

Air district questions clean air suit

By Mike Jensen

Some San Joaquin Valley Air Pollution Control District officials said Wednesday that they don't think much of a lawsuit designed to force the federal Environmental Protection Agency and the air district to clean up Valley air.

A coalition of environmental groups sued the EPA Tuesday. They want the EPA to take control of the air district's programs to reduce dust, smoke and soot in the Central Valley's air basin.

Valley air officials and the EPA said Wednesday that there's no need for the EPA to get further involved.

Philip Jay, the air district's attorney, acknowledged that the district hasn't had a plan approved by the EPA. But, he said, the district is currently working on a plan that should be submitted for EPA approval in February.

That plan, he said, will be tougher than previously attempted air cleanup plans.

In reference to the lawsuit, Jay said, "It seems like kind of a good way to chew up a lot of time."

The environmentalists say that the air district and the EPA have failed to come up with a plan since 1991, when the air district was first declared in noncompliance of the federal Clean Air Act.

Susan Britton, an attorney for Earthjustice, which is representing the Sierra Club, Medical Advocates for Healthy Air and the Latino Issues Forum, said, "We want the EPA to start taking action to develop a plan."

She said the EPA would be able to provide more resources, more urgency and more focus to the air district by creating a particulate matter cleanup plan.

"It's not as if the (local air district) is going to be out of the process," she said.

Tony Barba, a Kings County supervisor and Valley air district board member, said that if the EPA gets involved, there will be more regulations on Valley residents but no significant improvement in air quality.

"If the U.S. EPA were to take over, I'd say we'd have chaos," he said.

Jack Sieglock, a San Joaquin County supervisor and air district board member, also said he saw little value in the lawsuit, and he said the air district is already working on a plan.

He also said transferring planning information to a new EPA staff would likely delay the air district's efforts to develop a plan. "I don't think that anyone from Washington or Sacramento is going to do it any quicker than we can," he said.

Other air district board members either had no comment or could not be reached Wednesday.

EPA spokeswoman Lisa Fasano also downplayed the lawsuit Wednesday.

"We are working with the air district," she said. "... We are extremely involved."

She also said that the air district's current plan will have more stringent measures to clean up Valley air than other plans the air district has attempted to develop.

But Britton, with Earthjustice, was not swayed.

"If they are developing a plan and it is approveable, then that's great," she said, but then she added, "The point is, we just don't believe it."

She said her group is concerned that the plan won't be completed by the Valley air district on time or that it will be missing information and not be approved by the EPA.

EPA attorney Kara Christenson said her agency would be open to reaching a legal settlement. "Hopefully, we'll be able to resolve this without a whole lot of a litigation," she said.

Funds Denied for Some Snowmobile Trails in Sierra

.State panel cites usage conflicts and pollution. Critics fear effect on tourism, wildlife.

By Julie Cart, Los Angeles Times Staff Writer

A state commission concerned about winter air pollution and recreational conflicts has denied funding for 413 miles of snowmobile trails in the Sierra Nevada.

According to officials of the state agency that administers off-highway vehicle recreation programs, the decision by the California Off-Highway Vehicle Recreation Commission will close 20% of state-maintained trails used by snowmobilers, cross-country skiers and others and will cost rural communities that depend on winter tourism \$6.5 million.

The affected trails are in four national forests: the Humboldt-Toiyabe, Eldorado, Lake Tahoe Basin and Sequoia. Funding was denied for the first three. The issue was tabled for the Sequoia forest, and state officials doubt that the grant will be approved.

The commission approved funding for trails in nine other national forests.

National forests routinely request grants from the commission for winter trail grooming and related law enforcement and conservation programs. State officials said that without properly maintained and monitored trails, snowmobiling and cross-country skiing in the affected forests will be unsafe.

"What's disturbing about all of this is that law enforcement is a critical part of this," said Barry Jones, who administers the \$16-million off-highway vehicle grant program under the jurisdiction of California State Parks. "Search and rescue is going to be tough. In some of these areas the only way to get injured people out is on groomed trails."

Critics contended that the seven-member commission's actions are politically motivated and will do unintended harm to wildlife, watersheds and wilderness areas.

"I think it's an agenda by a group of people -- three appointees who micromanage the commission based on their anti-off-highway vehicle beliefs," said Ron Rawlings, former president of the California-Nevada Snowmobile Assn.

