

[Bakersfield Californian editorial, Friday, Dec. 12, 2008:](#)

Fireplace ban is working

Fires on a cold winter night are cozy, but they contribute to Kern's already polluted air.

By the time March rolls around, government regulation will have denied southern valley residents the opportunity to burn wood in their fireplaces on more than a third of all winter nights.

And that's sad. There's something comforting and traditional about gathering around the hearth on a cold night, a blazing stack of almond or oak warming the whole house.

But the bad guy in this little drama, the San Joaquin Valley Air Pollution Control District, has it right.

The air district, prompted by tougher restrictions imposed by the federal Environmental Protection Agency, must notify residents that burning wood in fireplaces and stoves is not permitted when certain winter weather conditions prevail in the valley.

Howls of complaint have increased in number and intensity, and it's understandable.

But the ban is working. We're seeing people modify their habits and burn wood less frequently on nights when the atmosphere traps smoke close to the ground. We're seeing people switch to gas-log inserts. And we're seeing cleaner, more breathable air.

Wood smoke has nowhere to go when an inversion layer traps carbon dioxide, carbon monoxide, particulate matter, soot and other gases on the valley floor and elsewhere throughout the county. Over time, the result is respiratory problems that are especially pronounced in certain groups, especially among small children, asthmatics and people with compromised breathing issues.

Fine particles in wood smoke can lodge themselves deep in lung tissue and cause asthma and other lung diseases. These particles, known as PM 2.5, can also lead to heart disease -- a health issue that is unusually pronounced in the valley.

We've seen improvement in air quality every year since 2005, when the air district first asked people to voluntarily limit wood-burning.

We've seen increased compliance on burning restrictions, too.

Those restrictions are not absolute. People without access to natural gas in their homes who use stoves as their sole source of heat are exempt. Fireplaces may also be used in emergency situations, such as a power failure.

The air district plans to reintroduce a rebate program that makes it easier to buy pellet stoves or gas-log fireplaces -- devices that burn cleaner than wood-burning fireplaces. Pacific Gas & Electric also offers discounts and special programs that spread the cost of energy bills evenly from month to month.

Failure to abide by the restrictions can get expensive. The first offense can result in a fine of \$50 (which the offender can have waived by attending a special class). Subsequent offenses can draw fines of \$150 or higher.

Blame our geography. The San Joaquin Valley rests in a bowl surrounded by mountains. Dirty air tends to get trapped here, creating a wintertime soup of fireplace soot. There's only solution, and, aggravating though it may seem to some, it's effective. Let's support it.

Wood-burning regulations in force; check before lighting fire

By Sentinel Staff

Hanford Sentinel, Thursday, Dec. 11, 2008

Before you throw those chestnuts on the fire, beware: annual Check Before You Burn program is in full force. The program, administered by the San Joaquin Valley Air Pollution Control District, limits fires in residential fireplaces, stoves and other wood-burning devices, and is aimed at reducing airborne soot that pollute the air. It runs through February.

When a prohibition is declared, burning solid fuels -- wood, pellets and manufactured fire logs -- is not permitted. Burning is prohibited when air quality is forecast to deteriorate. Forecasts are issued on a county-by-county basis in the San Joaquin Valley.

There are two exceptions to the rule. The first is if the home does not have access to natural gas service even if propane is available. The second is if the warmth from a resident's fireplace is their sole source of heat.

The program was first started in November 2003 to curtail the amount of solid-fuel burning pollutants in the air, which "contribute up to 30 percent of the particulate program in the Valley during the winter," said Janelle Schneider, spokeswoman for San Joaquin Valley Air Pollution Control District.

"Small particulate invades the bloodstream and penetrates the lung," she said.

Last winter season, there were zero violation notices in Kings County, she said.

Violations are monitored through complaints from the public and from inspectors in the field. Sixteen inspectors cover Fresno, Madera and Kings County.

Fines for burning on non-burn days start at \$50. Fines are assessed on a case-by-case basis, Schneider said.

From Dec. 1 through Wednesday, there were four no-burn days.

"Prohibited days are determined based on what the air quality is likely to be the next day," Schneider said.

"They're based on the amount of pollution present in the air."

Fog can contribute to conditions that necessitate a no-burn day.

That's because the inversion layer, which contributes to fog, prevents pollution from dispersing, Schneider said.

For information on scheduled non-burning days for each county, call 1-800-smoginfo or go to www.valleyair.org.

Wood-burning forecasts are available only for the next day.

Air quality group sues county over refinery expansion

By Stacey Shepard, Californian staff writer

Bakersfield Californian, Friday, Dec. 12, 2008

A local air quality advocacy group sued Kern County Thursday over the October approval of the Big West of California refinery expansion, saying the county failed to correctly account for and mitigate the project's air quality impacts under state environmental law.

"We're not trying to stop it from being built but we don't want it to make our air pollution worse," said Tom Frantz, president of the Association of Irrigated Residents (AIR), based in Shafter. "We want everything we can get to not let our air get any worse."

AIR says the county is allowing Big West to use outdated air pollution credits to offset emissions from the expansion instead of requiring the company to implement equipment to reduce emissions.

The pollution credits were generated when the refinery's former owner, Shell Oil, upgraded equipment in the 1980s.

An attorney for the county could not be reached for comment.

Big West Health, Safety and Environmental Director Bill Chadick said he was not surprised by the lawsuit but couldn't comment further because he hadn't seen the complaint.

AIR has sued the county, regional air district, U.S. Environmental Protection Agency and dairy owners numerous times in recent years over air quality concerns.

The group was also part of a coalition of labor unions represented by a Bay area law firm that commented extensively on the Big West project. The firm and unions have not taken legal action against the expansion.

"We've had talks with them," Frantz said, "but at this point they're not joining the lawsuit."

Residents sue over Bakersfield refinery expansion

The Associated Press

Tri-Valley Herald, Friday, December 12, 2008

BAKERSFIELD, Calif.—A group of Kern County residents is suing the board of supervisors for approving the expansion of a refinery plant and its use of a hazardous chemical discontinued by most California oil companies.

