

Costly fuel saps school budgets

Some districts consider alternatives including compressed natural gas.

By Snigdha Sen / The Fresno Bee

Friday, August 26, 2005

Fast-rising diesel prices are forcing central San Joaquin Valley school districts to increase their budgets by thousands of dollars even as education funding remains tight.

School districts are reallocating funds to cover fuel costs, and some are looking to replace older vehicles with buses that run on cleaner-burning and more cost-effective compressed natural gas.

Although school districts get their fuel about 50 to 70cents cheaper per gallon than consumers, the effect of spiraling diesel and gasoline prices hasn't spared them. School districts do not pay taxes on the fuel.

"Last year we ran out of money for gas during spring," said Joe Bjerke, transportation director for Clovis Unified School District. "We had to augment our budget by close to \$80,000 to see us through the year."

The Fresno area's average diesel price increased slightly to \$3.23 Thursday, about \$1 more than a year ago, according to AAA. Gas prices rose to almost \$2.80 a gallon for regular unleaded Thursday from \$2.07 a year ago.

Anticipating rising fuel costs, Fresno Unified School District — California's fourth-largest school district — raised its allocation for fuel by 15%, or \$75,000, for school bus services this year, Chief Financial Officer Ruth Quinto said.

"I didn't expect the extent of increase [in fuel prices], but if the prices remain stable or come down, I may be OK," said Terry Beaver, the district's transportation director.

Fresno Unified has 86 buses, which carry 11,000 of the district's nearly 80,000 students.

After falling short on funds for fuel last year, Clovis Unified increased its budget for diesel by more than 70%, from \$175,000 last year to \$300,000 this year.

"Allocation for fuel has been going up over the years, but I think this is the steepest increase we've seen," Bjerke said.

The school district will spend more for fuel this year, but the \$6.5 million transportation budget hasn't changed, forcing officials to make "a few adjustments."

This included postponing purchase plans for new vans, reducing a route, and cutting down on the number of students on some buses.

"Nobody lost transportation and the overall hours have stayed the same," Bjerke said.

Of the 35,000 students that the school district serves, 6,000 students ride the school buses at least one way daily.

Visalia Unified School District found itself in a similar situation when its fuel funds began drying up in January. The district had to pump in an extra \$150,000, said Terry White, the district's director of transportation.

This year, the district raised its fuel budget for gasoline, compressed natural gas and diesel by 10%, from \$335,000 last year.

About 5,500 of the district's 25,000 students ride school buses at least one way daily.

Madera Unified School District, which has about 17,000 students, also has seen a steady increase in fuel bills for school buses, district spokesman Jake Bragonier said in an e-mail. Last year, the school district increased its budget for fuel by 34% — or almost \$122,000.

The district has 72 buses that carry 4,500 to 5,500 students every month.

With tight budgets and rising fuel prices, school districts are now vigorously pursuing alternatives, such as compressed natural gas.

A new CNG bus costs about \$45,000 more than the average \$100,000 diesel-powered bus.

Clovis Unified's Bjerke is hopeful that the difference will be covered by grants from agencies such as the San Joaquin Valley Air Pollution Control District.

He said the district, which runs 21 buses on CNG, has applied to the U.S. Environmental Protection Agency for grants, and it was planning to replace old diesel buses with CNG buses.

"CNG has been very good for us," he said. "They are environment-friendly and cost-effective."

Compressed natural gas is about 50 to 75 cents cheaper than gas.

Visalia Unified added four CNG buses last year, increasing its fleet of the cleaner-burning buses to 28. Fresno Unified, which has four CNG buses, is looking at "every grant possible" to buy more.

"I wish I had 40 now, then I wouldn't have been affected by the gas prices," Beaver said.

"Given the prices of diesel, CNG pricing is a breath of fresh air," said Kirk Hunter, CEO of Southwest Transportation Agency.

The agency was formed in 1988 by Riverdale, Caruthers, Laton, Alvina Charter and Monroe elementary school districts as a way to deal with increasing transportation costs.

The Southwest Education Support Center, which houses the agency, set up a fueling station for liquefied and compressed natural gas earlier this year.

Now, with the new energy bill offering incentives to CNG and LNG users, natural gas as a fuel will be the next big thing, Hunter said.

He said: "The increase in diesel prices has just been a killer."

Port keeps on trucking late

Good news for Valley shippers: Busy Oakland facility will allow overnight deliveries at 1 gate.

By Dennis Pollock / The Fresno Bee

Thursday, August 25, 2005

The Port of Oakland, a key destination for much of California's farm products, will open one of its terminals during some night hours in a move aimed at coping with peak-hour traffic congestion and concerns over air quality.

The proposal drew strong support from a half-dozen Valley truckers and an air district official who talked with port officials by phone Wednesday at offices of the Nisei Farmers League in Fresno.

Much the same response occurred when about a dozen farm leaders met in the same conference room with port officials this month.

Ray King, director of the port's maritime division, on Wednesday asked the truckers whether they supported the pilot program, called "night gate."

