

## **Valley air board takes aim at businesses with proposed rule**

By Melinda Morales, staff writer

Visalia Times-Delta and Tulare Advance-Register, Friday, Dec. 11, 2009

A rule aimed at businesses that proposes to decrease air pollution by reducing the number of trips employees take traveling to work or job assignments could spell added costs for employers

A hearing is scheduled for next week in Bakersfield that will give the public a chance to ask questions and offer feedback. A link to a live webcast will be available that day for those unable to appear in person.

Rule 9410 is proposed to be phased in over the next four years. It sets in place a points system that employers must follow to educate employees on alternative ways to get to work, ways to limit travel during the work day, and other ways to reduce emissions from autos.

Employers will be encouraged to pursue compressed work weeks, bike-to-work plans, lunch programs, fitness classes or entertainment options during lunch, and onsite childcare, as ways employees can reduce the number of trips they take each day.

Not all businesses will be affected by the rule, said Seyed Sadredin, executive director of the San Joaquin Valley Unified Air Pollution Control District.

“The rule only applies to large employers with eligible employees,” he said. He defined eligible employees as those workers who come to work between 6-10 a.m., a peak travel time for commuters.

Also exempt are agricultural field workers who travel by vanpools — “That’s a model,” he said — and health-and-safety workers whose schedules can vary due to emergencies.

Also affected are public employees in all eight counties governed by the air board.

Part of the reason the rule will be phased in over a period of years is because of the current economic conditions, Sadredin said. “We want to make sure businesses have enough time to put in place the measures that are being mandated.”

There are three major phases to Rule 9410:

- Phase 1: Occurs in 2011 — Will focus on marketing and education to give employers time to educate employees about options available.
- Phase 2: Occurs in 2012 — Put in place measures that give onsite support to employees, like food services, or access to banking.
- Phase 3: Occurs in 2014 — Financial incentives for carpooling or other modes of transportation, or changes to scheduling. Those programs that are more involved, require planning or negotiations.

All employers will have to register by 2010.

Knowing that employers cannot require employees to do anything, the rule is designed to require employers to provide the infrastructure education, and incentives, Sadredin said. “And if they do not put in place these measures, that would be a violation to the rule.”

Although the Visalia Chamber of Commerce has not taken an official position on the proposed rule, Glenn Morris, who serves as the chamber’s executive officer, said that incentives rather than mandates should be the method the air board follows.

"Whether it's this rule or most of [the air board's] approaches, we think they go about it backwards," he said. "Rather than mandates, they should incentivize so that business or individuals do it because they want to do it but not forced to do it."

He said that depending on the potential fees for violating the mandate, the costs to employers are one more reason businesses may consider this area not a good area to do business.

"Are we creating disincentives to grow beyond a certain point?" he said. "What does that do to employment in the Valley? Or will businesses choose to grow somewhere else? Those are the kinds of consequences we're not sure they have thought through."

#### **About Rule 9410**

- The rule attempts to reduce emissions produced by employees traveling to and from work or job sites.
- Affects employers in the San Joaquin Valley Air Basin with 100 workers or more.

#### **Additional Facts -- How to attend**

- What: Public hearing on Rule 9410 Employer Based Trip Reduction
- When: 9 a.m. Dec. 17
- Where: 1990 E. Gettysburg Ave., Fresno

Video teleconference available at the air district's regional office, 34946 Flyover Ct. in Bakersfield where interested parties can submit comments or questions. Or view only via the Internet at [www.valleyair.org/Board\\_meetings/GB/governing\\_board\\_schedules.htm](http://www.valleyair.org/Board_meetings/GB/governing_board_schedules.htm).

### **County may ask state to investigate birth defect concerns in Kettleman City**

By Eiji Yamashita, staff writer

Hanford Sentinel, Friday, Dec. 11, 2009

A Kings County supervisor called on county leadership Wednesday to ask for a full state investigation into what has caused the recent spike in birth defects and infant deaths in Kettleman City.

Supervisor Richard Valle said he met with Dr. Michael Mac Lean, county health officer, and County Administrative Officer Larry Spikes on the matter.

The concern -- raised this July by residents of this small farming town southwest of Hanford -- has become the center of debate in the controversy surrounding Waste Management's plan to expand its hazardous waste landfill operation 3.5 miles from the area.

