

State rejects site for local park

BY JAMES BURGER, Californian staff writer
Bakersfield Californian, Wednesday, Dec. 20, 2006

State recreation officials on Tuesday abandoned plans for an off-highway vehicle park on the old Wofford Ranch north of Bakersfield.

Daphne Greene, deputy director of the off-highway division of the California State Parks Department, presented a long list of problems with the site that "taken as a whole" were "insurmountable."

Some of the problems are:

- The property's soil is too thin and silty and is probably contaminated with valley fever spores.
- There is no access to the site from current roads.
- There are islands of private property inside the area.

Roy Stearns, spokesman for California State Parks, said the state is not abandoning the project completely, and will work to find a new site. He said it is clear there is a need in Kern County and the southern San Joaquin Valley for a park for off-highway vehicles.

City of Bakersfield planner Marc Gauthier, who helped find the site and nursed the project through years of environmental studies, blasted the state for killing consideration of the site.

"How come they've waited for years to let us know that there are a few issues they are unable to overcome?" Gauthier said.

He said the off-highway division has failed to build a new off-highway park for 25 years and couldn't even follow through when the city handed them a project wrapped up like a Christmas present.

"We have very low confidence in their ability to do anything," Gauthier said. "The city found the site. We got an option on the property. We have literally done all the work that their bosses thought they would be unable to do."

Local support for the off-highway park was huge. Hundreds of motor-sports enthusiasts flooded a Kern County Planning Commission meeting to support the project. Commissioners approved the project.

But state parks officials asked that the proposed project be pulled off of a Kern County Board of Supervisors agenda, saying they needed another 90 days to study the issue.

At lunchtime Tuesday, Greene notified Kern County that the proposed 11,000-acre site north of Round Mountain Road was unacceptable to the state.

Environmentalists raised concerns about animal habitats along Poso Creek and American Indian painting and cooking sites on the Wofford Ranch.

When the project went forward despite their concerns, they spoke against the plan.

"I think it was a good decision to back out of this site because it was the wrong location. We told them that a year ago," said local preservationist Rich O'Neil.

He said he does not oppose the placement of an off-highway park near Bakersfield.

"The OHV-guys need a place," O'Neil said. "We'll continue to help them find a place, we just hope they'll listen this time."

Supervisor-elect Mike Maggard, who helped champion the project as a Bakersfield city councilman, encouraged every off-highway rider in Kern County to contact Gov. Arnold Schwarzenegger and the Off-Highway Motor Vehicle Recreation Division and let them know how they feel.

"I'm disappointed and frustrated," Maggard said. "I am hopeful that (the state) earnestly intends to help us locate another site and I intend to hold them accountable."

Maggard said only one of the issues Greene used to justify her decision was a new problem.

"Every issue that she cited to me, with the exception of the soils composition, has been known for months and months, if not years," he said.

He said the Off-Highway Motor Vehicle Recreation Division needs to answer for why it didn't do a soils test early in the environmental process before "they squandered hundreds and hundreds of thousands of dollars" and "built up the hopes of tens of thousands of riders" only to kill the project at the last minute.

Local off-highway leader Dick Taylor was struggling Tuesday evening to find a positive attitude about the death of a project he's worked on for five years.

"World War II was fought and won in less time than this took," he said. "Words can't express right now my level of disappointment."

He feels most of his frustration, he said, on behalf of the thousands of children and families who were waiting for the project to happen.

Taylor said he has trouble accepting Greene's reasons as valid.

"The reasons for this just reek of bureaucracy," he said. "There are people within state parks who are extremely competent. The system itself is flawed."

But Taylor said he is willing to give the state parks department another shot at making the off-highway park happen.

"You learn, sometimes the hard way, that it doesn't pay to get discouraged," he said. "If they say they're willing to continue working, then we'll take them up on that."

Dairies in Allensworth get approval

Board of Supervisors OKs dairies to be built near historic park

By Jed Chernabaeff, Staff writer

Visalia Times-Delta, Wednesday, Dec. 20, 2006

By a unanimous vote Tuesday, the Tulare County Board of Supervisors tentatively approved a proposal that would allow two dairies to be constructed near a state historic park with special meaning to African Americans throughout California.

