

EPA, large livestock farms may cut deal

Enforcement of clean air rules may be delayed

Visalia Times-Delta

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By Doug Abrahms, Washington Bureau

WASHINGTON -- Federal regulators are getting close to a deal with large-scale livestock operations that would give them temporary amnesty from complying with the Clean Air Act but could eventually lead to reduced emissions.

The proposal being negotiated with the Environmental Protection Agency would delay enforcing clean air rules against large livestock operations while a 30-month study is conducted on the pollutants that emanate from dairy farms and chicken houses, said John Thorne, a lobbyist with Capitolink, which represents chicken, hog and dairy concerns.

"Before the EPA enforcement office does any more enforcement, we need more science on who's covered and who's not," Thorne said. But environmentalists, who leaked the information about the talks this week, say the EPA has stopped investigating factory farms for Clean Air Act violations while it negotiates this study with industry. The study could delay efforts to make these giant operations cut back on their emissions by years, they say.

Most hog, dairy and chicken farms have turned into major industrial operations, yet are not regulated under the Clean Air Act, said William Becker, executive director of the Association of Local Air Pollution Control officials. Bakeries, dry cleaners and auto-body shops all must comply with federal air laws, but livestock operations have avoided them so far, he said.

"To allow these huge industrial organizations to escape control altogether is very unreasonable," Becker said. "This industry for years has been below the regulatory radar screen."

How this will affect Central Valley dairy farmers remains unclear. Farmers using generators to pump water have to file air-pollution permits with the EPA this month, while dairy and poultry operations must file animal-waste permits in August.

Kevin Hall, an air-quality expert in the Sierra Club's Fresno chapter, said these negotiations will only delay rules that cut down on dairy-farm emissions. Dairy farms continue to get bigger in the southern San Joaquin Valley and these operations put out ammonia and fine particulates, which add to air pollution, he said.

"We can't get to clean air in the Valley with these sources being unregulated," Hall said. "The rallying cry for industry, especially farming, is we need more science."

The Clean Air Act was never designed to regulate agriculture, said Paul Martin, environmental services coordinator for the Western United Dairymen. For example, barns in California are open, which makes measuring or regulating emissions harder, he said.

"The dairy industry is very much aware of the air quality problem in the Valley and we do take it seriously," he said. "We really are faced with a limited understanding of the air emissions that do come off livestock operations."

Currently, ammonia, dust, hydrogen sulfide and other pollutants from large farming operations have not been regulated under the Clean Air Act.

Community complaints of large hog and chicken operations prompted the EPA to investigate whether some farms were violating the Clean Air Act in the last few years.

In 2001, the EPA settled with a Missouri hog farm, which agreed to pay a \$350,000 fine and cut nitrogen discharges and monitor its air emissions from barns.

Dave Ryan, an EPA spokesman, confirmed that negotiations were going on between industry and the agency but no date has been set for the release of any new rules. The agency is following the advice of the National Academies of Science, which put out a report in December recommending further study of emissions from factory farms, he said.

The deal being negotiated, which could be announced in weeks, would not give industry a blanket exemption from following the Clean Air Act, Thorne said. It would only temporarily exempt farms that agreed to have their emissions monitored, he said.

"This is not a delay tactic," he said. "We just want everybody to get a fair shot at getting the right answers."

Environmentalists worry that the EPA is considering a second provision that would deem emissions from waste lagoons and barns as "fugitive emissions" that don't come from a smokestack or vent. Fugitive emissions don't count when determining if a source is a major polluter and could result in most factory farms not having to comply with the Clean Air Act, Becker said.

"There comes a time when we can no longer look the other way when [farm] emissions are so problematic," he said. "We don't give that exclusion to any other industry that we regulate."

Plan underway to build West's largest cow town

The Bakersfield Californian

The Associated Press

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BARSTOW, Calif. (AP) - A plan is in the works to build the West's largest cow town, a nearly 2,000-acre gated community in the Mojave Desert where 600 dairy farmers and their families would live alongside about 90,000 cattle.

The plan being pursued by two successful California businessmen aims to reduce agricultural pollution in the town by turning manure into clean, renewable energy to run the cow complex, with some left over for sale to the electricity grid serving Southern California.

