

Florez to chair Air Quality board

Hanford Sentinel, January 7, 2003

FRESNO - Sen. Dean Florez, D-Shafter, on Monday was named chairman of a newly-formed committee charged with addressing the ever-growing air pollution crisis facing the state's Central Valley.

Florez, elected to the state Senate in November, was to announce this morning plans for a series of hearings to be held in the Valley throughout the year by the Select Committee on Central Valley Air Quality.

Last week, Florez called on Senate President Pro Tempore John Burton to form a committee to study the Valley's air pollution crisis and develop potential solutions, citing the serious health risk and negative financial implications for the Valley if the issue is not addressed promptly.

In addition to a health risk, Florez said the economic risk to the Valley is also great if federal air standards are not met in a timely manner. Valley businesses could face up to \$30 million in penalties annually until standards are met, and millions of dollars in federal funding for transportation infrastructure may be lost.

Senate panel to study Valley's air pollution

By Mike Jensen, Merced Sun-Star, January 8, 2003

The state Legislature has created a new committee to address air pollution problems plaguing the San Joaquin Valley.

Senate President John Burton created the Senate Select Committee on Air Quality in the Central Valley.

On Monday, he appointed Sen. Dean Florez, D-Shafter, from Kern County, to chair the committee.

Among those Florez has recommended to sit on the committee are Sen. Jeff Denham, R-Salinas, whose district includes Merced County.

Denham, an agricultural businessman elected to office in November, was unavailable for comment Tuesday.

But a spokesman said he would be willing to serve on the committee if appointed by Burton.

Florez, who plans to introduce several air pollution bills this legislative session, asked Burton, D-San Francisco, last week to set up the special committee.

"We need to put pressure on ourselves to do something," Florez said in a letter to the Senate president.

"This (committee) will be the venue to start challenging some of the long-held assumptions about what's causing our air problem and how we can start to fix it. We might make a lot of people mad, but we've got to do something."

The eight-county San Joaquin Valley air district is one of the dirtiest in the nation and currently fails to meet air quality standards of the Clean Air Act.

The San Joaquin Valley Air Pollution Control District, charged with cleaning the air from Bakersfield to Stockton, faces deadlines to reduce smog in the Valley or face sanctions that include millions of dollars in fines, business penalties and the delay of \$2 billion in road-building funds.

Florez said he will draft legislation that would impose limits on open-field burning, as well as bills dealing with fireplaces and tighter air pollution controls at dairies.

"I don't mean just a report in January," he told the Sun-Star. He added that he will introduce "a host of bills" to deal with air pollution.

To avoid federal penalties, the California Legislature must pass a bill this year ending a decades-old air pollution exemption for agriculture.

Failure to pass a bill could result in a freeze on federal highway dollars to the San Joaquin Valley and tougher air pollution regulations for Valley businesses.

Florez said he expects that the required legislation will originate in his committee.

U.S. Environmental Protection Agency spokesman Leo Kay said the creation of the Senate committee is good news.

"The more people involved in trying to solve the air quality problem in the Central Valley, the better," he said.

Asked if it was late in the process for the state Legislature to get involved, he said, "Now is as good a time as any to bring people together to work on this."

Josette Merced Bello, a spokeswoman with the regional air district, made similar comments.

"It's great to have help whenever we can get it," she said.

Florez said that both industries in the Valley and environmentalists are likely to be unhappy with the coming legislation.

He said that he was creating the committee to ensure that the air pollution is dealt with by California legislators, not by the federal government.

"I think we want to make sure we're ahead of the curve," he said.

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The Associated Press contributed to this report.

Council furthers fireplace proposal

But critics say work on a Fresno ban duplicates similar efforts by air district.

By John Ellis, The Fresno Bee, *January 8, 2003*

The Fresno City Council on Tuesday voted to move forward on an ordinance banning wood-burning fireplaces in any new home constructed in the city.

Council members voted 5-2 to direct City Attorney Hilda Cantu Montoy to draft the ordinance, which she will bring back at the Jan. 28 council meeting.