"One thousand percent," replied Peter Schneider, vice president and general manager of TGS Transportation Inc. in Fresno.

"Anything you can do to get [truckers] in and out quicker will be like a gold mine," said Jim Ganduglia, operations manager for Ganduglia Trucking in Fresno and chairman of the Environmental Policy Committee of the California Trucking Association.

The port is the nation's fourth-largest. More than \$1 billion in agricultural products is shipped through it each year, about 75% of the state's produce.

King emphasized that night gate is an exploratory effort that will last two or three months.

The port has eight terminals. Only one — SSA Terminal 57-59 — will be open from 6 p.m. to 2:30 a.m. Monday through Friday, starting Sept. 6.

"We will monitor this weekly," King said. "It could continue if there is sufficient volume, about 300 transactions per day. If we determine the trial is not getting the level of support we need, we may have to terminate it."

The cost of the added hours is \$100,000 a week, he said, and the port "is underwriting this effort."

In July, the Ports of Los Angeles and Long Beach added night and weekend shifts under a program called PierPASS. But those ports began charging a "traffic mitigation fee" for cargo movement during peak hours. The Port of Oakland does not plan to charge such a fee.

King said that if the port's experiment and its outreach to agricultural shippers prove successful, another section of the port would open to night handling of cargo for big-box retailers.

Truckers raised some concerns about the night operation. They want to be sure port workers will be available to respond to paperwork glitches that may happen during deliveries. Some questioned how responsive steamship lines will be to early morning inquiries.

They also were uncertain whether drivers would welcome the idea of a change to night hours, despite the apparent promise of less time spent idling in traffic and jockeying on crowded freeways. Some talked of the prospect of paying a night differential as an enticement.

Manuel Cunha Jr., who heads the Nisei Farmers League, said a funding source will likely be sought to help with added costs that could develop, such as night pay or compensation to the port for maintaining the added hours.

Cunha said he has talked with Steve Johnson, director of the U.S. Environmental Protection Agency, about the night gate effort, as well as with representatives of the San Joaquin Valley Air Pollution Control District and the San Francisco Bay Area Air Quality District.

Tom Jordan, project adviser with the San Joaquin Valley district, told those at Wednesday's meeting that some money could be sought from the West Coast Diesel Emission Reduction Collaborative.

"We should be able to find funds for such an innovative program," he said.

David Jackson, a principal in Family Tree Farms in Reedley who attended the Aug. 12 meeting, said night deliveries should cut down on fuel use, reduce traffic jams and take less of a toll on equipment.

"This should be a win for everybody," he said. "Some are wondering why it was not done years ago."

Fresno County Farm Bureau President Pat Ricchiuti said the plan should "get perishable commodities to the port in a more efficient manner."

He said there have been times when truckers delayed in traffic and had to "sit overnight until 7 the next morning." Generators were used to keep fruit cool during the delay.

"It's up to us and it's up to the port to make this work," Ricchiuti said.

Dean Nelson, general manager of Harris-Woolf California Almonds in Coalinga, said the trial program "is a great example of how those in agriculture work with other industry members to be good stewards of the land and the environment, and to be more efficient."

Gov. Leans Toward a Paler Shade of Green

Schwarzenegger looks to industry, not activists, for recent appointments to environmental posts.

By Jordan Rau and Miguel Bustillo, staff writers

L.A. Times, Monday, Aug. 22, 2005

SACRAMENTO — Gov. Arnold Schwarzenegger, who enthused activists and unnerved business leaders with many of his early appointments to top environmental slots, is increasingly favoring

industry officials for key jobs protecting California's forests, air and water.

Schwarzenegger's effort to be a green Republican has been one of the principal ways the governor has depicted himself as being above Sacramento's traditional partisan divides. But in a reversal from the beginning of his tenure, it is now environmentalists who are objecting that Schwarzenegger has bent too far to one side. The complaints mirror a larger one that has been leveled against the governor all year: that he has become too closely aligned with the business interests that are underwriting his November special election.

After simmering for months, tension about his appointments has erupted over Schwarzenegger's choice for one of the most important environmental positions in California: chief regulator of the state's air quality.

Cindy Tuck, who has been chairwoman of the Air Resources Board since Schwarzenegger appointed her in June, is the first former industry lobbyist to head the body that decides how much pollution cars, factories and farms can emit. For 15 years, Tuck had worked either directly for or on behalf of an oil and energy industry trade group that opposed California legislation intended to restrict greenhouse gases, railroad emissions and acid rain.

With the Senate Rules Committee scheduled to vote Wednesday on whether to confirm Tuck, business and environmental interests are mounting aggressive campaigns to influence the outcome. Tuck's record has been parsed with the type of intensity usually reserved for candidates for elective office or judgeships.

"The environmentalists might be concerned because they want someone who is prejudiced to their views," said George J. Gomes, administrator of the California Farm Bureau Federation, which has been campaigning for Tuck. "We are not looking for someone who is prejudiced to our views. We are looking for someone that's going to act based on the facts and the science."

