

## **Court refuses final BIA petition against development law**

The Valley Voice, Thursday, January 28, 2010

The California Supreme Court has refused to grant the state building association's petition to review a case won by the Air District over a landmark regulation controlling development-related emissions. The court ruled that it will not review the case, won by the Air District in 2008 and upheld on appeal in 2009. The suit, brought by the California Building Industry Association, claimed the Air District had no authority to regulate development and impose fees through its enactment of Rule 9510 (Indirect Source Review). The rule, adopted in 2005, imposes fees for new development in the Valley in order to mitigate related emissions. The latest ruling is the last possible avenue of appeal for the state BIA.

## **Workshop on multiuse trail set for tonight in Tulare**

By Luis Hernandez

Visalia Times-Delta and Tulare Advance-Register, Thursday, Jan. 28, 2010

A multiuse trail to connect Tulare and Visalia will provide a new, safe way to travel for bicycle and horse riders, pedestrians, runners and joggers.

And with the project in its early stages, Tulare County Association of Governments representatives want to hear ideas from residents on what the trail should look like.

TCAG will host a workshop from 5:30 to 7 p.m. today at Prosperity Avenue Baptist Church, 1781 East Prosperity Ave.

"We want to know where it should run, what it would look like and if it's a good idea," said TCAG Regional Planner Christine Chavez.

Paid for with Measure R funds, the trail will connect Tulare Santa Fe's east end with a trail that would go to downtown Visalia. Tulare's portion would run from Prosperity Avenue to Avenue 272, a stretch just shy of five miles, Chavez said. The Visalia portion is about two miles, starting at Avenue 272.

There's no estimate on how much the trail would cost, Chavez said. But plans call for the trail to include paths for bike and horse riders and pedestrians.

"It'll bring people out of their cars," Chavez said.

It's a prospect Tulare Parks and Recreation Director Milt Stowe is excited about. Stowe said county officials should take advantage of the allocated money and complete the project.

"This would be a win-win for both cities and the county," he said. "We could cut down on [pollution](#)."

The trail was approved in 2006. TCAG officials are working on a traffic study that will estimate use for the trail, Chavez said.

"I would like to see other trails that run through the county," he said.

Tulare city officials will attend the meeting, Stowe said. Chavez said she also expects officials from Visalia and the county to attend the workshop.

### **How to attend**

- What: Santa Fe Trail Connection workshop
- When: 5:30-7 p.m. today
- Where: Prosperity Avenue Baptist Church, 1781 East Prosperity Ave.
- Information: 624-7274

## **Kawneer Works on Carbon Footprint**

By Steve Pastis, Staff Writer

The Valley Voice, Thursday, January 28, 2010

Visalia - Kawneer Company, Inc. of Visalia has a new program to help its employees and others in Tulare County become part of the solution to global climate change – and reduce their energy bills.

The program, “Make an Impact,” is a joint effort by Kawneer, its parent company, Alcoa, and the Pew Center on Global Climate Change. The effort was launched at a workshop last week where employees and members of the community learned ways to live more sustainably and save money.

“If every household replaced five incandescent bulbs with compact fluorescent, the net impact in carbon emissions would be the equivalent of taking 11 million cars off the road,” said Kawneer Southwest Regional Director Michael R. Stokes, providing an example of how people can get involved. “This is the sort of thing we teach our employees so we can all learn how we can save money by reducing energy costs, but also reduce CO2 in the environment.”

Stokes acknowledged that fluorescent bulbs typically cost seven times what incandescent bulbs cost, “But they’ll last more than seven times longer. You will also save on your electrical bill by changing them out.”

Kawneer, the leading manufacturer of architectural aluminum building products and systems for commercial construction, is part of Alcoa’s global Building and Construction Systems (BCS) business unit which manufactures and markets architectural systems and products around the world. Alcoa is the world’s leading producer and manager of primary aluminum and alumina facilities.

Alcoa focuses most of the Make an Impact efforts on its employees, according to Stokes. “Alcoa values itself on how involved employees are,” he said, noting that Visalia is in the top 10 of Alcoa’s 400 plants. “That really says a lot about the workers we have in this part of the country.”

