

# **Fresno vows to cut air pollution**

## **Plan could lead to four-day workweeks, free bus rides.**

By Pablo Lopez

The Fresno Bee

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The Fresno City Council vowed Tuesday to put a dent in pollution with a \$17.8 million, three-year plan that could lead to free bus rides on smoggy days, four-day workweeks and employees working from home.

The key question is whether the federal government will give Fresno the money. The council voted 7-0 to tell staff to return within 90 days with project specifics, more detailed costs, possible money sources and a starting date. Council members also directed City Manager Dan Hobbs' staff to return with land-use ideas and possible changes to policies and ordinances that could help clean the air.

Sensitive ideas, such as banning gas-powered leaf blowers and closing drive-up windows at fast-food restaurants and banks, likely will be included. The council took up those issues in the late 1980s, only to let them fade away.

"We're taking a bite out of the pollution apple," said Council Member Brian Calhoun. "But the council's action might be painful for the public because it will affect their convenience." During a lengthy discussion at Tuesday's council meeting, city officials said they want more people, including downtown employees, to ride city buses. But a recent survey shows people love their cars, said Bruce Rudd, the transit's general manager.

Fresno resident Gloria Torrez told the council that traveling by bus is inconvenient and expensive. It costs \$1 per ride. "We have to wait a half-hour to an hour to catch a bus," she said.

If that's not enough, she said, people waiting for the bus must "inhale the fumes" from passing motorists. Rudd said one way to increase ridership would be to raise downtown parking rates. Council Member Henry T. Perea's alternative: give city employees free bus rides to work and home.

No matter what measures are taken, council members clearly wanted to know what they could do to reduce pollution in one of the nation's dirtiest air basins.

Already this year, Fresno has committed \$10.3 million in federal, state and local grants on projects that will reduce smog-forming emissions by 116.88 tons and particulate matter by 3.78 tons, Transportation Director Noah Lagos said.

About \$1.5 million will be spent on reducing emissions on a portion of the city's diesel buses; on buying natural-gas buses and garbage trucks; on bicycle

programs; and on a bus transportation project. The remaining money will go to the Intelligent Transportation System, which will one day synchronize 550 traffic lights to relieve stop-and-go travel and traffic congestion, both large contributors to the Valley's air pollution. The traffic-light project has seven phases of development. The city has received federal grants of more than \$13 million for the first four.

If Fresno can get \$17.8 million more in federal funds, Lagos said, the city could reduce smog-forming emissions by 158.49 tons over the next three years and particulate matter by 6.47 tons. Fresno should learn in the fall whether it will receive the money.

Highlights of the city staff's preliminary plan, and the estimated cost over three years:

Retrofit 42 diesel buses and 162 heavy duty, diesel city vehicles and purchase more naturalgas buses and garbage trucks; \$6.25 million.

Provide free bus rides during Spare the Air days; \$100,000.

Invest \$8.5 million in the traffic-light synchronization project.

Complete 10 bicycle-related projects; \$500,000.

Purchase four EPA-certified street sweepers; \$250,000.

Implement a four-day workweek for some city employees. Though this would cost the city little or no money, there is no provision for such a schedule in labor contracts.

Spend nearly \$2 million on energy-efficient programs such as retrofitting city buildings with solar power and providing financial incentives to residents who convert their homes and businesses to energy-friendly technology.

"These are just estimated costs," Lagos said of the preliminary plan. "We will refine them as we get more specific with each project."

On Jan. 14, a council majority of Calhoun, Jerry Duncan, Tom Boyajian, Mike Dages and Cynthia Sterling told city staff members to return with a plan to reduce air pollution by 2% a year for at least three years. Castillo and Perea voted no.

Tuesday, the full council was on the same page, praising Lagos, Rudd, Bob Madewell, transportation manager for public works, and other staff members for their ideas. Their plan will reduce pollution by much more than 2%.

In January 2001, the council approved the purchase of 25 natural-gas buses, which burn cleaner than the diesels but are more expensive. So far, the city has

received three natural-gas buses; the remaining 22 are on order. The city also has two electrical-diesel hybrid buses.

In addition, the council last month agreed to spend \$2.18 million on 12 garbage trucks that run on natural gas. To help Fresno with the purchase, the San Joaquin Valley Air Pollution Control District gave the city \$276,000.

The natural-gas trucks should arrive this summer.

The city also is researching whether to give drivers of zero-emission or very-low-emission vehicles free parking at city meters, lots and garages.