Final project approval is expected at a March 20 board meeting.

Property owner Sam Etchegaray is seeking to put a total of 7,500 Holstein cows on 320 acres near Col. Allensworth State Historic Park, the site of the first African-American community established in California. Although the supervisors tentatively approved a special-use permit, Etchegaray still must apply for and obtain permits from the San Joaquin Valley Air Pollution Control District and the Central Valley Regional Water Control Board.

"The air-district permit process is fairly unknown for dairies," said David Albers, Etchegaray's attorney. "I don't expect anything to happen quickly."

About 100 opponents attended Tuesday's board meeting. One by one, critics approached the podium and expressed concerns about odor, flies and the future of the park.

Kelly Nelum, director of the Central Section California NAACP, reminded supervisors that the park is an important part of African-American history.

"This is something that far exceeds monetary value," Nelum said. "This is an ethical issue and something that we need as a culture. People come from all over the U.S. to visit this park."

The supervisors gave opponents 15 minutes, then responded. Supervisor Connie Conway said she lives within a mile of a dairy and that Allensworth residents have nothing to worry about.

She also said the establishment of two dairies near the park does not represent a slight.

"Somehow, the perception is there that agriculture and dairy [operations are] disrespectful to people's culture and heritage," Conway said.

She attributed many of the complaints to "environmental lawyers from the Bay Area who want to stop dairy production in this county."

Afterward, opponents said the battle to preserve a piece of African-American history has just begun. The Rev. Floyd Harris of Fresno, president of National Action Network, California, an African-American rights organization, said he plans to take the issue to a national level.

"Putting something of that magnitude on a historical site is disrespectful," Harris said. "If this was any other ethnic people other than African Americans, this would not be accepted. It's about preserving something that was near and dear to black people in America."

Delaying final board approval of the dairies until March allows time for the State Parks Department to negotiate land-use rights on the property, state attorney Kathryn Tobias said. The state has proposed to purchase Etchegaray's right to put dairies on the land while allowing him to retain ownership.

Albers said his client is open to the idea but doesn't want it to delay the project.

"To have this [offer] come in at the 11th hour was not our idea," Albers said. "[Etchegaray's] boys want a dairy."

Huge dairies approved near state park devoted to black settlers

By OLIVIA MUNOZ, The Associated Press

In the S.F. Chronicle, Fresno Bee and other papers, Wednesday, Dec. 20, 2006

Basque immigrant Sam Etchegaray had two seemingly perfect swaths for a pair of large dairies: 2,000 rural acres of dusty fields, where thousands of cows would be at home in the No. 1 milk-producing county in the nation.

The only problem is that the pastures were next to a state park that pays tribute to a community founded by a freed slave, raising the ire of environmentalists and blacks who objected to the pollution and stench that would come with the cows.

As the decade-old project moved a step forward Tuesday with Tulare County supervisors tentatively approving permits to house up to 12,000 cows, opponents said the decision was an insult to the history and legacy of the landmark, Colonel Allensworth State Historic Park, and those who live nearby.

"I guess they're ready to put manure on top of us," said Nettie Morrison, 72, a resident of the unincorporated community of about 120 families.

If the board makes its approval final March 20, the Center on Race, Poverty and the Environment, which helped mobilize Allensworth residents, will likely sue to stop the dairies, said spokeswoman Caroline Farrell.

Opposition wasn't enough to sway supervisors in a county where big dairy drives the economy and the county seal shows a pair of bovines in front of crops and the jagged outline of the nearby Sierra Nevada.

After several hearings on the subject, the board voted unanimously in support of the special permits Tuesday. Supervisors said they accepted the environmental impact report and did not want to further delay Etchegaray.

"Somehow the perception is there that agriculture and dairying is disrespectful to a people's culture," said Connie Conway, the Tulare County supervisor who represents the area. "Somehow this became us against them."

