

Air plan faces tough opposition

from The Modesto Bee

By Mark Grossi

The Fresno Bee

June 26, 2003

When state officials appear in Fresno today to consider a new air cleanup plan for the San Joaquin Valley, the public will get perhaps its last shot at debating the document.

But another debate is bound to happen at a federal courthouse. Activists are waiting to sue over the plan, and they haven't lost a valley air lawsuit yet.

Over the past two years, environmental groups such as Earthjustice Legal Defense Fund have filed seven lawsuits and won five. The final two are pending, but most of the cases settled before they reached hearings.

"We're just asking them to follow the law -- that's why we win," said Fresno resident Kevin Hall, a Sierra Club member. "This new plan does not follow the law. It won't make our air healthy."

Activists are expected to appear before the California Air Resources Board today in Fresno to discuss the plan, which must gain state approval before being sent to the federal government.

The state is expected to approve the 1,000-page document, the valley's fourth plan in the last dozen years to clean up particles of dust, soot and chemical specks. The plan is a blueprint for controls over construction, farming, fireplace burning and other activities.

The valley is among the eight worst places in the country for microscopic particle pollution, which triggers asthma and contributes to higher death rates.

Government officials at all levels say it's time to move forward, especially since the valley faces federal sanctions if the plan is delayed beyond Aug. 28.

As a result of an activist lawsuit over a previous plan, the U.S. Environmental Protection Agency agreed to take over the valley cleanup by July 2004 if an acceptable plan was not in place.

The San Joaquin Valley Air Pollution Control District board last week took the first step toward maintaining local control by approving a new plan, which would remove 275 tons of particle pollution from the air by 2010.

It would bring the valley into attainment of the federal health standard, officials said.

The district proposes cutting pollution with a more stringent dust rule, tighter regulation on industries and a ban on burning wood in fireplaces on the valley's worst winter pollution days.

The plan complies with legal requirements, district lawyer Phillip Jay said. He said EPA officials have been informed about the plan and have provided guidance for the district.

Any new lawsuit over the plan would be far more complex than previous challenges, which have focused on missed deadlines, Jay said.

"This debate is about interpretation of the law," he said. "(Activists) have made it sound like this is completely illegal. We've worked with the (EPA) on this. It's not like we just cook these things up." But, during five hours of comment at last week's board meeting, activist lawyers repeatedly said that the plan does not go far enough.

"It's a big plan," said lawyer Brent Newell of the Center on Race, Poverty and the Environment. "It's a phone book. Just because it is thick doesn't make it legal. It's not enforceable. It doesn't have (the best cleanup methods)."

The document does not have contingencies in case controls do not achieve pollution reductions, Earthjustice lawyer Susan Britton said.

The California Air Resources Board meeting begins at 9 a.m. at the air district office, 1990 E. Gettysburg Ave., Fresno.

Spare the Air for 2 days

The Modesto Bee

June 26, 2003

The San Joaquin Valley Air Pollution Control District has declared today and Friday "Spare the Air" days in Stanislaus, San Joaquin and Merced counties. Officials urge children and adults with breathing problems to take it easy outdoors. Everyone can help reduce pollution by carpooling to work, not using gasoline-powered yard equipment and forgoing lighter fluid for barbecues.

Spare the Air days to linger

The Stockton Record

June 26, 2003

Forecasting continued high levels of unhealthy air pollution, Valley air regulators have called Spare the Air alerts until Friday.

Levels of ground-level ozone, or smog, are expected to be unhealthy today and Friday.

Wednesday was also a Spare the Air Day.

The alerts are called when pollution in the northern San Joaquin Valley or neighboring regions is expected to be high. Children and adults with breathing problems are particularly vulnerable to bad-air days and are encouraged to stay inside.

Residents can help cut smog-forming emissions by putting off polluting activities. Those include:

- * Home-painting projects. Paint can emit smog-forming gases.
- * Barbecuing. If you grill outside, avoid using lighter fluid.
- * Using gasoline-powered garden equipment. An average gas lawn mower can emit as much pollution as 40 older-model cars.
- * Driving. Try to carpool or use public transportation. Walk to lunch instead of driving.
- * Topping off your gasoline tank. Wait a few minutes before taking the nozzle from your fuel tank. Spilled gasoline emits smog-forming gases.
- * Using aerosol sprays.
- * Using powerboats or other motorized recreational vehicles. All-terrain vehicles produce 118 times more smog emissions than modern cars. A typical powerboat operated for seven hours pollutes as much as a 1998 car driven more than 1,000 miles.

Also, check your car's tire pressure to make sure you're not unnecessarily reducing its fuel efficiency.

Things to avoid to cut pollution

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Clean-air bill held up in Sacramento

By Matt Weiser

The Bakersfield Californian

June 25, 2003

A bill some consider crucial to clean the San Joaquin Valley's air has bogged down in the state Assembly, where supporters say special interests are holding it at bay.