Estimated cost of the project is \$1 billion. "We're talking cow condos, a complete gated community, sharing all sorts of services. It will be good for dairymen and a good way to dispose of animal waste," Henry Orlosky, one of the developers of the proposed cow complex, told the Los Angeles Times in an article published Sunday.

Orlosky and partner William Buck Johns plan to seek permits for the dairy in July from San Bernardino County. With strong backing from lawmakers and the dairy industry, the first of the cows could begin arriving in the high desert early next year.

The complex would build 30 dairy farms from scratch with 3,000 cows each on a 1,920-acre former alfalfa field in the Mojave just north of Barstow. The cow condos would include paved floors and covered stalls, complete with solar panels on the roofs. A plumbing system would continually flush each dairy like a giant toilet since cows can produce 100 pounds of excrement a day.

Cow manure would be piped to a digester that would use bacteria to extract methane for fuel. Using this process, a power plant in the cow town could generate 50 megawatts of electricity. The plant would be part of a giant energy complex, Harper Lake Energy Park, that also would include a 550-acre solar power station and a pair of 400-megawatt natural gas-fired turbines. While digesters aren't new, they have never been used before on such a large scale in such a remote area.

Some dairy farmers question feasibility of the proposal, while some environmentalists fear the cow complex would not be as clean as Orlosky and Johns claim.

"I'm not sure how excited the public is going to be on a threatened desert wetland when you have tens of thousands of dairy cows and the associated stench and flies," said Daniel Patterson, biologist for the Southwest Center for Biological Diversity.

Even supporters concede putting 90,000 Holsteins in the midst of the desert is unusual.

Nevertheless, the project is being propelled by two powerful political currents: the need to reduce agricultural pollution and the need to diversify and expand California's sources of electricity.

Under a new state law, California is supposed to get 20 percent of its energy from renewable sources by 2017. Power demand statewide is growing by 2 percent annually, and the state Energy Commission recently granted dairy farmers \$8 million to develop alternative sources of energy.

In the San Joaquin Valley, emissions from livestock waste are emerging as one of the leading causes of air pollution in one of the smoggiest places in the nation.

"On the surface it seems crazy, but we have to start thinking outside the box," said Assemblywoman Barbara Matthews, D-Tracy, who chairs the Assembly Agriculture Committee.

Public to get peek at fuel-cell technology

The Bakersfield Californian

Sunday May 11, 2003, 11:06:26 PM

The public will have a chance to examine cutting-edge fuel-cell cars -- and maybe even ride in one -- when a caravan of the vehicles passes through Bakersfield Thursday.

The Rally Thru the Valley is designed to promote fuel-cell technology and show the public that these vehicles can work in the real world. The event, organized by the California Fuel Cell Partnership, begins in Sacramento on Wednesday and concludes in Los Angeles Saturday.

The Bakersfield visit starts at 2 p.m. at the Kern County Museum, 3801 Chester Ave., where the public will have a chance to take a test ride in a fuel-cell car. The stop also includes refreshments and a display of fuel-cell technology. Then the

caravan heads to the Downtown Bakersfield Street Fair, where the cars will again be on display from 6:30 to 9 p.m. The cars head south to Los Angeles the following day.

Event spokesman Michael Coates said the rally is a rare chance for the public to get close to the budding fuel-cell technology, billed by President Bush and others as the answer to air pollution and oil-supply problems. Fuel cells convert hydrogen into electricity, which then runs electric motors on the vehicle, producing only heat and water vapor as byproducts.

"It's the current vision of the future," Coates said.

For more information, visit www.fuelcellpartnership.org or call (916) 371-2870.

Clearing air -- here and in Sacramento

By VIC POLLARD, Californian Sacramento Bureau Chief

The Bakersfield Californian

May 2, 2003

SACRAMENTO -- The biggest effort so far to clean up the nasty air in the San Joaquin Valley is getting under way in earnest here.

It's an incredibly complicated game, if a battle with such high stakes can be called a game.

On one side are the valley's farmers, who provide most of the jobs and bring most of the money into the valley. Unfortunately, they also cause much of the pollution and will have to bear much of the burden of cleaning it up at a time when low crop prices have many of them teetering on the financial edge.

On the other side are environmentalists and health officials, acting on behalf of city dwellers and other valley residents who suffer asthma and other lung ailments at a rate three times that of the rest of the country.