The cluster of health problems in Kettleman City has attracted much media attention -- both local and national -- recently, including Tuesday's Los Angeles Times report, putting heat on the county leadership to take action.

"The time is now for the county to show that we are being responsive and attentive to these concerns," Valle said. "You take the Waste Management permit process out of the picture, we would still have these concerns. As the supervisor for that district, I'm obligated to ask the county to follow through on these concerns."

The announcement comes two days after the county Board of Supervisors held an appeal hearing on Waste Management's landfill expansion plan. The county Planning Commission approved the permit in October, but opposition groups subsequently challenged that decision, leading to the appeal hearing.

Supervisors are expected to vote on the project Dec. 22.

Residents and environmental justice activists want the county to hold off on a decision at least until health concerns are investigated and pollutants from Waste Management's Kettleman Hills Facility are ruled out as causes. Even Waste Management officials have recently urged the county to do more to address residents' concerns.

Environmental activists' survey found that five out of 20 babies born during the 14 months beginning September 2007 had birth defects.

Three of them died; each had been born with a cleft palate.

Mac Lean previously said the county has requested the state provide updated statistical analysis specific to Kettleman City, explaining that the state data is a far more reliable approach than a door-to-door survey.

He has said it is difficult to quantify the relationship between specific pollutants and birth defects and little science can be done with just five cases to elicit conclusive results.

But Valle wants the state to conduct an on-the-ground investigation involving interviews with family members of babies born with a cleft palate and other birth defects.

It was unclear how Valle's request would affect the time frame for the vote. But Valle's request will most likely have to come before the entire board for a vote.

It's unknown when supervisors may take action on Valle's request.

CAO Spikes was not immediately available for comment Wednesday.

### **Rise in sea levels threatens California ports**

***Because of global warming, ocean levels are expected to increase by 16 inches over the next 40 years, causing flooding and endangering facilities throughout the state.***

By Ronald D. White, staff writer

L.A. Times, Thursday, Dec. 10, 2009

Global warming and a resulting rise in sea levels present a direct threat to the world's seaports -- and many of California's harbors are nowhere near ready, state officials say.

Sea levels in California are expected to increase 16 inches over the next 40 years, causing flooding and endangering facilities throughout the state, according to a report by the California State Lands Commission. By 2100, the ocean could rise as much as 55 inches, the report said.

Most of the 40 ports and shipping hubs surveyed by the state said they were not prepared for the rise in sea levels.

At the ports of Los Angeles and Long Beach, rising water could damage ground-level facilities and toxic-waste storage sites, said Geraldine Knatz, executive director of the Port of Los Angeles, the state's largest.

In Oakland, the site of the state's third-biggest port, higher water could cause flooding and impede the movement of goods on highways and by rail, officials said in response to questions in the survey.

"We need to start planning for these things now, so that we're not caught having to do a lot of remedial repair work 15 years to 20 years into the future," Knatz said in an interview Wednesday.

The state's Sea Level Rise Preparedness report comes as port officials from around the globe are planning to attend the United Nations climate change summit in Copenhagen this week and

next.

Knatz, who expects to meet with officials of other harbors and discuss shipping issues at the conference, said the nation's ports must be leaders in crafting a response to rising sea levels.

"We need to deal with these issues at the international level more quickly than we normally do. We need to be out ahead of the regulators and set a high bar," she said.

Knatz and officials from at least six of the world's biggest seaports will be presented with widely conflicting assessments of the potential for damage and economic disaster from rising sea levels.

Among the conference attendees will be representatives of the Port of Rotterdam, Netherlands, which is Europe's biggest and lies below sea level. Dutch officials are planning bigger and higher sea barriers even though the port already lies several miles behind a series of dikes and has some of the world's most comprehensive sea rise defense systems.

According to the California report, which was released this week, higher sea levels would cause flooding up and down the coast. Responding to the state's survey questions, Newport Beach officials said there could be "flooding over most of our bulkheads when coupled with storm surge."

The San Diego Unified Port District said a 55-inch rise was likely to result in substantial effects and flooding of some facilities in both urban and wildlife areas, according to the report.

Santa Barbara officials reported that amount of rise "would basically flood or inundate the entire area, destroying most all facilities as currently constructed."

To help prepare for the sea level increase locally, the Port of Los Angeles plans to take part in a Rand Corp. study of sea level rising. Because ships have become bigger over the years, the port's cargo container wharves are already about 15 feet above sea level. The port's oldest docks are 12 feet above sea level.