The plan approved Oct. 21 allows Big West of California, a Flying J subsidiary, to move forward with a \$700 million expansion project to boost its diesel and gas production.

In the suit filed Thursday, the Shafter-based Association of Irrigated Residents claims supervisors approved the plans before allowing the public to comment on the company's use of hydrofluoric acid. The chemical forms a toxic cloud when released into the atmosphere.

The groups also allege the county allowed the refinery to use outdated air pollution credits to offset greenhouse gas emissions.

Obama's 'green dream team' is warmly received

By Traci Watson

USA TODAY, Friday, December 12, 2008

WASHINGTON — One is a Nobel Prize winner overseeing research of alternative energy. The three others all have one thing in common: experience working for the Environmental Protection Agency.

Together, the group — as the Associated Press has reported — will make up President-elect Barack Obama's team to oversee energy and environment, a lineup that drew mostly praise Thursday from environmental and industry groups alike.

"This is clearly a green dream team," said Gene Karpinski, head of the League of Conservation Voters, an environmental group. "These people have shown they can get the job done."

Obama has mustered an "impressive team of experienced and capable leaders," said Tom Kuhn, president of the Edison Electric Institute, a group representing electric companies.

All the same, fulfilling Obama's goals of taking action on global warming and turning the country toward more sustainable energy "is very challenging, and they ought not to underestimate how difficult this is going to be," said Eileen Claussen of the non-profit Pew Center on Global Climate Change.

Three of the four are EPA veterans. The most experienced is Carol Browner, Obama's pick for energy "czar." She would coordinate energy issues across the federal government. As head of the EPA during the Clinton administration, she won battles with other top officials to tighten air pollution limits and cut emissions from cars and trucks.

Her return, though, left some of her former adversaries concerned that the new administration will veer too far left.

"Carol Browner is a bad choice," said Myron Ebell, director of energy and global warming policy for the Competitive Enterprise Institute, a conservative think tank. "She worked for Al Gore and shares many of his wildest opinions."

Nancy Sutley, tapped as head of the White House Council on Environmental Quality, was a special assistant to Browner before working as a top energy and environment official in California. Lisa Jackson, who would be the first African-American chief of the EPA, served for a short time in the agency's headquarters during the 1980s.

Only Steve Chu, a Nobel Prize-winning physicist selected as secretary of Energy, has never been immersed in the rough-and-tumble of Washington politics. Supporters say Chu, who overhauled the Energy Department's Lawrence Berkeley National Laboratory to focus on energy efficiency and renewable energy, is up to the job of leading the department.

Chu is "one of the smartest people I know (and) wise," said Art Rosenfeld, a former Energy Department official now a member of the California Energy Commission. "I'm very pleased."

The Associated Press reported earlier this week that Obama has decided on Browner, Chu, Jackson and Sutley and will announce their appointments next week.

Sutley led the effort to cut huge amounts of air pollution emitted by the Port of Los Angeles as the city's deputy mayor for energy and environment, said Warner Chabot, incoming head of the California League of Conservation Voters, an environmental group. He described her as soft-spoken and modest but capable.

"In California, the roadside is littered with people who underestimated the effectiveness of Nancy Sutley," he said.

Jackson, who is currently New Jersey Gov. Jon Corzine's chief of staff, was described by both environmental and industry leaders as a pragmatist who listened to both sides during her two years as New Jersey's top environmental official. She helped push the state to become one of the first to adopt limits on pollutants that cause global warming.

"She is a fantastic asset," said Jim Leonard of the New Jersey Chamber of Commerce. "She was able to bridge the gap between the environmental community and the employer community."

The four will need every bit of expertise and diplomatic skill they have to overcome differences of opinion in Washington, said Bryan Mignone, a fellow at the Brookings Institution, a Washington think tank.

"It is really a historic opportunity to move on those issues," Mignone said. "But that doesn't mean it's inevitable or easy. It's going to be incredibly difficult."

New Obama pick versed on Valley water, air issues

By Michael Doyle

Sacramento Bee and Modesto Bee, Friday, December 12, 2008

WASHINGTON – President-elect Barack Obama's choice as a top environmental adviser knows the Central Valley's air and water problems better than most.

As incoming Council on Environmental Quality chair, Nancy Sutley will try to coordinate federal environmental policy. She will referee fights between competing agencies, such as the agency delivering California irrigation water and the one protecting the state's endangered species.

The California conflicts are politically and technically difficult, for which Sutley's background seems uniquely suited.

"She's used to action; she's used to being in the thick of things," Tim Quinn, executive director of the Association of California Water Agencies, said Thursday. "She's a very strong environmentalist ... but she's able to work for agencies that have to deliver a product."

Currently the deputy mayor of Los Angeles, Sutley is also a board member of the Metropolitan Water District of Southern California.

The agency's seemingly unquenchable thirst on behalf of 17 million customers has angered some Central Valley residents, but the agency also retains a big stake in the health of the Sacramento-San Joaquin Delta.

Sutley, in turn, at times has been critical of Central Valley irrigation projects and the federal Bureau of Reclamation that runs them.

A member of the California Water Resources Control Board between 2003 and 2005, Sutley wrestled with myriad Central Valley water conflicts. In March 2005, for instance, the board loosened strict discharge rules so the city of Manteca wouldn't have to build a new \$75 million water treatment plant.

Some policies were very significant, like a January 2004 order that Sutley and her colleagues termed "a veritable sea change" in the regulation of runoff from agricultural land.

And, as an adviser to Democratic Gov. Gray Davis between 1999 and 2003, the graduate of Cornell University and Harvard's Kennedy School of Government confronted the region's energy crisis and air pollution woes.

"Because she is a soft-spoken, modest person, some politicians underestimate her authority and abilities," said Warren Chabot, the incoming chief executive officer of the California League of Conservation Voters. "But when she briefs top policy leaders, her comprehensive knowledge and judgment quickly becomes apparent."