The dynamics are substantially different from the governor's early days, when business groups were grumbling that the governor had chosen Terry Tamminen, the director of a Santa Monica environmental nonprofit, as secretary of the state Environmental Protection Agency and Bonnie Reiss, a Hollywood environmental activist, as his senior advisor.

"We have seen a change in the wrong direction," said Bill Magavern, the lobbyist for the Sierra Club California. "On the whole, he's really had an eclectic mix of appointees to environmental positions, but we've seen an inclination recently to appoint people from the polluter lobbies to positions overseeing the industries they used to represent."

For a commission that helps plan for the disposal of low-level radioactive waste, Schwarzenegger tapped two people who sat on the board of the lobbying group for companies and institutions that generate such waste. The appointees, Donna Earley and James Tripodes — who handle waste disposal issues at a hospital and a nuclear laboratory, respectively — are scheduled for confirmation votes in the Senate committee Wednesday.

Last fall, Schwarzenegger hired Timothy Swickard as chief counsel for the department that oversees toxic waste and its cleanup. Swickard had previously been an environmental lawyer who represented public agencies and agricultural businesses, and had managed a rancher's real estate for 15 years.

The governor in June elevated him to director of the Department of Toxic Substances Control, but Swickard last week withdrew his nomination after Senate Democrats complained that he had insufficient experience with toxins and had written in a Sacramento newspaper that "science has irrefutably proven" that homosexuality, like alcoholism, could be "overcome" with determined effort.

Swickard has returned to his previous job, but the administration is now trying to have him appointed as the chief lawyer for the state board that oversees the quality of California's waters, according to two officials familiar with the effort.

One of the people Schwarzenegger already has appointed to that board is Jerry Secundy, who spent most of his career as an oil company executive and also was a board member of the California Council for Environmental and Economic Balance, the industry group for which Tuck worked.

The administration cited several recent appointees with strong credentials and support among environmentalists. They include Bridgett Luther Thompson, a North Carolina public land trust official and a leader of Republicans for Environmental Protection, to head the state Department of Conservation, and Gary Petersen, a Santa Barbara nonprofit recycler, to the Integrated Waste Management Board.

"There's nobody like a Terry Tamminen, but you have to look at things in total rather than the last piece out there," said Alan Lloyd, secretary of the California Environmental Protection Agency. He assumed the position after Tamminen was made the governor's Cabinet secretary.

Lloyd, a former Air Resources Board chairman who is widely respected by environmentalists, said nominees should not be rejected simply because of their work history. "We should pride ourselves that in California we give people a chance," Lloyd said. "To not give somebody a chance to demonstrate what they can do, I think that's most unfortunate."

A number of Schwarzenegger's criticized nominees do have experience beyond working for industry.

Secundy, for instance, was executive director of Audubon California for two years. And some doubters have been won over by other industry appointments, including that of Mary-Ann Warmerdam, a veteran lobbyist for agriculture and an electric company whom Schwarzenegger hired as the state's top regulator of pesticides.

"The quality of the people he's been picking, even if people disagree with their philosophy, has been very good," said Sen. Roy Ashburn (R-Bakersfield), who sits on the Senate Rules Committee. "His selections have reflected a cross-section of California and haven't been skewed."

But increasingly, fights over environmental positions have led to angry standoffs between the governor and Senate Democrats.

After the Senate rejected his choice for the state board that oversees California's forests because environmentalists said she was too sympathetic to the timber industry, the governor next offered Democrats a candidate they welcomed even less warmly.

He appointed Ron Nehring, a Republican Party leader and anti-tax activist who has been a supporter of an upcoming ballot initiative that would restrict unions' use of member dues for political purposes.

State law requires all members of the Board of Forestry to have "general knowledge of, interest in and experience with, problems relating to watershed management (including hydrology and soil science), forest management practices, fish and wildlife, range management, forest economics or land use planning." The administration says Nehring's expertise derives from almost losing his home in the 2003 San Diego fires.

"This is like poking us in the eye and saying, 'Look at how bad I can be, and if you don't like this, I can be even worse,'" said state Sen. Sheila Kuehl (D-Santa Monica), who heads the chamber's

environmental panel.

But that clash pales in comparison with the fight over Tuck's appointment to the Air Resources Board. Business leaders are pressing for an outpouring of support and say that although she represented industry's side in lobbying, Tuck proved skillful in forging compromises and sometimes persuading her own side to agree to concessions.

"I find opposition to her disturbing," said Allan Zaremborg, president of the California Chamber of Commerce. "It can only be because she is balanced as opposed to having a bias. What seems to be most disturbing is that they opposed anyone who was not a lackey for the environmental groups. Cindy is not a lackey for anybody."

While acknowledging that Tuck is personable, environmentalists say that the importance of the Air Resources Board warrants an appointee with experience beyond industry's vantage. Since its creation in 1967, the board has adopted countless pioneering measures to address California's notoriously chronic air pollution, often leading the way for other states and countries to follow and forcing wholesale changes in such industries as auto manufacturing.