The bill, SB 999 by Sen. Michael Machado, D-Linden, would add four appointed members to the Governing Board of the San Joaquin Valley Air Pollution Control District. The district is currently controlled by an 11-member board made up of city council members and county supervisors in the eight-county air district.

The bill would require the governor to make two appointments to the air district board, one of which must be a physician with air pollution expertise. The other two would be appointed by the Senate Committee on Rules and the speaker of the Assembly.

This basically mirrors the makeup of the South Coast Air Quality Management District, which is winning praise for its progress in clearing the air in the smoggy Los Angeles region. Clean-air advocates give much of the credit to the non-politicians on the L.A. district's board, saying they've brought fresh scrutiny to the smog problem and given the public a new voice.

"We firmly believe the revision of the district board is one of the key priorities in cleaning up the air in the San Joaquin Valley," said Bonnie Holmes-Gen, an American Lung Association lobbyist. "Right now, we feel each member is more focused on local issues and problems, and we need to inject members that are specifically accountable to looking at the problem as a whole."

Machado's bill was approved in the state Senate on May 1. Last week it lost a vote in the Assembly Local Government Committee, but was granted a rehearing next Wednesday.

The bill is racking up a long list of opponents -- nearly all industry groups and local elected officials. They say appointments made in Sacramento will rob local control from the air district, even though the bill states the appointees must be residents of the air district.

Among the opponents is Assemblywoman Nicole Parra, D-Hanford.

"I have grave concerns about adding four additional members to the air district board," Parra said. "This bill, while good-intentioned, will not add to assisting the board with doing anything to combat air pollution. I'm one who always has a bias for local control. If they are appointed, it's different from being elected."

Another opponent is Bakersfield City Councilman Mike Maggard, a member of the air district governing board.

"If any person is appointed to this board who is not directly accountable to the voters," he said, "then that person will be in a position to push their own personal agenda with complete immunity, and that is dangerous for all of us."

But Machado spokesman Colin Grinnell said the point of the bill is to add board members who bring regional perspective and an accountability to the public at large. In some cases, he said, air district board members place their own city or county agendas above the larger need for clean air.

"If you appoint people who are residents of the district and have an interest in the area, I think local control may be enhanced," Grinnell said. "They don't have to be elected officials to know the community and know the effects of air pollution on their community."

Kevin Hall, an air-pollution specialist with the Sierra Club's Tehipite Chapter, said another critical point is that air pollution would be the full-time focus of the four new appointees. That's important, he said, because the issues are so complex.

"When I look at the city council members and county supervisors who comprise the board, I see people who are very, very busy at home," Hall said. "The depth of experience is not there. They don't have the time for the job, and a few board members who do would lead to much better questioning of staff recommendations."

Another opponent is Fresno Mayor Alan Autry. In a press release on city letterhead recently, he accused Sacramento politicians of trying to "hijack" the air district board, despite the fact that the bill's author represents valley residents in San Joaquin County.

"The fact is, adding four to a sitting board of 11 doesn't change the control of the board," said Tim Carmichael, executive director of the Coalition for Clean Air, which supported similar changes in the South Coast air district in 1982.

"The '70s in South Coast were similar to the '90s in the San Joaquin Valley as far as poor performance by the sitting board. They have not developed and adopted (pollution control) plans that are sufficient. The most real impact for people in the San Joaquin Valley will be a better air-quality plan that achieves clean air sooner," he added.

Jamtrak: Ridership soars

By Matt Weiser
The Bakersfield Californian

June 25, 2003

People get on and off a train at the Amtrak station Thursday. Several Amtrak routes in California are seeing strong gains in ridership. Valley travelers are flocking to Amtrak this year in response to special offers and better service, pushing ridership on the train's San Joaquins route to record highs.

Ridership on the route, which connects Bakersfield with Sacramento and Oakland, increased every month from September through April compared to the previous year. Passenger volumes dipped slightly in May, but Amtrak officials anticipate another increase in June. The route posted increases of 12 percent in April and a 20 percent jump in March.

Overall ridership for the July 2002 through May 2003 period is up 5 percent. With one month still to go in Amtrak's fiscal year, the route has already carried more than 733,000 passengers, an increase of 23,000 over the prior year.

"I don't think they've ever grown this fast, this long," said Richard Silver, executive director of the Rail Passengers Association of California.

The San Joaquins isn't the only Amtrak route growing in California. The Capitols and Pacific Surfliner routes have also seen ridership gains. All three are operated as a partnership between Caltrans and Amtrak. But the valley route has become one of the fastest growing in the nationwide Amtrak system, and it is not unusual for its trains to be full, especially on weekends.

"It's taking hundreds of thousands of vehicles off the road and saving untold gallons of gasoline," said Caltrans spokesman David Anderson.

