

Pollution program runs out of money

Visalia Times-Delta and Tulare Advance-Register, Wednesday, Sept. 24, 2008

The San Joaquin Valley Unified Air Pollution Control District has run out of money for a program that replaces or modifies diesel engines to reduce pollution from trucks. District officials received applications for 2,758 trucks, which would have cost more than \$137 million. Only \$40.5 million in state money was available for the Valley program this year. That means two-thirds of this year's applications will be rejected, officials said. District Executive Director Seyed Sadredin said he is unsure whether the unfilled applications can be carried over to next year or whether they will have to be resubmitted.

Air district officials to address Sierra Club

Modesto Bee and Sacramento Bee, Wednesday, September 24, 2008

The top officials from three air pollution control districts in Sacramento, Placer and Nevada counties will report on the state of air quality at a public meeting Tuesday of the Sierra Club.

The presentation will be at 7 p.m. in the Auburn Library, 350 Nevada St. It is free to the public.

Speaking will be Larry Greene of the Sacramento Metropolitan Air Quality Management District, Tom Christofk of the Placer Air Pollution Control District and Gretchen Bennitt of the Northern Sierra Air Management District.

The three will discuss where air quality has improved and where it needs to, a news release from the Sierra Club Placer Group says.

There will also be tips on what the public can do to become involved and how to protect a family's health.

Refinery expansion headed for first vote

BY STACEY SHEPARD, Californian staff writer
Bakersfield Californian, Wednesday, Sept. 24, 2008

A long-awaited public hearing on the Big West of California refinery expansion is no longer expected to produce the fireworks the issue once promised.

The plan to boost gasoline and diesel production at the Rosedale Highway facility will go before the Kern County Planning Commission Thursday. The panel will take public comment before issuing a recommendation on the project to the Board of Supervisors.

Supervisors have the ultimate say in approving the expansion.

But the controversy that once enveloped the expansion seems to be over after county planners last week endorsed an alternative plan that does not include the use of a toxic chemical, and Big West supported the recommendation.

Two of the project's main opponents praised Big West's decision.

"I'm definitely not planning to raise a bunch of hell and damnation (at the hearing)" said Gloria Smith, an attorney with a Bay Area law firm that represents several local construction unions and an environmental group opposed to the chemical's use at the refinery.

"We're very happy they're not using (the chemical). We consider that a huge victory."

Likewise, Bakersfield Citizens Against Hydrofluoric Acid, a group of local police, firefighters, nurses and residents concerned about community safety, commended Big West for no longer pursuing its original project.

Big West had initially proposed to build new processes that would use the chemical modified hydrofluoric acid. An environmental analysis showed a catastrophic spill of the chemical could create a toxic cloud capable of impacting areas within 6.5 miles of the facility.

The alternative plan recommended by county planners, known as Alternative D, instead calls for the project to be built with equipment similar to what's now used at the refinery.

Alternative D, county planning staff said last week, provides maximum protection to the environment and community while promoting oil production in the county.

Planning commissioners declined to comment on the project prior to the hearing.

Lights Out

By Eric Firpo

Tracy Press, Wednesday, September 24, 2008

A pair of administrative law judges on Monday rejected a Pacific Gas and Electric Co. request for quick approval to build a power plant in the Altamont Hills.

The California Public Utilities Commission will take up the issue in 30 days, and PG&E will have the chance to convince the board that the judges were wrong.

But what PG&E's next step is remains to be seen, as the utility has yet to decide how it will react to the decision that likely kills the plant, said spokeswoman Darlene Chiu.

In light of the ruling by Carol Brown and Timothy J. Sullivan, Chiu said the company has "terminated our agreement" to buy \$49 million in equipment for the plant.

"We are concerned because this project was critical in making sure that we would have enough power for our customers by 2012," she said.

PG&E had hoped to win permission to build a 560-megawatt plant after it bought the rights in June to the Tesla Generating Station license for 1,120 megawatts in Alameda County near Patterson Pass, about a third of a mile from the San Joaquin County border. The sale price is confidential.

But a slew of groups and entities in the power industry protested the sale, mainly because they argued it violated a utilities commission rule that power plant sales should be open to competition, except "in truly extraordinary circumstances."