Kawneer is not only providing information about efficient energy use, it is also setting an example. The Visalia plant has a 588,000-watt, roof-mounted photovoltaic solar-power system which uses energy from the sun to generate electricity. The system provides \$100,000 in annual savings to the plant.

In addition, more than 200 solar light tubes were installed at the Visalia plant to provide day lighting and further reduce energy costs. The light tubes direct sunlight into the plant and magnify it.

Kawneer also has a state-of-the-art rotary concentrator which handles the volatile organic compounds (VOCs) emitted from its paint. These compounds are concentrated into fuel, efficiently destroying themselves.

The rotary concentrator cost \$1.4 million, and Kawneer is the only company to have one in the western U.S., according to Stokes. The company expects annual savings of \$330,000 over 20 years.

“The emission control device will reduce our emissions by 50 percent,” Stokes said. “It will reduce electrical usage, reducing the carbon needed to create the electricity we would have consumed.”

In addition to local workshops, the Make an Impact initiative includes an interactive Web site, [www.kawneer.com/makeanimpact](http://www.kawneer.com/makeanimpact), which features tips, tools and resources on how to reduce energy bills and live more sustainably.

## **Kettleman City residents fight landfill expansion**

The Valley Voice, Thursday, January 28, 2010

Some Kettleman City residents are going to court to try to stop the expansion of a Waste Management Inc.’s hazardous-waste landfill that they suspect has caused birth defects. People for Clean Air and Water, a group of Kettleman City residents, and Greenaction for Health and Environmental Justice filed suit last week claiming Kings County’s environmental review of the project was flawed. They are seeking to have the permit for the expansion revoked.

## **California gets on high-speed cash track Feds to give \$2.25B for long-sought rail projects**

By Michael Doyle

Modesto Bee, Thursday, January 28, 2010

WASHINGTON -- President Barack Obama's State of the Union shout-out for high-speed rail will translate into more than \$8 billion spread among states including California, Washington, North Carolina and Florida.

California is one of the big winners, taking home \$2.25 billion to help build a high-speed rail system connecting Anaheim and San Francisco, as well as additional funds for other rail projects.

Washington and North Carolina will get roughly half a billion dollars each, while Florida will hear its good news directly from Obama and Vice President Joseph Biden today.

The White House was keeping a tight lid on specific funding decisions until after the president's speech concluded, although some state decisions were made available.

All told, 13 major corridors will receive awards today to help develop high-speed rail infrastructure or begin the transition to high-speed rail.

California's large share of funding includes \$2.25 billion for any of four corridors: Los Angeles to Anaheim, Fresno to Bakersfield, Fresno to Merced and San Francisco to San Jose. In addition, the state is receiving \$99 million for smaller corridors serving conventional trains.

"Competition has been fierce and we've worked very hard to lobby the administration and the Department of Transportation to ensure that California's at the front of the line," said state Assemblywoman Cathleen Galgiani, a Democrat from Livingston and a high-speed rail proponent.

Money can be spent anywhere

The White House funding announcement does not specify where the money must be spent among the California corridors, nor was it apparent how that funding distribution decision will be made.

Galgiani said the money could benefit the Merced to Fresno leg, as well as pay for environmental planning for a route running from Merced through Modesto, Stockton and Sacramento.

"California is far ahead of any other rail corridor in the country," said Democratic Rep. Jim Costa of Fresno, a high-speed rail advocate who spoke to Transportation Secretary Ray LaHood on Wednesday.

Transportation Department officials were scrambling to organize a California news conference, Costa noted.

Rep. Dennis Cardoza, D-Atwater, likewise praised the promised investment.

"California has long needed a high-speed train system. That is especially true of the San Joaquin Valley, where we are desperately in need of the jobs that will accompany this project," he said. "High-speed rail will also bring greater transportation options to valley residents, connecting the valley to other urban centers of the state; will get cars off the road; and will [reduce air pollution](#)."

California sought roughly \$4.7 billion -- more than half of the amount available nationwide -- to help connect Los Angeles and San Francisco with 220-mph trains. State officials had never expected to get the full amount requested.

