

Clean air deadline seen as too long

Arvin protesters want board to get tough

BY STACEY SHEPARD, Californian staff writer
Bakersfield Californian, Thursday, August 30, 2007

ARVIN -- The nation's smoggiest city isn't giving up on clean air.

Dozens of Arvin residents protested a community meeting held here by the California Air Resources Board on Wednesday. In June, the air board approved a smog plan that postponed the deadline to meet clean air standards from 2013 to 2024. In four of the past five years, Arvin has exceeded the smog standard more days than anywhere else in the country.

Under the plan, Arvin would be one of the last places in the valley to meet the clean air standards.

"The message we want to send is we don't want to wait that long to get clean air," said Hugo Tamayo, a member of the Committee for a Better Arvin, the recently formed group that staged the protest.

Air board member Dee Dee D'Adamo said the purpose of Wednesday's meeting was to reach out to residents after the strong show of opposition when the board adopted the smog plan. D'Adamo is part of a task force the board formed to look for ways to move up the plan's 2024 deadline.

"At that meeting we heard from a large number of concerned citizens that (2024) wasn't good enough," said D'Adamo, who along with air board member and Fresno County Supervisor Judith Case hosted the meeting. "We took it to heart and felt we needed to invest more time in talking to the community."

Arvin residents made sure their voices were heard.

Wearing shirts that said "Got asthma?" and carrying signs saying "Too many have suffered," about 50 protesters marched up and down the street outside Veterans Hall where the meeting was held.

Inside, the meeting got under way with an air board presentation on the science of air quality. But it was interrupted 15 minutes in as the protesters made their way into the hall, chanting and singing "Shame on you" and "Clean air now."

Meeting organizers stopped the presentation and allowed the group to make comments.

One after another, the protesters took the microphone and spoke about children with asthma and family members who were forced to move away because their doctors said Arvin's air was too unhealthy.

"When you voted to approve this plan, you used words like, 'Let's be realistic.' Well, this is reality," said Daniela Simunovic, a community organizer for the Center on Race, Poverty and the Environment, a clean air and environmental justice advocacy group in the valley.

"The hundreds of people here tonight breathe this air every day. It's killing them and it's making them sick. For you to ask them to wait until 2024, that's not realistic."

Sharon Borradori, with the Kern County chapter of the American Lung Association, joined the chorus of those demanding a quicker pace for clean air.

"If we don't clean up Arvin's air by 2024 we will be condemning a generation of children to lung disease," she said, adding that almost 25 percent of Kern County's children have asthma.

Community pressure on the Air Resources Board was needed, said Seyed Sadredin, executive director of the regional air board, which initially drafted the controversial smog plan. That's because the state air board regulates trucks and cars -- which account for 80 percent of the valley's smog problem.

"There is no silver bullet but if you had one it would be for the trucks going through this valley," he said. "We need tough regulations from them."

Air board member Case said the board is being aggressive with regulations. She pointed to a recently passed rule to clean up diesel-powered construction equipment. The rule is one of the toughest and most costly to industry the board has passed.

Triple-digit tango

As Valley residents continue to suffer from extreme heat over the next several days, PG&E makes a plea for energy conservation.

By Farin Montañez / The Fresno Bee

Fresno Bee, Thursday, Aug. 30, 2007

Just when residents might have hoped to get a break from the summer heat, the Valley is getting walloped again. And the triple-digit temperatures are expected to continue for the next few days.

The National Weather Service has issued heat warnings for today in Fresno, Kings, Madera and Tulare counties. Fresno is forecast to reach 108 degrees today, just slightly lower than this summer's record set on July 5 and 6 at 111 degrees.

In response to the widespread high temperatures, the state Office of Emergency Services has opened cooling centers at fairgrounds in eight Central Valley and Southern California counties.

Fresno will open 11 cooling centers from noon to 10 p.m. and provide free bus service to them when temperatures of 105 degrees or higher are forecast.

The [San Joaquin Valley Air Pollution Control District's](#) air quality index cautions that the air today may be unhealthy for sensitive groups in Fresno and Tulare counties.

Pacific Gas & Electric Co. reported no major power failures Wednesday as of 5:30 p.m., but said that smaller failures are inevitable whenever heat reaches the level it has for so many consecutive days. The utility said voluntary conservation is crucial, urging residents to cut down on unnecessary appliance use.

In the north Valley, a high-voltage power line shared by the Modesto and Turlock irrigation districts sagged in the heat and touched an almond tree Wednesday afternoon, triggering scattered power failures over portions of three counties.

For a second straight day, energy demand surged 1,000 megawatts above forecasts, according to the California Independent System Operator. If that trend continues today, California would set a new record for energy demand and come close to using all the available electricity resources that are forecast for the state.

"We're tapping our operating reserves and we are stepping up our calls for conservation, but we are still a long way from a Stage 3 alert and blackouts," said Stephanie McCorkle, a spokeswoman for the independent system operator.

The California electricity grid manager declared a minor power emergency as the state's operating energy reserve dipped below 7%. The Stage 1 emergency was announced at 3:19 p.m. as peak energy demand was beginning to soar. It surpassed forecasts before 5 p.m., hitting 48,538 megawatts. Peak demand for today is expected to be 49,572 megawatts, but McCorkle said that could be revised upward.

Hot, high-pressure air masses have returned to the Valley, spiking temperatures, said National Weather Service forecaster Daniel Harty.

"They're moving toward us from the southwest and getting stronger," Harty said. "And we don't get any relief from cooling from the ocean."

Tropical moisture from recent thunderstorms in the mountains and remnants of Hurricane Dean also raise the relative humidity for the Valley, contributing to a higher heat index, he said.

The heat index is a factor used to determine how hot it feels based on temperature and relative humidity.

"The temperature is 108, but the heat index will be about 110," Harty said.

This heat wave poses a risk to the state's energy supply.

The California Independent System Operator issued a "Flex Alert" for Wednesday and today. Consumers should make an effort to conserve energy, especially during peak hours of 4 to 6 p.m.

PG&E recommends setting the thermostat to 78 degrees or higher, using fans, turning off unnecessary lights and appliances and using big appliances early in the day or late at night.

Daytime temperatures will likely remain above 100 degrees for the next few days in Fresno, dropping to 99 degrees next Tuesday.

Fresno averages 36 days per year when the mercury rises above 100 degrees, Harty said. So far this year, Fresno has had 23 such days.

"We're getting close to a normal year," Harty said.

Last year was certainly abnormal -- resulting in dozens of heat-related deaths in Fresno despite the city opening 11 cooling centers on about a dozen days.

So far this summer, the cooling centers were only officially opened for five days in July. Those 11 centers were used by more than 1,300 people, said Heather Heinks, spokeswoman for the city's parks department.

"Thankfully the weather hasn't been as intense as last year," she said.

"But we will probably have to keep the cooling centers open for the next several days because the heat is getting back up there."

Fresno County coroner officials say there have been no heat-related deaths so far this summer. They estimate there were about 30 heat-related deaths last summer.

In 2006, Fresno experienced 42 days of triple-digit heat, with three consecutive days in July when temperatures topped out at 113 degrees. The highest temperature recorded in Fresno -- 115 degrees -- was in 1905.

Report details future rail service operations

Written by Jonathan Partridge

Patterson Irrigator, Wednesday, August 29, 2007

If trains are going to move goods from the Port of Oakland to the Crows Landing Air Facility, it will take cooperation from railroads, the port and a good number of agencies.