Democratic sources leaked Sutley's pending nomination this week, though it hasn't yet been made official.

The Council on Environmental Quality chairmanship is a job where clout can ebb and flow, depending on the president's inclinations, the power grabs of other agencies and the individual's willingness to knock bureaucratic heads. Stature is not guaranteed. The office has a modest \$3 million annual budget and a staff of barely two dozen.

The Bush administration's current CEQ chair, Jim Connaughton, is a successful lawyer. On Capitol Hill, though, he has not been seen as a particularly muscular political player.

"The position can be whatever the person wants it to be," said Quinn, who formerly worked with Sutley as deputy general manager of the Metropolitan Water District of Southern California.

Trimming smog and soot offer immediate impact on climate change, study says

By Douglas Fischer, Daily Climate
Tri-Valley Herald, Friday, December 12, 2008

Local and state regulators have new ammunition in the fight to justify expensive air pollution rules: Cutting smog and soot has an immediate impact on climate change.

A study published this week bolsters the link between air quality and climate, finding that across-the-board cuts in air pollution can spur "substantial, simultaneous improvement" in local air quality and near-term mitigation of climate change.

Trimming smog and soot also represents an alternate and far more immediate global warming solution for regulators stymied by the complexities of other greenhouse gases such as carbon dioxide, said Drew Shindell, a climate scientist at NASA's Goddard Institute for Space Sciences and the lead author of the study.

Tackling air pollution can buy 20 to 30 years worth of mitigation, he said - time that will be needed, if ongoing debates in Poznan, Brussels and Washington D.C. offer any indication - to cut the political and economic knots associated with carbon dioxide.

The health benefits also make a strong case for action to countries that have so far resisted climate mitigation for its own sake. These pollutants - soot, ozone, and smog-causing volatile organic compounds and nitrogen oxides - have well-documented effects on human health. Trimming emissions produces easily quantifiable benefits.

"This is no substitute for targeting carbon dioxide, which in the long run is the main contributor" to climate change, Shindell said. "But if you want to have any effect in the near-term, ... the short-lived pollutants can have very large impacts."

The climate-warming effects of these short-lived pollutants have largely been ignored by scientists and regulators focusing on climate policy. Carbon dioxide, with a lifetime of many centuries, is the star of that show, and the effects on climate by these other pollutants, which endure for mere months, are less well understood.

Regulators also have no way to quantify - as they must when making public health rules - the cost and benefit of climate mitigation. It's impossible to put a cost, for instance, on averting global temperature rise by a few thousandths or even hundredths of a degree.

Still, a collective focus on limiting these pollutants could substantially affect 21st century climate. Several climate models, Shindell and his colleagues showed in a study published Monday in the journal *Atmospheric Chemistry and Physics*, suggest that reducing air pollutants in both North America and Asia can produce an immediate cooling effect on climate - certainly far faster than any action on longer-lived emissions like carbon dioxide.

"It's much, much faster, as fast as it could possibly be," Shindell said.

Regulators are noticing.

President-elect Barack Obama's transition team on Thursday got briefed on emissions and climate and is exploring what tools federal agencies need to better mitigate impacts, said Ellen Baum, a senior scientist with Clean Air Task Force, a Boston-based non-profit that has spent years trying to link climate and urban pollution.

On Thursday California approved the most aggressive plan in the nation to slash greenhouse gas emissions and meet state climate targets. Regulators continue that work today, voting to force 1 million big rig owners to clean up diesel exhaust. Both state rules carry climate and health benefits.

"We are now incorporating the climate change benefit, if there is one, into our environmental analysis and staff reports when we propose new regulations," said Sam Atwood, spokesman for the state's South Coast Air Quality Management District, charged with improving air quality for 17 million people in the four-county Los Angeles Basin.

That can be "difficult and dicey," he cautioned. "There are not a lot of protocols for different kinds of climate-change gas reductions.... Every time we propose a tough regulation, we have to make a very strong case for why the benefits outweigh the costs."

Tools and calculations for measuring public-health benefits are robust and well established; climate mitigation, in contrast, is in its infancy.

But in a system structured to maximizing health goals, throwing climate in the mix could change priorities - even without quantification, many experts note.

Ground-level ozone, or smog, is one example, said Baum of the Clean Air Task Force. It's a powerful greenhouse gas. But the nation's health-based rules generally focus on reducing peaks, while every-day background most affects climate.

"It's a wave versus sea-level thing," Baum said. Health officers are focused on reducing the wave - the late-afternoon summertime ozone spike - but Baum and others would like to see more effort aimed at reducing the sea-level, or background.

"Reducing background ozone isn't the best strategy for reducing ozone peaks, but if we reduce background, there will be a reduction in the peaks as well," she said. "It's a tough nut to crack, though. It's not going to be easy."

Black carbon, or soot, is another example. A byproduct of diesel engines, soot is a tough pollutant to reduce. Regulators can often obtain the same health benefit by focusing on other easier-to-control compounds, like sulfates from power plants.

But sulfates cool the atmosphere. Black carbon has a well-established warming effect. Add that information, and imposing limits on black carbon start to look a little more palatable, regulators and scientists say.

The benefits extend far beyond the United States' borders.

Growing emissions from Asia and India represent an enormous percentage of near-term climate change, Shindell and others note. Their emissions, particularly soot, have far-flung impact - from shrinking Arctic icepack to prolonged droughts in America's breadbasket.

Evidence quantifying that impact on the Arctic will be disclosed next week at the American Geophysical Union's fall meeting in San Francisco. Researchers with the National Oceanic and Atmospheric Administration have found that the "Arctic haze" - a soup of aerosols, ozone, volatile organic compounds and other industrial pollutants - contributes to the shrinking icepack and changes ice flow dynamics during the spring melt.

But what's exciting, Shindell notes, is the potential for rapid change. Carbon dioxide takes decades to mix, adjust and start to warm the planet. These short-lived pollutants start to affect the Earth's climate almost instantly; turning them off produces rapid mitigation.