The humble state park is a cluster of the restored and reconstructed school house, barber shop, church, library and homes of the pioneers who tried to create a black utopia in the early 1900s.

The original settlement was started in 1908 by Col. Allen Allensworth, a former slave and Army chaplain, and others set on founding a town where blacks - little more than a half century out of slavery - would not be second-class citizens.

"It is here that we are not overshadowed by the presence of beautiful white women and handsome white men, in such overwhelming numbers that we see no beauty in ourselves," Allensworth wrote in 1912. "It is here that we can see pictures of our own upon the walls and (our) faces upon the streets."

The colonel's project in self-reliance all but died by the 1960s after the water supply began to dry up and an important train discontinued making stops there.

By 1973, Allensworth no longer appeared on the map but supporters and descendants of the founders worked to gain historic status.

Residents who have rallied to stop the dairies have found allies from Southern California and the San Francisco Bay area, but not local leaders.

"The truth is, today this is a town of mostly black and brown folks. But when we look at the planning commission and board of supervisors, we're not represented there," Morrison said.

Assembly Speaker Fabian Nunez and the California Legislative Black Caucus wrote letters to the governor and the Tulare County board opposing the dairies and saying Tulare officials overlooked important aspects in the dairies' environmental impact.

The megadairy has long been the foe of San Joaquin Valley environmentalists, who claim that poor communities often pay the price of air pollution wafting from open pools of manure.

Cows are considered a prime source of the San Joaquin Valley's air pollution, some of the worst in the country, that has led to a high asthma rates and other respiratory illnesses.

Technology has helped control some dairy emissions, said Brian Blain, a director of the Tulare County Farm Bureau who spoke out in support of the dairies.

"All of these dairies have an impact. But modern dairies are much more compatible with their neighbors today than they were in the past," he said.

Etchegaray is considering selling some of his development rights to the state Department of Parks to create a buffer, said his lawyer, David Albers.

Under the proposal, Etchegaray would own the property and could use it for agriculture, but not for a dairy.

The dairies also need approval from the regional air district and water board, a process that could take up to a year - and could present another battlefield for opponents.

It's official: County adopts plans for raceway

By Corinne Reilly

Merced Sun-Star

December 20, 2006, 02:20:59 AM PST

The Merced County Board of Supervisors gave another green light to the Riverside Motorsports Park on Tuesday, formally adopting last week's tentative decision to allow noise and traffic from the raceway to exceed county standards.

Like last week, the board split over whether plans for 1,200-acre racing complex should move forward, with supervisors Deidre Kelsey and John Pedrozo voting against the project.

Kelsey repeated many of the concerns she's previously raised about the raceway proposal. Kelsey again said that she believes the raceway's environmental impacts haven't been

adequately studied, that the board has failed the public by approving the project, and that plans to route raceway traffic through nearby rural roads is an "exploitation" of area farmers and ranchers.

Kelsey moved to send the project's proposal back to the county planning department for further study and revision. Pedrozo voted in favor of the motion, with the rest of the board rejecting it.

On Dec. 13 the board voted to approve environmental reviews of the project and to overrule a finding by the Airport Land Use Commission that the racetrack's site is too close to Castle Airport's runway.

The board also made a temporary decision last week to amend the county's general plan and zoning code to allow raceway noise and traffic to exceed the county's standards during major events. But because the board can only legally amend the county's standards four times a year, it had to wait to formally adopt the change.

Six members of the public spoke against the amendment; none spoke in favor of it.

"I'm strongly against setting aside our standards ... that are here to protect us," Merced resident Tom Grave said.

While racetrack supporters have hailed the project's approval for the economic benefits its expected to bring, opponents have called its approval an assault on both the environment and local agriculture.

First proposed in 2003, the \$240 million raceway complex is planned to cover 1,200 acres near Castle Airport. It's set to contain eight different racing venues, a shopping mall, restaurants, an arcade and a lake.

The project now must survive a 30-day appeal period, when those impacted by the raceway can ask the board to reconsider whether the project has been adequately studied.