"The chair of the air board is the big kahuna," said Ann Notthoff, California advocacy director for the Natural Resources Defense Council.

In 1971, for example, the board adopted the nation's first regulations limiting automobile emissions of nitrogen oxides, one of the two main classes of pollutants that form smog. In 1975, automobiles began featuring pollution-reducing catalytic converters as a result of state regulations, technology now routinely installed in cars all over the world. Last year, the board tackled global warming, adopting regulations that seek to reduce automobile emissions of carbon dioxide and other greenhouse gases nearly 30% by 2017.

The board has traditionally been led by environmentalists or scientists with in-depth knowledge of air pollution issues. Its first chairman, for example, was Arie J. Haagen-Smit, a Caltech professor who was the first to identify the causes of smog.

At her confirmation hearing, Tuck can expect to be grilled over her past criticisms of the "precautionary principle," an approach to regulation that places the onus on businesses to show that their activities and products will cause no harm.

"This is a very bad signal, if the governor thinks a lobbyist is in the same league as someone who has run a program, who's had actual experience with the legal or technical aspect of dealing with pollution," said Mary Nichols, who was chairwoman of the Air Resources Board in the 1970s and later worked in former Gov. Gray Davis' Cabinet.

"A lobbyist by definition is a hired mouthpiece," Nichols said. "This particular hired mouthpiece has spent her career working to undermine the laws that she will now be enforcing. Even if all she does is carry on the program, there is not a shred of evidence that there is any commitment to the cause."

Tuck did not respond to a request for an interview. But Lloyd said that although he was originally skeptical of Tuck, he became convinced after interviewing her for the job that she could transcend her background.

"Of all the candidates, Cindy did the best in the interview. I didn't in all honesty expect that," Lloyd said. "From her commitment to the governor's plan, to changing careers and dedicating herself to public service, I became convinced she'd be a wonderful candidate."

Environmental advocates said they would have preferred several other candidates they proposed for the air board. Those included Byron Sher, a former Democratic state Senator who wrote the

state's Clean Air Act and was the Legislature's recognized expert on the environment until term limits forced him out last year; Jason Grumet, executive director of the National Commission on Energy Policy; and UC Davis professor Dan Sperling, director of the Institute of Transportation Studies.

"The people who were put forward were not hacks or enviro crazies," said V. John White, a Sacramento lobbyist and executive director of the Center for Energy Efficiency and Renewable Technologies. "These were all deemed not viable."

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Contested nominees

These are some of Gov.

Arnold Schwarzenegger's environmental appointees whose confirmations are likely to be disputed in the California Senate.

Cindy Tuck

Chairwoman, Air Resources Board

Appointed: June 2005

Background: lobbyist lawyer for the California Council for Environmental and Economic Balance; lobbyist for three law firms that represented manufacturers and others.

Party: Declined to state

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Jerry Secundy

Member, State Water Resources Control Board

Appointed: February 2005

Background: Atlantic Richfield Corp.; California Council for Environmental and Economic Balance board member; executive director of Audubon California.

Party: Democrat

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Ron Nehring

Public member, State Board of Forestry

Appointed: July 2005

Background: Vice chairman of the California Republican Party and a senior consultant to Americans for Tax Reform, the conservative Washington, D.C., group run by Grover Norquist.

Party: Republican

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Donna Earley

Member, Southwestern Low-Level Radioactive Waste Commission

Appointed: October 2004

Background: Cedars-Sinai Medical Center official; board member of the California Radioactive Materials Management Forum

Party: Declined to state

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James Tripodes

Member, Southwestern Low-Level Radioactive Waste Commission

Appointed: October 2004

Background: Lawrence Livermore National Laboratory official; former board member of the California Radioactive Materials Management Forum

Party: Republican

Sources: Governor's Office; California Senate

Fans of Diesel Dream of a Return to California of the Fuel-Efficient Cars

Pollution rules keep the engines out of the state's new passenger vehicles despite some advances.

By John O'Dell, staff writer

L.A. Times, Saturday, Aug. 27, 2005

Robert DesRoches has fond memories of his diesel-powered 1984 Mitsubishi Mighty Max pickup. It required minimal maintenance and gave him 22 miles to the gallon, whether hauling groceries from the supermarket or towing his sailboat.

So when President Bush signed an energy bill this month that gives diesel car buyers a tax credit of up to \$3,400, DesRoches was all for it. The 43-year-old computer networking specialist would love to buy a new diesel car or sport utility vehicle.

But because he lives in California, the tax break won't do him much good. Thanks to state emission regulations that are tougher than federal standards, sales of new diesel passenger cars and SUVs have essentially been barred here since 2003.

Soaring gasoline prices are rekindling Americans' interest in diesel-powered passenger vehicles — they're already hugely popular in Europe — but the pollution problem remains a barrier to their widespread acceptance in the U.S. No matter how reliable and fuel-efficient a diesel car may be, it is still dirtier than its gasoline counterpart.

