

Oakdale residents say sludge plan stinks **Some are circulating petition against the proposal**

By Garth Stapley, staff writer

Modesto Bee, Tuesday, Dec. 1, 2009

Stinky sludge may be good for orchards but surely will offend neighbors, say hundreds of Oakdale people willing to stand up to their city's largest employer.

ConAgra Foods, which puts 1,200 people to work during packing season, needs to dredge a waste-water pond and get rid of 60,000 tons of muck, mostly water with tomato and bean residue, accumulating for at least 20 years.

Its plan is similar to a decades-old practice of pouring mostly clean rinse water from the plant on rancher John Brichetto's nearby fields and orchards, except that Brichetto's men would use tractors to work sludge into the soil.

But people familiar with odors from ConAgra's sewer pond south of town predict that the stirred-up muck will stink to high heaven despite the company's assurances that it will work to contain the smells. They say the notion to spread it on Brichetto's 13 parcels near town, some within a stone's throw of dense neighborhoods, reeks.

"I invite you all to eat your lunch" at ConAgra's pond, grower Hendrik Bomer wrote in a letter to Stanislaus County environmental resources officials. County leaders are scheduled Dec. 8 to consider the company's request for a sludge-spreading permit.

Bomer, a believer in soil amendments and farming rights for the four decades he's farmed near Oakdale, says he's a friend of Brichetto. But dumping muck near people's noses could "light up the town," he said.

Proposed rules would keep sludge at least 300 feet from homes. ConAgra would concentrate dredging into an initial three-week period, but afterward would be allowed intermittent spreading year-round, according to a county report.

Others predict that the muck would draw rats, flies and mosquitoes or maybe harm private wells. Still others are wary of the estimated 2,400 trips needed by trucks to scrape the pond's bottom and carry sludge away in the initial period.

Petitions against the permit have been signed by the likes of former Mayor Pat Kuhn and former Public Works Director Mike Pettinger, both of whom live in neighborhoods near proposed application sites. They and 156 other signers "are in united and stern opposition," the petition reads, noting more than 300 houses, three churches, a school and a social hall sit not far from one site just west of town.

Sure, the permit would benefit ConAgra and Brichetto, the petition reads -- but it is not helpful to everyone else.

"The material could very well cause an overwhelming stench and an environment for flies, mosquitoes and other related pests," wrote Dan and Janet Medina in another letter. They also live near Oakdale's west end.

State Department of Fish and Game officials are worried that the sludge might affect water quality in the nearby Stanislaus River, and could harm wildlife such as fish and the threatened Swainson's hawk. State air pollution control officials say so many trucks could cause a breathing risk.

Heidi Jorgenson, principal of a Seventh-day Adventist grade school, worries that an "unpleasant aroma" and flies could ruin her pupils' lunch, recess and PE classes.

Industry experts are divided.

Martin Reyes, chairman of the Stanislaus County Food Processing Byproducts Reuse Committee, years ago helped develop a byproducts recycling program considered a good example to other California communities, he said. ConAgra's sludge plan "goes beyond" traditional practice, he said, and "could bring negative attention to what is otherwise a successful model."

"It would be devastating to have that approval put in jeopardy," Reyes said in a letter.

But the California League of Food Processors says ConAgra's pond mud is "not toxic or hazardous materials. Returning those materials to the land will constitute a beneficial reuse."

Rob Neenan, the league's vice president, noted that ConAgra would be prevented from overloading any single site and would spread sludge in "relatively thin layers ... tilling it into the soil right after it has dried," or within three days. The plan poses "no risk to water, air, land or human health," Neenan said.

City Hall supports the permit, Deputy Public Works Director David Myers said in a letter. However, he acknowledged odor complaints about ConAgra's pond.

Mike Adian, who lives near a proposed application site north of the river, suggested a trial run before leaders consider the permit.

"Why not set up a test area where the public can view and smell the material to be spread?" Adian said.

Air quality issues are focus of grant to Fresno State

Fresno State News Wednesday, Nov. 24, 2009

The Fresno Regional Foundation has granted \$19,840 to California State University, Fresno's College of Science and Mathematics to develop activities that improve local high school students' knowledge of air quality issues.

A check will be presented by foundation officials at 4 p.m. Tuesday, Nov. 24, to college Dean Andrew Rogerson, Associate Dean Fraka Harmsen, Dr. Don Hunsaker, director of the Institute for Climate Change, Oceans and Atmosphere at Fresno State, and Dr. Alam Hasson, an associate professor of chemistry and the project's principal investigator.