"Any amount of funding that we get from the stimulus act is a benefit to California and its high-speed rail system," said Jeff Barker, spokesman for the California High-Speed Rail Authority.

All told, 24 states submitted 45 corridor applications for high-speed rail funding, which was included as part of a \$787 billion economic stimulus package approved last February.

Transportation Department officials have insisted the funding decisions will be "merit-based." Even so, lawmakers have been pressing hard behind the scenes for their preferred routes.

## **California to get \$2.25 billion in high-speed rail funding**

**The federal stimulus grant, the largest for any state, is intended to help bring the Anaheim-to-San Francisco project to fruition.**

By Richard Simon, staff writer

L.A. Times, Thursday, Jan. 28, 2010

Reporting from Washington - California will receive \$2.25 billion, the largest amount for any state, in federal economic stimulus funds to develop a high-speed rail line running from Anaheim to San Francisco -- a big boost for the long-discussed project aimed at accelerating the state's economic recovery.

Overall, the Obama administration plans to distribute \$8 billion for work on 13 rail corridors. Those include a Midwest line from Chicago to St. Louis and one in Florida running from Tampa to Orlando.

Trains on the proposed Anaheim-to-San Francisco line, which is projected to cost about \$42 billion, would whisk passengers the 400 or so miles in no more than 2 hours, 40 minutes. The project would take a decade to complete, with extensions to San Diego and Sacramento planned.

President Obama and Vice President Joe Biden will announce the funding today during an appearance in Tampa. Administration officials will be in other parts of the country to tout the grants as a job-creation measure at a time when Democrats are increasingly anxious about losing congressional seats in the upcoming midterm elections.

The money will help "lay the groundwork for a nationwide infrastructure expansion that will spur economic growth in communities across the country, provide faster and more energy-efficient means of travel, and establish a new industry in the U.S. that provides stable, well-paid jobs," a White House official said Wednesday.

Mehdi Morshed, executive director of the California High-Speed Rail Authority, said he was "delighted" by the news, and noted that California had pledged to match federal funds dollar for dollar.

Sen. Barbara Boxer (D-Calif.) said the funding would "create tens of thousands of jobs across California, [reduce air pollution](#) and congestion on our roads, and help us build a cleaner, more efficient transportation system."

California had sought \$4.7 billion in federal funds. But the state was competing with 44 applicants from 23 other states, seeking about \$50 billion. California argued that it was further along in planning than other states, citing voter approval in 2008 of a \$10-billion high-speed rail bond.

About \$100 million more in federal funding will come to California for other rail improvements, including new tracks and crossovers to increase train speeds between Los Angeles and San Diego.

Gov. Arnold Schwarzenegger has complained that California sends more money to Washington than it gets in return. His press secretary, Aaron McLearn, said Wednesday that the "one-time stimulus is completely separate from the ongoing funding formulas that are robbing California taxpayers and forcing us to subsidize programs in other states."

How much more California could receive for high-speed rail is unclear because of Obama's proposal to freeze non-defense spending to trim the deficit. But an administration official, who requested anonymity when discussing White House plans, said that in addition to the stimulus funds, Obama remained committed to seeking \$5 billion over five years for high-speed rail projects.

An additional \$2.5 billion was included for high-speed rail in the recently approved transportation

spending bill, and lawmakers have talked about including as much as \$50 billion for such transit in a multiyear bill that will be written later this year.

## **EPA to investigate birth defects near California dump**

The Associated Press

In the Capital Press and other papers, Wednesday, January 27, 2010

KETTLEMAN CITY, Calif. (AP) -- The U.S. Environmental Protection Agency says it will investigate a cluster of birth defects in a central California town near the largest toxic-waste dump in the West.

Jared Blumenfeld of the EPA says Kettleman City is vulnerable because of the dump and the pesticides used in nearby farming fields. He says his agency wants to investigate whether the town's birth defects can be linked to those factors.

The Kings County Board of Supervisors recently approved expanding the 1,600-acre waste site in the San Joaquin Valley. The proposal still needs state and federal approval.