Long Beach has used fill from major construction projects to elevate some of its port facilities 10 feet above sea level, said Al Moro, Long Beach's chief harbor engineer.

Experts said some preparations would come naturally from the need to service ships of increasing size and height.

"The big, modern ports should be able to handle small to moderate increases in sea levels," Asaf Ashar, head of the Washington office of the National Ports and Waterways Institute.

A far more alarming assessment was released last week by the Munich, Germany, office of the World Wildlife Fund, the Munich-based insurer Allianz and the Tyndall Center for Climate Change Research at the University of East Anglia.

That study suggested that too little attention had been focused on the combination of rising water levels in conjunction with other events, such as hurricane damage along the U.S. East Coast.

In the Los Angeles-Long Beach-Santa Ana region, sea level rise could expose \$96.5 billion of infrastructure to damage, the WWF-Allianz report said. It said cities like New York could face damages in the hundreds of billions of dollars if rising sea level is combined with hurricane storm surges.

For its survey, the California State Lands Commission used research from the Scripps Institution of Oceanography at UC San Diego, the U.S. Geological Survey, Santa Clara University, the California Department of Boating and Waterways and the Hydrologic Research Center.

Of 104 ports and shipping hubs contacted by the state for its survey, just 40 responded -- and most of those appear to be unprepared, officials said.

"The majority of the respondents have not yet begun to comprehensively consider the impacts of sea level rise," the report said.

State Lands Commission officials said ongoing assessments of preparedness would be crucial in the coming years. They noted that the California Climate Change Center has estimated that nearly half a million people, thousands of miles of roads and railways, and major ports, airports, power plants and wastewater treatment plants are at risk if a 55-inch rise in sea level is combined with a once-in-100-years flood event.

"This is going to be part of a continuing battle and a continuing planning effort," said Paul Thayer, executive officer of the California State Lands Commission.

"One of our goals was to take the pulse of California's maritime industry. It's important that we start working on this. We have some time to do the right planning, but we have to use that time wisely."

### **Senate negotiators outline climate-change plan**

Jennifer A. Dlouhy, Hearst Washington Bureau  
In the S.F. Chronicle, Friday, Dec. 11, 2009

Washington - -- Senators negotiating a bipartisan climate change bill on Thursday unveiled the broad outlines of their plan to combine greenhouse gas limits with expanded offshore drilling, more nuclear power and protections for refiners in a bid to attract support from wary lawmakers.

Sens. John Kerry, D-Mass., Lindsey Graham, R-S.C., and Joe Lieberman, independent-Conn., announced their proposal as international leaders at a worldwide summit in Copenhagen were trying to devise a plan to combat global warming.

The proposal sets a goal of cutting U.S. emissions of carbon dioxide and other greenhouse gases by 17 percent of 2005 levels by 2020 - a target that matches the House bill but is more lenient than the 20 percent envisioned by a separate Senate climate change measure. By 2053, emissions would be scaled back by 80 percent under the plan.

The three senators intend to use a combined energy and climate change plan to attract support from Republican lawmakers who have criticized the leading measures as too costly for business and consumers.

### **Enforcement of nations' reduction promises is an obstacle at climate talks The monitoring dispute in Copenhagen pits wealthy Western nations against emerging powers China and India, and it carries profound environmental and economic implications.**

By Jim Tankersley, staff writer  
L.A. Times, Friday, Dec. 11, 2009

Reporting from Copenhagen - Negotiations between representatives of the world's largest economies appeared stalled Thursday on a particularly touchy aspect of attacking global warming: how to make sure countries actually do what they pledge to do to combat climate change.

The challenge of ensuring that promises come true looms even larger than such issues as reducing greenhouse gas emissions and providing financial aid for developing countries, diplomats and environmentalists said.

"Among the major emitters, this seems to be the biggest issue," said Melinda Kimble, a former U.S. climate negotiator who is a senior vice president at the United Nations Foundation and closely engaged in the talks.

The roadblock became apparent four days into the two weeks of climate talks, as key negotiators were approaching consensus on nation-by-nation reductions in the emissions that scientists say cause global warming. They have made progress on how much aid wealthy nations will supply over the short term to help developing countries adopt low-emitting sources of energy, with the figure likely to average about \$10 billion a year.

