

Pressure rises on waste-burning plant

By GARTH STAPLEY, MODESTO BEE STAFF WRITER, October 8, 2002

CROWS LANDING -- Under pressure from a restive audience, an air pollution official said Monday he intends to schedule a second public meeting on whether a garbage-burning plant should get a new permit.

Some speakers at Monday's hearing accused the San Joaquin Valley Air Pollution Control District of staging a bogus hearing with the intent of ignoring the crowd and rubber-stamping the permit.

The five-year permit would consolidate several now issued by various local, state and federal agencies to the 14-year-old plant, which is operated by Covanta Energy for Stanislaus County and the city of Modesto.

It burns about 800 tons of garbage daily, producing energy that the agencies sell and reducing the amount of waste going to landfills.

"We are not on the side of the company," protested Seyed Sadredin, the air district's director of permit services. "If anything, we are on the side of public health."

People in the audience of about 75 said they were unhappy because:

Air district officials scheduled Monday's hearing for 5 p.m., making it difficult for many working people to attend.

The hearing was held in Crows Landing, which is sparsely populated and enjoys no public transportation.

Officials mailed out no notices.

Officials published a notice only in The Bee, which reaches only a segment of West Side residents.

No interpreters were provided for Monday's hearing, and all documents -- including comment cards -- were printed only in English.

Officials would not release copies of public documents regarding the plant's compliance with emissions laws unless someone paid a \$240 bill.

"It's unfair for you to keep things from us," said Rochelle Martinez, a member of the Environmental Justice Club, a group created this year by Patterson High School students.

Seven teens, some carrying signs protesting the garbage-burning plant, attended Monday's hearing.

Club member Lizzie Velasquez said to air district officials, "It seems like you're trying to hide something."

Officials already had acknowledged that they found nothing persuading them to deny the plant's permit.

Even before audience members were invited to speak, district permit services manager Rick McVaigh had said the plant complies with regulations more strict than required by local or state law.

Sadredin said his inclination to hold another public hearing would depend partly on whether Covanta officers would threaten legal action. Word of the second meeting, possibly to be held in Patterson, should come soon, he said.

Information on the air district's permitting process is offered at www.valleyair.org. Written comments about the garbage-burning plant may be submitted to the San Joaquin Valley Air Pollution Control District, 1990 E. Gettysburg Ave., Fresno, 93726-0244, or e-mailed to webplnmail@valleyair.org.

Measure C supporters raise funds

Group gets \$105,000 in three months; opponents get \$8,197.

By Russell Clemings, The Fresno Bee, October 8, 2002

Supporters of extending Measure C, the half-cent Fresno County sales tax earmarked for transportation projects, should have plenty of money to get out their message. In just three months, the Yes on Measure C campaign raised almost \$105,000. The campaign had \$33,458 cash available as of Sept. 30.

By contrast, opponents of the measure raised just \$8,197 and have \$7,329 cash on hand.

Still, David Schechter, a political science professor at California State University, Fresno, said "money does not buy passage in this state. We've seen this over and over."

He cites the March initiative to relax term limits for state legislators, which was aided by more than \$6.5 million in contributions from the state Democratic Party and special interests, but still lost.

The stakes are similar to the original Measure C, approved by voters in 1986 -- roughly one-third of the region's total transportation budget is on the line.

But when the original Measure C was on the ballot, it required only a simple majority for passage (it got 57.5%). This time, because of a 1991 state Supreme Court ruling, it will require two-thirds approval, or almost 67%. "That's just a high bar," Schechter said.

The top contributor in support of the Measure C campaign is the Bechtel Infrastructure Corp., which is part of Bechtel Group, the multinational engineering, construction and project management firm in San Francisco. Bechtel gave \$20,000, according to the Measure C campaign report.

The California Alliance for Jobs Rebuild California Committee gave \$15,000. The organization is an advocate for the heavy construction industry. It is supporting transportation taxes on the ballot in Merced and Solano counties as well as a \$1.6 billion revenue bond measure in San Francisco to rebuild the Hetch Hetchy water system.