Residents filed a lawsuit against the board and say they want an investigation into the birth defects and infant deaths.

## **High-speed rail in California getting \$2 billion**

By Kevin Freking, Associated Press Writer

In the S.F. Chronicle, Tri-Valley Herald and other papers, Wednesday, Jan. 27, 2010

Washington, CA (AP) -- Federal officials plan to announce Thursday that California will get \$2.35 billion for the development of high-speed rail connecting the state's major cities.

State officials say the money will move California much closer to its goal of constructing 800 miles of high-speed rail and will quickly create thousands of jobs.

The first phase of the state project will extend about 500 miles, from San Francisco to Anaheim. The vast majority of the federal funding to be announced Thursday will help finance the design and construction of four sections: Los Angeles to Anaheim, San Francisco to San Jose, Fresno to Bakersfield and Merced to Fresno.

California was widely expected to get a sizable share of the \$8 billion that Congress set aside for high-speed rail as part of an economic stimulus legislation passed last year. It ended up getting more than any other state. Still, high-speed rail is hugely expensive and officials project that the first phase alone will cost nearly \$43 billion.

State officials emphasized in their application that no other state was as far along as California in planning and development. Voters had already shown support for the rail service by approving nearly \$10 billion in bond financing. Officials also promised to match any federal stimulus dollars awarded.

The state applied for \$4.7 billion, but few expected California to get its entire request.

The trains would travel up to 220 miles per hour. Construction could begin as early as late 2011.

"This announcement is a huge win for California," said Democratic Sen. Barbara Boxer. "This federal investment will create tens of thousands of jobs across California, [reduce air pollution](#) and congestion on our roads, and help us build a cleaner, more efficient transportation system."

Democratic Sen. Dianne Feinstein said the California High-Speed Rail Authority estimates that every \$1 billion spent on high-speed rail creates 20,000 jobs, "and I can't overstate how important this is to a state with 12.4 percent unemployment and more than 2.25 million people out of work."

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### **Harsh winter a sign of disruptive climate change, report says**

By Juliet Eilperin and David A. Fahrenthold, Washington Post Staff Writers

Washington Post Thursday, January 28, 2010

This winter's extreme weather -- with heavy snowfall in some places and unusually low temperatures -- is in fact a sign of how climate change disrupts long-standing patterns, according to a new report by the National Wildlife Federation.

It comes at a time when, despite a wealth of scientific evidence, the American public is increasingly skeptical that climate change is happening at all. That disconnect is particularly important this year as the Obama administration and its allies in Congress seek to enact legislation to curb greenhouse gas emissions and revamp the nation's energy supply.

"It's very hard for any of us to grasp how this larger warming trend is happening when we're still having wintry weather," said National Wildlife Federation climate scientist Amanda Staudt, the new report's lead writer.

The study charts how climate change is linked to more heavy precipitation, including intense snowstorms like the one that blanketed the D.C. area last month. The Great Lakes region is also experiencing more snow, the report says, because during warmer winters, "the lakes are less likely to freeze over or are freezing later [and] surface water evaporation is recharging the atmosphere with moisture."

Richard Somerville, who was a lead writer of the Intergovernmental Panel on Climate Change's 2007 report, said the public needs to grasp that it is important to reduce carbon dioxide quickly because it stays in the atmosphere for centuries.

"That's where the scientific urgency comes from, not a particular weather event," Somerville said. "There's a scientific case for rapidly reducing emissions."

While the National Oceanic and Atmospheric Administration reported last week that 2009 tied as the second-warmest year on record, this week two new public opinion polls have confirmed a trend reported last fall: As Washington has focused more on climate change, the American public has come to believe in it less.

On Wednesday, Yale and George Mason universities released a survey showing that just 57 percent of people said global warming "is happening." That was down 14 percentage points, from 71 percent, in October 2008. Fifty percent of people said they were "very" or "somewhat" worried about global warming, down 13 points from 2008.

Edward Maibach, a George Mason professor, said two outside events may have played a role in the change: First came the recession; then Congress took up legislation to limit greenhouse gases, spurring industry groups and politicians to warn that tackling climate change would kick the economy while it was down.