A report by the group that hopes to develop the former naval airfield outlines how a new rail system might work, while listing as much as \$294 million in projects needed to route trains from the port to the air facility.

"We're going to be pioneers," said D.J. Smith of California Strategies, which compiled the report for PCCP West Park, the development group negotiating with Stanislaus County to turn the airfield into a 4,800-acre industrial park.

Commuter train interested

The report indicates the Altamont Commuter Express rail service may be involved in dispatching and maintenance for a rail corridor used by West Park.

Officials with ACE, which offers commuter transport between Stockton and San Jose, are looking into operating a line stretching from the Altamont Pass into the San Joaquin Valley.

ACE officials have talked with several potential short-haul users, including the would-be developers of the Crows Landing airfield, about using the corridor. The network of parties, known as the Northern California Trade Coalition, hopes to get state infrastructure bond money to make the corridor a reality. Short-haul rail trains may be a good fit for an ACE-operated rail line, explained Stacey Mortensen, ACE executive director.

"I'm glad people are talking," she said.

The California Strategies rail report gives some details about how that relationship might work, describing an Altamont Corridor Trade Service that would oversee train service and the transport of goods between Oakland and Crows Landing.

However, Smith said the report's descriptions are still preliminary.

Other aspects of the report describe specifics of an "inland port" at the former airbase. The air facility's intermodal area would provide parking on a former runway for about 950 chassis and would receive containers from the Port of Oakland. Containers filled with farm goods and other cargo would then be shipped back to the port by train.

Busy schedule

Despite brochures that have said only six trains per day would use the proposed PCCP West Park industrial park at buildout, the report said more trains could be added if demand persisted during a possible "fourth phase" of the project, possibly around 2025.

If that happened, developers would build a \$30 million "grade separation," likely an underpass, at Highway 33 and Las Palmas Avenue in Patterson. Another \$20 million grade separation would be built south of Marshall Road on Highway 33, where trains would enter the inland port.

Up until that point, one train would head from the port to the air facility and back each day starting in 2011, requiring a link between Union Pacific and California Northern railroad tracks east of Tracy. Each 50-car train would take two minutes to cross each railroad crossing.

Patterson could be named a quiet zone, according to the rail report - an area in which trains would be required to refrain from using a whistle, either all the time or just at night.

Smith said trains in quiet zones in some areas must signal their presence by using a strobe light.

Two loading tracks and four storage tracks would be added at the inland port once demand built enough for three trains, expected in 2016, according to the report. Then, improvements to railroad crossings between the Tracy area and Crows Landing likely would be made in 2021, when West Park expects six trains to use the inland port. Roads at all 29 public rail crossings would be improved.

The study gave a list of intersections that would receive crossing arms at that time. In Patterson, M Street, Olive Avenue and Las Palmas Avenue all would have gates with crossing arms. The intersection of E Street and Highway 33, meanwhile, would be blocked.

Some rural intersections, including Zacharias Road and Highway 33, where some city officials have discussed creating a new thoroughfare, were described as "passive" crossings that might not have a crossing bar.

Future benefits

The report touted the project's advantages for [air quality](#), noting that the use of train transport would take as many 2,700 trucks off the road by 2021 and that electric vehicles would be used at the industrial park. The project also would help alleviate traffic congestion at the Port of Oakland, it said.

The report included results of a survey of Central Valley shippers that potentially could use the inland port. Though many liked the idea of rail, there was also skepticism about rail's cost and efficiency, according to the report.

Port of Oakland officials say they favor the project and other proposed short-haul rail projects in Fresno, Sacramento, Stockton and Shafter. However, those projects only will be viable once long-haul challenges are addressed in places such as the Tehachapi Pass and Donner Summit, spokeswoman Marilyn Sandifur said.

Smith acknowledged the rail component of West Park's project may prompt skepticism among some, but he also noted trains were used for shipping long before the use of trucks.

"It's kind of an old story coming back, really," Smith said.

Two-wheel revolution gets rolling in Merced

By LESLIE ALBRECHT

Merced Sun-Star, Thursday, August 30, 2007

Fifteen or so sweaty cyclists braved 102-degree temperatures Wednesday night and hit the road for a group bike ride through central Merced. The trek wasn't a joy ride; it was a two-wheeled revolution.

The ride was organized by Merced's fledgling Bike Coalition, a new group dedicated to promoting cycling in Merced.

Unlike bike clubs that organize recreational rides for members, bike coalitions are advocacy groups that work to make cities more bike-friendly. The San Francisco Bike Coalition, which started in the 1970s, is now a well-established nonprofit with 7,000 members, seven employees and a \$500,000 annual budget.

The group convinced the city to paint bike lanes on many of San Francisco's major thoroughfares; it's also grown into a political player that endorses candidates and causes. Statewide, the California Bicycle Coalition is a lobbying force, recently sponsoring legislation that's due for a vote soon in the State Senate.

The Merced Bike Coalition someday hopes to lend its voice to local politics, said founder Jared Stanley, but for now the group's goals are more modest. "We just want a little respect from the car drivers and the planners of the city," said Stanley. "Bikes are traffic too."

That message could be a tough sell in Merced, where the favored mode of transport is a Ford F150. Here it's a widely held belief that folks ride bikes because they have to, not because they want to -- either they can't afford a car, or lost the use of their driver's license.

But Stanley, a 32-year-old lecturer at UC Merced, wants to bring biking into the mainstream. In hosting monthly group rides, the coalition aims to increase the visibility of cyclists and plant the idea in Mercedians' minds that "(cyclists) are not totally insane or freaks or hippies," said Stanley. "Normal people use this as a mode of transport."

Stanley moved here from the Bay Area, where cyclists and drivers share roads in relative peace and safety. He commuted by bike to his job in Oakland each day, enjoying the fruits of bike-conscious city planning that makes room for two-wheelers on roads. In Merced, Stanley's bike commute has been more treacherous. Buckled pavement, potholes, and debris in bike lanes sometimes turn the trip into a near "death ride," he said.

Stanley said he wants Merced to take better care of its bike lanes and build more of them. But the Bike Coalition's cause goes far beyond pedal power, said Stanley. Promoting cycling is also a way to improve Merced's poor air quality, put a dent in global warming and lessen dependency on oil.

At Wednesday night's ride, cyclists from age 1 to 76 pedaled up to the meeting spot at 27th and Canal Street.

Among them was 12-year-old Nathan Kelly, who said he wanted Merced residents to bike more because it would [improve air quality](#). He also noted a simple truth about riding a bike: it's fun.

"Kids my age mainly play video games, but getting outdoors feels really good," said Kelly.

Why do cyclists need their own advocacy groups? It boils down to ingrained social attitudes, said Andy Thornley, Program Director at the San Francisco Bike Coalition. "Motorists' interests are very much spoken for already," said Thornley. "There are lots of big corporations and monied interests who are speaking up for (them), so it's very important that someone speak up for cyclists, because there aren't billions of dollars being spent on television ads about how cool it is to drive a bicycle."

Thornley listed public health, safety, traffic congestion and social justice as the top reasons cities should make more room for bikes. "It should not be obligatory to own a car," said Thornley. "Some people can't afford it, some people have better things to do with their money. Every citizen should be able to move around a city under his or her own power."

So far in Merced, that's been horsepower. Now a few folks want to pedal into the future.

Rural residents criticize proposed Indian casino

Modesto Bee, Thursday, August 30, 2007

PAUMA VALLEY, Calif. - Residents voiced concerns that a proposed Indian casino and hotel would increase traffic, water usage and crime in their rural community.