The good news, say researchers, is that the divisions between climate research and air quality and long-term versus short-term impacts are disappearing.

"You will see over the next few years that this is going to get a lot more focus," said Gabriele Pfister, a scientist studying wildfires at the National Center for Atmospheric Research in Boulder, Colo. "We know now you can't look at short-term effect without looking at long-term effect."

State board adopts sweeping air plan

By Jim Downing and Chris Bowman

Sacramento Bee and Modesto Bee, Friday, December 12, 2008

With a promise to look more closely at the economic impacts of cutting greenhouse gas emissions, the California Air Resources Board on Thursday unanimously approved a sweeping climate-change strategy.

"This scoping plan puts California on a path to a low-carbon, sustainable, green economy," said air board Chairman Mary Nichols after the vote in Sacramento.

The board's moves are being watched around the country – and to some extent the world – because they're likely to influence federal and international policies in years to come. The plan adopted Thursday creates the nation's first economy-wide trading system for greenhouse-gas emissions.

Under the plan, the state's renewable power generation capacity will roughly triple by 2020, and there will be major increases in the energy efficiency of homes and businesses. Also called for are better vehicle fuel economy, cuts in emissions of refrigerants and other especially potent greenhouse gases, and a reduction in the carbon content of motor fuels.

The governor-appointed Air Resources Board has a long history of environmental leadership, dating back to battles over Los Angeles smog in the 1960s that ultimately fostered nationwide controls on tailpipe emissions, such as the catalytic converter.

But the greenhouse-gas plans are the board's most sweeping actions ever, and will touch virtually every corner of the economy. That worries many business groups.

"This is an economy-changing plan, and it's not going to be cheap, and it's not going to be easy to accomplish," said Shelly Sullivan, executive director of the AB 32 Implementation Group, a business coalition.

The air board's economic analysis estimates the plan adopted Thursday will cost the state's economy \$25 billion in the year 2020. But agency staff predict that by then it should also be delivering around \$40 billion in annual benefits – mainly through making cars and buildings more energy-efficient.

The nonpartisan state Legislative Analyst's Office and a panel of outside economists, however, found parts of the agency's analysis overly rosy – overstating some benefits and understating the costs of transitioning to a low-carbon economy.

Some business and industry groups, along with a few Republican lawmakers, seized on those critiques and called for the board to redo the economic analysis and delay passage of the plan.

Agency staff and some other economists have defended the ARB's conclusions. But the board offered some concessions Thursday, ordering staff to do more detailed analysis of the plan's effects, with a full economic report to be delivered by the end of 2009.

That change, along with a promise that the plan won't disrupt the state's energy-supply networks, was enough to satisfy Catherine Reheis-Boyd, chief operating officer for the Western States Petroleum Association, whose public comment to the board Thursday was generally positive.

"If there was no acknowledgment of energy or the economy, my testimony would have been very different," she said.

The plan approved Thursday was born more than two years ago with passage of Assembly Bill 32, a state law that committed California to reduce its greenhouse-gas emissions to 1990 levels by 2020.

Thursday's vote approved what is essentially an outline, with many details to be filled in by regulators over the next two years. Most policies will take effect in 2012 or later. The air board has 120 staff members working on the program, spokesman Stanley Young said.

Banging out the details of the emissions market – known as a cap-and-trade system – seems likely to be particularly divisive.

Starting in 2012, the state plans to issue annual permits to firms that emit large volumes of greenhouse gases – power plant operators, oil refineries and so on. The total supply of permits would ratchet down over time, giving companies two options: cut their own emissions or buy permits from other firms that have made deep cuts and thus have permits to sell.

Business groups want the state to give away the emissions credits for free, while environmental groups want them to be auctioned. There's a similar split over the use of carbon "offsets," which would allow industry to meet greenhouse-gas targets by funding carbon-cutting projects outside of California.

A coalition of environmental-justice groups is urging the air board to junk the cap-and-trade system altogether in favor of a carbon tax, and have hinted that they may sue. They argue that emissions trading tends to concentrate pollution in low-income communities, and that a carbon trading system in place for several years in Europe has revealed fatal flaws in the approach.

"In order to make it work, you have to have 100 things line up just perfectly," said Naomi Kim, an attorney with the California Environmental Rights Alliance.

Many other environmental groups, including the Union of Concerned Scientists, Natural Resources Defense Council and Environmental Defense Fund, say that California can learn from Europe's missteps and build a workable system.

California adopts the most sweeping curbs on greenhouse gas emissions in U.S.

The state air board orders a 15% cut in emissions over the next 12 years, bringing them down to 1990 levels.

By Margot Roosevelt

L.A. Times, Friday, December 12, 2008

Reporting from Sacramento -- California regulators adopted the nation's first comprehensive plan to slash greenhouse gases Thursday and characterized it as a model for President-elect Barack Obama, who has pledged an aggressive national and international effort to combat global warming.

The ambitious blueprint by the world's eighth-largest economy would cut the state's emissions by 15% from today's level over the next 12 years, bringing them down to 1990 levels.

Approved by the state's Air Resources Board in a unanimous vote, the 134-page plan lays out targets for virtually every sector of the economy, including automobiles, refineries, buildings and landfills. It would require a third of California's electricity to come from solar energy, wind farms and other renewable sources -- far more than any state currently requires.

Gov. Arnold Schwarzenegger, who has been a vigorous advocate of the plan, vowed that it would "unleash the full force of California's innovation and technology for a healthier planet."

Businesses, however, are sharply divided.

Automakers oppose California's pending crackdown on carbon dioxide emissions from cars, a regulation that more than a dozen states have pledged to adopt. Manufacturers want regulators to lower the cost of complying, saying it will lead to billions of dollars in higher electricity costs.

"This plan is an economic train wreck waiting to happen," James Duran of the California Hispanic Chambers of Commerce told the board, saying that it would cause financial hardship to minority-owned companies.