In the middle is a Kern County lawmaker, Sen. Dean Florez, D-Shafter.

He has proposed a massive package of clean-air reform bills that would take the first big bite out of the dust, smoke and other particles that leave the valley with some of the dirtiest air in the nation.

Florez is an experienced legislator, but he got a quick lesson last month in just how hard the task was going to be.

Since old cars are considered major sources of smog, Florez had written a bill to require smog checks on cars going back 45 model years, 15 years older than under current law.

What he didn't reckon with was the political sophistication and clout of California's classic car collectors.

With "The Tonight Show" host and major-league collector Jay Leno personally leading the way, they shot that idea down like a clay pigeon. While Florez figured air quality wouldn't suffer too much from dropping the old-car proposal, he is trying to hold on to the more substantive pieces of his legislative package as he steps into the legislative minefield.

The major items are:

- * An end to agriculture's traditional exemption from sometimes onerous state and federal clean-air laws. It is the only industry to be given such a free pass.

- * A phaseout of open-field burning of farm waste, one of the most visible sources of pollution. There is an accompanying measure to provide subsidies and other incentives to biomass facilities to burn more farm waste for their energy production.

- * Giving the San Joaquin Valley Air Pollution Control District some authority over pollution from cars, trucks and farm equipment for the first time. Now, the district's hands are tied when it comes to regulating mobile sources of smog, which is exclusively a state and federal function. Another valley lawmaker, Sen. Mike Machado of Stockton, is sponsoring a bill to add four members to the board appointed by state officials, a response to criticism that the current locally appointed board is too beholden to the agriculture industry.

- * A request for voter approval of a \$4.5 billion bond issue for, among other things, helping financially strapped farmers pay for pollution reduction measures and beefing up health care programs for asthma sufferers and other pollution victims.

So far, all the lobbying organizations that represent farmers -- the Farm Bureau, Western Growers Association, Nisei Farmers League, etc. -- are officially opposed to the major pieces of Florez's package, especially the blanket ending of the agricultural exemption.

Bakersfield's Republican Sen. Roy Ashburn got their support instantly with a proposal to officially retain the exemption but allow the government to impose regulations only on the biggest polluters.

That, however, died an instant death at its first hearing this week in the liberal-dominated Senate Environmental Quality Committee. Florez, a moderate Democrat who represents the vast farming areas of the

valley's west side, says his approach is to require changes in farming practices and equipment that will help clean up the air, accompanied by funding and financial incentives to help pay for it.

He says the traditional environmentalist philosophy of requiring the affected industries to pay all or most of the costs of pollution cleanup and prevention won't work with agribusiness.

And he knows it's going to be a hard sell to convince lawmakers from Los Angeles and San Francisco to vote to put the bond issue on the ballot.

Many of them still cling to the cliché that most farms in the valley are maintained as tax dodges by wealthy corporations from back east.

They may also want to know what's in it for them, and Florez may have to add some sweeteners.

"That's something we can talk about," he said recently.

But even if he gets the votes of all his fellow Democrats in the Legislature, they don't make up the two-thirds majority needed to move the bond issue.

He will need votes from at least two Republicans in the Senate and six in the Assembly.

Among GOP senators, Florez says the most likely targets are the three from the San Joaquin Valley: Jeff Denham from Modesto, Chuck Poochigian from Fresno -- and Ashburn.

So far, none of them are lining up behind Florez's plan.

"I'm opposed to a bond issue," said Ashburn.

"It's unwise fiscal policy given the indebtedness of the state and the uncertainty of the budget solution."

But there are lots of negotiations to come, and if you talk to individual farmers, many of them know that life will never be the same, given the growing public concern over the crud in the air that makes the mountains almost invisible and leaves children choking with asthma.

Said Shafter grower Jim Crettol, "It's something we're going to have to deal with."

Letters to the Editor, The Bakersfield Californian
May 9, 2003

Follow Europe's lead

My wife and I just returned from a trip to Europe. A recent article regarding Kern County's air pollution reminded me of various ways they fight air pollution in France, Germany and Switzerland. Traffic lights are very rare, so most exhaust production goes into mileage -- not idling.

