

A free ride

Tracy will offer free bus rides again this year as a way to boost the number of people who actually pay to use buses.

By John Upton

Tracy Press, Friday, April 6, 2007

Saturday trips on the Tracer public transport system will be free until the end of June.

Free trips at certain times between October and December on Tracy's five Tracer bus routes have been credited with an increase in customers this year.

"The results have been remarkable," said Tracy Community Service Coordinator Arlene Roberts.

City transportation coordinator Johanna Ferreira on Thursday told parks commissioners that 7,675 trips were taken on Tracer buses last month — a new March record and a rise of 15 percent from last year.

Ridership in January was up 16 percent, and it was up 22 percent in February.

Ferreira told commissioners the city has built the first of 18 planned bus shelters, which will cost between \$20,000 and \$29,000 each.

The first shelter was built at the corner of Orchard Parkway and Grant Line Road near the new Chili's restaurant. More shelters are planned at such destinations as the Tracy Branch Library, Sutter Tracy Community Hospital and the Boys and Girls Clubs.

The city spends no money on the Tracer system and relies instead on federal and state grants, according to Ferreira. About 15 percent of the funding comes from bus fares.

Daily fares cost \$2.50 for adults, \$2 for students and \$1.25 for seniors.

Ferreira said \$1.1 million will be spent to increase from eight to 16 the number of "slow-fill" compressed natural gas refueling stations at its natural gas facility on South Tracy Boulevard.

Buses filled overnight by slow-fill posts can run an entire day without refueling.

The city recently purchased two new natural gas-powered buses as part of a plan to phase out diesel-powered buses by 2010. The pair has been added to the existing natural gas-powered fleet of eight buses.

Deputy Director of Parks and Community Services Rod Buchanan said Thursday that the natural gas-fueled buses keep Tracy's air cleaner than the diesel-powered buses.

Sludge ban still safe

L.A. lawmaker backs off of bill that would override ban

BY STACEY SHEPARD, Californian staff writer

Bakersfield Californian, Friday, April 6, 2007

A Los Angeles-area lawmaker has backed away from a bill that would override Kern County's ban on the land application of sludge after county officials expressed strong opposition to it this week.

Assemblyman Cameron Smyth, R-Santa Clarita, introduced legislation earlier this year that would give the state authority over regulating sludge and override local ordinance that banned or restricted spreading of treated sewage.

Officials with Kern County and the Kern County Water Agency submitted letters opposing the legislation this week. A spokesman for Smyth said the bill has since been withdrawn due to those concerns.

While Smyth's camp claimed that the bill was intended to set statewide standards for biosolids, Kern County Legislative Analyst Allan Krauter said it was another attempt by the Los Angeles area to overturn Kern's sludge ban.

"This bill would have attempted to achieve through legislation what they haven't been able to achieve in court," Krauter said.

Voters in June approved a measure that would halt the land application of sludge in unincorporated Kern. Sanitation districts in the city of Los Angeles and in Orange County have challenged the ban in court.

A letter from Kern County officials opposing the new bill said: "This legislation exists for one purpose: Southern California sanitation agencies want to continue spreading their sludge in nearby counties so they can avoid safer, more costly methods of disposing of their waste."

The letter went on to say that by overriding a local ban on sludge spreading, the bill "would trample local governments' authority to protect the health and safety of their residents."

Kevin O'Neill, Smyth's chief of staff, said the senator's office received several letters like the one from Kern County. The senator will likely move forward with the bill again next year, O'Neill said.

"We're planning on pursuing options to come to some sort of agreement," he said. "Whether we get to that or not, we're not sure."

County, cities aim for housing plan

By Rebekah Gordon, STAFF WRITER

Tri-Valley Herald, Friday, April 6, 2007

REDWOOD CITY — Rather than projects sprouting up willy-nilly to address the lack of affordable housing and traffic congestion, what about an overall development plan for San Mateo County? Or, broader still, what about a blueprint for the entire Bay Area?

Local jurisdictions are masters of their own domains, so to speak, when it comes to deciding how to develop land. But under a new initiative with potential dollars attached, three regional agencies are asking cities and counties to work together to help create a regional consensus of where new housing ought to go — and not go.