Critics, including council members Jerry Duncan and Brian Calhoun, called the motion a waste of valuable staff time because the San Joaquin Valley Air Pollution Control District is considering similar action on a regional level. Staff time, Duncan said, could amount to between \$5,000 and \$10,000.

New council members Mike Dages and Cynthia Sterling joined veterans Brad Castillo and Tom Boyajian in supporting the proposal by new Council Member Henry T. Perea.

"We are a leader, and we have to act like a leader," Castillo said of Fresno, which he noted is the state's sixth-largest city.

The air district wants to limit the number of fireplaces or wood stoves to one per acre of housing, require home sellers to replace or dismantle wood-burning stoves or inserts, and restrict residential wood burning on polluted winter nights.

Duncan said he supports a ban on wood-burning fireplaces, but questioned why the city should act if the air pollution control district is doing the same thing. Calhoun said the city should take a broader approach instead and "avoid piecemeal actions."

Both also pointed out that by the time the City Attorney's Office drew up the ordinance, and it worked its way through the council, it would almost coincide with the air district's final action, which Duncan said could come in April.

Montoy said the council would vote on a first reading of the ordinance Jan. 28. Approval would be Feb. 4, and it would take effect a month later -- in March.

Environmental activist and Sierra Club member Kevin Hall called the vote "a meaningless gesture" and "political grandstanding."

Critics such as Hall saw it as a way to get Perea off to a good start in his first council meeting or, worse, as an opportunity for the region's building community to speak in favor of the proposal -- which it did -- to get some positive public relations on something that is practically a foregone conclusion.

A better option, critics said, would be to wait until after the air district's final action. If it weren't stringent enough, then Fresno could beef up its own ordinance.

But Castillo said the city needs to "take responsibility for things within our control." He said the city can't regulate trucks driving on Freeway 99 or Bay Area pollution wafting into the Valley. "This is something within our grasp, and we have to do something about it."

Sterling expressed concern about older houses that, for financial reasons, depend on burning wood. But Perea said the ordinance applied only to new construction. Houses could either have gas burning fireplaces or none at all, but wood would be prohibited.

Perea said the action would remove 10 to 15 tons of pollution annually from the air. He said he'd take Fresno's proposal and encourage other Valley cities to pass similar legislation.

As for waiting for the air board, he said: "Why delay another four months when we can start now?"

The reporter can be reached at jellis@fresnobee.com or 441-6320.

County enacts paving program to combat dust By DAVIN McHENRY, Californian staff writer

e-mail: davinmchenry@bakersfield.com

Tuesday January 07, 2003, 10:13:37 PM

County supervisors approved some new policies Tuesday aimed at cutting back on local dust problems, mainly by laying down more pavement or stabilizing oil.

Spurred on by air pollution officials, the county adopted 14 anti-dust measures, some of which are already in place. Six of the measures were suggested by the San Joaquin Valley Air Pollution Control District.

The measures include paving or oiling dirt roads, dirt intersections and the shoulders of the most well-traveled roads in the county.

Also included are requirements for new residential developments to build curbs, gutters and roads immediately rather than leaving them as empty, dusty fields.

The measures also include rules already in place, such as requiring street sweeping in new neighborhoods.

Even with the new policies, residents should not expect to see huge paving projects anytime soon. County officials said they will begin paving shoulders and other dirt areas gradually.

"When we have a major road project come up we'll do the shoulders," said David Price, who heads up the county's Resource Management Department.

The county's paving will also be limited by money, Price said.

In fact, the measures have already been scaled back due to costs, he added.

Originally the measures called for paving the shoulders of all roads that have 500 daily trips or more. But county officials said that would have meant paving 654 miles of shoulders at a cost of more than \$100 million. To even oil those shoulders would cost \$4 million per year.

Instead, the county plans to gradually try to pave over the shoulders of roads with at least 5,000 daily trips, at an eventual cost of \$2.4 million, Price said.

"It's going to be very incremental," he said.

The measures are part of the valley's efforts to clean up its air, which has been branded a "severe nonattainment" area by the U.S. Environmental Protection Agency for particulate pollution, the sort of pollution caused by dust and dirt roads.