Automakers say the technology exists to bring diesels into compliance with tough pollution laws. But air quality regulators say that even with emission treatments under development, it is likely to be 2008 or so before California sees diesel cars that can meet its standards.

Solving the diesel emission quandary could be a key component of a national energy strategy. A

number of auto industry leaders, government officials and even environmentalists have come to believe that cleaner-burning diesels could be an effective addition to the arsenal of hybrids and other advanced fuel-saving technologies.

Dieter Zetsche, Chrysler Group's chief executive, has estimated that if 20% of the passenger cars in the U.S. were diesels, 350,000 barrels of crude oil would be saved each day.

"I'd love to see [diesel passenger cars] in California's light-duty fleet," Alan Lloyd, state Environmental Protection Agency secretary, said in an interview. "But only when they attain our standards."

Lloyd added that he has "seen growing confidence in the auto industry that those standards can be met."

A number of automakers are looking to diesel as a way to gain an edge in the hypercompetitive U.S. auto market while at the same time improving their overall performance in fuel economy standings.

"The fact of the matter is simple: Any significant reduction of fuel consumption under all conditions requires diesel technology," Volkswagen Chairman Bernd Pischetsrieder said in a speech in Los Angeles this year. VW sells more diesel cars in the U.S. than all of its competitors combined.

But despite diesel's acknowledged advantages, there are just six diesel passenger vehicle models sold in the U.S. — Volkswagen's New Beetle and Golf coupes, its Jetta and Passat sedans, a Jeep Liberty SUV and a Mercedes-Benz C-Class sedan. (The diesel Passat is being phased out of the U.S. market next year because European demand is going to account for every model VW can make, a company spokesman said.)

With California, New York, Vermont, Massachusetts and Maine adopting tough emission laws, sales of new diesel cars are effectively banned from about 20% of the U.S. market. California alone accounts for almost 12% of all passenger vehicle sales.

Developing diesels that could be sold in those states would spur sales, something carmakers including Ford Motor Co., General Motors Corp., Chrysler and BMW are looking forward to as they prepare to launch diesel passenger vehicles.

Chrysler, which already sells the Jeep Liberty diesel, is considering a diesel version of the Grand Cherokee and perhaps a diesel Chrysler brand passenger car; BMW reportedly has a small diesel SUV on tap; Ford is looking at a U.S. version of the successful diesel Focus it sells in Europe; and Mercedes-Benz hopes to be able to expand beyond the C-Class and recently has tested a diesel M-Class SUV.

Until emission issues are resolved, the only diesel car market in California is in used models, and it is a pretty lucrative one. Used diesel cars and SUVs can be brought into California and sold and registered if they have at least 7,500 miles on their odometers.

From his office in a Fullerton industrial area, Wild Rose Motors owner Leonard Harview sells 70 to 90 used diesel cars a year. He buys mainly from out-of-state sellers, brings the cars to his storage yard and markets them on his website.

At a large auction with lots of competition, Harview said, he'd have to pay as much as \$19,000 for a 2-year-old diesel Jetta with an automatic transmission. That's a car for which the blue book says a dealer ought to be paying only about \$16,000. The extra cost is passed onto the retail customer, but Harview said he had no problem finding buyers.

Whether they are new or used, diesels have drawbacks that go beyond emissions.

For one, they suffer from an image problem that dates back to an ill-conceived effort by GM in the 1970s to convert a gasoline engine design to diesel. The result was clattering, smoky and unreliable — and made diesels anathema to a generation of car buyers. Polishing the image will simply take time and exposure to modern diesels, which are far cleaner and more reliable than those of the past.

Diesels also cost more than gas engines: Automakers typically charge about \$1,000 more for a diesel than a comparable gasoline-powered vehicle. Diesel backers believe the new tax credit should help alleviate the cost barrier.

Indeed, even without the credit, diesel sales in the U.S. were up 33% last year — although still accounting for a scant 3% of the passenger vehicle market. The vast majority of those sales were diesel pickups, which can be sold in all 50 states because of lesser emission restrictions on trucks. Diesel cars represented only 0.2% of the passenger car market.

Market researchers at J.D. Power & Associates predict that diesels, including pickups, will account for about 7.5% of the U.S. passenger vehicle market by 2012.

Although diesel fuel prices have soared recently in step with crude oil prices, diesel is still more economical than gasoline. Diesel engines deliver 20% to 30% better fuel economy than gasoline engines, so even paying \$3.10 a gallon for diesel versus \$2.70 for regular gas, a driver could still save up to 2 cents per mile.

That extra mileage also makes diesel a potential ally in California's fight against emissions of carbon dioxide, which are linked to global warming.

Rather than using electric sparks to ignite their fuel like gasoline engines, diesels use very high compression to superheat the intake gases, which ignite the fuel as it is sprayed into the cylinders. This burns less fuel than a gas engine per mile traveled and therefore creates less carbon dioxide.

But this combustion method also leads to diesel's own particular pollution problems, which occur because the extremely high temperatures in the cylinders form oxides of nitrogen while sulfur residue from unburned fuel forms particulate matter, or soot.