"We are going to experience a tremendous amount of growth in San Mateo County, probably more than many of our residents would like to see," said Sue Lempert, a former San Mateo councilwoman who is now a commissioner representing the county on the Metropolitan Transportation Commission. "We want to make sure it occurs in the right place."

The commission, in conjunction with the Association of Bay Area Governments and the Bay Area Air Quality Management District, is introducing the initiative, called "Focusing Our Vision," to the nine Bay Area counties. The initiative will accept proposals from jurisdictions for transit-oriented, resource-conserving development projects with affordable housing components, beginning at the end of the month through the end of June.

Winners will be announced in October; with the regional agencies' help, those projects will likely get bond money from propositions 1C and 84, approved by voters in November.

"We're keeping our fingers crossed on these monies, frankly," Ken Kirkey, the planning director for the Association of Bay Area Governments, told San Mateo County and local city leaders gathered Thursday. "It's not a lot of money when it's all said and done, and if it's spread around statewide on a project-by-project basis, there's only going to be so much coming to the Bay Area."

Money could be used to aid with planning, capital improvements or technical assistance.

The projects must be transit-oriented developments; that is, high-density housing with direct access to public transportation. But putting together plans for transit-oriented growth that works can be easier said than done.

Jerry Hill, a San Mateo County supervisor and member of the California Air Resources Board, said that the need for housing near transit corridors must be balanced with an awareness of the potential health effects of long-term exposure to air pollution.

An eight-year study funded by the Air Resources Board which followed 1,500 children in Los Angeles found that the lung function of 18-year-olds living closest to freeways was about 6 percent less than those living farthest away.

"It has a long-term effect as someone ages," Hill said.

Integrating a downtown with public transit, knowing where to avoid development and making high-density housing enticing for families likely to gravitate toward suburban sprawl are additional challenges, too.

So is getting the buy-in of residents who, Lempert said, can need some convincing to "see that it's not the devil itself."

It's fine to have the plans, but the plans have to be approved, and the community has to go along with it," Lempert said. "That's where we still need help."

Supervisor Adrienne Tissier said another obstacle is that developers may put their projects near public transit, but put so many parking spaces along with them that nobody bothers to get rid of their car.

Indeed, one local architect, Dan Ionescu, of San Mateo-based Dan Ionescu Architects and Planners, said that the best way to build more housing in San Mateo County is to build on parking lots.

Between Interstate 280 and the Pacific Ocean, we've built enough, he said, and between between Interstate 280 and El Camino Real. But between Highway 101 and El Camino Real, he said, there is plenty of space.

"I'm willing to bet that somewhere around 50 percent of the area is parking lots," Ionescu said. "People need sun, nature needs sun. Cars don't need sun, and we give them a wonderful place to sunbathe."

Take a bird's-eye view of sustainable towns, he said, and you'll see water, greenery, transportation venues and roofs.

"High density, mixed-use, and good design are your only options to create a sustainable future," he said. "This can be seen all over the world."

Climate report: Poor will suffer most

By ARTHUR MAX Associated Press Writer

In the Contra Costa Times and Hanford Sentinel, Thursday, April 6, 2007

BRUSSELS, Belgium- The world faces increased hunger and water shortages in the poorest countries, massive floods and avalanches in Asia, and species extinction unless nations adapt to climate change and halt its progress, according to a report approved Friday by an international conference on global warming.

Agreement came after an all-night session during which key sections were deleted from the draft and scientists angrily confronted government negotiators who they feared were watering down their findings.

"It has been a complex exercise," said Rajendra Pachauri, chairman of the Intergovernmental Panel on Climate Change.

Several scientists objected to the editing of the final draft by government negotiators but, in the end, agreed to compromises. However, some scientists vowed never to take part in the process again.

Five days of negotiations reached a climax when the delegates removed parts of a key chart highlighting devastating effects of climate change that kick in with every rise of 1.8 degrees, and in a tussle over the level of scientific reliability attached to key statements.

There was little doubt about the science, which was based on 29,000 sets of data, much of it collected in the last five years. "For the first time we are not just arm-waving with models," Martin Perry, who conducted the grueling negotiations, told reporters.

The United States, China and Saudi Arabia raised many of the objections to the phrasing, often seeking to tone down the certainty of some of the more dire projections.

The final IPCC report is the clearest and most comprehensive scientific statement to date on the impact of global warming mainly caused by man-induced carbon dioxide pollution.