Racetrack developers also still have to outline zoning standards for the park, finalize plans to manage traffic and sign financial agreements with the county.

Many also expect the project to be delayed significantly by legal challenges.

Fireplace use discouraged today

Modesto Bee, Wednesday, December 20, 2006

People in Stanislaus and Merced counties are asked to refrain from using fireplaces and older wood stoves today because of concerns about air quality. Forecasters say the air will be unhealthy for sensitive people - children, older adults and those with chronic breathing problems. The voluntary "burning discouraged" advisory comes from the San Joaquin Valley Air Pollution Control District. The next step is a mandatory prohibition on burning. On the Net:

www.valleyair.org <<http://www.valleyair.org>>

L.A.'s future is on the line

Report gives county low marks in every area, but offers hope

BY KERRY CAVANAUGH, Staff Writer

LA Daily News, Dec. 15, 2006

After nearly a decade of worsening traffic, stagnant air pollution and increasingly unaffordable housing, Southern California is on the verge of turning around, local government leaders said Thursday.

While the annual State of the Region report card again ranked the region's quality of life as dim - with no significant improvement in any of seven key indicators - city and county officials said billions of dollars in infrastructure bonds approved by voters in November should reverse years of failing grades.

"Southern California has reached the tipping point of planning and building activity so that in the next decade you will look at Southern California and you will say, We're not the same place we

were 10 years ago," said Mark Pisano, executive director of the Southern California Association of Governments, which compiles the report card.

The dismal grades - an F in transportation and D's in housing and education - reflect conditions that spurred voters to support recent tax measures and \$43 billion in bonds to pay for highway improvements, public transit, schools and affordable housing.

"The people of Southern California recognize it costs money to do these things," said Los Angeles County Supervisor Yvonne B. Burke.

"There is no way you're going to have affordable housing unless you have funds available for housing. There is no way you're going to have a mobility increase unless you have some increase in your highways or rapid transit."

Since its inception, the report card has highlighted the region's major problems: traffic, air quality, troubled schools, crime and a sluggish economy.

And despite billions of dollars spent over the past nine years, the grades have barely improved.

Missing out on funds

The problem, Pisano said, has been that the region has been shortchanged by the federal government, while the state has diverted local dollars to balance its budget.

Infrastructure investments were cut, the population continued to grow and the region's quality of life suffered.

The infrastructure bonds will help, officials said. And for the first time, SCAG officials said, the region has a plan that promises money for cities and counties that build denser housing - such as apartments and condos - next to public transit corridors.

Los Angeles leaders are also optimistic after seeing additional transportation funds and new projects, such as the proposed "subway to the sea," moving forward.

"There is a real focus on transportation and infrastructure investment. Because transportation has been so bad, people are willing to look at solutions they haven't looked at before," said Councilwoman Wendy Greuel, who sits on the City Council's transportation and housing committees.

However, Valley Industry and Commerce Association Chairman Robert Scott said the bonds will simply help the region catch up with infrastructure demands.

He said city and county elected leaders haven't done enough to encourage economic growth, build housing and ease transportation.

"The region has the bone structure for great success, but frankly it hasn't been well managed."

The SCAG report card is based on 2005 data from Los Angeles, Orange, San Bernardino, Riverside and Imperial counties.

For the second consecutive year, Southern California got an F in mobility for having the worst traffic congestion in the nation.

Because of high gas prices, the number of people carpooling and taking public transit rose slightly, to 12.6 percent and 4.5 percent, respectively. But it would take \$5-a-gallon gas to get half of solo commuters to consider leaving the car at home, according to a SCAG survey.

Housing squeeze

Southern California earned a repeat D grade in housing. Even though the region issued building permits for 91,000 units - the second-highest number since 1989 - Southern Californians continue to be squeezed by rising housing costs.

Just 14 percent of Los Angeles County residents could afford to buy a median-priced house of \$529,000 in 2005. And nearly half of the region's homeowners spend more than 30 percent of their income on their mortgage.