The valley faces deadlines to reduce particulate pollution or risk losing more than \$2 billion in federal highway funds.

County officials said the measures could help convince EPA officials that efforts are being made to clean up the air.

Senate panel meetings on valley smog slated by Florez

LOCAL DIGEST Bakersfield Californian, Tuesday January 07, 2003, 09:05:04 PM

State Sen. Dean Florez on Tuesday announced a series of Senate committee hearings throughout the San Joaquin Valley in an effort to deal with the valley's oppressive smog problems.

Florez, D-Shafter, was recently named chairman of the new Senate Select Committee on Central Valley Air Quality. The valley presently holds the dubious distinction of having America's second-worst air quality, exceeded only by the greater Los Angeles region. The committee's purpose is to study the valley's air-quality problems and develop solutions.

"Without swift and decisive intervention, this problem promises to escalate into a public health crisis, if it isn't already," Florez said in a statement.

Florez plans a series of 12 committee hearings throughout the valley in the coming year, culminating in a final report to the state Legislature on Jan. 5, 2004. Each meeting will focus on a different aspect of the air quality problem. Local meetings are as follows (times have not been set):

* "The Agricultural Industry and its effect on Central Valley air quality," March 7, Bakersfield Agricultural Pavilion, 801 S. Mount Vernon Ave.

* "Dairies and their effects on Central Valley air quality," May 2, Shafter City Hall, 336 Pacific Ave.

For details, call Florez's office in Sacramento at (916)445-4641.

News in brief from the San Joaquin Valley The Associated Press

Bakersfield Californian, Tuesday January 07, 2003, 11:00:12 AM

SACRAMENTO(AP) - The state Senate has created a new committee to address the San Joaquin Valley's air pollution problems.

Senate President John Burton created the Senate Select Committee on Air Quality in the Central Valley and appointed Sen. Dean Florez, D-Shafter, chairman on Monday.

Florez, who plans to introduce several air pollution bills this legislative session, asked Burton, D-San Francisco, last week to set up the special committee.

"We need to put pressure on ourselves to do something," Florez said. "This (committee) will be the venue to start challenging some of the long-held assumptions about what's causing our air problem and how we can start to fix it. We might make a lot of people mad, but we've got to do something."

The eight-county San Joaquin Valley air district is one of the dirtiest in the nation.

Regional air quality regulators face a 2005 federal deadline to reduce smog in the valley or face sanctions that include millions of dollars in fines, business penalties and the delay of \$2 billion in road-building funds.

Florez said he will draft legislation that would impose limits on open-field burning, as well as bills dealing with fireplaces and tighter air pollution controls at dairies.

Santa Cruz council may ban Segway transportation device

The Associated Press, January 8, 2003

Santa Cruz(AP) - - The Segway personal transportation device may be banned from another community's sidewalks at a Santa Cruz City Council meeting today.

The two-wheeled gadget is powered by electricity, weighs under 100 pounds and can carry a person weighing up to 250 pounds at more than twelve miles per hour for up to fifteen miles on a charge. It goes on sale to the public in March for about 45-hundred dollars.

San Francisco outlawed the gizmo from city sidewalks after pedestrian and senior citizen groups argued it was a danger to people walking.

With similar complaints in Santa Cruz, officials are considering adding the Segway to an ordinance banning electric bicycles on sidewalks.

Debbie Bulger of the pedestrian advocacy group Mission: Pedestrian is confident the city will approve the ban. She says the Segway is just too fast for sidewalks.

[Fresno Bee Editorial, January 8, 2003](#)

Help from the state

Florez's state Senate committee can play a useful role in cleaning our air.

A potentially useful public policy tool for cleaning up the Valley's air is now in place, with the formation of the Senate Select Committee on Air Quality in the Central Valley.

The state has a large role to play in this effort, and it will take aggressive leadership in Sacramento to help roll back the damage air pollution has done to the people and the economy of the Valley.

The committee was the idea of state Sen. Dean Florez, who pushed for its formation. Florez will serve as chairman of the new panel, and that's good news.

The Shafter Democrat has a history in the state Assembly, where he served until recently, as a representative willing to challenge the status quo. If ever a status quo needed challenging, it is our complex and deeply ingrained conventional wisdom about air quality.