Clovis-based companies Pelco, which makes surveillance equipment, and Agree Construction, gave \$10,000 each. Other local companies such as Howe Electric, which gave \$5,000, and Summit Electrical Construction, which gave \$4,000, are supporting the measure.

Schechter sees this as a local version of Proposition 51, the November ballot initiative targeting nearly \$1 billion a year from the state budget for traffic-relief projects, including many that benefit contributors to the initiative campaign.

"Interest groups understand they can't get the [state] Legislature to appropriate X number of dollars, but they can use the ballot to circumvent the normal processes," he said. "If a candidate

was given that money, and asked to vote on a policy, we'd all scream at the top of our lungs: 'This candidate is being bought off.' "

Of those opposing the Measure C extension, \$5,000 came from the Sierra Club Tehipite Chapter. An additional \$1,000 came from Clovis resident Radley Reep, and \$500 was donated by the League of Women Voters. Besides those, no contributions exceeded \$200, and most were less than \$100.

Sixteen years ago, Fresno had no east-west freeway. Its only north-south freeway stopped at Bullard Avenue, forcing northbound motorists to navigate clogged local streets to reach the fast-growing Woodward Park area. Going to Clovis meant running a gantlet of Shaw Avenue traffic lights.

An ambitious plan to lace the metropolitan area with new freeways had been drawn up three decades earlier, but it only collected dust.

That combination of factors -- chronic traffic congestion and frustration over plans that never came to pass -- set the stage for a November 1986 ballot measure that fundamentally changed transportation in the San Joaquin Valley's largest metropolitan area. Measure C levied a half-cent sales tax for 20 years and assigned the Fresno County Transportation Authority to spend it.

With Measure C less than five years from expiring, the freeway system envisioned in the 1950s is nearly complete, with only two final sections of Freeway 180 still under construction. Miles of other local streets and rural highways have been built or widened.

On next month's ballot, the Board of Supervisors is asking county voters to sign up for 30 more years of the half-cent tax.

Like the 1986 version, this ballot issue is also called Measure C. But that's where the similarities end, said Gordon Webster Jr., chairman of the Yes on Measure C committee and chairman of the board of the Fresno Chamber of Commerce.

"This Measure C is entirely different from the original Measure C," Webster said. "There's money in there for mass transit, there's money in there for [assistance for the disabled], for bikeways and fixing potholes."

The new Measure C, however, lacks a highly visible central project like the freeway system. Instead, it would distribute funds among an array of priorities ranging from bike lanes and curb cuts to moving the Burlington Northern Santa Fe railroad tracks to the Union Pacific corridor.

"We view it as a balanced transportation funding program rather than freeway-oriented," said Ron Peterson, deputy director of the Council of Fresno County Governments, the region's chief transportation planning agency.

But it's not balanced enough for local environmental activists. They call it a "\$3 billion mistake" that won't do enough to discourage urban sprawl and promote cleaner alternatives to the automobile.

If the Measure C extension passes, warns Mary Savala, co-vice president of the League of Women Voters of Fresno, advanced mass-transit programs such as light rail will be taken off the agenda for the coming generation.

"We'll be locking ourselves in for 30 years to what is primarily a program for road and highway building," Savala said.

Joining the League and the Sierra Club in opposition, but for different reasons, is the San Joaquin Valley Taxpayers Association.

"We believe there are sufficient taxes already being levied to pay for Fresno County's transportation needs," said the association's president, Chris Mathys. The original Measure C, he said, "had a sunset clause, and it shouldn't be extended indefinitely."

The current Measure C program is expected to collect \$686.3 million by the time it expires in 2007. Of that, 75 cents from every dollar went to the transportation authority for highway projects. Slightly more than two-thirds of those 75 cents were dedicated to projects in the Fresno-Clovis metropolitan area, the main ones being the new freeways. The rest went to rural highways, while the remaining 25 cents went to the county and its cities for local needs such as street repairs and other improvements.