Among the other findings: The region earned a B for employment and economic growth, adding 120,000 jobs in 2005, the largest increase since 2000; and the unemployment rate dropped to 5 percent, the lowest rate since 1988.

But the region earned only a C for income, which averaged \$42,900, last among the nine largest metropolitan regions.

The region's median household income - \$52,069 - declined by 0.5 percent from 2004.

Education got a D for the fifth consecutive year, with local seventh-graders testing below national standards for reading and math.

Program educates risks of wood fires

By Julia Scott, STAFF WRITER

Tri-Valley Herald, Wednesday, December 20, 2006

Fewer rituals give more comfort than sitting by a warm, wood-burning fire on a cold winter night. It feels good for a few hours, but officials warn that its negative health effects last a lifetime.

The unhealthy buildup of fine particle pollution from wood-burning stoves, mixed with car exhaust, has led the Bay Area Air Quality Management District to issue eight "Spare the Air Tonight" warnings since Dec. 1. The Bay Area hasn't declared that many winter pollution health warnings since 1991, according to Darrell E. Waller, a spokesman for the district.

Particulate pollution of this kind is especially pernicious. The microscopic soot lodges itself in the respiratory system and leads to a variety of conditions such as asthma and lung disease, according to scientists. Air quality officials are asking people to limit their car trips on the coldest nights and stop burning wood fires altogether, but it's unclear what effect the campaign will have.

"I would hazard a guess that most of the general public has no idea that this is such a serious health risk to them. I don't think this has been brought to the public's attention until recently," said Waller.

Most Bay Area residents are familiar with the regular "Spare the Air" days in summer on the hottest days when ozone levels are heaviest. "Spare the Air Tonight" campaigns are in many ways the opposite. On still, cold winter evenings, cool air close to the ground becomes trapped under a warmer layer of air above, keeping particulate pollution close to the ground until morning, when the sun warms the earth again.

The main reason why so many pollution warnings have been declared this year is a rule change the Environmental Protection Agency adopted this September, cutting acceptable daily winter particulate levels almost in half from 65 to 35 micrograms per cubic meter.

The latter number equates to a rating of 91 on the Air Quality Index scale, said Waller. Each of the air quality district's warnings have been triggered by numbers "well over" 91 API at the high end of the "moderate" range, including the most recent one on Monday night, he said.

The new air quality standards mean that although there isn't necessarily more pollution in the air, the EPA considers it much more dangerous.

"There are a number of health studies that have shown the connection between exposure to fine particles and premature death," said John Millett, an EPA spokesman. "Evidence showed that health effects could occur at those lower-levels over a 24-hour period."

The Bay Area's nine counties are home to approximately 1.7 million fireplaces and wood stoves, according to statistics from the Air Quality Management District. Wood smoke has been the largest regional stationary source of particulate pollution since the 1980s.

A handful of cities in San Mateo County have been ahead of the curve in recognizing the health threat posed by wood-burning stoves. Foster City and South San Francisco both banned the construction of wood stoves and other wood-burning appliances within the past few years. The county itself was the first to do so in 2000.

"We're conscious of good air quality and we're doing all we can to reduce environmental impacts," said Lisa Grote, community development director for the county's Department of Planning and Building.

It's not just burning wood that officials worry about. Come holiday time, many families yield to the temptation to burn wrapping paper in the fireplace as well, which releases several toxic substances into the atmosphere.

Waller said that in most cases, heating a single-family home with a fire wasn't practical in the first place.

"People think that burning a fireplace keeps you nice and warm, but that's not actually true. It robs the house of heat by pulling the air up the chimney," said Waller. He suggested alternative methods for homeowners to stay warm, such as insulating the doors and caulking the windows if needed.

Ruth Petersen, chairwoman of the board of directors for Sustainable San Mateo County, said she understood the appeal of a wood fire in winter but asserted that it was not worth the health problems others might suffer.

"It should be curtailed by those of us who are just using it to feel warm and comfortable. It would be tolerable if somebody didn't have central heating or any other way of heating their house," she said.