The Pauma Band of Mission Indians has acknowledged that Casino Pauma would increase traffic on state Highway 76, which leads to the reservation from Interstate 15. It has also recognized potential harm to [air quality](#) and public safety and proposed ways to soften the impact.

More than 60 residents attended a meeting with tribal leaders Tuesday to review the plan.

"We all agree that they have the right to build a casino, but you have to do it with us in mind," said resident Miriam Easton Rutz.

The Pauma band opened a temporary casino in May 2001 on a 20-acre site north of Valley Center in north San Diego County. A metal-framed tent houses 1,090 slot machines and 22 table games.

Last year, the tribe said it would build a \$300 million casino and hotel with the Mashantucket Pequots' Foxwoods Development Co. The new casino would house up to 2,500 slot machines, 50 table games and 10 poker tables. A 23-story hotel would include 384 rooms, 16 villa-style suites, a spa, pool and gardens.

The 66-acre project would also include a 1,500-seat event center, 105,000 square feet of conference and office space and nearly 4,000 parking spaces.

Port settles four-year legal dispute

Environmental provisions, \$1.65M in fees among terms

By Reed Fujii, Record Staff Writer

Stockton Record, August 30, 2007

STOCKTON - Environmental activists and Stockton port officials have settled four years of legal and regulatory disputes over new commercial shipping and hundreds of acres of industrial development at the former naval base of Rough and Ready Island.

Under the settlement announced Wednesday, the port will require [cleaner-burning diesel trucks](#) and encourage ships to use cleaner fuels; guard against impacts from dredging operations; and pay the plaintiffs more than \$1.65 million in legal and environmental monitoring fees.

Parties in the case expressed satisfaction with the outcome, including environmental groups Baykeeper and the Natural Resources Defense Council; residents of the Riviera Cliffs neighborhood who had objected to noise, light [and air pollution](#) from Rough and Ready; and port officials.

"The port and the environmental groups have actually been able to negotiate a settlement that will benefit our local environment and will do things that actually exceed regulatory standards, and it will allow the port to move forward with our business activity that brings jobs to Stockton," said Richard Aschieris, the port's director.

In fact, dredging work that had been delayed by lawsuits last year should begin next month, he noted.

Plaintiffs' lead counsel Robert Perlmutter, with the San Francisco firm of Shute, Mihaly & Weinberger, called the deal "a great achievement and a great settlement all around."

In terms of [air and water quality protection](#), he said, "We got a major reduction in the environmental impacts."

Ann Chargin, one of 19 Riviera Cliffs residents who signed the settlement, read a statement by telephone:

"I am glad the port finally came around after five years of litigation and in a spirit of compromise has seriously addressed the issues in dispute. I feel that we have succeeded in getting important changes that offer some degree of protection to our environment," she said. "I still have reservations about an inland port, primarily because of the impact its activities have on the environment, our dangerously polluted air and degraded water, as well as deep concerns about the risks to our fragile Delta levees."

Terms of the deal include the port paying to install double-pane windows in Chargin's home to help shut out noise from port operations.

Bill Jennings, who initiated some of the legal actions against the port as former head of DeltaKeeper, a group associated with Baykeeper, gave the settlement a mixed review.

"The folks that brought the suit achieved about as much as could be reasonably expected," he said, but added that environmental problems will still exist.

"What it comes down to is we have a very fragile, impaired area of the Delta, and we have a major industrial expansion within that area," Jennings said.

In particular, he predicted the settlement will not fully resolve the problem of low dissolved oxygen.

Sejal Choksi, program director at San Francisco-based Baykeeper, disagreed.

"We think that this agreement is pretty strong," she said. "We're going to have a lot of control over the project and certainly ensure the environmental impacts are minimized."

Many requirements exceeded current state and federal standards for environmental protections.

David Pettit, a senior attorney with the National Resources Defense Council in Santa Monica, said the settlement will have a significant effect on air quality.

"Somewhere over 300 superclean trucks will now be on the road in the San Joaquin Valley that would not have been on the road if this settlement had not been made," he said.

Warren Wong, a Riviera Cliffs resident who parted ways with his neighbors over their suit against the port, said he was glad to hear of the settlement.

"That's good. ... There's no reason to stop the progress," he said.

His house, built in the 1950s while the World War II-era naval base was still active, has double-insulated walls and other features to reduce outside noise.

"It shouldn't deprive people from working over there," he said. "That's not right."

Settlement reached in suit over Stockton Port development plans

Modesto Bee and Contra Costa Times, Thursday, August 30, 2007

STOCKTON, Calif. - Environmental and community groups announced Wednesday they dropped two suits against the Port of Stockton, allowing dredging and expansion at the port to move forward.

The Natural Resources Defense Council and Baykeeper sued the U.S. Army Corps of Engineers and the Port of Stockton in August 2006 to stop the dredging of the San Joaquin River, claiming the Corps had failed to examine the potential harm to those living near the port and to the river and its threatened fish species.

A U.S. District Court judge ruled in the groups' favor in September, and ordered the port to stop dredging until further environmental review.

Wednesday's agreement settles that case and a previous suit filed against the port in July 2004, and represents a win for both the river's fragile ecology and industry, port officials and environmentalists said.

"We are very pleased that all parties were able to reach mutual consensus," said Port Director Richard Aschieris.

As part of the settlement, the port agreed to reduce the environmental impact of its operations and dredging; monitor levels of dissolved oxygen in nearby waters; increase the number of clean trucks servicing the deep water seaport and offer incentives for large vessels to use cleaner fuels.

The port will set aside \$5 million to implement air quality controls, and will be held responsible for protecting and improving the quality of local waters once it resumes limited dredging, an NRDC spokesman said.

The port seeks to redevelop the 1,460-acre Rough and Ready Island near Stockton by upgrading seven wharves, developing an intermodal rail yard and dredging to improve access for large ocean-going vessels.

Too hot to move

Residents seek relief from the late-summer blast in park fountains and under parasols

By Dorothy Korber and Lisa Heyamoto - Bee Staff Writers

Sacramento Bee, Thursday, August 30, 2007

When summer waves goodbye to Sacramento, it's with a heat wave.

The mercury in downtown Sacramento reached 105 on Wednesday afternoon -- three degrees shy of the record for Aug. 29, but still the second-hottest day of this relatively mild summer. Normal for the date is 91.

High pressure over Northern California triggers high temperatures, high ozone counts and high energy use. All three are in play today, with triple digits in the forecast, a "Spare the Air" day declared for drivers and a plea from utilities to scale back on power use.

Though no blackouts are expected, operators of California's electricity grid ask consumers to conserve energy during the heat wave, particularly during the peak hours of 4 to 6 p.m.

The Labor Day weekend should be cooler, forecasters say, with the Delta breeze waltzing in on Friday and highs dropping to the mid-90s.

On a stifling day like Wednesday, sometimes you have to beat the heat before it beats you.

That was Faith Wall's reasoning anyway, right before her mother caught her dipping her feet into the fountain at Cesar Chavez Plaza -- socks, tennis shoes and all.

"My feet were really hot," the 7-year-old explained, as her mom rolled her eyes and commenced wringing out her socks.

Renee Spears, 47, found a more socially acceptable way to keep cool, carrying her shade by way of a bamboo parasol while strolling at the park's weekly farmers market.

For Spears, keeping out of the sun is more necessity than preference. She has a melanin deficiency and can't tolerate the sun for fear of being badly burned. Having grown up in the area, though, she's used to the whole heat thing by now and even has a small collection of parasols for those days when the mercury rises.