Calhoun said the council is committed to reducing pollution and will prove to federal officials that the city deserves more federal funding.

"I know we have the political will," he said.

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## **Trash fire fills sky with smoke**

The Bakersfield Californian

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The smoke looked worse than the fire in Rosedale Tuesday morning.

Black smoke rose into the air from a fire that began at 9:53 a.m. in a grass field near houses and the Golden State Nursery off Allen Road, north of Rosedale Highway.

The black smoke was from refuse at the nursery, mainly some Styrofoam containers and some wood that were stored on the east edge of the property.

Eight firefighters contained the fire in about 15 minutes, keeping it about 30 yards or more away from residential fences on the east side of the field, Kern County Fire Engineer Jymme Lyn Ahl said.

She noted that the petroleum-based Styrofoam not only sends up black smoke, but it also burns quickly.

"This stuff burns like gasoline," she said.

The fire is a reminder that as warmer weather approaches, grass fires may occur at any time and people should have adequate fire breaks around their property, Ahl said.

"People can make the best defense and will help with a good offense," the engineer said.

No one was hurt in the fire, and there was no dollar loss, she said.

## **Modestans urged to pick pedal power on Thursday**

By MELANIE TURNER

BEE STAFF WRITER

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Avid bicycle riders and occasional cyclists alike are invited to join in the city's annual Bike-To-Work Day event Thursday.

Simply put, "We want some better air," said Annamarie Newton, the city's rideshare coordinator.

The basic message is this: Get out of your car to help cut down on air pollution and ease traffic congestion.

Dozens of downtown employees are expected to participate. Commuters will bike to Tenth Street Place, 1010 Tenth St., where they will be treated to a free continental breakfast.

The first 125 riders will get T-shirts and goody bags with water bottles, magnets and other treats.

Riders can choose their routes that morning or join groups to be escorted between 6:30 and 8:30 a.m. from three locations by Modesto Police Department bike patrol officers.

Newton said when the weather warms up, she bikes a few miles to work once or twice a week.

"I do feel guilty when I drive my car," she said.

Thursday is the day people stop making excuses and take to pedaling, she said.

"Everybody's kind of jazzed," she said. "We get this plaza full of bikes."

Last year, more than 100 riders turned out, she said. Free bike parking is available this year. Cyclists can pick their bikes up after work, Newton said.

For more information, contact Annamarie Newton at 571-5193 or [anewton@modestogov.com](mailto:anewton@modestogov.com).

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## **Pollution rules face challenge**

THE ASSOCIATED PRESS

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SAN FRANCISCO -- California's farmers asked a federal appeals court Tuesday to delay rules that would regulate agribusiness' air pollution for the first time.

Since the 1940s, California lawmakers and the federal government have exempted agribusiness, the state's largest industry, from needing pollution permits and from having to control fumes from irrigation pumps and methane gas from animal waste. Environmentalists successfully sued last year, arguing it was time to clean up some of the nation's dirtiest air.

In response, the U.S. Environmental Protection Agency reached an out-of-court settlement that would regulate agribusiness as it does industrial smokestacks.

The California Farm Bureau, representing about 87,000 farmers, said the permits, and pollution control measures that may go along with them, could cost a grower tens of thousands of dollars.

Applications due starting today

Applications for irrigation-pump permits start becoming due today for farms annually producing at least 25 tons of smog-producing pollutants. The farm bureau says it does not know how many farmers are covered.

"That's the problem," said Craig de Recat, the bureau's attorney, after the 40-minute hearing.

A three-judge panel of the San Francisco-based 9th U.S. Circuit Court of Appeals did not indicate whether it would delay the rules, but a decision is not expected soon.

Permits for manure pollution are due starting in August.

De Recat told the judges that measuring farming pollution is more difficult than weighing factory pollution. Until there is more scientific data on how to quantify manure-waste pollution, for example, farmers will be at a loss on how to comply, he said.

He called the permitting requirements a "sham" developed "behind closed doors," and argued that they should be delayed indefinitely.

Ag is state's largest industry

Agriculture is California's largest industry, covering nearly 28 million acres. Growers contribute more than a quarter of the smog in the farm-rich San Joaquin Valley during summer months and most of the soot pollution the rest of the year, according to estimates by the California Air Resources Board. The valley, with some of the state's richest cropland, is one of the most polluted air basins in America.

Valley farmers, however, contend they are not the sole contributors. Pollution, they say, is blown in from neighboring industrial areas, where it becomes trapped and cooks under the sun.