Filters and high-pressure diesel fuel injection that ensures that most of the fuel is burned have pretty much cured the soot issue. And several automakers are developing chemical treatments to deal with the nitrogen oxides. Volkswagen's technology, for example, includes filters for particulate matter and a "storage catalyst" that collects and destroys the oxides before they can be emitted.

California air quality regulators, once openly anti-diesel, say it now appears likely that the industry can meet the state's emission standards with a variety of particulate filters and chemical treatments now being used in Europe.

"We have seen evidence ... they can probably meet our standards," said Steve Albu, assistant chief of the state air board's Mobile Source Control Division.

Albu and other California air board managers said they didn't expect to see California-approved diesel cars until 2008 or 2009. But Volkswagen expects "to begin selling our Jetta and Golf diesel models at the end of 2006" in all 50 states, said spokesman Tony Fouladpour.

Meantime, California diesel enthusiasts wait.

DesRoches, who drives a Honda Odyssey minivan, says that with the federal tax credit easing the diesel premium, he'd buy one again if they could be sold here. The Simi Valley resident gets just 15 miles to the gallon in his gasoline-using Honda when towing his sailboat to Castaic Lake, about one-third less than he got 15 years ago with his diesel-powered Mitsubishi mini-pickup.

"It's not just the [economic] payback," said DesRoches. "Part of it is that I feel good using less fuel, and part is having the best motor to do the job. If it also saves enough money to pay back the extra cost of the diesel [engine] then that's just gravy."

Wal-Mart foes want court to intervene

Jeff Hood, Lodi Bureau Chief
The (Stockton) Record
Saturday, Aug 27, 2005

STOCKTON -- Opponents of a planned Wal-Mart Supercenter in Lodi filed a 40-page brief in San Joaquin County Superior Court that accuses the City Council of ignoring crucial evidence when it approved a report that studied the environmental effects of the new shopping center.

The brief, filed Tuesday on behalf of the group Lodi First by attorney Steve Herum, seeks a court order preventing construction of the Supercenter until the city conducts a more-detailed environmental study.

A hearing is scheduled Nov. 9 in Judge Bob McNatt's courtroom.

The City Council certified the environmental study on Feb. 3. Two weeks later, council members agreed to approve a use permit for Wal-Mart to construct a 226,868-square foot Supercenter at the southwest corner at Lower Sacramento Road and Kettleman Lane.

Herum's brief recites what is, in his view, a comedy of errors by Lodi officials in the process leading to the Supercenter's approval. They range from a City Council member halting public testimony to disclose where he buys his underwear to the city stating some studies were scientifically impossible, even though related studies had been published in the Journal of the American Medical Association.

Herum filed suit March 18 against Lodi, Wal-Mart and shopping center developer Darryl Browman. Five days later, McNatt declined to rule on Lodi First's request for a court order halting construction, telling Herum to come back when Wal-Mart and Browman were closer to ground-breaking.

That day is nearing. Wal-Mart has applied to Lodi's architectural review board to have its plans approved, according to city officials.

"We're moving toward construction, and we're working on things internally with the city to make that happen," Wal-Mart spokesman Kevin Loscotoff said. "There's no legal reason for us to be stopped. We just don't have a start date yet."

Lodi City Attorney Steve Schwabauer said he doesn't expect the national store chain to revise its environmental study unless ordered by a judge. He also declined to say if he felt Herum's case has merit.

"It's Wal-Mart's money. Wal-Mart's the real party in interest," Schwabauer said. "It's their problem."

Wal-Mart already has had construction halted on one of its all-in-one grocery and discount stores in San Joaquin County. On June 23, Superior Court Judge K. Peter Saiers ruled Stockton failed to abide by environmental laws when it approved a Supercenter at Interstate 5 and Eight Mile

Road. Circumstances in that case are different than the Lodi matter, however, because the main issue in Stockton was that the Supercenter was being built on a site previously approved for offices. That environmental study is being revised.

Herum said it was improper for Lodi's environmental study not to consider the economic effects of three Supercenters no more than eight miles apart. Herum successfully made the same argument last year before an appellate court over two nearby Supercenters in Bakersfield.

"The environmental study being used here is the same template being used in Bakersfield," Herum said. "We now have a binding ruling that this template is illegal."

And he said Wal-Mart officials helped prove his case in February, when they said business at their existing Lodi store was down because of the new Supercenter on Hammer Lane.

"That testimony was brutal," Herum said.

The arguments in Herum's brief are the same as those he presented to the Lodi City Council. He alleges Lodi failed to consider urban decay resulting from a Wal-Mart Supercenter, failed to consider how the shopping center would affect air quality and didn't address the loss of agricultural land.

Additionally, he accuses Lodi of ignoring energy conservation and consumption as required by the California Environmental Quality Act and approving a project that is inconsistent with the city's zoning and general plan.

In November, Lodi voters rejected a measure that would have restricted big-box stores to 125,000 square feet.