"We were talking about how we really hadn't had those really hot days," she noted. "And then -- boom."

Still, with September just around the corner, she was getting ready to wave her own goodbye to summer, if for no other reason than the change of wardrobe.

"(With September coming), you want to get your woolen skirts and your sweaters out," she said. "But then you're sweating like a pig by noon."

Or, in Te Phan's case, by 10 a.m. That's when the 22-year-old fires up the barbecue to grill up the pounds of chicken that will keep patrons of Yummy Chinese Food in lunch while they shop for dinner.

"It's like, the hottest in the area right here," he said, mopping his forehead as the shimmering heat from the grill beat up onto his face.

Greg Beals, a fruit vendor at the market, doesn't mind selling his peaches, plums and pluots in this weather. It's the picking part that gets him.

"It was 93 degrees at 5 o'clock when I was picking last night," the Placerville orchardman said.

Good thing he's got a strategy.

"I get some ice water and wipe down after each bucket," he said. "And I just keep picking."

Luckily for Beals and the rest of us, it's been a nice summer, all things considered.

Through Wednesday, downtown Sacramento tallied 12 triple-digit days this year, according to the National Weather Service. The downtown average for June, July and August is 17 days of 100 or higher.

In 2006, July brought a spate of 11 straight triple-digit days, setting an all-time record for consecutive days over the century mark. This summer, the longest triple-digit string is three days.

"Overall, it's been a fairly mild summer," said meteorologist Mike Smith of the National Weather Service. "A big contributor to that has been the Delta breeze. The hottest day of the whole summer was 108 on July 5. Then the Delta breeze kicked in, and we were down to the 80s."

In turn, it's also been a relatively good year for air quality, according to Lisa Kobza of the Sacramento Metropolitan Air Quality Management District. Today's "Spare the Air" advisory is only the fourth for the summer.

"In 2006, we had 15 advisories," she said.

"Spare the Air" advisories have two functions.

"First, we ask people to reduce or eliminate driving," she said. "Please cut back -- postpone trips or car pool. The other thing is to notify people with health issues or are otherwise susceptible to ozone air pollution that the air quality will be poor."

Today's air quality index is expected to be 132 -- unhealthy for sensitive people.

The culprit behind the smog is the West's ridge of high pressure.

"When there is a ridge, it clamps down on this valley like a lid on a bowl," Kobza said. "Until the ridge breaks, we will have higher pollution levels."

The ridge should begin to break down Friday, bringing a few degrees of cooling each day through Labor Day, said forecaster Johnnie Powell of the National Weather Service.

He predicts a downtown high today of 103, then a few degrees cooler on Friday, and down to the mid-90s over the holiday weekend, with overnight lows in the mid-60s.

Just be glad you're not in Phoenix, where they don't have heat waves -- they have heat tsunamis. The Arizona capital set a new summer record Wednesday: 29 days of temperatures of 110 or higher.

Hot enough to Spare the Air but not to break any records

By Scott Marshall, Janis Mara and Cheryl Winkelman
Tri-Valley Herald, Thursday, August 30, 2007

Temperatures soared as high as 105 in Northern California on Wednesday, triggering the first emergency alert this year from a statewide energy agency and a plea for commuters to use mass transit.

But no records were broken and most temperatures were not the hottest of the summer.

Why so hot?

"Mostly, summer," said Diana Henderson, a National Weather Service forecaster.

Stockton reached 104, and Livermore was 105. The culprit was a high-pressure system.

"What's a little different is that it cut off the sea breeze, and it's gotten warm along the coast," Henderson said.

For instance, Monterey hit 78, a departure from highs normally in the 60s; San Francisco was 77, normally in the upper 60s to about 70; San Francisco International Airport was 83, normally in the low 70s. Today won't be quite as warm.

"Most areas will be down significantly by Saturday and Sunday," Henderson said. Most temperatures should be down in the low 90s by the middle of next week.

But it will be hot enough for another Spare the Air Day, declared by the Bay Area Air Quality Management District.

Morning commuters can ride for free on BART, Caltrain, the Altamont Commuter Express and on ferries until 1 p.m. Bus service will be free all day.

A Stage 1 emergency, urging customers to reduce use of air conditioners and large appliances to avoid severe conditions, was called by the California Independent System Operator Wednesday afternoon.

There is no danger of blackouts at present, according to Stephanie McCorkle of Cal ISO, whose agency monitors the state's electricity distribution system.

The severity of such alerts runs from 1 to 3, with Stage 3 the most severe.

The agency already had declared Wednesday and Thursday Flex Alert Days because temperatures were expected to jump above 100 degrees.

Cal ISO recommends residents reduce demand on the electrical grid - and prevent the need for mandatory brownouts - by not using air conditioning during what they dub the "AC rush hour" between 4 and 6 p.m.

People also may want to be careful when running their car's air conditioning in stop-and-go, rush hour traffic; that kind of driving often leads to overheating, said Tony Corso, manager of Reed & Son Tow Service in Tracy.

Corso said business had been steady all day, but he anticipated more calls later in the evening.

For those residents without air conditioning, the city of Tracy is keeping the Lolly Senior Hansen Center, 375 E. 9th St., open until 10p.m. tonight. No cooling centers were to open in Manteca and Lathrop.

Hot weather prompts a second consecutive Spare the Air day

Rachel Gordon, staff writer

S.F. Chronicle, Thursday, August 30, 2007

Dominick Tracy, with his 4-year-old son in tow, boarded an AC Transit bus during the end of the morning commute Tuesday for a ride across the bay into San Francisco. It was the first leg of what he hoped would be a daylong adventure taking public transit all around the Bay Area - spurred by the draw to ride for free.

"We're contemplating circumnavigating the bay," said Tracy, a 40-year-old Berkeley resident who works at the California College of the Arts. "Maybe a cable car, a ferry, a train."

Tracy and others will get another opportunity for free rides today, the second Spare the Air day called this year. Free rides are a centerpiece of the program, which aims to get people on transit and out of their smog-producing cars.

Hot weather makes smog worse. And it was hot Wednesday. State power grid operators said there was a critical need to conserve energy and called a Stage One alert when power reserves dropped to around 7 percent. Heat advisories were in effect from the Central Valley to Los Angeles.

Only one Bay Area city came close to record-breaking heat: Gilroy tied its record of 101 degrees. Some Bay Area cities reached the 90s. San Francisco reached 77 degrees on Wednesday, far from the record of 96 set in 1968, said Diana Henderson, a forecaster with the National Weather Service.

Nevertheless, the warm weather is expected to stick around, and so is the smog. Temperatures are expected to be just a few degrees cooler today, according to the National Weather Service.

So once again, people can board regional transit systems today without paying. Free rides are offered until 1 p.m. on trains operated by BART, Caltrain and the Altamont Commuter Express and on the ferries. Rides will be free all day on Bay Area buses and light-rail.

The program, which has a budget of \$7.5 million this year to reimburse operators for money lost at the fare box, has several purposes: to lower unhealthy emissions and to demonstrate to the public that there are viable transit options.

"It shows people how they can get around without a car," said Terry Lee, the Spare the Air project manager for the Metropolitan Transportation Commission, which provides the bulk of funding for the program. Such knowledge can come in handy, she said, for times like this weekend, when the Bay Bridge will be closed to traffic starting Friday night for construction.

It is too soon to tell how successful Spare the Air was Wednesday, as most transit agencies are still tallying the numbers.

