Suit Filed Over Sequoia Logging

Environmentalists seek to block Forest Service plans to allow cutting in a national monument.

By Bettina Boxall, L.A. Times Staff Writer

Friday, Jan. 27, 2005

Conservation groups filed a federal lawsuit Thursday asking the courts to overturn a plan that would allow extensive logging in the 5-year-old Giant Sequoia National Monument in the southern Sierra.

The lawsuit is the latest skirmish in a long-running battle over management of nearly three dozen groves of the world's largest trees found on national forest land, beyond the confines of nearby Sequoia and Kings Canyon National Parks.

Logging in the national forest groves in the 1980s provoked a preservation drive that led to creation of the 328,000-acre monument by President Clinton in 2000.

The monument banned logging, mining and off-road vehicle use in and around the towering groves, prompting a lawsuit by timber interests. Their challenge failed, but controversy continued when the U.S. Forest Service issued land-use plans that called for extensive timber cutting in the name of fire prevention and ecosystem restoration.

In the lawsuit filed in U.S. District Court in San Francisco, six conservation groups claim the Forest Service plan violates national environmental laws, permits logging that would harm rare wildlife, and runs counter to both the spirit and the letter of the monument designation.

"The plan will allow significant logging, reduction in forest cover and removal of large trees which are critical to survival of already threatened species such as the Pacific fisher," said Sierra Club legal director Patrick Gallagher, who helped prepare the suit. "The giant sequoia is the largest living thing on earth, and this is the only place they are found, and we ought to give them the utmost protection."

Forest Service spokesman Matt Mathes defended the management plan, which was recently upheld on appeal by the agency's regional office.

"After a very, very close examination, we concluded that the Sequoia National Monument Plan is a good plan that meets the spirit and intent of what President Clinton wanted," Mathes said. "We remind people that the vast majority of trees that are cut will be less than 20 inches in diameter."

Under the plan, enough trees could be cut in the monument to fill more than 2,000 logging trucks a year. The biggest, oldest sequoias could not be touched, but trees as old as 130 years and as large as 30 inches in diameter — including sequoias — could be felled. The clearing of forest openings as large as a couple of football fields would be permitted. The plan additionally calls for the use of controlled burns to clean out dense brush and small trees that fuel wildfire.

"It's just business as usual," said Rachel Fazio of the Earth Island Institute, one of the plaintiffs. "They're proposing this kind of stuff all over the Sierra, so it's not different from any place without monument status."

The fight over the monument plan mirrors disputes throughout the West, where conservationists contend that the Bush administration is using the threat of wildfire to pursue logging projects on public land that are more about helping the timber industry than reducing the fire risk. In the Sequoia monument, they say, the Forest Service should rely much more heavily on controlled burning to thin overgrown land — as does Sequoia National Park, which has a long-established program of such burns.

But the Forest Service says more thinning is needed than can be accomplished through burning, which also creates smoke that adds to air pollution problems in the San Joaquin Valley to the west.

"We would have to do a great deal of burning under dangerous conditions," said Mathes, though he conceded the Forest Service lagged behind the Park Service in using burns as a forest restoration tool.

"In retrospect, we wish we had a better program of prescribed burning years ago like the Park Service did," Mathes said. "We've only come around in recent years to the notion that we have to reintroduce fire into the ecosystem."

Oil Refiner Agrees to Reduce Emissions

L.A. Times wire reports, Friday, Jan. 28, 2005

ConocoPhillips, the largest U.S. oil refiner, will spend at least $525 million to reduce emissions at refineries in California and six other states, the Bush administration said Thursday.

The Houston-based company also agreed to pay a $4.5-million civil penalty for violations of the federal Clean Air Act and to spend an additional $10 million on clean-air programs, the U.S. Environmental Protection Agency and the Justice Department said.

The agreement will require ConocoPhillips to spend more than $525 million over eight years on pollution controls intended to reduce emissions by more than 47,000 tons a year, the government said.

The agreement covers nine ConocoPhillips refineries representing nearly 10% of total U.S. refining capacity, the government said. It is among the largest of 13 settlements the EPA has reached with U.S. refiners in the last four years.

But the EPA's inspector general reported in June that the agency does a poor job tracking compliance with the agreements, and environmental groups said deadlines in previous settlements have been repeatedly extended.

"The announcement is good, but implementation is more important and there have been some problems," said Eric Schaeffer, director of the Environmental Integrity Project and a former EPA official who worked on refinery settlements.

ConocoPhillips said that it "is committed to achieving these significant emissions reductions." The refineries are in Wilmington and Rodeo in California and in Illinois, Louisiana, New Jersey, Pennsylvania, Texas and Washington. Its three other U.S. refineries are covered by a similar 2001 agreement.

Shares of ConocoPhillips rose 51 cents to $91 on the New York Stock Exchange.

MTA Votes to Expand the 710 Freeway

Eighteen miles of the route would be rebuilt into a wider highway with truck-only lanes. Residents say the agency ignored their concerns.

By Deborah Schoch, L.A. Times staff Writer

Friday, Jan. 28, 2005

The Metropolitan Transportation Authority board on Thursday approved an ambitious $5.5-billion plan to rebuild the truck-choked Long Beach Freeway, despite protests from residents that the agency is turning its back on their concerns about air pollution from diesel-burning trucks.