In Switzerland, the law requires that where there are traffic lights, only the first two cars in line may keep their engines running (so they can start moving quickly.) The remainder must turn off their engines. The air there is pristine.

On the whole, they have much smaller, more gas-efficient cars than we do. Many of us have this "I want a big car" attitude which wipes out completely any chance for air improvement.

In Europe, smaller is better, so the occasional large vehicle doing its polluting work isn't quite as destructive as the many luxury vehicles, RVs and SUVs that contribute to our state's air problems.

We can blame San Francisco and other areas for our pollution. And they do carry a big part of the responsibility. But, in fact, we are responsible for the very same reasons they are. Not until we're all willing to place more importance on something bigger and more important than ourselves will we ever begin to meet the challenge of cleaning up the air we're passing on to our children.

Of course, we can continue to insist on our rights, and in our self-centeredness, bequeath to our children asthma, emphysema and other respiratory problems. It all boils down to a matter of priorities.

ROBERT C. CLATTERBUCK, Bakersfield

Letters to the Editor, The Bakersfield Californian
May 11, 2003

Synchronize lights

The poor quality of air is, with double meaning, "very irritating" to us in our valley communities.

Possible solutions have been proposed by many sources. Here is another for consideration by San Joaquin Valley Air Pollution Control District, and the city engineers.

Reports say that engine exhaust is one of the prime ingredients of our monumental problem, caused when auto emissions cook in the heat. The traffic lights, particularly in downtown Bakersfield and around the immediate area where city blocks are closely regulated, are seriously lacking in synchronization.

This condition not only impedes traffic flow, but more importantly, it encourages increased pollution when autos idle, stop and start repeatedly. As an example,

just drive downtown on 18th Street and see for yourself. Duplicate the situation throughout the city on any given day, and you'll see what I mean.

Pretty basic stuff, huh! Maybe just a small step in the process to improve our air, however these small steps add up. The improved traffic light synchronization on Rosedale Highway has helped set the bar.

Other readers are invited to comment likewise, with the hope that some action is taken accordingly.

FRANK HOETKER, Bakersfield

Letters to the Editor, The Bakersfield Californian
May 12, 2003

Choking on fossil fuels

Is it a lemonade stand? I think not! I disagree with Sen. Barbara Boxer on almost everything, but she does have at least one redeeming quality: she sees the importance of conserving our natural resources for future generations.

George W. Bush, on the other hand, is someone I entirely support, except for his shortsighted, misguided views regarding fossil fuels. The Alaskan wilderness should be left untouched, and the way to accomplish that goal is to shift our focus from fossil fuels to renewable and non-polluting sources of energy.

Man is the only animal on the face of the Earth that has the ability to choke himself to death. In my view, he's been doing a great job of just that. Bakersfield and environs have earned, by dint of great struggle, the dubious honor of creating an air pollution problem that few areas in our nation can rival.

I'm choking; how about you? Fossil fuels, no; clean air and water, yes.

JIM BUDDLELL, Taft

Thinking outside the car

By Audrey Cooper
Record Staff Writer
Published Monday, May 12, 2003

The route is somewhere between five miles and a half-marathon. The effort will require upping the wake-up time on their alarm clocks by at least an hour.

But at least six downtown Stockton workers say they're still looking forward to walking to work from their Brookside homes Friday.

The team of Stockton city employees is participating in the ninth annual California Bike/Hike to Work Week, which encourages commuters to try alternative forms of transportation that help cut traffic and reduce air pollution.

About 35 people from various city departments have promised to try walking, biking, carpooling or taking the bus to work at least once this week. Last year, the city had 54 participants. Commuters from San Joaquin County who try an alternative commute at least once this week are encouraged to contact the San Joaquin Council of Governments, which is holding a drawing for prizes such as new bikes and walking shoes.

Last year, more than 1,000 people from Stanislaus and San Joaquin counties participated in the weeklong event organized by COG, a regional transportation planning agency.

Kathy Tomura, a city engineer, said Friday she usually drives to work from her north Stockton home. On Friday, she'll be walking with colleagues.

"I mostly wanted to see if I could do it," Tomura said.

Tomura's group of walkers aren't the only ones lacing up comfortable shoes for their commute. Barbara Atkinson, a secretary at the Stockton Police Department, plans to walk with a colleague the four miles from the Sherwood Mall to downtown.