Tracy protested in July because it argued PG&E had not signed a contract with the city to use treated sewer water to cool the plant as mandated in its 2004 license.

One local air-quality activist, Bob Sarvey, helped the group Californians for Renewable Energy file a letter of protest. Sarvey complained that the city, if indeed it did provide treated water rather than clean water for the new plant, would add 13 tons of air pollution a year over the city once the plant produced 1,120 megawatts of electricity. One megawatt of electricity can power about 7,500 homes.

Apparently, the judges were unconvinced that the plant would leave the company in a pinch for power come 2012 because, as PG&E argued, other plants that were in the works have fallen through.

Sarvey was happy that, for the moment at least, the plant is dead.

"We already got the biomass plant and the Peaker plant," he said. "You've got to be fair about it. We're taking the pollution, why do we have to take any more?"

Erie Coke appeals \$6.1M state air pollution fine

The Associated Press
Contra Costa Times, Wednesday, September 24, 2008

ERIE, Pa.—Erie Coke Corp. is appealing more than \$6.1 million in state air pollution fines that the company's owner says threatens the viability of its Erie plant.

The company says it will "vigorously defend" itself, but wouldn't cite specifics. A statement by company owner J.D. Crane also noted the company's "significant contributions" to local charities and public safety unions.

The Pennsylvania Department of Environmental Protection proposed the fines last month in ordering Erie Coke to comply with its air quality permit and the state's Air Pollution Control Act.

The DEP says the penalty follows repeated violations at the company's Lake Erie facility, which includes 58 coke ovens installed in the 1940s and 1950s.

Coke is a fuel used in steel production. It is made by baking coal in large ovens to remove impurities.

Western initiative sets up emissions-trading plan

By Samantha Young, Associated Press Writer

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

SACRAMENTO, Calif.-Seven Western states and four Canadian provinces on Tuesday proposed a comprehensive program to cut greenhouse gas emissions from power plants, manufacturers and vehicles.

The Western Climate Initiative would establish a regional market to trade carbon emissions credits and is designed to keep costs down for those affected. It covers more polluters than other regional plans adopted in the United States, Canada and Europe.

"We're sending a strong message to our federal governments that states and provinces are moving forward in the absence of federal action, and we're setting the stage for national programs that are just as aggressive," Gov. Arnold Schwarzenegger said in a statement.

The plan sets the parameters for a so-called cap-and-trade program to help cut the region's emissions below 2005 levels by 2020, a roughly 15 percent reduction.

It was drafted by Arizona, California, Montana, New Mexico, Oregon, Utah, and Washington, and the four Canadian provinces of British Columbia, Manitoba, Ontario and Quebec which have joined the program in the last 18 months.

Whether lawmakers in each state will now adopt the regulations is unclear. In Utah, for example, legislative leaders fear a carbon trading program might put the state's businesses at a disadvantage in a global economy.

"We want to make certain we do not unnecessarily harm Utah businesses," Senate President Jon Valentine, R-Orem, said Tuesday. "You can end up with such an aggressive approach that it hurts businesses in Utah and makes us not competitive."

Most large industrial polluters, automakers and coal-based utilities are lobbying state legislatures to wait for a uniform federal program. Congress failed this year to enact global warming legislation - adding to the push by the western states to go ahead with their own program.

"Doing nothing is going to cost us a whole lot more in the future," Washington Gov. Chris Gregoire told reporters in a conference call.

Oregon Gov. Ted Kulongoski called the framework "a solid starting point" that would help the state meet its goals.

While environmental groups generally support the proposal, they said it might allow states to be too easy on industry if they impose only the minimal benchmarks - setting the stage for state-by-state campaigns to strengthen the rules.

"It basically would amount to a giant handout to polluters unless the states take further action," said Bernadette Del Chiaro, director of the clean energy program at Environment California.

California air regulators said the program would combat global warming in the most cost-effective manner, spur green technologies, clean up the region's energy supplies and reduce dependence on foreign oil.

The idea is to allow industries that emit greenhouse gases to buy and sell credits for their emissions. Businesses that cannot cut their emissions enough can buy the right to pollute from other, cleaner companies.