Florez was hardly being prescient when he said Monday that "We might make a lot of people mad, but we've got to do something."

His Valley colleague, Sen. Chuck Poochigian, R-Fresno, was quick out of the skeptical box: "Obviously, the concern about air quality and the vital public health issues are quite legitimate,"

Poochigian said. "But we already have a very strong, extensive and powerful bureaucracy that operates in this subject area. ... What a committee like this could achieve remains to be seen."

But it is precisely because the "bureaucracy" that exists in this area is not "strong, extensive and powerful" that efforts such as this new committee are needed. If we'd had a more effective state bureaucracy for the past few decades, the problem might not be so bad today.

A case in point is agriculture, an area that likely is the source of much of Poochigian's concerns, given his strong ties to the industry.

In announcing his new committee, Florez said, "A lot of the problem has been exemptions [from air pollution regulations]." He also said that he will draft legislation that would impose limits on open-field burning and tighter air pollution controls on dairies.

That probably wasn't welcome news in many parts of the ag sector. That's too bad. It is true, as ag interests and others are quick to point out, that gasoline- and diesel-powered vehicles are the single biggest sources of filth in the air, but they aren't the only ones. And every group in the Valley will be called on the make changes and even sacrifices before we see improvements. There is no other way.

[Letters to the Editor, Fresno Bee, January 8, 2003:](#)

Express buses

By Frances Thompson
Fresno

With all the media attention on the smog and dangerous air pollution, our elected officials seem to have no solutions.

How about starting an express bus system for FAX? Natural gas buses would pick up riders at the regular stops until arriving at Herndon, Shaw, Nees or other feasible outlying locations and then proceed downtown non-stop. Commuters wouldn't have to spend hours on the regular buses and would save parking fees. Fewer cars mean less pollution. Employers could have incentives for those who participate.

We also have bike lanes. How about using those for golf carts (equipped with proper signals) for close-to-home errands? They are electric and clean. Limit them to non-commuting hours for the elderly to go shopping or to church, taking the kids to school or for housewives to get to stores and post offices.
It would be a start.

UPS' example

By Leslie Bell
Fresno

I have seen the words "Clean Air Vehicle" on some United Parcel Service trucks. I don't know what makes them clean air vehicles, but I give UPS a standing ovation for what they are doing. I know that other businesses will say it is too expensive to convert their trucks and I understand that, but one truck at a time would help.

It appears that the citizens of our Valley are doing their part about recycling, as I see an abundance of recycling containers in front of residences on pickup days.

But the amount of paper and cardboard that is thrown in the garbage bins by businesses should be a crime. Take a look at the cardboard boxes spilling over in the garbage bins of businesses. Are there no mandatory recycling rules in place for the Valley's general business community?

Couldn't the solid waste folks offer the same type of trash pickup for businesses that they offer to homeowners? If we need to decrease the landfill, that seems like a good start.

I thank The Bee for the informative "Last Gasp" special report about the air in the Valley. It has made us all take a look and start thinking.

The greater task

By Georgiana H. Frame
Fresno

The Jan. 2 issue of The Bee contained two items relating to improving our air quality: a letter from Richard Rayburn, "Ban drive-throughs," and in the Cityview section, the article "Making it Count," which touched on the benefits of rail consolidation.

These two solutions are joined at the hip in addressing the urgent problem of foul air in the Valley. While I totally agree with Mr. Rayburn, the number of vehicles waiting at railroad crossings, some 80,000 daily, clearly is the larger culprit.

The benefits of banning drive-throughs mirror the benefits of rail consolidation insofar as air quality is concerned. But rail consolidation will accomplish much more.

I don't think anyone has been injured or killed using a drive-through. I don't think emergency vehicles have been delayed, nor have property values been affected. There is also the fact that those who choose to use drive-throughs do so voluntarily, whereas motorists have no choice when stopped at a rail crossing.

To learn more about the many additional benefits of rail consolidation, I invite your readers to visit the Web site: www.movethetracks.org <<http://www.movethetracks.org>>.