But Bob Epstein, a Silicon Valley entrepreneur, led a coalition of energy, technology and Hollywood executives, including Google Chief Executive Eric Schmidt, in endorsing the plan as a spur to the state's lagging economy.

Investors have poured \$2.5 billion into California clean-tech companies in the first nine months of the year, up from \$1.8 billion for all of 2007, he said, a level that eclipsed the software industry.

"This plan is a clear signal to investors to invest in California," Epstein said.

Schwarzenegger, a sharp critic of President Bush's opposition to climate legislation, said, "When you look at today's depressed economy, green tech is one of the few bright spots out there."

California's plan will be "a road map for the rest of the nation," he predicted.

After an aborted attempt last spring, Congress is expected to renew its efforts to craft climate legislation next year. Many of the elements in contention are addressed in California's blueprint, including a cap-and-trade program that would allow industries to reduce emissions more cheaply.

In 18 months of public hearings and workshops, hundreds of people testified and more than 43,000 comments were submitted. More than 250,000 copies of the plan have been viewed or downloaded from the air board's website in the last two months.

The state's blueprint will be implemented over the next two years through industry-specific regulations. Republican legislators have called on Schwarzenegger to delay the plan, citing the dire state of California's economy and criticism of the air board's economic models.

Fears were also expressed at Thursday's hearing by city and county officials who said the plan's effort to force land-use changes infringes on local powers. Environmentalists want more ambitious strategies to curb the sprawl that has led to a rapid increase in driving, and thus in greenhouse gases.

Worldwide, emissions of planet-warming gases, which are mainly formed by burning fossil fuels, have been growing far more rapidly than scientists had predicted. California is expected to experience severe damage from climate change by mid-century, including water shortages from a shrinking snowpack, increased wildfires, rising ocean levels and pollution-aggravating heat waves.

Given the state's fast-growing population and sprawling suburban development, its emissions are on track to increase by 30% over 1990 levels by 2020. The new blueprint would slash the state's carbon footprint over the next 12 years by a total of 174 million metric tons of greenhouse gas emissions -- the equivalent of 4 metric tons for every resident.

Despite the reach of the state's effort, it would barely make a dent in global warming: The state's emissions account for about 1.5% of the world's emissions. Nonetheless, air board Chairwoman Mary Nichols said California's leadership has spurred other states to move ahead. "We are filling a vacuum left by inaction at the federal level," she said.

More than two dozen states have committed to capping emissions since California passed its landmark 2006 global warming law, the trigger for Thursday's action by the Air Resources Board.

California has joined with four Canadian provinces and seven western states to form a regional cap-and-trade program. Under the program, the states would set a total allowable amount of

emissions -- as California did in its blueprint. Utilities and other large industries would be required to obtain allowances to cover their emissions. If companies cut emissions more than required, they can sell their extra emission reductions to firms that are not able to meet their targets.

A cap-and-trade system has been adopted in Europe, where it was initially fraught with logistical problems and afforded windfall profits to many industries. California's system, which would apply to industries responsible for 85% of its emissions, is the most controversial aspect of its plan.

Groups representing low-income residents of polluted urban areas testified that allowing industries to trade in emissions would lead to dirtier plants in their neighborhoods. Under California's plan, industries would also be allowed to buy "offsets" -- emission reductions from projects in other states, or possibly foreign nations, to avoid making their own reductions.

However, the board assuaged many environmentalists Thursday when it pledged that it would gradually move toward a system to auction 100% of greenhouse gas permits, rather than give the permits away for free, as was initially the case in Europe.

Bernadette del Chiaro, an energy analyst for Environment California, predicted the auctions could bring in \$1 billion at the outset and up to \$340 million per year by 2020.

"This is huge," she said. "Revenue from polluters would be used to transit to a green economy."

California Adopts a Plan on Emissions

By Felicity Barringer

N.Y. Times, Dec. 12, 2008

California regulators on Thursday adopted the country's first comprehensive plan for curbing emissions of heat-trapping gases. The plan establishes the broad outlines of a system of trading pollution permits and allocates among various industry sectors — transportation, smokestack industries, housing and others — the responsibility for cutting emissions to 1990 levels in the next 12 years.

The plan also commits the state to a goal that many industries in California have resisted: auctioning all the pollution permits created under the new plan, rather than giving some away to the industries that produce emissions. But the California Air Resources Board, the agency that voted unanimously to adopt the plan, stopped short of setting a timetable for reaching that goal.

The plan affects a broad swath of the state's economic life, including how people get to work and how they build and heat their homes.

Mary Nichols, the chairwoman of the Air Resources Board, said in a statement that the plan would spur the development of new technologies.

The California plan is in many respects a work in progress — akin to a house that has a roof and walls, but with an interior not yet finished. And the plan approved on Thursday still leaves open the most contentious issues, particularly how the costs and the revenue associated with the new plan will be allocated.

Under the plan's estimates, the state's total emission of heat-trapping gases would be the equivalent of 596 million tons annually in 2020 if business continued as usual. The plan is intended to reduce that total by more than 170 million tons. It would do so by capping 85 percent of those total emissions, then requiring a significant reduction in those emissions.

The three largest components of the cuts would be these:

The state's new restrictions on automobile emissions of heat-trapping gases that have not received required federal approval (31.7 million tons);

Increases in energy efficiency (26.3 million tons);

Getting one-third of the state's electricity from renewable sources (21.3 million tons).

The centerpiece of the plan is a system whereby the state allocates credits for all the emissions under the new cap and then institutes a system whereby these credits can be traded among all the members of the seven-state Western Climate Initiative.

David Nahai, the chief executive of the Los Angeles Department of Water and Power, which is heavily dependent on coal-fired power, said he appreciated the board's deliberate approach. Mr. Nahai said he did not oppose a market mechanism, "but we all have to engage very fully to make sure it's equitable and doesn't end up with a double whammy to rate payers."