"Global warming is not necessarily a conversation that most Americans want to actively participate in," Maibach said.

A poll released Monday by the Pew Research Center for the People and the Press made a similar point: Respondents were asked to rank 21 issues in terms of their priority. Global warming came in last. That was not a surprise, as it has been last before. But this time it was worse than usual: Just 28 percent of respondents listed global warming as a top priority, down from 35 percent in 2008.

[Fresno Bee Earth Blog, Wed., Jan. 27, 2010:](#)

### **El Nino clearing the air**

By Mark Grossi

What a difference El Nino makes.

At this point in a dry January 2009, the Valley had 20 bad-air days, as soot and other fine particle pollution violated federal standards.

This month, there have been only nine bad days.

A series of El Nino-enhanced storms scoured the pollution out of the Valley's bowl last week. Unsettled weather followed and prevented violations so far this week.

Generally, when there is stormy weather in winter, the air is cleaner. And the views of the Sierra are memorable.

[Merced Sun-Star and Modesto Bee, Guest Commentary, Thursday, January 28, 2010](#)

### **Climate change: Lead, follow or get out of the way**

McClatchy-Tribune News Service

The following editorial appeared in the St. Louis Post-Dispatch on Wednesday, Jan. 27:

The U.S. Environmental Protection Agency is moving forward with plans to regulate greenhouse gas emissions that cause global warming.

At the same time, Congress - a leading source of hot air - is debating a resolution that would strip the EPA of its authority to act.

Sen. Lisa Murkowski, R-Alaska, says she wants to prevent "federal bureaucrats" from enacting regulations that would destroy jobs. She has introduced a "resolution of disapproval" that has the support of 35 other Republicans and three conservative Democrats.

A landmark 2007 U.S. Supreme Court ruling gave the EPA authority to regulate greenhouse gas emissions under the Clean Air Act and directed the agency to set standards that would limit those releases.

Much of Murkowski's rhetoric is just plain wrong. On one point, however, she is absolutely correct: Ideally, Congress - not the EPA - should write rules to limit emissions of carbon dioxide, methane and other heat-trapping gases.

Unfortunately, Congress continues to do nothing. It's been unable to move forward even on bipartisan measures, including the McCain-Lieberman Climate Stewardship Act.

That 2003 bill, sponsored by Sens. John McCain, R-Ariz., and independent Joe Lieberman of Connecticut, who then was a Democrat, would have limited emissions beginning this year.

Like climate change legislation approved last year in the House, the McCain-Lieberman bill would have established a cap-and-trade system in which pollution credits could be bought and sold.

That's the only realistic, market-based solution that would reduce greenhouse gas emissions and encourage the development of new, nonpolluting technologies.

But even in the face of overwhelming scientific evidence, opposition from congressional Republicans has hardened. They've taken to demonizing cap-and-trade as a "radical" approach to reducing emissions.

Murkowski has said that her resolution "has nothing to do with the science of global climate change." That's disingenuous.

Her measure draws its deepest support from those who deny the reality of climate change. It would overturn an EPA finding based on scientific analysis that climate change fueled by greenhouse gas emissions poses a health hazard to the public.

That finding puts new pressure on Congress to act. For years, it dragged its feet and delayed addressing a serious issue.

Opponents claim that the recession makes it too expensive to address climate change now. But the longer we wait, the more expensive it becomes and the less likely we will be successful in staving off the worst consequences of climate change.

By refusing to act, Murkowski and her congressional allies are placing an enormous bet, based on sophistry and denial, that the mountain of scientific evidence is wrong. That's not a bet that we, or our children and grandchildren, can afford to lose.

The decade that ended in 2009 was the warmest on record, NASA reported earlier this month. It displaced the decade of the 1990s as the warmest ever. The 1990s displaced the 1980s.

Last year was the second-warmest since 1880, when modern temperature measurements began. The warmest year on record was 2005. All of the 10 warmest years on record have occurred since 1998. Perhaps you're starting to see a pattern.

