, firmaron en California un acuerdo contra el cambio climático.

México, Brasil, Canadá e Indonesia convinieron en reducir emisiones que causan el sobrecalentamiento terrestre, junto con 13 de los mayores estados del país durante la reunión Cumbre de Cambio Climático de Gobernadores.

El presidente electo, Barack Obama informó a la cumbre que su administración intentará reducir hasta en 80 por ciento la actual contaminación.

El gobernador, Arnold Schwarzenegger dijo que ahora se busca integrar a la gente a las iniciativas acordadas.