They could also invest in so-called offset projects - such as planting trees - to achieve up to 49 percent of their emission reductions, a controversial strategy that environmentalists say would let polluters off the hook for cutting their own emissions.

The proposal by the western states is much broader than a new carbon market being launched this week by 10 northeast states. The Regional Greenhouse Gas Initiative caps emissions from power plants. It also exceeds the European trading program by regulating transportation and home heating fuels.

Under the plan released by the Western Climate Initiative, utilities and industries could begin trading emission credits on Jan. 1, 2012, and transportation and heating fuels would have until 2015.

California businesses likely would be responsible for about 40 percent of the emission reductions in the region, said Michael Gibbs, assistant secretary for climate change at the California Environmental Protection Agency.

Each state would decide the sticky question of how to distribute emission credits - selling at least 10 percent to polluters through an auction and possibly giving away the rest for free at the beginning of the program.

In California, environmental groups were already calling on state air regulators to require companies to buy their pollution permits.

"Giving for free 90 percent of the global warming pollution permits will create windfall profits for polluters and is a very ineffective and unfair way to run the program," said Erin Rogers, California climate strategy manager at the Union of Concerned Scientists.

If fully implemented by all states and provinces, the market would cover nearly 90 percent of the region's emission reductions, according to the California Environmental Protection Agency.

Group seeks further study on Ark. power plant

The Associated Press

Contra Costa Times, Wednesday, September 24, 2008

LITTLE ROCK, Ark.—An environmental group suggested Tuesday that the state deny an air-quality permit for a proposed \$1.5 billion coal-fired power plant in southwest Arkansas, at least until further study is done on controlling the pollution it would produce.

The Environmental Integrity Project at Austin, Texas, asked in written comments filed with the state Department of Environmental Quality that the agency require Southwestern Electric Power Co. to do further analysis.

The group, commenting on behalf of the Sierra Club and the National Audubon Society, said SWEPCO's existing studies were inadequate, especially in light of a federal court decision that requires stricter analysis of hazardous air pollutants from certain power plants.

The group said SWEPCO should have to determine which technology would provide the greatest control of air pollutants, rather than settle on less-stringent controls.

SWEPCO officials maintain the plant, near Fulton, would meet or do better than federal requirements to limit pollution. The company estimates the plant would create 110 full-time jobs once it is operating, with an estimated annual payroll of \$12 million.

After the federal ruling out of U.S. District Court in Washington, D.C., Arkansas regulators conducted a public hearing on the proposed John W. Turk Jr. plant and its pending permit request. Tuesday was the deadline for public comment. An ADEQ spokesman did not immediately return a call for comment.

Last year, the utility won approval from the Arkansas Public Service Commission to build the 600-megawatt plant. SWEPCO has begun site work on about 3,000 acres.

Arkansas opponents appealed the PSC decision to the Arkansas Court of Appeals, and also sued in federal court. The federal judge refused to halt the project, however.

Public service commissions in Texas and Louisiana also have approved the proposed power plant.

SWEPCO is a part of Columbus, Ohio-based American Electric Power Co.

Report: More factory farming but oversight lags

By Erica Werner, Associated Press Writer

In the Contra Costa Times, Merced Sun-Star, & other papers, Wednesday, September 24, 2008

WASHINGTON—Some huge livestock farms produce more raw waste than cities as large as Philadelphia or Houston. But federal regulators are failing to control pollution from the gigantic operations or assess health risks from the enormous quantities of manure they produce, according to congressional investigators.

The Government Accountability Office report on the raw waste is to be released Wednesday to a House committee hearing on federal oversight of factory farms.

The conclusions fueled concerns about a proposed Environmental Protection Agency rule change that would eliminate one of the few federal oversight mechanisms over air and water pollution from big farms.

The rule would eliminate a requirement that farms report to federal, state and local officials when air emissions of hazardous substances like ammonia and hydrogen sulfide exceed certain levels.

EPA proposed the rule change in December, contending the requirement created an unnecessary burden for farms and that the emission release reports usually weren't needed or acted upon.