The project involves collaboration among Fresno State researchers and two community groups: the Coalition for Clean Air and the Fresno-Madera Medical Society.

Fresno State faculty will deploy air quality monitoring equipment at high schools, where students will measure and interpret air pollution.

Students will identify an environmental problem in their community, and then several students will be selected to participate in a summer internship, spending several weeks at Fresno State scientifically investigating their issue. That will be followed by an internship at one of the community partners to learn about the environmental legislative process.

"This is a great opportunity for Fresno State to help high school students not only learn about one of the region's most important environmental challenges, but also gain an appreciation about how they can help make things better," said Hasson.

The Fresno Regional Foundation's purpose is to improve the quality of life in the central San Joaquin Valley.

California statehouse staffer is a superstar of his own

Kip Lipper, who is as renowned inside the Capitol as he is anonymous outside, is responsible for some of the nation's most groundbreaking environmental laws over the last 30 years

By Eric Bailey, staff writer

L.A. Times, Sunday, Nov. 29, 2009

Reporting from Sacramento - If he were a basketball star instead of a statehouse staffer, he'd be Kobe Bryant or Magic Johnson -- a veteran playmaker, feared by foes, his best moves unleashed just before the buzzer.

But like so many Sacramento insiders, Kip Lipper plays out of the limelight, in the back corridors of the Capitol, unknown to the public whose air and water and ecological ethos he has made his specialty over the last three decades.

As the environmental expert for the state Senate's ruling Democrats, Lipper has helped craft many of California's groundbreaking laws in that realm -- and become a foil for Republicans irked by what they view as regulatory excess, and by the economic fallout.

His fingerprints are on the California Clean Air Act, the state Safe Drinking Water Act and the landmark 2006 curbs on greenhouse gas emissions. Legislation that boosted recycling, reduced landfill dumping, saved redwoods and cleaned up power plants are also part of his highlight reel.

Most recently, he aided negotiations that helped break a quarter-century deadlock and produce an \$11-billion plan to fix the state's balky water system and revive the flagging Sacramento-San Joaquin River Delta.

His boss, Senate President Pro Tem Darrell Steinberg (D-Sacramento), calls him "a force of nature."

Lipper, 55, is as renowned inside the Capitol as he is anonymous outside. He may not hold an elected post, but friends and foes alike call him the "41st senator."

"He has more influence than some senators," said state Sen. Tony Strickland (R-Thousand Oaks), but that's not necessarily a compliment.

"You can't fault Kip for being good at what he does," Strickland said, "but I personally believe the voters would rather that the power lies with the people they elected."

Among GOP staffers -- few of whom would talk about him on the record for fear of his political power -- Lipper has a reputation for legislative sleight of hand bordering on grand larceny.

They talk about bills being "Lipperized" -- changed into something they hardly recognize or left to rot in committee. They fear being "Kipped," or outfoxed in the sly game of shaping new laws.

During last summer's heated budget negotiations, a leaked memo from Senate GOP Leader Dennis Hollingsworth (R-Murrieta) held a telling bullet point: a warning to "keep Kip from writing" a Republican-backed bid for a new offshore oil project.

Lipper calls himself "a legi-crat" and credits the state's environmental bent to lawmakers, "good guy" environmental groups and a nature-loving electorate.

"I'm pleased to be a part of that accomplishment," he said. "But I also know it has much less to do with a single staffer."

Lipper only reluctantly agreed to be interviewed.

"I'm not interesting, hate attention and like to hide in my office," he said.

His work space is a solemn, top-floor corner of the Capitol's old wing. A crush of cardboard boxes rises halfway up one wall -- the detritus of institutional knowledge in short supply in the term-limits era.

The opposite wall displays awards for environmental achievement, framed copies of significant bills and photos: Lipper with former Assembly Speaker Willie Brown, Lipper shaking hands with Gov. Arnold Schwarzenegger.

He had a ringside view of the recent water talks, at work and at home.

Lipper lives with his wife and three children in a home set amid oaks and vineyards near the delta, traveling to work each day in an apple-red Toyota Prius.

Some of his farming neighbors are among the fiercest critics of the water deal, which they say could undercut the delta and their operations.

A balding, barrel-chested man with a closely cropped beard and blue eyes behind black-rimmed glasses, Lipper laments having gained 100 pounds since his days as a scrappy point guard in high school in Pasadena during the early 1970s.