MTA board members voted to move ahead with plans to reconstruct an 18-mile stretch of the freeway from the harbors to rail yards in Commerce and East Los Angeles, transforming it from a 1950s-style road with six to 10 lanes to a modern 14-lane highway, with four lanes designed exclusively for trucks. Some portions of the truck lanes could be elevated.

The project is widely supported among transportation agencies and industry because it would allow more trucks to carry goods inland from the ports of Los Angeles and Long Beach, where cargo volume is expected to double by 2020.

Although Thursday's vote culminated five years of planning, construction would not begin until 2015 or later, and no one can say where funding would be found.

A spate of truck-related collisions and deaths in recent years have drawn attention to the 710 Freeway's shortcomings. But although most residents near the corridor agree the road needs to be rebuilt, many say they fear the project would create a massive truck artery without doing enough to reduce air pollution.

Community and health activists pleaded with the board to pay more attention to health concerns, and they criticized the fact that most MTA directors apparently never saw the lengthy report that a 35-member community advisory group from 18 cities along the freeway route spent a year compiling. Transportation officials created the panel in May 2003 in response to residents' outcry that they were being ignored in favor of the ports and shipping interests.

Now, some members of the community advisory panel say they have been shunted aside again.

"It's outrageous they're making a decision on a huge public project like this and they didn't review the complete report," said panel member Angelo Logan of East Yard Communities for Environmental Justice, which represents areas of East Los Angeles and Commerce heavily affected by truck and rail traffic.

Logan unsuccessfully called for the vote to be delayed until MTA directors could read the full report. An MTA spokesman said later that directors did receive an abridged version.

Ed Avol, professor of preventive medicine at the Keck School of Medicine at USC, said the group felt strongly that the 710 Freeway expansion should be conditioned on improvements to air quality and health issues in the freeway corridor, where many residents complain of asthma and other lung ailments.

"If that was just given short shrift, I expect the MTA has not heard the last from the community," said Avol, who said that as part of the community advisors group, he attended 14 to 16 meetings, each lasting three to four hours.

Other speakers, including Long Beach Mayor Beverly O'Neill, applauded the plan and urged the board to move forward. The growth of the two ports has "created the crisis that we're in," O'Neill said. The 710, she said, "is falling apart."

Eight miles of the 18-mile corridor is within Long Beach, she said. "I encourage you to keep the process moving on."

Representatives of Caltrans and the California Highway Patrol also spoke in favor of the project.

Richard Powers, executive director of the Gateway Cities Council of Governments, made up of cities along the 710 corridor, said in an interview that he was pleased with the MTA vote.

The Gateway council made its first request to transportation officials to expand the 710 Freeway in 1999, and formal planning began a year later. But the process stalled in the spring of 2003, when residents learned that up to 800 homes could be demolished, and they accused officials of ignoring health concerns. The council then launched an elaborate process for community input.

New design plans, meanwhile, call for the demolition of only five residential buildings and 61 industrial or commercial structures.

Transportation officials say community health concerns will be addressed as part of the environmental review process, which could begin next year and take three to four years, at a cost of $35 million to $40 million.

County Supervisors Gloria Molina and Yvonne Brathwaite Burke, both MTA directors, drafted a motion accepting the community panel's report and stating it would be used as part of the environmental process.

Food/Agriculture Conference

Hanford Sentinel, Thursday, Jan. 27, 2005

FRESNO - OZONE IV, the fourth conference on antimicrobial applications of pure ozone in agriculture and food sponsored by California State University, Fresno, will be held March 2-4 at the Radisson Hotel in downtown Fresno. The pre-registration deadline is Feb. 1.

Greg Schwaller of G&L AgriTec is coordinating the conference in partnership with the Center for Food Science and Nutrition Research at Fresno State and the International Ozone Association.

The conference examines issues related to the safety and quality of food and agriculture uses of ozone.

Participants of the OZONE IV Conference will comprise a broad section of expertise ranging from academic, government, corporate and consulting researchers; to ozone equipment designers, developers, and providers; to end-users including growers, packers, processors and packagers.

Registration is available through Feb. 1 for IOA/IFT members: $275. For all others: $325 (includes exhibits, luncheons, reception, proceedings and technical tour). Room rates are $84 through Feb. 3. For information call 561-0112, or e-mail to:

ozone4coord@earthlink.net <mailto:ozone4coord@earthlink.net>, or visit:

Letter to the Fresno Bee, Friday, Jan. 28, 2005:

'Big business' is throwing up roadblocks to cleaner air

I recently purchased a new four-cylinder Pontiac Sunfire to help spare the air, not to mention getting better gas mileage. I sold my gas-guzzling SUV hog.

My insurance almost doubled with the same coverage as the SUV. I was told the reason for the increase was the fact that my car will suffer more damage than the SUV in a collision, therefore up go the premiums.

I am now looking at Hummers with armor plating, even if I have to weld it on myself like the troops do in Iraq.

Nothing will ever change to help the air if big business keeps punishing us for trying. Go figure!

D. Brian Bobbitt, Fresno