"I don't think it will be too hard. I just hope I don't need a shower when I get into work," she said.

Getting commuters to think about how they get to work is half the point of the week, said Rosa Trujillo, a regional planner with COG.

"This gives them options to think about. And the hope is that they'll try it and decide it really works for them," she said.

This might be one of the best years for encouraging commute alternatives.

Mary Jane Hasal, Jackie Lee and Charlene Rodriguez started driving together to Stockton from their Manteca homes about a month ago.

"We didn't want to walk that far," Hasal joked. "It's saved tons of money on gas, especially when the prices were up there above \$2 a gallon."

The three women trade off driving duty. They haven't had to fill up their tanks for weeks, Lee said.

On Wednesday, people who pledge to try an alternative commute will be receive free T-shirts from 6:30 to 8:30 a.m. at the Lodi transit station.

During the entire week, bikers will get free rides on Tracy buses. The San Joaquin Regional Transit District will offer free rides Thursday for bikers taking a Stockton-area or intercity bus. Bike-rack space on the buses is limited, so free rides will be given on a first-come, first-served basis.

The Altamont Commuter Express, Lodi Grapeline, Modesto Area Express and Stanislaus Regional Transit system also welcome bikers.

For more information on commuting alternatives, go to

www.commuteconnection.com.

Experimental fuel cell vehicles coming to valley

Modesto Bee Editorial, Published: May 12, 2003, 06:15:11 AM PDT

We may get a close look at our driving future this week, when a traveling road show of prototype fuel-cell cars makes its way through the valley, with stops in Ripon and Merced, both on Wednesday. It's called the "Rally Thru the Valley," and it will give many residents a chance to see this tantalizing technology for the first time.

Fuel cell vehicles tantalize, of course, because they are zero-emission cars. They emit none of the pollutants that are spewed from internal combustion engines. In a valley plagued by foul air, that's a dream come true.

There's a catch, of course. The technology isn't ready for the marketplace yet, and there's no way to predict when that might happen. Some of these prototypes carry a price tag in excess of \$1 million. (There's a sticker shock of the first order.)

But the research goes on, pushed forward in large part by the commitment President Bush made in his State of the Union Address on Jan. 28. The president proposed \$1.2 billion in funding for research "so that America can lead the world in developing clean, hydrogen-powered automobiles."

It's good to see that the University of California at Merced is a co-sponsor -- along with the Sacramento-based California Fuel Cell Partnership -- of the Merced leg of the road trip.

UC Merced, as it grows and matures, has a chance to do for environmental sciences and the San Joaquin Valley what Berkeley and Stanford did for Silicon Valley -- be the seed bed of dramatic advances in science and engineering -- and the tremendous economic benefit they produce.

The cars on parade come from DaimlerChrysler, Ford, General Motors, Honda, Hyundai, Nissan, Toyota and Volkswagen, most of them members of the partnership along with oil companies, research firms and various government agencies.

Check it out. Fuel cell vehicles will be on display at the Jack Tone Road southbound exit on Highway 99 from 12:45 to 1 p.m. on Wednesday. In Merced, the vehicles will parade through downtown and drive to Lake Yosemite Park near the UC Merced campus between 2 and 2:30 p.m.

Take a stand for air

By Diana Robles

Fresno

Letter to the Editor, Fresno Bee (Published Monday, May 12, 2003, 5:30 AM)

According to the California Air Resources Board, more than 90% of all Californians breathe unhealthy air during some part of each year. Our Valley has some of the dirtiest and unhealthiest air in the nation. The San Joaquin Valley is now home to the highest childhood asthma rates in California and as a result, it is now ranked No. 2 in the United States as one of the most polluted air basins.

For these reasons, air quality has become one of the most important issues in the region. It is time that we take action because our own health is in jeopardy. The situation has become so bad that many children can no longer run across a field without beginning to feel like they can't breathe and beginning to cough. In the past year, many outdoor activities at local schools have been canceled due to unhealthy air.

If this continues, the youth of our nation will begin to experience other health problems besides asthma. In the future, we need to look at the impacts of all pollutants and develop a more efficient strategy to decrease air pollution. I plead that our communities stand for the Clean Air Act and help diminish air pollution in the Valley.