"It is unclear to us" how EPA reached that determination, GAO said, noting that a national association representing emergency responders has said in comments to EPA that the reports are needed.

"This GAO study confirms that the Bush administration's plan to exempt industrial-sized animal feeding operations from emissions reporting requirements is nothing more than a favor to big agribusiness," said Rep. John Dingell, D-Mich., chairman of the House Energy and Commerce Committee.

Dingell has summoned EPA officials to answer questions on the proposed rule change at his hearing Wednesday.

An EPA spokesman noted Tuesday that the proposed exemption was limited, as it would apply only to emissions from animal waste.

"How soon Congress forgets that it directed EPA to expeditiously resolve confusion over animal waste emissions reporting requirements" under federal law, said EPA spokesman Tim Lyons. "EPA moved forward responsibly and proposed a rule that achieved the goal of reducing the reporting burden and protected public health and the environment."

The GAO report said that no federal agency collects data on the number, size and location of "Concentrated Animal Feeding Operations," as the big farms are known. Using more general Agriculture Department data for large farms as a proxy, GAO said the number of large farms that raise animals increased 234 percent from about 3,600 in 1982 to about 12,000 in 2002.

The number of animals on the farms also increased, and with them the amount of animal waste, which can be prodigious. The report said a large farm with 800,000 hogs or a beef cattle farm with 140,000 head of cattle could each produce more than 1.6 million tons of manure per year - 1 1/2 times more than the annual sanitary waste produced by the city of Philadelphia, and slightly more than the 1.4 million tons produced by the city of Houston every year.

In one example, GAO said that five contiguous North Carolina counties in 2002 had an estimated 7.5 million hogs that could have produced as much as 15.5 million tons of manure. Agriculture experts and government officials told investigators that raised concerns about overapplication of manure to cropland in those areas and the release of excessive levels of pollutants.

EPA doesn't limit the amount of air pollution this waste can emit, and a 2003 rule to require permits for waste discharges into water was partly overturned in court. EPA has been reworking the water discharge rule for several years but has not yet finalized it.

Without federal guidelines, states have been moving on their own, the GAO found. Officials in California, Idaho, Minnesota, Missouri, Nebraska and North Dakota reported developing state air regulations for certain pollutants emitted by factory farms.

Lichen on Yosemite icons key to pollution studies

By Tracie Cone, Associated Press Writer

In the Washington Post, Contra Costa Times, & other papers, Wednesday, September 24, 2008

YOSEMITE NATIONAL PARK, Calif.—After exploration by millions of visitors over the past 100 years, it is hard to imagine anything left to discover amid the majesty of Yosemite's glacier-cut granite cliffs and giant Sequoia groves.

But, by thinking small, scientists have discovered new species of lichen clinging like microscopic starfish to Yosemite icons such as El Capitan, Half Dome and Vernal Falls, and countless slabs of less famous rock. And they are trying to determine whether the species exist anywhere else.

The chance to collect and study the lichen that give the Yosemite's granite faces their distinctive black and rust-colored striping enticed world-class climbers to the park last week. Dangling from ropes with chisels in hand, they gave earthbound scientists access to the microcosms that exist at their fingertips.

"We hear about new species of life being discovered in the remote Amazon, but here in Yosemite?" said extreme mountaineer Carlos Buhler, a member of the only team to ascend Mt. Everest's 29,000-foot east face. "This world of lichen is something that climbers see up close every day without knowing very much about it, so it's a chance for me to learn more about the world in which I live. I doubt I'll ever look at lichen the same way again."

National Park Service scientists look at lichen as one of nature's best harbingers of air pollution and climate change, so they are in a race to determine exactly what species are growing in the 1,169-square-mile park.

"It's important to know what our baseline flora and fauna are before we lose it, and lichen are a good baseline," said Martin Hutten, a Yosemite lichenologist who entered the field after discovering that air pollution had destroyed all but the most hearty lichen in his native Netherlands.

Hundreds of species of slow-growing lichen in the Sierra Nevada cling to everything from trees and shrubs to metal handrails over Merced River tributaries. Like tiny sponges, they suck from the atmosphere both the water and nutrients that feed them—and the pollutants that kill. Yosemite scientists are beginning to use the lichen as an indicator species for the amount of polluting nitrogen and sulfur in the forests.