The California Department of Transportation, however, reported a slight increase - 0.8 percent - in traffic crossing the Bay Bridge into San Francisco on Wednesday morning compared to Tuesday morning, said Lauren Wonder, a Caltrans spokeswoman.

Yet commute patterns, whether tracking car trips or transit boardings, have a lot of factors feeding into them - among them the day of the week, construction projects, the season, whether school is in session, the addition of special events and the weather.

Golden Gate ferries running between San Francisco and Sausalito and San Francisco and Larkspur saw a big jump in riders during the morning commute. For example, the combined ridership on the Sausalito to San Francisco runs was 330 on Aug. 22; it jumped to 748 on Wednesday, a week later. The morning runs from San Francisco to Larkspur carried 149 people on Aug. 22 and 534 on Wednesday. The Vallejo Ferry system also reported higher ridership Wednesday morning.

Officials know that not everyone who rode the ferries was regular commuters who decided to give up driving. The warm weather drew a fair number of pleasure travelers, too. That's one reason the ferry and train operators pushed to change the Spare the Air protocol from previous years and now stop offering the fare-free rides after 1 p.m. Rowdy teens and the infrequent riders caused overcrowding and other problems, drawing the ire of the regulars.

Some of that grumbling could be heard Wednesday, especially on BART between 8 and 9 a.m., the crunch of the morning commute.

BART added extra cars to the trains - and Golden Gate Ferry added an extra run - but in the end, not everyone ended up pleased.

"The trains were packed," grouched Lindsey Gold, a 24-year-old theater instructor who boarded at Rockridge Station in Oakland for what she described as an unpleasant trip to San Francisco's Mission District. "It's great if people want to get out of their cars and take transit, but couldn't they do it when we're not all trying to get to work?"

For Muni, BART, SamTrans, Caltrain and several other systems that The Chronicle checked out firsthand or heard about from readers, the assessments were mixed, depending on the time of day - the very-early-morning commutes, for instance, were quieter than the later ones - and the routes. Evening commutes in most cases seemed about as busy as normal.

"It didn't seem too crowded this morning, and it seems to be the same this afternoon," said Peter Grayson, who commutes daily on BART from the East Bay. Grayson said he thinks the one-way free ride discouraged people.

"My wife was going to come meet me for lunch but decided not to because it was only free one way," he said.

Pedro Armas, who was driving a SamTrans express route from San Mateo to San Francisco, guessed that he only had a handful of additional riders on his morning runs.

But Lynn Coulter said her Muni streetcar ride from the West Portal tunnel to the Financial District was packed.

"I don't know if more people were riding because it was free or whether it was just another one of Muni's usual problems," said the 37-year-old records clerk.

Spare the Air again on Thursday

By Denis Cuff, Staff Writer

Contra Costa Times, Thursday, August 30, 2007

Bay Area public transit systems will offer free rides all or part of Thursday, the second consecutive Spare the Air Day called because of smoggy air.

BART, CalTrain, ACE train and all Bay Area ferries will waive fares for riders boarding before 1 p.m. Thursday.

Bus systems will be free all day.

More information about transit options can be viewed at 511.org.

The Bay Area Air Quality Management District issued the Spare the Air declaration because smog levels Thursday are expected to violate a federal health standard. Today was the first Spare the Air Day of the season.

To minimize air pollution, the air district asks consumers to voluntarily minimize driving and refrain from using aerosol cleaners, paints, hair sprays and gas-powered lawn mowers.

Public transit providers have set aside enough money to offer free rides on up to four non-holiday Spare the Air weekdays.

L.A. mayor won't support port container fee

Villaraigosa wants the revenue from the port levy to help pay for bridges' replacement.

By Patrick McGreevy, Staff Writer

L.A. Times, Thursday, August 30, 2007

SACRAMENTO -- Mayor Antonio Villaraigosa is withholding city support for a state bill that would impose a container fee in the ports of Los Angeles and Long Beach aimed at easing congestion and air pollution, insisting it be changed to help with the \$1.5-billion cost of replacing two major bridges.

With the bill by state Sen. Alan Lowenthal (D-Long Beach) up against a legislative deadline this week and facing widespread opposition from retail, shipping and other business groups, supporters worked feverishly -- but without success -- to negotiate a compromise with the mayor.

"He carries a great deal of weight," said Melissa Lin Perrella of the Natural Resources Defense Council. "His support would be helpful."

A similar bill was approved by the Legislature last year but was vetoed by the governor, who worried that it would harm California businesses. SB 974, which is scheduled for a crucial committee vote today, would put a \$60 fee on each loaded 40-foot container that moves through the ports of Los Angeles, Long Beach and Oakland.

The fee would raise up to \$394 million annually for projects to reduce air pollution and improve the movement of containerized cargo from those facilities.

Much of the money would go to railroad improvements and grade separation projects that would allow cars and trucks to go under railroad tracks. Advocates of the plan say air pollution would be reduced if vehicles did not have to idle at busy train crossings.

Villaraigosa has objected that the bill would not allow the money to be spent on the replacement of two large bridges that serve the ports. He has indicated that he will withhold his and the city's support unless the measure is amended to allow money for replacement of the Gerald Desmond and Commodore Schuyler F. Heim bridges.

"While the mayor supports Sen. Lowenthal's efforts to bring needed private participation to environmental mitigation and infrastructure projects, he is concerned that the bill, as currently written, excludes certain highway projects from funding," said Matt Szabo, a spokesman for the mayor.

The bridges have been designated as "distressed" by the federal government, "and present a serious safety concern if left to deteriorate," Szabo said.

"The mayor believes that these critical projects must be eligible for funding under SB 974, in addition to grade separations, rail projects and other categories of infrastructure projects statewide," he said.

The city is considering imposing its own fee.

Lowenthal said the legislation may be the most important bill for the environment that he has carried in his nine years in the Legislature.

He downplayed the differences with the mayor.

"My sense is that there will be continuing discussions, but it will pass out of Appropriations tomorrow," he said.

The bill proposes that half of the money raised by the fee go to the California Transportation Commission to fund projects to improve cargo movement and half to the state Air Resources Board for projects to reduce pollution caused by the movement of cargo throughout the state.

The fee would be imposed beginning Jan. 1, 2009.

The mayor's lack of support may not be enough to hold up the measure, but his hard line has added momentum to the concerns raised by industry groups, including the Los Angeles Area Chamber of Commerce.

"This sounds like a tax, and we don't know where the money is going," said Gary L. Toeppen, president and chief executive officer of the chamber. "It's one more example of where we get to pay the bill down here and the money is sent to Sacramento and we have to grovel to get it back."

The bill also has been opposed by more than 130 companies and trade groups including Target, Home Depot, the California Farm Bureau, California Grocers Assn. and the Pacific Merchant Shipping Assn.

They say it is bad for business.

Opponents question whether the state can legally impose what they see as a tax on interstate commerce.

"It would drive up the cost of merchandise and ultimately drive the container business to other ports," said J. Craig Shearman, a vice president of the National Retail Federation.

The Heim bridge is among 228 structures on the state's recently released "Priority Structurally Deficient Bridge" list. The Gerald Desmond Bridge in Long Beach, which is used by port trucks going to the 710 Freeway, is in such bad condition that crews have had to wrap it in wire nets to prevent chunks of concrete from falling into the water and onto streets below.

Villaraigosa argues that the bridge projects are consistent with environmental aims.