Meanwhile, animal waste is on track to become one of the largest sources of smog in the valley in the next three years, according to state projections.

Lori Cardoza, a partner of the family-owned Sousa & Sousa dairy operation in Tipton, said in an interview the permitting process might require that her 1,000-cow farm install so-called methane gas digesters on their manure pits to comply.

"It's not like we can put a filter on a cow," she said. Thomas Lorenzen, an EPA attorney, told the judges that if farmers cannot understand how to comply, "EPA can make that determination for them."

## Activist group goes after dirty air again

By MARK GROSSI

THE FRESNO BEE

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Environmentalists are suing the federal government over a controversial air pollution permit for farmers, alleging that officials are not accounting for all the possible pollution from agriculture.

The Center for Race, Poverty and the Environment filed the lawsuit late Monday in the 9th U.S. Circuit Court of Appeals in San Francisco.

Earthjustice Legal Defense Fund is expected to file a similar lawsuit over the permits, which already have been the target of legal action in the past year.

The EPA requires the permit for large farms that produce more than 25 tons of smog-forming pollutants each year. The permit tracks pollution and requires annual fees.

The farmers' deadline for the application is today. Federal officials, who had not seen the challenge filed Monday, said the lawsuit won't change the deadline.

"We're moving forward," said Lisa Fasano, spokeswoman for the U.S. Environmental Protection Agency. "The deadline is still Wednesday." But the EPA is not following federal law on the application, said lawyer Brent Newell of the Center for Race, Poverty and the Environment, representing the activist group Association of Irrigated Residents.

Actual vs. potential pollution

Newell said the law requires the EPA to consider all potential pollution from farms.

The agency is looking only at actual pollution emissions in assessing whether the farms create more than 25 tons per year.

"We're challenging it because they're not following the law," Newell said.

Anne Harper, staff attorney for Earthjustice, said farmers might have to file amended applications if the appeal is successful. Earthjustice represents Fresno-based Medical Advocates for Healthy Air and Our Children's Earth Foundation in San Francisco.

Until now, farmers have not been required to obtain permits as large sources of pollution.

State law exempts farms from such permits, and federal officials did not apply their program to farms until they were required to do so under a lawsuit settlement last year.

## **Environmentalists sue over farmer exemption**

By Audrey Cooper

Stockton Record Staff Writer

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Environmentalists again have sued the U.S. Environmental Protection Agency for allowing some farmers to escape rules that target major air-pollution sources.

San Joaquin Valley farmers had until today to file for pollution permits from the EPA if their diesel irrigation pumps likely would produce more than 25 tons of smog-forming emissions each year.

The new rules are the first to regulate farms under sections of the Clean Air Act that regulate major pollution sources.

The EPA is allowing farmers to estimate how much pollution their pumps will emit during the irrigation season.

The environmental groups say federal law requires the EPA to regulate all farms where diesel irrigation pumps have the potential to cause 25 tons of emissions if run continuously. Officials say they don't know how many more farms would be regulated under that scenario.

The Earthjustice law firm filed its lawsuit Tuesday in federal court. The Center for Race, Poverty and the Environment, representing a Fresno-based activist group, filed a similar lawsuit late Monday.

Earthjustice attorney Anne Harper said the EPA guidelines, which allow best-guess estimates of pollution, are impossible to enforce.

"They're basically regulating with a wink and a nod. They're choosing not to regulate (pollution) sources that would otherwise be regulated under the Clean Air Act. It's simply illegal," Harper said.

EPA spokeswoman Lisa Fasano said it makes sense to regulate what farms actually produce, because irrigation pumps are not run nonstop. Farmers run them only until the fields are appropriately watered. Some factories, however, run continuously for months.

"We believe by estimating emissions based on fuel use and how long the pumps are run, that's a good indication of what emissions are actually produced," Fasano said.

But CRPE attorney Brent Newell said diesel pumps often are run continuously on hot summer days when smog is at its worst. The pumps usually aren't run in the less-smoggy winter months. So allowing farmers to calculate only actual emissions means those emissions are averaged over an entire year, effectively underestimating the daily effect of the diesel pumps on air quality, he said.

The recent lawsuits aren't the first over farm pollution.

Environmentalists, the EPA and the California Farm Bureau were in court Tuesday over a Farm Bureau request to delay deadlines for farmers to get pollution permits. In August, dairies, animal feedlots and farms with many natural-gas pumps also will need to apply for permits if they exceed the 25-ton limit.

The court did not rule on the issue, and no ruling is expected for at least several weeks.

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