The monitoring dispute pits wealthy Western nations against emerging powers China and India, and it carries profound environmental and economic implications.

The United States and Europe are pushing for the agreement to include language making it clear that fast-growing developing nations have promised to reduce their emissions as a share of those nations' economies. The West also wants to include some form of international monitoring of emissions and verification of the reductions.

Todd Stern, the U.S. special climate envoy, told reporters this week that international monitoring is important because the vast majority of future harmful emissions will come from developing countries.

"It is essential that they step forward and set forth the actions that they are prepared to take, make clear that they stand behind those actions and make the implementation of those actions transparent in the way that we see in many arenas all over the world," Stern said.

He went on to list global organizations to whose scrutiny developed and developing nations already submit, including the International Monetary Fund and the World Trade Organization.

China and India are resisting any effort to impose binding emissions reductions, and they fear monitoring would impinge on national sovereignty. Developed countries, viewed as largely responsible for the world's existing problems with harmful gases, were subject to binding reductions and to outside monitoring under the 1997 Kyoto Protocol, but developing countries were not.

At the talks this week, Chinese officials said they would subject their reductions to rigorous internal accounting but would not accept outside scrutiny.

Reduction pledges need some force, analysts say, if nations hope to meet the Copenhagen delegates' goal of limiting warming to 2 degrees Celsius above preindustrial levels. Europe has already launched a trading system designed to reward companies that invest in reducing emissions and penalize those that continue to rely on fossil fuel.

For those carbon markets to function, analysts say, investors need certainty that emission-reduction efforts are real.

"The only force on the planet that can generate the investment in clean energy [to sufficiently reduce emissions] is the market," said Peter Goldmark, who directs the climate and air program for the Environmental Defense Fund. "And you're not going to have a market without transparency."

The issue has boiled to the top of behind-the-scenes negotiations that ultimately will dictate the fate of any new climate agreement. In public, it has been obscured by developing nations' protests over what they call a lack of inclusion in the negotiating process and a lack of ambition on the part of wealthy nations.

Sometimes the outrage does not appear to match the reality. For example, developing nations protested this week over a draft agreement that was leaked to environmentalists and reporters Tuesday.

But many developing nations, including China and India in fact had a hand in drafting the "Danish text," a person with deep knowledge of the negotiations said Thursday. Representatives of those nations knew about the agreement's most controversial provisions, including commitments for greenhouse gas reductions by developing countries and a reduced role for the United Nations in climate policy, well before the summit began, the source said.

Many environmentalists and delegates said they hope the public clash over commitments and transparency will be resolved. There are dozens of ways to give reduction pledges force without calling them "binding," those advocates say, and the key to an agreement will be finding language that will allow both sides to declare victory.

"There are certainly ways to establish that all nations are meeting their commitments while respecting sovereignty as well," said Alex Wang, a senior attorney based in China for the Natural Resources Defense Council.

Goldmark, of the Environmental Defense Fund, said it's possible that countries could punt on some issues during the Copenhagen gathering but agree to resolve them before finalizing a legal treaty.

### **After climate talks, scientists worry about enforcement**

By Brian Winter, staff writer

USA Today, Friday, Dec. 11, 2009

COPENHAGEN — Ray Weiss looks at the chanting protesters, harried delegates and the 20,000 other people gathered here for a global warming summit and wonders: What's the fuss all about?

Weiss, a geochemist who studies atmospheric pollution at San Diego's Scripps Institution of Oceanography, says the numbers at the core of the debate in Copenhagen are flawed.

Specifically, he says the cuts that countries including the USA are proposing in greenhouse gas emissions are difficult to measure and highly susceptible to manipulation by government officials and companies.

"I don't see the point in doing all this if the numbers are so far off," Weiss said, shaking his head as he watched conference attendees hurry by Thursday. "When you hear politicians tell you that they can measure these things, just because they passed a deal in Copenhagen, I think you should take that with a few grains of salt."

Most of the summit's attention has focused on exactly how much countries will commit to cutting emissions of gases that data suggest are causing the earth to warm. Yet some scientists, legal experts and delegates say the hardest part of any deal in Copenhagen will be measuring — and then enforcing — whatever politicians decide.

Those two issues are "the iceberg on which the entire conference could founder," says Peter Goldmark, a program director for the Environmental Defense Fund, a non-profit group.