In contrast, the Measure C extension would distribute an estimated \$93.3 million per year as follows:

\$22.2 million for urban street and highway improvements, such as widening of Freeway 41 and portions of Herndon, Clovis, Temperance and Shepherd avenues, plus a study of future public transit needs.

\$21.2 million for cities and the county to use for transportation purposes ranging from street maintenance and traffic signals to landscaping, bikeways and incentives for buyers of clean-fuel vehicles.

\$19.4 million for rural streets and highways, including an extension of Highway 180 from Mendota to Interstate 5 and improvements to other rural routes such as Fowler Avenue, Highway 43 and Highway 180 west of Squaw Valley.

\$12.1 million for public transit in Fresno, Clovis and rural Fresno County. Priorities include increasing service to every 15 minutes on busy routes in the two cities, buying clean-fuel buses in Clovis and the county, and improving service for the disabled in Fresno and Clovis.

\$8.1 million to fill missing links in urban street systems, maintain existing roads, and rehabilitate neighborhoods.

\$5 million for railroad consolidation or highway-railroad grade separations.

\$3.3 million to cities and counties for nonvehicle transportation improvements, including curb cuts and ramps for the disabled, trails and bikeways, and public transit.

\$933,000 to Fresno Yosemite International Airport for unspecified improvements.

\$933,000 for administration.

"I can't imagine us going another 30 years without a new Measure C and the things it would do," said Webster, who says that just as in 1986, many of the projects on the Measure C list will never get done if the sales tax is not extended.

"Certainly it's a major safety concern to have the [BNSF] railroad tracks going through the center of our city," Webster said. Rail consolidation, he says, "is simply not going to get done without Measure C."

But Savala and the League of Women Voters say the proportion of funding for public transit is less than half of what they think it should be.

"There is only a token amount for the public transportation system," Savala says, referring to the \$12.1 million set aside in the Measure C package, a sum representing about 13% of the available funds. She maintains that one-third of the funds should be dedicated to public transit, including rail consolidation.

Webster rejects that idea: "There is not a need for one-third of it to go to mass transit." And what needs do exist, he says, are adequately covered by the plan for Measure C spending.

"There were actually zero dollars in the original Measure C that went to mass transit," he says. "Now there will be 13%."

Valley voters will nonetheless get a chance, with the rest of the state, to vote two years from now on a \$9.95 billion bond issue for the first stage of a statewide high-speed rail system, a project whose eventual cost is estimated at \$25 billion. Tentative plans call for a downtown Fresno station; Measure C is silent on how that station would fit into the regional transit network.

As to Measure C's chances, they remain uncertain. But Webster says his group believes that it is within striking distance of passage, despite the two-thirds vote requirement.

"The last polling that we had done ... showed that we were at about 60% on the yes vote with about 18% undecided," he says.

The reporters can be reached at rcleminings

@fresnobee.com, jellis@fresnobee.com or 441-6330.

Enlisting in War on Smog

Environment: Air quality officials launch drive for a business-government partnership to add more cleaner-fuel vehicles.

By GARY POLAKOVIC, LOS ANGELES TIMES STAFF WRITER, October 8, 2002

California air quality officials are expected today to announce a new initiative to help get more alternative-fuel cars and trucks on the road to help cut soot and smog.

The California Natural Gas Vehicle Partnership is an effort by business and government leaders to close ranks behind a series of regulations that Los Angeles-area smog fighters recently approved to convert fleets of taxis, trash trucks, shuttle buses and other vehicles to clean fuels.

The goal of the partnership is to place about 777,000 natural gas-powered vehicles on the highways in 10 years, a huge increase from the 19,000 such vehicles that operate in California today.

"The status quo is unsustainable," said Norma Glover, a Newport Beach councilwoman and chair of the South Coast Air Quality Management District governing board. "Natural gas vehicles are clean and available today, [and] California must deploy more."