"Repair of these bridges furthers the goals of the Clean Air Action Plan adopted by both ports and will be subject to rigorous environmental review," Szabo said.

The environmentalists behind the bill don't buy that.

"It's a real shame," said Martin Schlageter, of the Coalition for Clean Air, regarding the mayor's position.

"It's a concern that the withholding of support could affect the approval of the bill. But I don't think it warrants putting something in that undermines the integrity of the bill."

The Port of Long Beach also has withheld support for the bill unless it is amended to allow money for the two bridges.

Schwarzenegger, German minister meeting over greenhouse gases

Sabine Muscat, Staff Writer

S.F. Chronicle, Thursday, August 30, 2007

California, required to draft a plan by 2011 to drastically reduce greenhouse gas emissions, is getting some welcome advice from a European ally: Germany.

Frank-Walter Steinmeier, Germany's foreign minister, is scheduled to meet with Gov. Arnold Schwarzenegger today to begin talks about how California could work with the European Union to create a system that would allow companies to buy and sell credits for emission reductions.

"This would be really good for California. It makes what we are doing much more relevant," Aaron McLear, a spokesman for Schwarzenegger's office, said Wednesday.

California is perceived as an environmental leader in a country that has stayed out of the Kyoto Protocol to the United Nations Framework Convention on Climate Change. In their efforts to bring the United States into global climate protection regimes, European politicians have closely followed

California's progress in environmental legislation, such as AB32, a bill signed last year that requires the state to reduce emissions of carbon dioxide and other gases to 1990 levels by 2020. One key requirement is to draft the plan by 2011.

The German minister, who is putting a strong focus on energy-related issues in his foreign policy, chose California as the second stop of a trip that also took him to the Norwegian city Spitsbergen, where the effects of climate change can be witnessed in the form of the Arctic region's melting glaciers.

California has yet to devise an emissions-trading system; the EU states have been dealing with such certificates since 2005. "We look very closely at the lessons learned from existing programs in Europe," said Lawrence Goulder, professor of environmental and resource economics at Stanford University and a member of the state's Market Advisory Group.

"A big push in reduction will come from a carbon-trade system," said BreAnda Northcutt, spokeswoman California's Environmental Protection Agency. "It is the most effective way to achieve our goals."

Under a trading system, companies can buy and sell certificates allowing them to produce specified quantities of carbon dioxide.

Europe's experience offers lessons of what could serve as a model, and what should be avoided.

"California should start to sell certificates in an auction as early as possible," advises Ottmar Edenhofer, chief economist at the Potsdam Institute for Climate Impact Research, who is traveling with Steinmeier.

In Europe, emissions certificates initially were given free to companies in relation to their estimated need. "So there was no pressure on companies to think about innovative solutions for avoiding emissions," Edenhofer said.

It will also be crucial to make sure that the system for measuring emissions is compatible, said Nancy Whalen, marketing manager of the California Climate Action Registry, a nonprofit group that helps companies measure how much pollution they generate.

"The carbon market has to avoid the problem we have today with financial currency trading where currencies are being discounted against one another," she said. "When trading carbon, we must make sure that a ton is a ton."

Many North American companies already are trading offsets in voluntary carbon markets, such as the Chicago Climate Exchange. Offsetting is the idea of paying for emissions-reductions elsewhere instead of reducing your own.

Even though they are not forced to reduce emissions, U.S. companies have been active in these markets because it helps them achieve a carbon-neutral image. According to a recent study by the environmental information provider Ecosystem Marketplace, 68 percent of the customers of voluntary carbon markets in 2006 were from the United States.

California companies like Yahoo, Google and Pacific Gas and Electric Co. have announced that they will buy offsets from voluntary markets, according to the report.

The Regional Greenhouse Gas Initiative, an alliance of nine northeastern states, wants to start a cap-and-trade emissions program in January 2009.

Edenhofer said he is impressed with the suggestions Schwarzenegger's Market Advisory Committee has come up with but have yet to be approved by the state Legislature.

"The Californians want to include more sectors than the Europeans," he said. The European system involves mostly the electricity sector and other heavy industries. But industries such as transportation are not covered.

For California, transportation's contribution will be crucial, as it generates 40 percent of the state's greenhouse gas emissions.

Working out how to make the systems compatible will be the tricky part, said Stanford's Goulder.

"If enforcement were less strict under U.S. law, the EU would lose its environmental integrity. Or if the U.S. system were more liberal in what can count as offsets, again the European system would be undermined," he said.

An area where the two sides differ widely is the respective goals for emissions reduction. California and the members of the Western Regional Climate Initiative have agreed to cap greenhouse gas emissions at 15 percent below 2005 levels by 2020.

Meanwhile, the 27 EU member states have agreed to cut emissions by 20 percent from the 1990 level by 2020; Germany is aiming for 40 percent.

Edenhofer argues that systems with different caps could still be linked in a way beneficial to both sides - "as long as the caps don't differ too widely."

Industry representatives generally welcome the political cooperation. "Any trading system in California must be created in a way so that it can be integrated in any national and international trading regime," said Vince Sollitto of the California Chamber of Commerce.

But businesses also are asking for other measures.

Andreas Klugescheid, spokesman for BMW in California, said his company has called on governments to extend their cooperation to regulatory issues.

Before BMW can introduce its diesel models in California next year, for example, it had to invest heavily in a technical solution to meet strict standards for nitrogen oxide emissions.

"We are aware that regulation is necessary, but our dream would be a worldwide standard for the automobile industry," Klugescheid said.

Climate expert Edenhofer voiced his concern that it is the responsibility of Europe and the United States to address all of these issues together before big developing countries like China or India can be persuaded to join the effort.

Said Edenhofer: "We have to come up with a prosperity model that shows the rest of the world that growth and sustainability are actually compatible."

Traces of toxic metals detected near plant

Citizens group has been monitoring Pacific Steel Casting in Berkeley since May under \$25,000 grant from air district

By Doug Oakley, MEDIANEWS STAFF

Tri-Valley Herald and Contra Costa Times, Thursday, August 30, 2007

Pacific Steel Casting is showering West Berkeley's skies with toxic metal traces that can cause cancer and neurological problems, according to a group of activists who have been monitoring air around the plant since May.

Global Community Monitor, a nonprofit environmental justice group based in San Francisco, started monitoring the air with a \$25,000 grant from the Bay Area Air Quality Management District.

The group released preliminary data Tuesday from 12 air monitoring sites around Pacific Steel Casting, which has been making steel parts such as fire hydrants, truck parts and bridge pieces in Berkeley since 1934. It found levels of manganese and nickel much higher than those deemed safe by the World Health Organization and the U.S. Environmental Protection Agency.

The group plans to continue monitoring through December, said director Denny Larson.

"We knew there was a long list of complaints from the plant, but we didn't know if people were being exposed to toxic levels of pollution, and now we have the data," said Peter Guerrero, a consultant working with Larson. "The state of California and the city should look at an industrial relocation plan for them. Just because they have been here for decades doesn't excuse their behavior."

Larson and Guerrero called on Pacific Steel to shut down the plant or install additional pollution-control devices. The plant installed a \$4 million filtration device in October 2006 at one of its three buildings and is looking at updating two others. Global Community Monitor also wants to put its own monitoring devices right on Pacific Steel's smokestacks to get more accurate air readings.

Pacific Steel spokeswoman Elizabeth Jewel said closing the plant and moving out of Berkeley is a "completely unrealistic" option.

"That would be a huge loss for the city of Berkeley," Jewel said. "Where would they like us to go?"