The Obama administration has proposed a 17% cut in greenhouse gas emissions by 2020, compared with levels in 2005. Most European countries have offered more ambitious cuts, while China has pushed a target that would allow its carbon dioxide output to continue to grow with its economy, though at a slower pace.

In a study last year, Weiss and colleagues took air samples and found that levels of nitrogen trifluoride, an industrial gas 17,000 times more potent than carbon dioxide as an atmospheric warming agent, were four times above what industry estimates had suggested.

He says that monitoring equipment must be significantly upgraded around the world to prevent similar fudging of data if a deal is reached in Copenhagen.

Todd Stern, a lead negotiator for the U.S. delegation, says he's pushing for a system that, after Copenhagen, "allows countries to look at each other and get confidence that everybody is doing what they said they were doing."

However, governments in India and China — which is the world's biggest carbon emitter — have resisted draft proposals that would allow for international verification of data.

Bjorn Lomborg, a Danish economist, says the problems reflect a "failed strategy" in the last two decades of international environmental talks.

"Conferences like Copenhagen allow the politicians to go back home and say 'We've got a deal!' but then the targets are almost never kept," says Lomborg, who advocates more research and development of clean energy sources to solve environmental problems.

Even if governments sign a legally binding treaty — which Stern says could happen "soon" after Copenhagen — there is disagreement among countries about how to enforce any deal.

The Kyoto Protocol, the 1997 framework under which many countries (not including the USA) agreed to emissions cuts, contains no financial penalties for governments that fail to meet their goals.

The Obama administration is advocating a "sunshine policy" in which countries would not face serious consequences for non-compliance with emissions goals, says Stephen Porter, an attorney with the Center for International Environmental Law.

Stern declined comment when asked about the U.S. position on Thursday.

"There's no hammer, no nothing," Porter says. He says China would be unlikely to agree to such a condition, and the U.S. may not currently be in a position to pressure its biggest creditor for more concessions.

That may not be enough to please those in the Senate, which is deliberating an energy bill that would implement whatever emissions cuts Obama promises in Copenhagen. Sen. Benjamin Cardin, D-Md., is among those who say any deal must carry strong enforcement measures as a way to protect U.S. industry from its competitors overseas.

One possibility would be "border adjustments," a provision that would allow countries to impose tariffs or other penalties on trading partners who fail to meet their environmental promises, says Duncan Hollis, a Temple University law professor and former attorney for treaty affairs at the State Dept. However, Hollis says such a provision would likely be years away.

"From a lawyer's perspective, or even as a parent, for God's sake, unless you set a set of rules, your kids won't respect them," Porter says. "This summit is no different."

## **Hurdles remain even if climate deal is reached**

By Ravi Nessman and Rod McGuirk, The Associated Press

In the Washington Post, Contra Costa Times and other papers, Friday, Dec. 11, 2009



JAKARTA, Indonesia -- For Indonesian farmers, burning down rain forests is the cheapest and fastest way to clear land for palm oil and pulp and paper plantations.

The millions of acres they burn every year has made their Southeast Asian nation the world's third-largest producer of greenhouse gases. And, environmentalists warn, the powerful forestry and agricultural industry will likely stymie any efforts to crack down.

As difficult as it may be to hammer out a global climate deal in Copenhagen, implementing one could prove even harder.

From New Delhi to Washington, domestic political opposition, corruption, grass-roots intransigence and sheer bureaucratic incompetence stand as significant roadblocks to any agreement on emissions curbs.

Many across the globe are hoping Indonesia, with 10 percent of the world's forests, can be a leader in rain-forest preservation.

"But I think everybody has yet to realize how difficult this is going to be," said Frances Seymour, director-general of the Indonesia-based Center for International Forestry Research.

Using fire to clear land is illegal in Indonesia, but prosecutions are rare, said Greenpeace spokesman Brian Martin. Almost 18 million acres (7.2 million hectares) of land was burned during the last dry season from January to mid-October, said Ali Akbar, an activist from the Indonesian Forum on Environment.

While reducing emissions has broad political support here, activists question whether the government has the political will to take on mismanagement and corruption in the regulation of the forestry industry, which costs the country an estimated \$2 billion a year.

"It will take strong action at the top levels of Indonesian government and international trading partners to halt the corruption in the timber industry," Human Rights Watch deputy program director Joe Saunders said.