While limited numbers of natural gas cars and trucks are in use, they are constrained in part by a lack of refueling stations. A chief goal of the program will be to increase the availability of fueling stations as fleets expand.

However, the partnership program does not call for new government spending or regulatory initiatives to get the job done. Instead, Glover said, the proposal relies on outreach and education to promote use of the vehicles.

Among the participants, Ford Motor Co. is providing natural gas cars for taxi fleets, Waste Management Inc. will deploy garbage trucks using the fuel, and Super Shuttle Corp. will use natural gas airport vans.

California Air Resources Board Chairman Alan Lloyd said the program is part of an ongoing effort to diversify fuels used by trucks, buses and cars.

"Any time we can have some competition with fuels, it's healthy and good. Natural gas is a technology that has developed for heavy-duty engines," Lloyd said.

Fueling the push to cleaner fuels are recent studies that link diesel soot to health and environmental problems, including cancer, asthma and global warming. A 2-year-old study found diesel soot accounts for 70% of the air pollution cancer hazard in the Los Angeles region.

But finding an alternative to diesel fuel has been difficult. Diesel engines are cheap, reliable and powerful. They are getting cleaner and cleaner, too, as soot traps and improved engine designs reduce emissions.

Last year, the Air Resources Board approved regulations that require a 90% reduction in sooty emissions from diesel engines by the end of the decade. Natural gas engines emit fewer nitrogen oxides, which can mix with other pollutants to form ozone and haze. However, natural gas engines typically cost more and some fleet operators complain they are not as durable as diesel models.

Another View / Hollis Carlile: Citizens' actions helped community

Bakersfield Californian, October 7, 2002

I read with interest *The Californian* article "Learning the hard way." Statements about the Southwest Community Action Committee failed to provide real insight as to how the people in this organization came together to try to get Castle & Cooke to stand by previous statements as to what was planned where The Marketplace is now located.

First, Castle & Cooke tried to change zoning at the corner of Gosford Road and Ming Avenue to build a strip mall. Members of the Southwest Community Action Committee, after many talks with Castle & Cooke, realized the community was stalling. Castle & Cooke had taken noise surveys along Gosford Road and Ming Avenue. Based on selected parts of the surveys, it said there would be no noise problems. As a member of the committee, I ran a noise survey. I have experience in environmental issues, including noise surveys.

Our survey showed there would be excessive noise levels. To protect our interests, Castle & Cooke and the city of Bakersfield were sued. The judge decided the case in favor of the committee and legal fees were awarded.

In a short time, Castle & Cooke was proposing The Marketplace, which was designed differently than what it had indicated several years earlier. It had indicated it would work with the action committee to settle issues. After several meetings, it appeared to the action committee that Castle & Cooke was not addressing issues. Rather, it was delaying until legal deadlines passed and the action committee could not take action.

Committee members concluded that an environmental impact report was required by state law. To force implementation, the committee again sued Castle & Cooke and the city of Bakersfield under the leadership of Jill Kliess. As with the first lawsuit, the committee had to go outside of Bakersfield to find an attorney to take the case.

Again, the judge ruled in the committee's favor. Legal fees were paid and an environmental impact report was done.

The result, as you reported, was improvements in The Marketplace layout. These improvements have made it better for nearby residents and the public.

If Castle & Cooke had followed the original plans it had shown to potential and new residents several years earlier, The Marketplace would have been more attractive and better than what finally was built.

The action committee made material changes by working together, which led to the current Marketplace. It shows how people can make changes so businesses can live in better harmony with residents. I am proud to have been part of that action committee from its beginning.

Hollis Carlile of Bakersfield is chair of the southern regional hearing board of the San Joaquin Unified Air Pollution Control District. He is a retired oil company engineer. Another View is a critical response to a Californian editorial or story. It may contain up to 500 words. The Californian reserves the right to republish contributed commentaries in all formats, including on its Web page.