Jewel said she can't comment on Global Community Monitor's proposal to install monitoring devices on the plant's smokestacks because Pacific Steel hasn't heard about it yet.

The group said it found concentrations of manganese, which can cause neurological problems similar to Parkinson's disease, and nickel, which can cause cancer, in the air at five sites near the plant. Those levels were found in the air as far as six blocks from the plant at Second and Gilman streets.

Larson said the group tested the air for metal traces Pacific Steel has admitted it releases in its steel-making process. In a report to the Bay Area Air Quality Management District, Pacific Steel said it released 529 pounds of manganese and 19 pounds of nickel into the air during a one-year period in 2005 and 2006. Jewel said the data released Monday lacks science.

"This is a group of concerned citizens who are not scientists, with no scientific training, who are coming to conclusions that can't be supported," Jewel said. "They don't follow any standard scientific methodology. They don't publish their methodology or how they came to those numbers, there's no peer review and there's no way to say definitively that the source is Pacific Steel."

Karen Schkolnick, spokeswoman for the Bay Area Air Quality Management District, which provided the grant money for the air monitoring, said the district and Global Community Monitor agreed on a scientific protocol before the grant was awarded. However, the air district can't say whether the data released Monday is reliable because the group has not provided a "report that would document how they would handle quality assurance."

"Until then, it's premature to judge the data because we don't know what we're looking at," Schkolnick said. "It was our expectation we would receive that information when we received the data. We can't verify their data until we know what their process is."

Schkolnick said the district grant was awarded so the air could be temporarily monitored until a permanent air monitoring system is installed. She said that monitor will go live in about a month, but added that she can't reveal its location.

Schkolnick said the air district received 533 complaints about Pacific Steel in 2005 and 900 complaints in 2006.

Linda Maio, the Berkeley city council member whose district includes the plant, said she had not seen the report by the environmentalists but isn't surprised by the firm's reaction.

"It's always easy to say off the cuff that the science isn't good," Maio said. Although she wants the plant to clean up its act, Maio said she doesn't want to shut it down.

"My first priority is protecting the public from harmful emissions," Maio said. "At the same time we can't just knee-jerk and shut them down. We are trying not to jeopardize the 500 or 600 families that rely on the jobs from this plant."

[Modesto Bee, Guest Commentary, Wednesday, August 29, 2007:](#)

Legislature can improve, but no need to abolish it

By FABIAN NUNEZ

While Mark Twain's oft-quoted comment about not getting into fights with people who buy ink by the barrel is wise, sometimes a pundit can be so wrong that you have to respond, no matter how much power of the press he has behind them. Fresno Bee Editorial Page Editor Jim Boren's recent column (published on modbee.com, Aug. 28) calling for abolishing the Legislature is a good example.

Let me take just three issues that recent legislatures have addressed that expose the flaws in Boren's broadside.

Assembly Bill 32 and global warming. The leadership of the California Legislature, in formulating this gold-standard legislation, is widely seen as an example for the rest of the nation and other countries to follow. The very system Boren deems worthless is considered worthwhile around the world.

The American Lung Association notes that increased emissions of air contaminants, higher temperatures and the increased smog that accompanies higher temperatures make many health conditions worse. So everyone working to improve air quality and respiratory health in the Central Valley should be leading the cheers for what the Legislature did with AB 32.

UC Merced. Otherwise known as the first new American research university in the 21st century. Even with its occasional growing pains, there's no doubt that the University of California at Merced was an overdue addition to this region and will continue to grow and serve as an academic and economic boon for the Valley.

Without strong legislative support for its creation and development, UC Merced wouldn't have happened. Boren's column longs for the day when legislatures helped expand the UC system, but ignores the work done over the past decade to do just that.

Infrastructure bonds. The Legislature came together in a bipartisan, North-South, urban-rural compromise and authorized historic infrastructure bonds for the November 2006 ballot. Proposition 1B allowed for funding \$20 billion in transportation projects to keep people and goods moving in this state. And \$1 billion of that -- the only earmark included in the bonds --- was for Highway 99, the key economic artery for the Valley.

Are there issues and areas where the Legislature needs to improve? Of course.

There's an inherent conflict of interest with legislators drawing their districts and choosing their voters rather than having it be the other way around. That's why I introduced legislation to take redistricting power away from the Legislature and give it to the respected nonpartisan Little Hoover Commission, and that's why I am continuing to work with Assembly Republican Leader Mike Villines of Clovis on a bipartisan solution.

As the recent budget holdout by Senate Republicans showed, there is also a flaw with the two-thirds vote requirement for passing a budget. Although I must acknowledge again that Republican members of the Assembly did, in fact, join Democrats in passing a responsible budget that was virtually identical to the budget that the Senate and governor signed onto some 52 days later.

Do lobbyists have too much sway in Sacramento? Then maybe we should listen to the term-limits reformers who want to shorten the time that legislators can serve from 14 years to 12 years, but give them more experience in one house so they can counter the strength of lobbyists and bureaucrats.

Editors and columnists can play a key role in shaping the response to the challenges California faces through appropriate criticism -- no matter how harsh. In another editorial -- one taking me to task (constructively) on a different issue, The Bee once wrote that "even under the best of conditions, politics and governing are going to have their moments of contention and anger. We've just had such a moment. Now let's get over it."

That's good advice for Boren and The Bee to take as well.

Fabian Nunez is the Speaker of the California Assembly.

[Fresno Bee column, Thursday, Aug. 30, 2007:](#)

Woodward will woo even more lovers

By Bill McEwen / The Fresno Bee

Like a lot of folks from Fresno and nearby cities, Michael Levine has a love affair with Woodward Park.

He walks on its winding road, cycles on its trails and thinks of the beautiful and spacious grounds as his own.

That's a good thing, because pride of ownership felt by Woodward's many users has made it one of Fresno's best assets.

Now the park is going through big changes -- two-way traffic, eliminating speed bumps and reopening the Fort Washington Road entrance, to cite a few -- and Levine fears this "serene safe haven" will become a dangerous place for joggers, mothers pushing strollers and people with dogs.

Levine also says changes were made by city officials without giving residents a chance to speak up.

"This dismissive and undemocratic treatment by our council members and the Parks Department needs to be publicly explained and addressed," he says.

I disagree with Levine's contention that officials didn't seek comment on Woodward's traffic changes and additions such as the 57-acre BMX and mountain-bike complex.

City Hall appointed a parks commission of residents -- who, with Parks Director Randall Cooper, formulated a parks master plan. That plan was approved by the City Council.

The new vision for Woodward and other parks is exciting. Our parks have to be more than picnic tables, ball fields and playgrounds. They must embrace recent shifts in recreation to activities such as wall-climbing, mountain-biking and even paintball.

Moreover, Woodward can help our economy by drawing visitors for extreme-sports competitions. This potential should be tapped.

But Levine's fears about pedestrian injuries at the entrance where Fort Washington Road crosses Friant Road are legitimate.

The speed limit on Fort Washington is 40 mph, and cars will enter the park at full tilt. This is the road that cyclists and pedestrians will be tempted to use after crossing Friant -- instead of taking a dirt path to reach the park's first trail.

Credit Levine for the dirt path, which appeared after he protested to City Hall. In addition, the city is cutting out the curb at the end of the crosswalk. This change will point people toward the path and discourage them from mixing with cars.

I'd like to see an asphalt path, because dirt doesn't mix with roller skates and road bikes.