He added, "And we have to make sure it really ends up accomplishing the goals."

State OKs tough plan to counter global warming

Wyatt Buchanan, Chronicle Staff Writer

S.F. Chronicle, Friday, December 12, 2008

Sacramento -- California's air quality board approved on Thursday the nation's most sweeping plan to reduce global warming by curbing emissions, a move that state regulators hailed as a nationwide model for President-elect Barack Obama.

State leaders predicted that the blueprint, unanimously approved by the California Air Resources Board, would stimulate California's lagging economy by creating thousands of jobs and billions of dollars of commerce, while business owners said the plan would worsen the state's fiscal woes.

"Today is the day we help unleash the full force of California's innovation and technology for a healthier planet, a stronger and more robust economy and a safer and more secure energy future," Gov. Arnold Schwarzenegger said in a statement.

The changes called for over the next 12 years are sure to affect the products Californians buy, the cars they drive and the places they live. They are designed to allow the state to reach its legally mandated goal of reducing greenhouse gas emissions to 1990 levels by 2020, a reduction of about 30 percent.

California is "taking on a global responsibility that can be a model for others," said air board Chairwoman Mary Nichols. "It's a sample of what we think can and should be done" by the Obama administration, she said.

The plan spells out 31 rules, including emissions-reduction targets for a wide range of industries, creation of an elaborate cap-and-trade program to limit emissions and will require local governments to reduce sprawling development.

Specific regulations to lower greenhouse gases will be created by the board in the coming months.

Most of the reductions will come from fuel efficiency standards for new vehicles that have been blocked by the Bush administration. Consumer appliances and new and existing buildings will be subject to higher efficiency standards. Utility companies such as Pacific Gas and Electric Co. must provide 33 percent of their electricity from renewable sources.

The cap-and-trade program, under which participants are allotted so-called carbon credits that they can trade with others who exceed their limits, would cover 85 percent of greenhouse gas-emitting sources in the state, including electricity generation, large industrial sources and residential and commercial use of natural gas.

Details of the program were the subject of testimony during Thursday's meeting.

Environmental organizations want participants to buy the credits in an auction, while affected businesses and organizations such as the California Taxpayers Association want them for free. The European Union, which has the largest cap-and-trade program in the world, allots some credits for free, but its leaders want to charge all participants.

The average Californian will at first see subtle effects from Thursday's vote, such as increasing numbers of electric cars, Nichols said.

"There will still be cars, but there will be more that are able to be plugged in," she said. Also, small business owners are likely to be visited by their utility companies and asked to install meters to help monitor or regulate energy use, Nichols said.

But some small business owners and business advocacy groups said they were worried about the economic impact of the plan, pointing to a report by the nonpartisan legislative analyst's office and an academic peer review that criticized the air board's findings that the plan would have an overall net benefit to the state.

"The reality of climate regulations is that there will be costs in the near term," said Amisha Patel of the California Chamber of Commerce.

Other groups have called for the process to be put on hold until the board conducts an economic analysis of how the plan will affect small businesses, a call echoed by Assemblyman Roger Niello, R-Fair Oaks (Sacramento County).

But Nichols lashed out at such criticism.

"Frankly, we don't think they understood what this analysis is about," she said, adding that the air board is aware of the weakened economy and will consider that as it fleshes out the plan with official regulations. The new regulations will be decided by Jan. 1, 2011, and be in full effect by Jan. 1, 2012.

Board member Daniel Sperling said that while the plan is specifically focused on the 2020 goal, it will put the state on course to meet a larger goal of lowering greenhouse gas emissions to 80 percent of 1990 levels by 2050.

"What we're doing is breathing life into a movement," Sperling said.

Sen. Fran Pavley, D-Agoura Hills (Los Angeles County), who co-authored the bill that mandated the plan, said California is in a strong position.

"We're going to be in the right place at the right time as the federal government will probably use this as a model," Pavley said.

California's plan to cut emissions

Highlights of the Air Resources Board's blueprint for cutting greenhouse gases to 1990 levels in the next 12 years, a 30 percent reduction:

- Put 85 percent of greenhouse gas-emitting industries into a cap-and-trade program.
- Require utilities to produce 33 percent of their energy from renewable sources.

- Increase efficiency standards for new and existing buildings.
- Discourage urban sprawl by building housing near transit hubs.
- Lower methane levels in landfills and encourage high levels of recycling and zero trash in landfills.

Source: California Air Resources Board

Despite downturn, Calif. adopts tough climate plan

By SAMANTHA YOUNG, Associated Press Writer
S.F. Chronicle, Thursday, December 11, 2008

Sacramento, Calif. (AP) -- California on Thursday adopted the nation's most sweeping plan to cut greenhouse gas emissions, issuing rules that could transform everything from the way factories operate to the appliances people buy and the fuel they put in their cars.

The Air Resources Board unanimously approved the plan despite warnings it will put costly new burdens on businesses at a time when the economy is in extreme crisis, with California forecasting a staggering budget gap of \$41.8 billion through mid-2010.

Republican Gov. Arnold Schwarzenegger said he believes the regulations will spur the state's economy and serve as a model for the rest of the country.

"When you look at today's depressed economy, green tech is one of the few bright spots out there, which is yet another reason we should move forward on our environmental goals," Schwarzenegger said in a statement.

The strategy relies on 31 new rules affecting all facets of life, including where people may build their homes and what materials they use to do it.

One central piece is a cap-and-trade program, set to begin in 2012, under which power plants, refineries and big factories will be able to buy and sell the right to emit heat-trapping gases. The program could give plant operators a financial incentive to reduce their carbon emissions.

Air regulators said the average Californian could see more fuel-efficient cars and plug-in hybrids on showroom floors; better public transportation; housing nearer to schools and businesses; and utility rebates to make their homes more energy-efficient.

But there will also be costs: Cars could become more expensive, and Californians can expect higher electric rates as utilities increase their use of renewable energy. Homes built with energy-efficient materials could also prove more costly, as could gasoline reformulated to release less carbon dioxide.