The three members who voted against funding said they have no agenda other than better management of forest resources. The three prevailed because of the absence of one member, and a tie vote denied funding.

The opponents said their votes were based mainly on three concerns: the effect of high-polluting snowmobiles on the air around Lake Tahoe; conflicts with other trail users, especially cross-country skiers; and inequities in the funding program that allow snowmobile users to get more money back in state services than they put in.

Harold Thomas, a Sacramento attorney, voted to deny funds in the Lake Tahoe area, where he said snowmobile engines exacerbate an existing environmental problem: fallout from air pollution that is stimulating the growth of algae and changing the color of the famously blue lake.

"I don't think we want to be spending state funds to worsen the clarity problem in Lake Tahoe by encouraging more snowmobiles in the airshed," Thomas said.

The state's Off-Highway Vehicle Recreation Program began in 1971 and is funded by a fuel tax on four-wheel-drive vehicles and other off-road machines. David Widell, deputy director of the program, said it was rare for winter grants to be declined.

Some commissioners said the problem lies with the U.S. Forest Service. They said national forests have grown accustomed to the yearly grant money and thus don't budget for winter trail maintenance, making it difficult to find money should grants from the commission be denied.

"What we are seeing is that federal agencies are using this fund to support their core operations, which was not intended," said Paul Spitler, who voted against the grant

requests. "It puts us in a bad situation, but it makes the federal agencies look irresponsible. If these programs are such a priority for the forests, how come the federal government doesn't fund them?"

California's national forests have 1,900 miles of groomed trails. The packed snow on those trails makes travel easier for novice snowmobilers; the trails also are sought out by some cross-country skiers, dogsledders and snowshoers. Without maintained trails, critics said, snowmobilers could get trapped in deep snow or inadvertently wander into wilderness areas, where vehicles are prohibited.

State parks are not open to snowmobiles.

Critics countered that groomed trails are no deterrent to the growing number of snowmobilers who ignore wilderness prohibitions.

Grooming grants also are used to clear parking lots and maintain restrooms and warming huts. Some revenue from the fuel tax is used for watershed and wildlife protection and for law enforcement.

For John Frazier, who has run a snowmobiling resort in Pioneer near the Kirkwood ski area for 25 years, no trails means no customers.

"This could put me out of business. I'm going to lay off at least 50% of my employees," Frazier said. He said he will lose his contract to groom trails with the Eldorado National Forest.

"Everyone here is talking about it," he said. "It's our livelihood they're messing with."

Officials of the state's off-highway vehicle program said it is possible that the commission could reconsider its actions at its December meeting.

"We truly have a problem on our hands," said David Widell, deputy director of the off-highway vehicle program. "We still don't know what happened. At the end of the day this vote may have been inevitable, but I don't think it was responsible."

Letters From You
Stockton Record

Vehicle emissions under microscope

In his last paragraph (Sept. 8), letter writer Frank R. Ward had wise words about not speaking when lacking knowledge about a subject. Unfortunately, he did not take his own advice.

His letter implied that internal-combustion engines don't produce an ozone problem; he included a supposed list of "emissions" in internal-combustion exhaust. The list includes some gases that really aren't emissions.

More relevant to his erroneous theme about ozone is the list of emissions he did not mention. In particular, unburned hydrocarbons and oxides of nitrogen are the principal contributors to photochemical smog, which does indeed contain an elevated level of ozone. The ozone, while not directly produced in any significant quantity in the combustion process, is produced as hydrocarbons and oxides of nitrogen react with other, naturally occurring gases. Automobile and truck emissions are the major cause of ozone at low altitudes.

Ward also misses the mark when claiming that ozone is good for us. Yes, its presence in the stratosphere is essential to human life; it absorbs certain harmful ultraviolet wavelengths of solar radiation. But that ozone is produced by natural processes, above around 25 kilometers, facilitated by some of those high-energy solar wavelengths that don't reach Earth's surface.

However, ozone is poisonous to humans, and at the low altitudes we inhabit, it combines with numerous other gases to harm buildings, vegetation and animals, as well as causing serious health problems in humans.

It is a serious problem, and governmental regulation is worthwhile and necessary, no matter what Ward may choose to believe. Perhaps he should invest in a new chemistry book.

By Richard G. Fizell

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