"There is a tremendous amount of biodiversity that hasn't been discovered here in Yosemite," said Niki Nicholas, Ph.D., the park's chief of resources management and science. "People probably think that Yosemite has been around forever so everything must have been discovered."

Last year, scientists cataloged a new orchid unique to Yosemite, and two years before that found three new species of bees.

"If we have it now, we can see if we still have it 15 years from now," said Linda McMillan, the chairman of the American Alpine Club's Yosemite Committee who has been recruiting members to work on similar projects in parks and nature preserves around the world. "No one group in the world can understand something as complex as an ecosystem."

The lichen study is part of an ongoing public-private effort funded by the federal government and the nonprofit Yosemite Fund to take a biological inventory of the park's resources in a rapidly changing environment.

"I can think of worse ways for my tax dollars to be spent," said Steve Mackison, visiting from Maryland, as he watched a Hutten rappel down Vernal Falls with a volunteer expert for support.

Already the research has led to new discoveries in Yosemite, where scientists had assumed the vivid black, gray and rust-colored bands that run down the face of Vernal Falls were oxidized minerals washed there over centuries by falling water. "One thing we have definitely established since getting close is that a lot of these streaks are different things that are alive," Hutten said.

The search for new lichen species in Yosemite paid off when scientists found one pollution-intolerant species, *Altextoria sarmentosa*, which was thought to exist in only one place in California. They say some of the approximately 100 unfamiliar species they are sending to Oregon State University for further testing could turn out to be unique to the park and, perhaps, the world.

"Already we have doubled the number of species known to be here," Nicholas said, "but we know we have lots more."

Lichen species may be unique to Yosemite Effort to gather samples attracted climbers worldwide.

The Associated Press

Merced Sun-Star, Wednesday, September 24, 2008

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Western cap and trade initiative faces obstacles

By JEFF BARNARD, Associated Press Writer

Modesto Bee and Tri-Valley Herald, Wednesday, September 24, 2008

GRANTS PASS, Ore. — A new Western regional plan to cap and trade greenhouse gas emissions faces a tough road in state legislatures, where the details still must be worked out.

The Western Climate Initiative would establish a regional market to trade carbon emissions credits, allowing industries that emit greenhouse gases to buy and sell credits for their emissions. The goal is to cut the region's carbon emissions to below 2005 levels by 2020, a roughly 15 percent reduction.

The initiative, proposed Tuesday by seven western states and four Canadian provinces, covers more polluters than other regional plans adopted in the United States, Canada and Europe.

The leading issue for states will be just how many of the emissions permits will be sold to utilities, manufacturers and oil companies, and how many will be handed out free of charge to get the ball rolling, observers said.

There is also going to be wrangling over just what sorts of offsets for carbon dioxide emissions really work and will be permitted to be traded.

For example, the timber industry feels that cutting trees for lumber then planting new trees is more effective than letting old growth forests stand.

But a scientific review of 500 research plots around the world published in the journal *Nature* found leaving old growth forests standing stored more carbon.

"The extra challenge now - besides getting the allocations right, dealing with the offset issues, dealing with complex regulatory issues - I think will be finding the dollars to stimulate the innovation needed," said Bob Dopelt, executive director of the University of Oregon's Climate Leadership Initiative.

Oregon Gov. Ted Kulongoski has suggested a minimum of 10 percent of the emissions credits be auctioned rather than given away, but environmental groups would like 100 percent, and industry generally doesn't want any.

Jeremiah Baumann, a program director for Environment Oregon, said the allocation credits amount to currency worth billions of dollars, and it is not fair to taxpayers to hand them out for free.

But lobbyist Erica Hagedorn said carbon dioxide emitters she represents are afraid the costs are too high for too little return, especially in Oregon, where so much of the electricity is produced by carbon-free hydroelectric power, and little comes from burning coal, a major CO₂ source.

Though there is support for cap and trade in the Oregon Legislature, particularly among controlling Democrats, there will be a tough fight over the details, said Rep. Jackie Dingfelder, chairwoman of the House Energy and Environment Committee.