The rules spell out in broad terms how the state intends to carry out a landmark 2006 California law that made the state a leader in confronting climate change. The law — conceived when the economy was in better shape — requires the state to cut greenhouse emissions to 1990 levels by 2020. More detailed rules will be issued over the next few years.

California, the nation's most populous state, has long been in the vanguard of the environmental movement, adopting the nation's toughest restrictions on auto pollution decades ago.

Because of its size and market clout, its decisions can have effects far beyond the state, with manufacturers around the country often adapting their products to meet California's stricter standards.

John Kabateck, executive director of the California branch of the National Federation of Independent Business, argued against the new rules, warning: "Now is not the time to make it even harder to do business in California."

But Air Resource Board chairwoman Mary Nichols said California's plan would save its residents and businesses money in the long run.

"We believe that California, again and again, has pushed for higher levels of efficiency in our electric sector, our buildings and appliances, and time after time it turns out efficiency measures have not only saved us money but leaped our economy ahead," Nichols said after the vote.

A board report found that the average household would save \$400 a year by driving more fuel-efficient vehicles and living in more energy-efficient homes. And already, private investors have given more than \$2.5 billion this year to new companies that have sprung up in California, in part to respond to the state's environmental goals, said Bob Epstein, co-founder of Environmental Entrepreneurs.

"Our president-elect has called for stimulating our economy," said Bill McGovern, director of California's Sierra Club. "I think he and the Congress will be looking to the state of California, and these measures can serve as a model for the rest of the country."

One major piece of the plan is contingent on the federal government giving California the go-ahead to force automakers to build cleaner cars and trucks. The Bush administration has blocked that law from taking effect, but California officials hope the Obama administration will reverse course.

The plan will also require utilities to generate one-third of their electricity from renewable sources such as wind, solar and geothermal by 2020. And energy-efficiency standards for buildings and for air conditioners and other appliances will be strengthened.

Also, fuel providers will have to reformulate transportation fuels so they are a combined 10 percent less carbon-intensive by 2020. And local governments will get incentives to curb urban sprawl and reduce how far people drive to work or school.

The cap-and-trade plan that will allow businesses to buy their way out of the problem is a particularly contentious part of the plan. California's poor communities say polluters in their neighborhoods may just write a check rather than clean up their act.

Calif. expected to crack down on diesel emissions

By Samantha Young, Associated Press

Tri-Valley Herald, Modesto Bee and other papers, Friday, December 12, 2008

SACRAMENTO, Calif.—Fresh off adopting a sweeping plan to reduce greenhouse gases, California air regulators are considering cracking down on pollution from nearly a million diesel trucks that crowd the state's highways each year.

On Friday, the state Air Resources Board was expected to adopt what would be the country's most comprehensive rule to get the dirtiest trucks and buses off the road, including those that travel into California from other states, Canada and Mexico.

The heavy-duty trucks that cart food, electronics, toys and other goods are the leading cause of diesel pollution in a state that has some of the smoggiest skies in the country.

"The health benefits of this rule are just enormous," Air Resources Board chairwoman Mary Nichols said. "We're talking about thousands of lives saved."

The regulation would require owners of some of the oldest and most polluting trucks, school buses, motor coaches and street sweepers to begin transforming their fleets as soon as 2010.

It is a critical element of California's strategy to clean up its smoggy skies and meet state and federal air standards. The new rules would reduce ozone-eating nitrogen oxides and soot-forming particulate matter that can become embedded in lung tissue.

The idea is to speed up the replacement of thousands of trucks and buses that are usually on the road for decades and are not as clean as newer model vehicles that have stricter emission standards mandated by the federal government.

If the rules are adopted, old diesel vehicles would have to be outfitted with pollution filters or new engines or be replaced with newer, cleaner vehicles. The cost to businesses, school districts and transit agencies statewide is estimated at \$5.5 billion.

That's a price the trucking industry and others say they can't afford, since the recession has left many truck and bus owners struggling to pay the bills.

"With this economy, this puts us in an untenable position," said Robert Ramorino, president of the California Trucking Association, which wants more time to meet the proposed mandates.

Ramorino said he and many truck owners would be forced to replace relatively new trucks for which they are still paying.

Regulators point out that the costs will be spread over 16 years and say they are dwarfed by the estimated \$48 billion to \$68 billion in health benefits to Californians who currently breathe diesel fumes.

By the time the regulation is fully implemented in 2023, regulators estimate the amount of diesel particulate matter and nitrogen oxides emitted from these vehicles would be cut by about a third.

The two pollutants can lead to premature death and increased asthma and heart attacks. The proposed rule is projected to prevent 9,400 premature deaths over 20 years, according to an analysis by the board.

Diesel-truck cleanup considered

By Paul Rogers, San Jose Mercury News
L.A. Daily News, Friday, December 12, 2008

The black soot that big-rig trucks belch from their chugging diesel engines may soon become a thing of the past.

In one of the more far-reaching smog regulations that California has ever proposed, state air regulators are considering a first-in-the-nation plan that would require nearly every privately owned heavy diesel truck in the state to install a filter that would reduce emissions of soot from their rigs by 85 percent.

The new regulation would affect 1 million truckers, half of them registered out of state who regularly drive on California freeways. If approved by the California Air Resources Board at its meeting Friday, it would take effect in 2010, with nearly all trucks required to be retrofitted by 2014.

The filters -- stainless steel and three feet long -- attach to exhaust pipes and cost \$15,000 to \$20,000 per truck. Those who back the proposal point to massive public health benefits. Opponents call the costs prohibitive, especially during a time of economic crisis.

Supporters note that medical research over the past decade shows that microscopic diesel particles are among the most harmful type of air pollution. Not only can they lodge deep in the lungs during regular exposure, but also they can penetrate the walls of blood vessels, causing inflammation that can lead to strokes and heart attacks.