Valley's greenest campus

By David Chircop

Merced Sun-Star

Saturday, Aug. 27, 2005

One in a regular Saturday series

The country's first new research university of the 21st Century is also likely the greenest.

Planners of the University of California, Merced, campus say it was built and will operate around the concept of sustainable development -- an eco-friendly idea that growth can be maintained without depleting finite resources.

From a 1.9 million-gallon storage tank for chilled water to a 700-foot tunnel that pipes utilities, the campus is on the cutting edge of an international green building movement.

Ceramic-coated windows that take in light, but block out heat, shaded arcades, and the placement of buildings and pathways to catch wind off of Lake Yosemite, are a few important features in a region with long, scorching summers.

Light fixtures that project toward the ground to prevent "light pollution" and retention ponds that purify runoff water are a few more samples of what makes UC Merced green.

"It isn't all apparent," said Vice Chancellor for Administration Lindsay Desrochers while giving a tour of mechanics of the campus earlier this week.

UC Merced's lofty environmental goals were the topic of the July cover story in Engineering News-Record, a building news magazine with a readership of more than 270,000 people.

They were also highlighted in an April story that ran in the Chronicle of Higher Education, a newspaper with a readership of 400,000.

Energy and water conservation are built into the design of the campus and its infrastructure, setting a new standard for green colleges, said Desrochers.

Computers in a central station constantly monitor consumption of electricity, water and gas in every building on campus.

"For students who want to study energy, the buildings can serve as a living laboratory," said Karl Brown, deputy director of the UC system's California Institute for Energy Efficiency and a consultant to UC Merced. "One of the benefits is it is going to be an educational tool for the students."

The campus is projected to use 20 to 30 percent less water than a typical college campus and 30 percent less electricity than standards set by the state of California for public buildings .

Additionally, 75 percent of the leftover wood, steel and other materials used to build the campus was sent back to manufacturers or recycled.

Much of the building material itself is recycled to begin with, including carpets and ceiling tiles.

The campus isn't equipped to collect solar energy, but there are plans for "co-generation" in the future. Space is being set aside solar panels or fuel cell equipment.

Taking the LEED

The University of California's 10th campus aims to attain silver status through the U.S. Green Building Council's Leadership in Energy and Environmental Design system.

LEED certification is a voluntary point-based system for green building projects.

Max Zahniser, with the Green Building Council, said the scale of UC Merced's application is probably the largest.

Instead of submitting just one building at a time, Merced's application hopes to certify every major building at the university.

The three basic levels of certification -- silver, gold and platinum -- emphasize water savings, energy efficiency, materials selection and indoor environmental quality.

Towering savings

The almost 2 million-gallon water tower that pumps chilled water to air-conditioning units around the campus is a key component to the university's energy savings plan.

By running water chillers at night, when electricity rates are cheaper, the campus can cut 25 percent of its peak energy demand, said Brown.

Over time, that will result in big cost savings and cut down on the consumption of fossil fuels burned to generate electricity.

"This is exactly the kind of thing that will require less power plants in California," said Ric Notini, UC Merced's environmental and permitting manager. "The amount of money that the university is going to save in operational costs over the next 20 years will be huge. We're talking tens of millions of dollars."

John Lund Kriken, a design partner with the San Francisco office of Skidmore, Owings & Merrill, said the university's planning team chose to keep the water tower and central utility plant as prominent landmarks on campus.

Placing them near the Science and Engineering building will help remind people about energy consumption, he said.

"They won't be put underground or in a corner somewhere," said Kriken. "It's how a campus can teach about sustainability by its very design."

Kriken, a master plan architect for the campus, said relocating the campus closer to the lake on a former golf course because of environmental concerns was a good move.

He said moving closer to the county park placed the university closer to the community. It also allowed him to develop a plan to orient the campus' pathway system at an angle that can be cooled by the lake's breeze.

"While there's more interest in green design today, this is a very unique opportunity to think of it over such a large scale," Kriken said.

"It will be a very special campus."

Try the bus, riders say

Tulare Transit Express costs \$22 for month pass

By Amee M. Thompson, Staff writer

Tulare Advance-Register, Saturday, Aug. 27, 2005

People who ride the Tulare Transit Express think they have something figured out that those driving cars don't. The bus is cheap.

"Insurance and gas prices are ridiculous," Lori Hurley of Tulare said. "It's cheaper to buy a bus pass for the month."

It costs \$22 for a general bus pass for a month. Seniors and students can ride for a month for \$18. A one-way trip costs 75 cents.

Hurley started using the bus after her car broke down, but even if her car was working, she said, the bus would be the cheaper option.

"They even have the transit that runs from city to city," she said.

Willie Little of Tulare is a huge fan of the transit system.

"The bus gets me where I want to go," she said. "I love the bus system."

She added that it is hard to believe people will pay so much for gas before taking the bus.

But not that many people have caught on to the economical benefits of riding the bus. Although ridership on the Tulare Transit Express has gone up in the past year, there have been more factors than gas prices, said Terrie Kroll, Tulare Transit Express dispatch manager.