A number of factors contribute to the ridership gains. One key contributor is Bakersfield's new downtown Amtrak station and bus transfer facility, which opened in 2000. The \$15 million station offers easy bus-to-train connections, plenty of shade, clean and spacious waiting areas and easy walking access to neighboring amenities.

The new station is important not just to Bakersfield's image, Silver said, but to the image of Amtrak as a whole. Many northbound Amtrak passengers board the train for the first time in Bakersfield after arriving by bus from points south and east.

"Nobody has a bad experience there, like before," he said. "I don't dread that transfer to the bus like I used to."

Anderson noted the state has invested \$141 million in the San Joaquins route since 1998. These improvements range from track repairs to a second daily round-trip train added on the Bakersfield-to-Sacramento route last year. Four others make daily runs between Bakersfield and Oakland. In recent years, many of the train cars and buses serving this route have been replaced with newer models, offering passengers more comfort and convenience.

All this has helped make the train appealing to those who wouldn't have considered it in the past, including business travelers.

Michael Turnipseed is one example. A Bakersfield-area farmer, Turnipseed was appointed in 2001 to represent Kern and Kings counties on the California Farm Bureau Federation board of directors. The board meets nine times a year in Sacramento, and he rides Amtrak to each meeting.

"I just decided to take the train, basically, because of the convenience," he said. "I clean up my schedule, take some work with me, and I make the trip. It takes about an hour longer than driving by car, but I get there refreshed and I'm not tired."

School groups have also become a big share of Amtrak's riders, thanks in part to a joint venture with the San Joaquin Valley Air Pollution Control District. The district promotes the train by offering educational materials to local schools, and Amtrak allows school groups to ride to Sacramento for as little as \$10 round-trip per pupil. A number of valley schools now make regular field trips by train to see the state Legislature in action, for example.

The air district also promotes Amtrak as a travel alternative on Spare the Air days, when pollution reaches unhealthy levels.

"Hopefully it will encourage more teachers to think of Amtrak when they want to do some field trips," said air district spokeswoman Janis Parker. "It just makes travel easier for everyone and reduces the air pollution. All around, it's a good deal."

Special and ongoing promotions also contribute to ridership gains. The March and April spikes, for example, are linked to a half-price adult ticket offer during those months. Currently, children under 15 ride Amtrak for half price every day. Ongoing 15 percent discounts are available to veterans and students, while seniors and AAA members get a 10 percent break.

Opinion

The Porterville Recorder

Editor's Notebook: Attracting business isn't our biggest issue

By David Arkin
June 26, 2003

A group of community members named what some of the city's most pressing needs are during a special strategic planning session on Saturday.

As I assume you read the story on the front page on Monday; you know that the top two issues were attracting new businesses and how to deal with sewer and water issues.

I attended the strategic planning session and was surprised that attracting new businesses and the sewer and water issues made the top 2.

Sure they are hot issues, but both issues received very little attention and time during the four-hour session.

It's obvious that people want new business in town, but I can't recall many, if any, community members addressing concerns about attracting business during the meeting.

And people seemed overall bored with the topic of sewer and water problems, even though City Manager John Longley said water would be a critical issue in the next five years.

Other issues like air quality and combating graffiti seemed to be much more of an interest to those in attendance.

However, those aren't the issues that got the most votes.

The way those in attendance voted was not done well and might be the reason why the top 2 choices are puzzling.

Each person in attendance got four green circles. On a wall, the leader of the session had labeled eight issues that participants had said were pressing issues. People got to place their stickers near what they thought were the four biggest issues.

My first sticker went on the air quality question and then I voted for graffiti, reductions in city staff positions and finally, attracting business.

The results showed that many people put stickers on attracting businesses, but as I watched folks place their stickers, I saw that many used their last sticker for the attracting business issue, showing that obviously wasn't their first choice.

People should have been given just one sticker. That way, the results wouldn't have been skewed.

Not to say that attracting business isn't a concern for people, because it is. When more businesses come to town there are more options for people.

But let's be honest here folks, what's more important - cleaning up the air, addressing the horribly low poverty problem, the uneducated workforce or attracting more businesses so people have more places to shop in Porterville?

I hope you don't have to think twice about the answer.

If the Valley doesn't clean its air soon it will lose millions and millions of dollars in funding for roads. And its extremely depressing poverty issue and lack of educated workforce is alarming. Those are critical issues.

Sure getting business here is important too, but people must look at what are necessities and what are luxuries.

I applaud city officials for asking residents what they think the big issues are. I can only hope that they actually use the feedback when putting together their strategic plan.

But before the next meeting, it might be a good idea to take a look at the issues that residents marked as being most important and re-evaluate how that was decided.

I guarantee that if those in attendance were asked to name the most important issue, attracting business would not make the top 3.

Right now, there are greater concerns than new businesses coming to town. Hopefully people who are putting together the strategic plan will realize that.