He grew up in a politically mixed household. His mother remains a staunch Republican; his late father was a liberal Democrat and former journalist who always told Lipper that the Legislature was "the last bastion of the optimist."

Lipper's sister, Donna Lucas, said her brother held his own at family dinner-table debates.

"He's wickedly smart," said Lucas, who went the political route herself but worked for Republicans, including Govs. George Deukmejian and Schwarzenegger. "I don't like to argue with him."

Lipper hadn't foreseen a career in government. But after earning an English degree at USC, he became a legislative intern.

That led to a job in the Huntington Beach office of newly elected Assemblyman Dennis Mangers, a Democrat from Orange County, the site of a fight over the fate of the Bolsa Chica wetlands.

His future as environment guru was set later, when Mangers lost his seat in the 1980 Reagan sweep and Lipper went to work for Byron Sher, a Stanford Law School professor and unabashed protector of nature who had just been elected to the state Assembly.

Over the next 24 years, the Democratic lawmaker and Lipper forged laws to protect clean water, clean skies and forests, and to advance bottle recycling and renewable energy.

"There's no body of work like it in the United States," said V. John White, an environmental lobbyist and longtime friend of Lipper. "There's no legislative staffer like him anywhere in the United States."

Lipper's career has not been free of dark moments.

In 1996, GOP Assembly staffers cracked Sher's computers and discovered fundraising letters that Lipper had drafted on legislative time for his Democratic boss, who was then running for state Senate.

California law bars the use of government resources for political purposes, but state election watchdogs declined to take action.

Lipper was fired by Assembly leaders -- only to be rehired by Sher after he was elected to the Senate a few months later.

"It was wrong and a dumb mistake on my part," Lipper says today.

Sher was termed out in 2004, and Lipper has worked for the Senate's top Democrats in the five years since. With a \$165,000 annual salary, he is among the highest-paid legislative staff members.

What that buys, Republicans said, is a playbook designed to keep them -- and even some Democrats -- out of the loop.

Lipper springs bill language and analysis at the last possible moment, they said, robbing rival staffers and lawmakers of a chance for careful review.

One longtime Republican consultant said he was dismayed at being told by Lipper that a bill wasn't ready -- only to find an environmental lobbyist reading a finished copy in a Capitol hallway.

"Such allegations are inaccurate," Lipper said.

"It's just a bunch of sour . . . grapes," said John Burton, a Democrat, former Senate leader and one of Lipper's former bosses.

Lipper doesn't always score the winning bucket. He grudgingly went along with a recent deal to let a proposed new football stadium in the City of Industry skirt state environmental rules, a precedent that upset some activists.

But mostly, Lipper has won.

"I do feel that the California Legislature has been the world's most important deliberative body in terms of advancing environmental policy," he said.

"I'm proud to have worked for the people who accomplished that."

Plume of Pollutants from a Small Airport

By Henry Fountain, staff writer
N.Y. Times, Monday, Nov. 30, 2009

For people who live near an airport, noise is a major concern. But air quality can be an issue, too: after all, aircraft engines produce emissions on the ground as well as in the air.

Air quality around airports has not been studied much, however, and when it has, the focus has been on larger airports, which usually have buffer zones separating them from neighborhoods. A study by Shishan Hu and Suzanne E. Paulson of the University of California, Los Angeles, and colleagues is one of the first to analyze the air at a small airport nestled in a neighborhood.

The researchers sampled air around Santa Monica Airport, a general aviation field near Los Angeles that averages 80 arrivals daily of propeller planes and corporate jets. As they report in *Environmental Science and Technology*, they found high concentrations of ultrafine particles of organic carbon and sooty black carbon in a plume extending more than 2,000 feet downwind of the airport. The plume was longer than those typically found around highways in daytime.

Dr. Paulson said that while epidemiological studies had shown that there were health risks with these kinds of emissions by vehicles, there had not been similar analyses done around airports.

"Without epidemiological data, it's hard to really know what those are doing to people in the neighborhood," Dr. Paulson said. "That said, I wouldn't personally choose to live there."

Group, planned Idaho plant reach CO2 emissions pact

Capital Press Ag Weekly Tuesday, Dec. 1, 2009

BOISE, Idaho (AP) -- A proposed southeastern Idaho fertilizer plant due to be powered by turning coal to gas will adhere to strict greenhouse gas emission limits, according to a voluntary pact negotiated with the state Department of Environmental Quality and two environmental groups.