The challenges are great across the world.

In the U.S., getting the treaty ratified, even by a Democrat-controlled Senate, will be a battle.

Republicans have charged that the emissions cuts President Barack Obama plans to offer at Copenhagen would cost jobs, making moderate Democrats nervous.

Some have urged Obama to be cautious about what he agrees to, knowing full well that the last time a U.S. administration signed an international climate treaty in the late 1990s in Kyoto, the Senate balked at ratifying it. The concern then - and now - was exceptions in the deal for developing countries, among the fastest-growing emitters of greenhouse gases.

Developing countries face their own dilemmas.

South Africa, facing severe domestic pressure to resolve energy shortages, is committed to building more coal-powered plants, angering activists.

"If (President Jacob) Zuma is in Copenhagen, he should have first cleaned his house," said Makoma Lekalakala, a South African environmentalist. "Renewable energy is an option and at the moment that is not exploited. The government needs to have political will to invest in renewable technologies."

In India, failed efforts to clean up its rivers are instructive of how difficult it could be to clean up the air.

Despite a 2001 Supreme Court ruling ordering the cleanup of the Yamuna River, despite billions in government spending to do just that, the waterway that supplies 70 percent of New Delhi's water remains a frothy, putrid sewer.

"Twenty five years ago, I used to drink from here," said Om Prakash, a 72-year-old priest sitting near a canal dumping sewage into the river. "Nobody is taking care of Mother Yamuna."

A report from the New Delhi-based Center for Science and Environment blamed in part the improper placement of treatment plants, along with fights between water-starved states over managing the river water.

The corruption and bureaucracy that derails many public initiatives in India are factors too.

In the industrial town of Kanpur, along the Ganges, officials say factories are ignoring regulations and dumping untreated sewage and industrial pollution, turning the holy river into a toxic wasteland.

"Laws are there to prevent industries from pouring their waste into the Ganges, but we need their implementation in letter and spirit," said Alok Ranjan, a local urban development official.

Still, many activists expressed optimism that India would have an easier time raising fuel efficiency standards for cars, reducing emissions from new power plants and establishing more efficient building codes than it had in trying to clean up the rivers.

India, which ranks fifth in the world in carbon dioxide emissions, pledged last week to slow the growth of its emissions significantly over the next decade.

"We are a country in a mess, but I think we have the financial technical and technological means to climb out of this mess. And there is a sliver of hope that we will," said Bittu Sahgal, editor of Sanctuary Asia, an environmental magazine.

The country faces a host of hurdles: powerful state governments that often clash with the central government, a deeply entrenched bureaucracy and little history of conservation.

Sitting near the Yamuna's bank, Mohan Lal, 61, said he's seen personal attitudes to the environment changing and has himself grown more concerned about littering.

"Slowly and steadily, people are realizing these things have to be taken care of," he said.

Then he took a long sip from his tea, swung his arm and threw the plastic cup into the brush.

## **Schwarzenegger will share California climate change story at Copenhagen**

By Jon Ortiz, staff writer

Sacramento Bee, Friday, Dec. 11, 2009

Gov. Arnold Schwarzenegger plans to carry California's climate change story to a conference in Copenhagen next week, a move that will burnish his international image as a leader in the war on global warming.

He'll also take an entourage of 20 administration officials to Denmark. Three nonprofit organizations are picking up the tab.

Administration officials say the trip and a speech Schwarzenegger will deliver on Tuesday at the United Nations conference will underscore how he has fought a political guerrilla war to cut greenhouse gas emissions – often against naysayers in his own Republican Party – as a state executive acting on what is usually considered a national or international issue.

"This matters because it's the governor following through on his leadership," said Dan Pellissier, Schwarzenegger's deputy secretary for energy and development. "He's established (environmental issues) as a key part of his tenure."

Schwarzenegger and other state officials will meet with more than 100 international leaders and 15,000 participants at the COP 15 United Nations Climate Change Conference, which started Monday and ends Dec. 18. World leaders have gathered there to work out international agreements to curtail fossil-fuel emissions that many scientists believe are speeding up global warming.

Jon Coupal, president of the Howard Jarvis Taxpayers Association, questioned whether Schwarzenegger should take the trip, given the \$21 billion budget shortfall the state is expected to face through mid-2011.