"This is a very big deal. Particulate matter from diesel engines is one of the most toxic substances that we have found," said Dr. Thomas Dailey, chief of pulmonary medicine at Kaiser Permanente Medical Center in Santa Clara.

Diesel soot contains more than 40 cancer-causing chemicals, including formaldehyde and benzene. The elderly and children are considered most at risk, particularly in urban areas.

"Nearly 50 percent of Californians live within one mile of a freeway. And there is a higher concentration of pollutants there," Dailey said.

The crackdown is supported by the American Lung Association of California, the Sierra Club, the California Medical Association and the American Academy of Pediatrics.

But critics, led by the California Trucking Association, the California Chamber of Commerce and roughly 100 other business groups, say the proposed rule would deal a crippling blow to the state's truckers at a time when the economy already is in recession.

"I am 100 percent on board with the need to clean up the air," said Robert Ramorino, president of Roadstar Trucking in Hayward. "The concern is the ability for trucking fleets in California to make these changes financially in such a short period of time."

Ramorino's father started the company in 1959, and now it employs 60 people. About 30 of the firm's trucks deliver everything from food to Safeway supermarkets to footwear for Payless shoe stores and vitamins to GNC nutrition centers.

The filter rule is tough enough, Ramorino said, but he is also gravely concerned about a second phase of the proposed rule. It requires all trucks in California to meet super-clean emissions standards on 2010 engines under a staggered schedule that begins in 2012 and ends in 2022, with the oldest trucks facing the rules first.

Even trucks that installed the soot filters a few years earlier would be required to comply, which means they would need new engines, or would have to be replaced by new trucks, each of which costs at least \$100,000.

"If this passes," Ramorino said, "over the next five years I'll have to make payments on 30 new vehicles. That's \$900,000 a year in payments, which is unfathomable."

The air resources board estimates the rule would cost \$5.5 billion but would save at least \$48 billion in reduced health care costs and increased productivity.

In human health terms, the board, whose 11 members are appointed by the governor, estimates that from 2010 to 2025 the regulations would prevent 9,400 premature deaths, 150,000 asthma cases and 950,000 lost workdays.

Starting about a decade ago when new studies began coming out of the Harvard School of Public Health and other universities showing diesel's medical toll, the state air board has been steadily reducing emissions. It has passed rules cutting sulfur in diesel fuel by 97 percent. It has replaced hundreds of old school buses. And in June 2007, the board required at least 165,000 bulldozers, backhoes, cranes and other types of construction equipment that have been in operation for years to have their engines retrofitted or replaced entirely by 2020.

Big-rig trucks, however, are the largest remaining source of diesel emissions.

"There's still some ratcheting to be done on locomotives and ship engines and jet engines," said Mary Nichols, chairman of the air board. "But as diesel rules go, this is the biggie. It requires the whole diesel truck fleet to turn over in about 10 years."

Nichols noted that California will provide \$1 billion in low-interest loans and grants to help truckers comply with the rule. One major source of funding is from Proposition 1 B, a transportation bond approved by California voters in 2006.

The basic issue, Nichols said, is that people replace cars about every seven years with less-polluting models so the air continues to get cleaner. But diesel engines can last up to 1 million miles and, unless their turnover is accelerated, can be around for decades.

If the rule is approved, as expected, Nichols predicted that other states will copy it.

School buses also would be required to get filters but not replace their engines under the rule. Private motor homes, military vehicles and emergency vehicles would be exempt.

The trucking industry is hoping to have an extra six years to comply.

"A lot of people might say you truckers are self serving, and crying wolf. But we're talking about people's jobs and truckers going out of business," Ramorino said.

"And I think this will increase the costs to the consumer on everything from flat-screen televisions to a \$10 pair of sandals at the shoe store."

[L.A. Times editorial, Friday, Dec. 12, 2008:](#)

California's diesel truck plan

New rules will be costly but should lead to cleaner air and lower health costs.

California environmental regulators' science is sound and their policies are groundbreaking, but their timing is truly terrible. What else can you say about a group that is about to approve the most expensive environmental rules in state history even as the economy is melting down? Yet for all the short-term pain that the coming regulations on diesel trucks will cause, they will ultimately save far more than they cost.

The state Air Resources Board has been busy of late. On Thursday, it approved the "scoping plan" that lays out California's strategy for cutting its greenhouse gas emissions, and today it's expected to set the nation's most restrictive rules on diesel engines. Older, dirtier trucks will be phased out over 12 years, so that by 2023 every truck on the road -- even those registered elsewhere but that cross California's borders -- must meet emission standards for 2010 diesel engines. And to cut down on emissions, truckers will be forced to install fuel-efficient tires and aerodynamic devices on their trailers.

If all this sounds expensive, it will be. The air board estimates the cost at \$5.5 billion, and truckers say it will be far higher. The state will offer \$1 billion in subsidies to help them, but that won't come close to covering the bills. Some small operators might be put out of business, and the price of consumer goods -- all those TVs and sneakers and groceries transported by truck -- will rise. But that ignores the economic gains.

When it comes to pollution, somebody always pays a price. Currently, the overwhelming majority of the costs are borne by the public. The air board estimates that the new rules will save 9,400 lives by 2025 and up to \$68 billion in healthcare costs as cancer-causing emissions are reduced. Moreover, the fuel-efficiency requirements will ultimately save truckers money and help make up for the cost of the upgrades.

The American Trucking Assoc. is expected to sue the state over the new rules, but it's not likely to get far. California arguably has no choice but to crack down on trucks: Federal law requires the state to clean its air, and without the new rules it couldn't meet national standards.

We only wish officials at the Port of Los Angeles, which has passed a similar clean-truck plan, were as sensible as the air board; the port program requires truckers carrying its cargo to be employees of trucking fleets rather than independent contractors, a complication that could tie up the plan in court indefinitely. The port needs a separate truck plan because it has a separate mechanism for funding cleaner vehicles, but it would be better off imitating state regulators and focusing on cleaning the air, not trying to reinvent the steering wheel.