Congress can choose to delay addressing global climate change, but it shouldn't prevent the EPA from doing its job.

The choice isn't between the status quo or the cost of limiting greenhouse gas emissions. It's between acting now or taking more drastic, expensive and uncertain action later.

[Tracy Press, Guest Commentary, Wednesday, January 27, 2010](#)

## **Living Green: 'Pop' goes the energy**

By Christina Frankel/For the Tracy Press

"Pop" is the sound of a soda can opening, and whatever cool drink is promised inside. If you're thirsty, like someone on a Coke or Pepsi commercial, you can drink the entire can in one long, satisfying, continuous gulp. Though most of us will have to come up for air and need several gulps to empty a 12 ounce can before the condensation on the side of the can dissipates.

After we are done quenching our thirst and wipe our mouth with the back of our hand, then what? Then, according to the Environmental Protection Agency, 50 percent of every aluminum can opened in the US is thrown away.

To make aluminum, it is a long and dirty process. Aluminum starts from bauxite ore that is strip-mined, a process that denudes the Earth and leaves behind infertile soil and excavated waste.

Further exacerbating the effects of mining, turning the bauxite ore into aluminum requires a tremendous amount of energy 24 hours a day. Toxic biproducts are created in the smelting process, and as a result creates the 15th worst airborne polluter in the Unites States.

Although aluminum is used in everything from building bridges, to aircrafts, to cars, the single largest user of aluminum worldwide is beverage containers.

Way back in the 1960s, the pop of the can had momentum, and the pop-top ring actually came off the can. The "ring pull," as it was called, was an ecological nightmare, and most people old enough to remember saw this removable top littered everywhere: on the streets, beaches, playgrounds and parks.



It wasn't until the mid-'70s that the aluminum can with stay tabs had developed. The amazing reengineering of the simple aluminum can was presented in a two-hour National Geographic documentary, titled "Man Made," that I chided my family into watching. Although my family heckled me during, and long after, for watching the show, I was fascinated by the amount of times the aluminum can has undergone slight transformation important enough to patent thousands of times, simply to reduce the amount of aluminum in the can.

The familiar shapes of the domed bottom and reduced neck are refinements to reduce the amount of aluminum used to make a can to a mere half an ounce.

Aluminum is one of the few manufactured materials we use that is 100 percent recyclable. Which means all of the embodied energy in the original aluminum container can be endlessly recycled.

Since the average American drinks more than 380 beverages in a year from aluminum cans, we consume a sobering amount of 106,000 aluminum cans a second! Yet, there are enough aluminum cans already in production, if recycled, to eliminate the need for further mining and save 95 percent of the required energy to produce aluminum from virgin ore.

Unfortunately, because there is a lack of recycling in the US and abroad, mining continues, along with the toll it takes on our resources to create the energy and deal with the pollution needed to smelt aluminum. Despite the fact that recycling aluminum has the highest profitability of all recycled materials and funds paper and plastic recycling efforts, recycling of aluminum nationwide has decreased 2 percent every year since the 1990s.

To put the waste in perspective, Americans have thrown away enough aluminum cans in a decade to manufacture more than 316,000 Boeing 737 airplanes — enough reproduce the entire world's fleet of airplanes 25 times — and have tossed enough aluminum cans into landfills in just one year to supply US automakers with enough raw material to make a year's worth of cars.

So when you pop the can, don't let the energy escape — recycle it!

- For a change: Buy drinks in aluminum cans instead of bottles. If recycled, six weeks later that can will be reincarnated and back on the shelves again.
- To make a difference: Recycle your aluminum cans wherever you may go. Our country is a mere 240 years old, but the cans thrown away today will be in landfills 400 years from now.
- To make a stand: Recycle all your aluminum food containers, including aluminum foil, pie plates and lasagna pans. Just remove the majority of the food debris.
- Christina D.B. Frankel is a 20-year Tracy resident, architect and mother of three. Her column, Living Green, runs twice-monthly in the Tracy Press. She can be reached at [cdfrankel@sbcglobal.net](mailto:cdfrankel@sbcglobal.net).