"We'd prefer the governor remain in California to look over our fiscal situation," Coupal said in a telephone interview. "The priorities are all screwed up."

And, he said, Schwarzenegger and others attending the Copenhagen conference should participate by environmentally friendly video remote: "It's ironic that all these private jets flying in are being flown by people who claim that every little bit of CO 2 put in the atmosphere is going to kill us."

Sierra Club spokesman Jim Metropulos said that Schwarzenegger "has spoken around the world" about global warming and that his group gives high marks to the governor's record.

"He is one of a few Republicans out there on this," Metropulos said. "He understands the problem. He has taken the lead."

The international community, including the United States, India and China, have struggled for years to unite on global climate change policy. Schwarzenegger's speech on Tuesday will encourage leaders in states, cities, counties and provinces to follow California's lead and enact their own policies.

Three years ago, over the objections of President George W. Bush and other Republicans, the governor signed a landmark law, Assembly Bill 32, committing California to reduce statewide emissions of carbon dioxide to 1990 levels by 2020.

Schwarzenegger also mandated that state government buildings conform to so-called "green" standards for construction and operation, ordered low-emission vehicle purchases for the state's fleet and pushed the federal government to toughen its pollution standards.

The governor will fly to Copenhagen on Monday with several high-ranking state officials, including Cal-EPA Secretary Linda Adams; Mary Nichols, state Air Resources Board chairwoman; and Mike Chrisman, secretary of the Natural Resources Agency. Several will speak on various panels or moderate discussions in their areas of expertise.

Schwarzenegger spokesman Aaron McLearn said Wednesday that the administration hadn't yet pulled together the final cost of the trip, but that three nonprofit groups are paying all expenses except for a few incidentals.

The California State Protocol Foundation, a nonprofit group financed by business groups that has footed the bill for other gubernatorial overseas trips, is paying for Schwarzenegger and his staff to attend the conference.

Expenses for everyone else will be covered by Climate Registry and Climate Action Reserve, two nonprofit groups backed by oil and utility companies.

A Bee investigation earlier this year revealed that Chevron, Pacific Gas and Electric Co. and Shell Oil are among the companies funding those organizations. California energy and utility officials have taken other climate change missions abroad with their expenses paid partly by the registry and the reserve.

"No taxpayer money will be spent on this trip," McLear said.

[Sacramento Bee editorial, Friday, Dec. 11, 2009:](#)

### **Enact truck rules based on reality**

Even before Wednesday's hearing began, it was clear that the California Air Resources Board was prepared to roll back the tough regulations on truck and bus diesel emissions it approved last December.

As its staff report stated, the down economy had already reduced at least some of the pollution that prompted the regulations in the first place. With fewer trucks on the road, air board scientists reported that diesel emissions are 20 percent lower this year than they had previously predicted.

Because of the recession, trucking firms are not in a position to pay for the regulations, which are projected to cost \$4.5 billion over the next two decades. Both big and small firms have been forced to reduce rates, lay off drivers and idle their trucks.

On top of that, a credit crunch has made it difficult and in some cases impossible for them to obtain the financing they need to pay for soot traps and cleaner-burning truck engines the new air board regulations require.

After hearing from 80 witnesses, most of them distressed truckers, the board wisely agreed to modify its regulations but not abandon them.

Board members directed staff to come back in April with different options that could slow the phase-in of the new rules in the early years – especially for small companies. The options might also expand exemptions and provide additional financial incentives for truckers to install filters.

The board did not walk away from its rules altogether, as some trucking industry officials had requested. Diesel fumes and dirty air take a toll on public health and the state's economy as well, and the board rightly recognizes that threat.

In 2014, California faces a federal deadline to meet clean air standards. Without reductions in emissions from diesel trucks and buses, the state will not be able to meet that deadline and could face sanctions, including denial of federal transportation funds.

Although the Air Resources Board made the right call this week, it took it months to do so – unnecessarily. It is also troubling that CARB Chairwoman Mary Nichols did not inform the board about an agency statistician who lied about his credentials in preparing a health study on diesel emissions.

A peer review panel has since reviewed the statistician's work and found it to be sound. But Nichols should have known better than to withhold that information from her fellow board members.

The air board's reputation and its ability to protect health rest on strong science and analyses that reflect economic reality. The board's reputation has slipped with its handling of the diesel regs, but not irreparably.