"It has something to do with the gas prices, but our buses are more reliable now," Kroll said. "We don't have the breakdowns and other interruptions in service since MV [Transportation] took over."

MV Transportation is a company out of Fairfield that runs the buses in Tulare and Visalia. Tulare switched to the company in July 2004 after complaints about the previous service.

Ed Wade has been riding the bus for six or seven years, he said. His car broke down and then while he had it parked, it got stripped, so he gave up and started taking the bus.

"It's cheaper and [cleaner for the air](#)," Wade said.

The big downside to taking the bus is having to plan in order to catch the bus at the right time to get where you need to be on time. However, once you learn the routes and times, the bus is dependable.

"Most of the time it is real reliable," Hurley said.

A hidden bonus is becoming part of a community, Hurley said. She has gotten to know the regular riders from her bus routes and the bus drivers.

Her 9-month-old grandson, Giovanni Hurley, is a bus baby. His mom rode the bus while she was pregnant and now he rides the bus regularly with his mom and grandma.

"It makes it pretty nice," Hurley said.

[Commentary, Modesto Bee, Monday, Aug. 29, 2005](#)

Tallow plant's stench may not be the worst thing it emits

By CLAUDE DELPHIA

Around and around we go as the Modesto Tallow plant is accused of repeatedly flouting the law. The plant is facing heavy fines after the San Joaquin Valley Air Pollution Control District filed a lawsuit ("Air District, as promised, sues Modesto Tallow Co.," Aug. 18, Page A-1).

Again the company says it is trying, the same refrain we've heard so many times before. What will it take for this company to comply with the law and stop the odors?

The most recent charges are that the company turned off its odor-scrubbing equipment during processing, which is as bad as when they were caught allowing waste to flow into the Tuolumne River.

No one downwind should have to smell the foul air created at this plant, let alone breathe it.

But just what does this bad air, released through the rendering process, contain?

Has this air ever been tested to see if it contains toxins as it spreads through parts of Modesto, Ceres, Keyes and even into Turlock, depending on the direction and strength of the wind?

According to one San Joaquin Valley Air Quality Control Board source, there has been no recent testing.

Perhaps there are no toxins. But how do we know?

Considering the direction of prevailing winds, it is no longer a matter of just a few hundred homes in the path of these fumes, but thousands. What about all the people working in the odors' path?

Based on their letters to the editor of The Bee, some still don't understand the range of this pollution. The polluted air can extend miles downwind even if it can't be smelled. Because the plant was there first, should all development in west Ceres - including the new high school - be subject to this foul air?

It's a matter of obeying air quality laws. Being somewhere first doesn't allow businesses or individuals to disobey the law. It's clear that Modesto Tallow has flouted the law time after time for many years.

Many feel the people who bought their houses should have known the plant was there and had an odor problem.

Ask yourself this: Before you bought your house, did you check to see if it was downwind of an air-polluting business that had been getting away with emissions problems for decades?

How many buyers, especially of low-income housing, can take time off from their jobs and inspect the whole neighborhood - not once, but many times? Who would expect that such foul odors would show up later or that local officials have let a business get away with something that virtually no other businesses can?

There is an appearance of favoritism when people point out that something was there first. Being first has nothing to do with obeying the law. You either obey the law or suffer the consequences. Modesto and Stanislaus County have been too lenient in this matter, and it's time to end this intolerable disobedience.

In these days of bad air, why should any business get preferential treatment and be allowed to do what other businesses can't?

That's the bottom line.

Delphia, of Ceres, was a Patterson planning commissioner for eight years. E-mail him at columns@modbee.com <<mailto:columns@modbee.com>>.

[Letter to the Bakersfield Californian, Saturday, Aug. 27, 2005:](#)

Not all coaches fair

Are all coaches fair when selecting team players?

My daughter, Kara, had played volleyball for the last eight years. Kara has played for both school and club volleyball teams and has been an above-average player.

Five years ago, Kara was diagnosed with exercise-induced asthma. Kara's performance in playing was not affected. The only restriction was when it came too running. Kara wasn't able to run outside when the air quality was poor. All the coaches knew about Kara's condition. The coaches worked with Kara in letting her run inside the gym or outside when the air quality was better. Kara was under the care of a doctor and ran according to her doctor's advice.

This year, Kara is a senior at Stockdale High School. She tried out for the volleyball team. The coach didn't focus on Kara's ability to play volleyball. The coach was more concerned as to why Kara could not run outside. Kara tried to explain to the coach about her medical condition. Because Kara was not able to run outside when the air quality was poor, Kara was cut from the team.

The prior year, Kara tried out for the Stockdale High volleyball team for three weeks and had made the team. There was a student who suffered an injury and was unable to try out for volleyball for the first two weeks. This student had a spot saved on the same team as my daughter. Regardless if this student was unable to participate in volleyball tryouts, she still made the team.

So are all coaches fair when selecting team players? No!

--Tammy Bailey, Bakersfield