An air quality permit issued in February for the planned \$1 billion facility in Power County was challenged by the Sierra Club and Idaho Conservation League.

The plant was originally expected to emit 2.3 million tons of carbon dioxide annually, twice the emission level from a standard fertilizer plant, those groups said.

The new permit, issued Monday by the state, allows the plant to release 756,000 tons per year.

Ramesh Raman, who heads the company pushing the facility, said in a press release the agreement shows his commitment to sustainable business.

Change shadows Rocky Mountain National Park

By Bobby Magill, Fort Collins (Colo.) Coloradan
USA Today, Monday, Nov. 30, 2009

ESTES PARK, Colo. — John Mack hopped out of his government-issue Ford Escape one recent November day and confirmed that a lone wind-topped tree between campsites at Glacier Basin Campground at Rocky Mountain National Park was a lodgepole pine killed by pine beetles.

Mack, natural resources branch chief at Rocky Mountain National Park, pointed to pockets of dead trees amid the lush green lodgepoles uphill of the campground.

The pine beetles, he said, are now eating their way into forests on the east side of the park after laying waste to forests on its west side.

Just over five years before its 2015 centennial, Rocky Mountain National Park — nicknamed "Rocky" among park staff — is in a state of flux as climate change bears down on it, deferred maintenance projects rack up a price tag greater than \$50 million in the down economy, and industry-tainted air quality becomes a primary concern among park biologists.

The chemical composition of both tundra soil and mountain lake water is becoming more toxic for plants and animals because agricultural and industrial pollution deposit nitrogen in sensitive areas, according to the Colorado Department of Public Health and Environment.

Populations of pika — tiny rabbitlike mammals — are disappearing in the park's newly designated wilderness.

Challenges and hopes

Glacier Basin Campground is the postcard example of the challenges and the hopes for Rocky Mountain National Park.

Closed since 2008, the campground has seen half of its trees — many killed by the pine beetle — shorn to the ground. Once-sheltered campsites are exposed to sunlight and sweeping views of Trail Ridge and snow-clad peaks.

The other half of the campground remains shaded under a dense stand of young healthy looking lodgepoles, each one sprayed with a chemical to keep the pine beetle at bay.

There has been no lack of road construction projects at the park in recent years, each one taking a chunk out of the park's more than \$80 million worth of deferred maintenance projects, park superintendent Vaughn Baker said.

Once the road projects are complete, about \$50 million in maintenance projects will remain, Baker said.

Each year Rocky Mountain National Park receives \$6 million to \$8 million in congressional appropriations and entrance fees designated specifically for maintenance projects, Baker said. If that level of funding continues, the backlog of maintenance on more than 800 buildings, trails and campgrounds will take about a decade.

"We've got a ways to go," Baker said.

There's a lot to do: Trails that have hardly been touched in 75 years need to be reconstructed to allow for proper drainage and prevent erosion. Historic buildings need to be maintained, and old sewer lines must be replaced.

The park also is considering the potential for a surge in visitors over the next two decades, when an additional 2 million people are projected to visit annually, Baker said.

"At what point do you say enough is enough?" he said. "In some areas (other parks) have limited access to a particular part of the park because of the fragility of the resources. We haven't come to that here yet. We haven't established a threshold."

Though the crowds visiting Rocky Mountain National Park's 265,000 acres peaked in 1999 when 3.18 million people visited, the number has hovered from 2.7 million to 3 million for years, according to Park Service statistics.

Environmental issues

The wild backcountry many come to explore at the park may be changing as rapidly as the bark beetle is spreading.

Of the five populations of pika known in the park, two low-elevation populations disappeared this year, said Ben Bobowski, the park's chief of resource stewardship.

The health of pikas in Colorado has long been known as a possible indicator of the impact of climate change, but it's premature to say whether climate change is behind the pika's disappearance, he said.

"It's difficult to say it's a cause and effect," he said. "But it certainly seems that it's one indicator of change."

Park biologists' observations next summer will provide more clues, he said.

The park is also battling many unknowns, such as the future of the park's glaciers, Bobowski said.

Unlike other mountain parks across the West, Rocky Mountain National Park's glaciers aren't rapidly melting — yet. Many are tucked away in shady nooks where sub-freezing temperatures most of the year keep them from dripping away.

"We haven't seen anything dramatic as of yet attributed to climate change," Bobowski said. But, "we're preparing for them to retreat."