Scientists: More study needed of El Dorado Hills asbestos risk

By DON THOMPSON, The Associated Press

In the S.F. Chronicle, Fresno Bee and other papers, Wednesday, Dec. 20, 2006

More study is needed to determine whether the 31,000 residents of a Sierra foothills community are at risk from naturally occurring asbestos, according to a government report made public Tuesday.

The U.S. Environmental Protection Agency reported in 2005 that everyday activities such as bike riding along a nature trail or playing baseball increased the risk from cancer-causing asbestos fibers found in the rocks and soil around El Dorado Hills, about 25 miles east of Sacramento.

In the report issued Tuesday, the U.S. Geological Survey said most of the fibers found by the EPA study do not meet the definition of commercial-grade asbestos, the sort linked to life-threatening asbestosis, lung cancer and mesothelioma, an incurable cancer of the chest lining.

But dust clouds raised by construction and everyday activities still might contain enough asbestos-like fibers to be dangerous, the agency's scientists said in a 47-page report.

More research is needed "to develop a better understanding of potential health effects of what is currently called 'naturally occurring asbestos,'" the report concluded.

Asbestos-bearing rock is a concern in communities across California. The mineral is found in 44 of California's 58 counties, usually in serpentine, the state rock.

It is generally considered harmless unless the rock is disturbed, such as during construction of new roads and homes. The EPA considered the problem to be worse in El Dorado Hills because rocks near the surface often contain a more toxic form of asbestos, tremolite.

The Geological Survey's study supports the EPA's view that communities in areas with asbestos should minimize dust, said Daniel Meer, a supervisor in the EPA's Superfund Division.

"Reducing exposures reduces the risk of developing asbestos-related disease," Meer said in a statement accompanying the latest report.

The EPA's 2005 study was criticized as alarmist by local health officials and residents. El Dorado County health and air pollution officials did not immediately return telephone messages Tuesday seeking comment.

A private study commissioned by the National Stone Sand and Gravel Association said the dust analyzed by the EPA was not asbestos and thus carried a minimal health risk. The criticism prompted the EPA to seek the review from the Geological Survey.

Test shows Birmingham violates air pollution rule on first day

Associated Press

Contra Costa Times, Wednesday, December 20, 2006

BIRMINGHAM, Ala. - Air pollution continues to be a major problem in Jefferson and Shelby counties.

A test yesterday in north Birmingham showed the area in violation of a new air pollution standard on the first day it was being enforced.

A meteorologist for the Jefferson County Health Department, Sam Bell, says a monitor in north Birmingham captured more than 45 micrograms of particles of air pollution. That's above the 35 micrograms allowed by the new rules by the federal Environmental Protection Agency.

Officials will continue to measure the air in Jefferson and Shelby counties for three years before the E-P-A judges whether the area has failed the standard.

Jefferson County officials have predicted that the area will fail unless cleanup measures are taken.

Sebelius still mulling ban on coal-fired plants

JOHN HANNA, Associated Press

Contra Costa Times, Tuesday, December 19, 2006

TOPEKA, Kan. - Gov. Kathleen Sebelius still is considering a request from environmentalists that she ban new coal-fired plants, amid questions and criticism about a western Kansas utility's plans to build three of them to generate electricity.

The future of Sunflower Electric Power Corp.'s proposed \$2.7 billion project in Finney County rests with the state Department of Health and Environment. It must decide whether to issue a permit saying the project would meet federal air quality standards.

Attorneys general in eight states, including California and New York, worry about the project, and Kansas' health department has heard criticism from across the state. Environmentalists have asked Sebelius to impose a moratorium on coal-fired plants.

"Gov. Sebelius is considering all potential options," spokeswoman Nicole Corcoran said Tuesday. "This is a very complex issue, and Gov. Sebelius and her staff are following it closely."

Sunflower's capacity to generate electricity would grow nearly seven times larger when the project was completed in 2013, with much of the additional power being exported to Colorado. The project has the backing of many local officials, who believe it could generate 2,000 construction jobs and permanently expand the local economy.