Bryan Jones, the city traffic engineer, says Woodward's new two-way traffic will be safer and the speed bumps were eliminated by state mandate to cut [air pollution](#). Jones also says he'll assess the timing on the Fort Washington crosswalk to ensure pedestrians safely cross Friant into the park.

Cooper asks that people try the new Woodward before judging: "Some people are resistant to change. Give us a chance to see how it works."

And sometimes city officials get too invested in their plans. Both sides should be open to changes that enable Woodward to keep pace with the times and remain, as Levine says, a "safe and welcoming place."

[S.F. Chronicle editorial, Thursday, Aug. 30, 2007:](#)

California needs tougher rules on ozone

WHEN FEDERAL clean-air experts visit the state with the nation's dirtiest skies, California should give them an earful. That's likely to happen today at a Los Angeles hearing on ozone, a lung-searing ingredient of smog.

But the next steps are the crucial ones. The U.S. Environmental Protection Agency is weighing stricter limits on ozone, the hazy brew cooked up by engines, factories and refineries. Washington last set ozone figures a decade ago, and an outside panel of experts is recommending a lower level based on new health studies.

Following this advice is anything but assured. The federal agency, which lives under the White House's thumb, can also leave things alone as some utilities and refiners prefer - or tighten the rules only slightly. At a time when California is moving smartly to cinch down emissions on industry, vehicles and construction equipment, a do-nothing message from Washington would be absurd.

This state still has far to go. The San Joaquin Valley and Los Angeles Basin routinely rank at the bottom in smog indexes; and this week's Spare the Air warnings are a reminder for the Bay Area of this daunting issue. It's no time to stop the clean-air effort.

The eventual ozone target, due to be set next year, will become an important yardstick in setting state smog rules. If a state fails to make progress, Washington can withhold highway money, a major weapon.

Just as significant is the message that federal smog rules send: Washington believes in science, safety and health. California and the nation need to hear this reflected in stringent ozone rules.

[L.A. Times editorial, Thursday, Aug. 30, 2007:](#)

Stricter on ozone

The EPA should follow its own scientific panel's recommendation and tighten air-quality rules.

That stuff you're breathing could be killing you.

Most Angelenos refer to the brown haze blanketing the city as smog, but more technically it's a noxious mix of particulate matter and gases, the prime ingredient being ozone. Most of our ozone comes from cars, trucks and other vehicles, but it's also produced by smokestacks, wet paint and other sources. It makes asthma worse and might even cause it; ozone also irritates the lungs and can kill those with respiratory problems, especially children and the elderly.

The federal government strengthened its ozone standard in 1997, but a decade of research has shown that the rules still aren't strict enough. So the Environmental Protection Agency has proposed tightening them, and will hold a daylong public hearing on the issue today in Los Angeles.

EPA rules allow a concentration of 84 parts per billion of ozone in the air. The agency has recommended changing it to 70 to 75 parts per billion. That's a disappointment, given that the EPA's own Clean Air Scientific Advisory Committee, after reviewing the available research on ozone, unanimously ruled that the existing standard doesn't protect public health and urged lowering it to between 60 and 70 parts per billion. And bowing to complaints from industry, the EPA also has given itself a way to avoid doing anything at all: Among the options to be discussed today will be leaving the standard as it is.

California is home to eight of the 10 counties with the highest concentration of ozone in the United States, according to the American Lung Assn. (L.A. is No. 4 on the list, with San Bernardino County having the dubious honor of being No. 1.) The state already has an ozone standard of 70 parts per billion, but the rule has no regulatory teeth. The EPA can order counties to submit plans for how they'll reach compliance and cut off federal funds if they fail to do so.

The EPA under the Bush administration has long been trying to shrug off its obligation to regulate ozone, and the proposed standard was developed only after the agency was successfully sued by the American Lung Assn. If it fails to crack down, it clearly will be violating its legal responsibility to protect public health.

[Bakersfield Californian, Editorial, Thursday, August 30, 2007:](#)

What's the delay? Clean up refinery pollution

"Pretty please" works well enough when you're asking for the last slice of pie. It's considerably less effective when you're trying to convince industry to undertake expensive and time-consuming clean-up efforts.

"Pretty please" just isn't good enough when your charge is protecting the public's drinking water. Few responsibilities could be greater. Yet, over the years, "pretty please" seems to have been the primary enforcement strategy employed by the California Regional Water Quality Control Board when it came to leaking contaminants at a Bakersfield oil refinery.

That strategy had to stop.

The regional water board has now issued a formal order requiring the current and past owners of the Big West Oil refinery on Rosedale Highway to clean up a toxic leak that dates to the mid-1980s. The regulating agency will force the owners to clean up contaminated soil and tainted groundwater beneath the facility.

It's about time. Where was the agency's order two decades ago when the first of these leaks was detected? Sidetracked by polite requests, apparently.

Letters between the water board and Shell, the refinery's former owner, are a study in comic ineffectiveness, with the board's strategy -- pushing for voluntary removal of soil contaminants, such as oil, gasoline, diesel, benzene and MTBE -- netting precious little in the way of meaningful action.

In one instance, Shell, and not the water board, was allowed to set its own deadlines for restarting a treatment system that had been shut down. The company missed all three of its self-imposed deadlines, with no apparent consequences.

City officials say some of the leakage could contaminate public drinking water supplies, including a Bakersfield well and the Kern River.

State Sen. Dean Florez, D-Shafter, has now jumped into the fray, asking Attorney General Jerry Brown to take legal action against Shell. Brown's office is studying the situation.

Water board officials say neither *The Californian's* investigation nor Florez's involvement were factors in the recent decision to toughen up, but the coincidental timing of the twin spotlights and the board's subsequent baring of its regulatory teeth make that position a little hard to believe.

Kern County Deputy District Attorney John Mitchell has seen the board in action several times over the years, most memorably when he was prosecuting the now-defunct Sunland Refinery for numerous groundwater violations. He discovered the water board had been writing letters to the refinery for more than 10 years asking that management take action, with no meaningful results.

Water board officials have complained that they are too understaffed to aggressively pursue polluters. But Florez said he could find no evidence of agency officials asking for significant staffing help. The water board, Florez said in his letter to Brown, "has a history of inaction." Pamela Creedon, the board's top officer since early 2006, disputes that characterization and promises more aggressive action. Good.

The board's past approach can't continue. It's been well documented that Bakersfield's [air quality](#) is among the worst in the nation. Now we learn that the city's water quality is at risk, too. The agency assigned to protect it must step up -- now.

[Bakersfield Californian, Letter to the Editor, Thursday, August 30, 2007:](#)

Blame liberals for fire

One hundred and fifty-five acres, 500 threatened structures, countless firefighters and fire equipment, 29 injuries, \$80 million and only 60 percent containment. The Zaca fire is another unfortunate and expensive California disaster that could have been prevented.

For several days, the Bakersfield sunset turned eerie with gray and red smoke. Summer evenings were spent indoors, not because of the normal August heat in Bakersfield, but because of [bad air](#) and raining ash.

Unfortunately, Bakersfield residents were feeling the repercussions of this fire, and there was nothing they could do about it but wait for the "announced" containment date of Sept. 7.

The Zaca fire is a creation of "tree hugging" liberals and environmentalists. Controlled burns and forest thinning would have limited or even prevented millions of taxpayer dollars literally going up in smoke.

Preservation came with a price -- the Zaca fire. In this case it has had a reverse effect on people and our environment. As tenants of this world, let's not confuse preservation with good old common sense.

-- DAVID W. EGGERS, *Bakersfield*