She said the goal is to allocate the costs in a fair way.

Utilities in Oregon and Washington, though generally supportive of combating global warming, are concerned about how the credits are allocated.

In the Washington Legislature, Rep. Hans Dunshee said he believed the costs of doing nothing were greater than the cap and trade program, but there was still a lot of opposition from business.

And in Utah, legislative leaders fear the state's businesses would be put at a disadvantage in a global economy.

"We want to make certain we do not unnecessarily harm Utah businesses," said state Senate President Jon Valentine, said. "You can end up with such an aggressive approach that it hurts businesses in Utah and makes us not competitive."

Not all states have figured out how to deal with the details.

New Mexico Gov. Bill Richardson said he will appoint a panel to make recommendations, some of which may need legislation.

"We realize, here in the West, that we cannot wait for the federal government to get off its hands," he said.

Other states involved in drafting the plan were Arizona, California and Montana, as well as the Canadian provinces of British Columbia, Manitoba, Ontario and Quebec.

[Daily Breeze Editorial in the LA Daily News, Wednesday, September 24, 2008:](#)

Putting rooftops to work

As California attempts to clamp down on greenhouse gases and the cost of energy continues to rise, rooftop solar and wind power systems look more and more attractive. Small wind generators are especially appealing because they are generally cheaper than solar systems, and homeowners' investments can be recouped in about a decade.

Of course, the installation of such systems requires some oversight by local planning agencies. That's why it's encouraging to see the Hermosa Beach Planning Commission take an interest in this issue.

The commission last week voted to remove height restrictions on solar systems. Certain structures, such as chimneys and fans, are already exempt from height restrictions.

The exemption for solar systems should encourage their use in Hermosa, where 14 homeowners are now applying to install them. Under state law, local agencies cannot deny permits for solar installations unless they somehow threaten the public's health or safety.

California has become a leader in the regulation of greenhouse gases since Gov. Arnold Schwarzenegger signed Assembly Bill 32, the California Global Warming Solutions Act of 2006. And putting a greater emphasis on nonpolluting, renewable energy will help the state achieve reductions in carbon emissions and become more energy independent.

Indeed, legislation now making its way through the Legislature, AB 2789, would limit local controls on home wind generators to encourage homeowners to consider buying wind turbines to generate power.

The Hermosa panel is currently studying how the city should regulate such wind systems. A representative of a company specializing in wind turbines, PacWind of Torrance, gave a presentation to commissioners last week. Such wind turbines rotate on a vertical axis, are 48 to 96 inches in height and can produce about 10 to 15 kilowatts of power.

Among the people who have installed PacWind turbines are "Tonight Show" host Jay Leno.

Typically, the turbines must be mounted at least 30 feet above structures or natural features. Wind generator enthusiasts say the newest models are quiet and compact, but considering how neighbors' sensibilities can be affected, it makes sense for cities to have workable rules on noise, height, set-backs and electric code compliance.

We hope other cities will have similar discussions. The interest in rooftop wind and solar systems can only increase in the future. Creating a workable regulatory framework for such systems makes sense because they will help reduce the stress on the power grid during peak electricity demand times and reduce water and air pollution.

The South Bay has no shortage of sun and wind, and homeowners should be encouraged to tap into both.

[Note: The following clip in Spanish discusses 27 states activate measures against air pollution this week. For more information on this Spanish clip, contact Claudia Encinas at \(559\) 230-5851.](#)

Activan 27 estados medidas contra la contaminación esta semana

Manuel Ocaño

Noticiero Latino

Radio Bilingüe, Tuesday, September 23, 2008

Un total de 27 estados activará esta semana medidas restrictivas contra la contaminación del aire en dos grandes regiones de Estados Unidos y Canadá.

Este martes 17 estados del oeste norteamericano acordarán recomendaciones para promover el crecimiento económico con menos contaminación y para imponer topes a las emisiones de gases en la región.

El jueves diez estados del noreste del país comenzarán a cobrar tarifas para que las empresas tengan permisos de operar, pero con autorización para contaminar durante sus operaciones aunque hasta determinados límites, que sean manejables.

Las dos asociaciones regionales contra la contaminación son las mayores en el país.