Department of Health and Environment officials ended their hearings last week. Secretary Rod Bremby said he can't say when the agency will have a decision on an air quality permit.

"The cake's in the oven, and it's time to see what it looks like when it comes out," said Sunflower spokesman Steve Miller. "We're anxious for the baking time to be over."

Sunflower says not only would its project would meet all federal air quality regulations, but mercury emissions from burning coal would be 79 percent lower than federal limits.

However, even federal officials have raised questions recently.

In a Dec. 15 letter to the Kansas Department of Health and Environment, the Fish and Wildlife Service chastised the state for not notifying it about the potential permit, saying emissions from the plant could affect the visibility around the Wichita Mountain National Wildlife Refuge in southwest Oklahoma, about 260 miles away.

And, the Fish and Wildlife Service said, based on models the health department used in drafting its proposed permit, "Visibility impacts are likely to have been underestimated."

Health department spokesman Joe Blubaugh said agency officials found federal law to be ambiguous about whether the Fish and Wildlife Service had to be notified. But, he added, "If they could do it all over again, they'd probably contact them ahead of time."

Meanwhile, the Environmental Protection Agency questioned the sulfur dioxide emissions allowed by the permit. Its regional office in Kansas City, Kan., suggested the limits were too high, based on the relatively clean coal Sunflower plans to burn.

Sunflower might be forced to use dirtier coal at times, but such "infrequent events" should not be used setting long-term standards, the EPA said in a November letter. The federal agency said an appropriate standard would be at least 21 percent lower.

Sunflower, with about 118,000 western Kansas customers, proposes to build the new coal-fired plants next to an existing one outside Holcomb with a generating capacity of 360 megawatts. Each new coal-fired plant would generate 700 megawatts of power, for a total of 2,100 megawatts.

Charles Benjamin, attorney and lobbyist for the Sierra Club's Kansas chapter, said some other states are concerned the new generating units would make the Holcomb site the largest coal-burning complex west of the Mississippi River.

The attorneys general of California, Connecticut, Delaware, Maine, New York, Rhode Island, Vermont and Wisconsin, said in a Dec. 15 letter to the Kansas Department of Health and Environment that the Sunflower project would undermine their states' efforts to control the emission of greenhouse gases such as carbon dioxide that contribute to global warming. "It has implications many hundreds and even thousands of miles away," Benjamin said.

In late October, Benjamin predicted the state would approve the permit because Sunflower had promoted its project as economic development for western Kansas. On Tuesday, he said he's not sure what the agency will do.

He also said Sebelius' decision could be influenced by her higher national profile as the new chairwoman of the Democratic Governors Association.

"Is Gov. Sebelius going to have the largest new source of CO₂ in the nation constructed in Kansas under her watch?" he said. "At a time when leading scientists are telling us that we have less than 10 years to do something about global warming before its effects become irreversible?"

ON THE NET

Sierra Club's Kansas chapter: <http://kansas.sierraclub.org>

Sunflower: <http://www.sunflower.net>

Kansas Department of Health and Environment: <http://www.kdheks.gov>

Modesto Bee, Letter to the Editor, Wednesday, December 20, 2006

Environmental impact bank needed

Whether it is a racetrack in Merced or a subdivision in northeast Modesto, each new project brings a dozen or more community impacts, positive and negative. When elected officials vote

thumbs up on a project, too often it leaves the community, not those who benefit from the project, to assume the negative impacts like increased traffic, degraded air quality or diminished water supplies.

We need a local, regional, even global system to better anticipate the detrimental impacts. In communities worldwide, the concept of a "pollution bank" has catalyzed efforts to reduce pollution. Perhaps it could be expanded to include nonpollution-related consequences of growth. Every new project would be held to net zero impact on critical resources and would be assessed for more subtle impacts likely to occur in the future. Zero-sum impact could be reached by including enhancement measures or by paying others to balance negative impacts. Since our resources are finite, continuing to grow in the same way yet expecting different results is, by definition, insanity.

MICHAEL D. SONKE, Modesto