"The poorest of the poor in the world-and this includes poor people in prosperous societies-are going to be the worst hit," Pachauri said. "People who are poor are least able to adapt to climate change."

The report said up to 30 percent of species face an increased risk of vanishing if global temperatures rise 3.6 degrees above the average in the 1980s and 1990s.

Areas in drought will become even more dry, adding to the risks of hunger and disease, it said. The world will face heightened threats of flooding, severe storms and the erosion of coastlines.

"This is a glimpse into an apocalyptic future," the Greenpeace environmental group said of the final report.

Without action to curb carbon emissions, man's livable habitat will shrink starkly, said Stephen Schneider, a Stanford scientist who was one of the authors. "Don't be poor in a hot country, don't live in hurricane alley, watch out about being on the coasts or in the Arctic, and it's a bad idea to be on high mountains with glaciers melting."

"We can fix this," by investing a small part of the world's economic growth rate, said Schneider. "It's trillions of dollars, but it's a very trivial thing."

Negotiators pored over the 21-page draft meant to be a policy guide for governments. The summary pares down the full 1,572-page scientific assessment of the evidence of climate change so far, and the impact it will have on the Earth's most vulnerable people and ecosystems.

More than 120 nations attended the meeting. Each word was approved by consensus, and any change had to be approved by the scientists who drew up that section of the report.

Parry denied the hard-fought editing process resulted in a watered-down version, but acknowledged that "certain messages were lost."

At one point early Friday, it looked like the report "was not going to be accepted. It was very, very close to that point," said David Karoly, one of the scientific authors from the University of Oklahoma.

Though weakened by the deletion of some elements, the final report "will send a very, very clear signal" to governments, said Yvo de Boer, the U.N.'s top climate official.

The summary will be presented to the G8 summit of the world's richest nations in June, when the European Union is expected to renew appeals to President Bush to join in international efforts to control emissions of fossil fuels.

This year's series of reports by the IPCC were the first in six years from the prestigious body of 2,500 scientists, formed in 1988. Public awareness of climate change gave the IPCC's work unaccustomed importance and fueled the intensity of the closed-door negotiations during the five-day meeting.

"The urgency of this report prepared by the world's top scientists should be matched by an equally urgent response from governments," said Hans Verolme, director of the global climate change program of the World Wide Fund for Nature.

At the final session, the conference snagged over a sentence that said the impact of climate change already were being observed on every continent and in most oceans.

"There is very high confidence that many natural systems are being affected by regional climate changes, particularly temperature increases," said the statement on the first page of text.

But China insisted on striking the word "very," injecting doubt into what the scientists argued were indisputable observations. The report's three authors refused to go along with the change, resulting in an hours-long deadlock that was broken by a U.S. compromise to delete any reference to confidence levels.

It is the second of four reports from the IPCC this year; the first report in February laid out the scientific case for how global warming is happening. This second report is the "so what" report, explaining what the effects of global warming will be.

For the first time, the scientists broke down their predictions into regions, and forecast that climate change will affect billions of people.

North America will experience more severe storms with human and economic loss, and cultural and social disruptions. It can expect more hurricanes, floods, droughts, heat waves and wildfires, it said. Coasts will

be swamped by rising sea levels. In the short term, crop yields may increase by 5 percent to 20 percent from a longer growing season, but will plummet if temperatures rise by 7.2 degrees.

Africa will be hardest hit. By 2020, up to 250 million people are likely to be exposed to water shortages. In some countries, food production could fall by half, it said.

Parts of Asia are threatened with massive flooding and avalanches from melting Himalayan glaciers. Europe also will see its Alpine glaciers disappear. Australia's Great Barrier Reef will lose much of its coral to bleaching from even moderate increases in sea temperatures, the report said.

Separately, an independent organization that keeps tabs on glacial melting in Austria's Alps said its latest survey confirms that the ice sheets continue to shrink significantly and predicted most will vanish by the end of the century.

The Austrian Alpine Association said experts measured 105 of Austria's 925 glaciers last year and found they had receded by an average of 52 1/2 feet, with one of the sheets shrinking a dramatic 262 feet during 2006.

Is Earth near its 'tipping points' from global warming?

By Dan Vergano and Patrick O'Driscoll
USA TODAY, Friday, April 6, 2007

Earth is spinning toward many points of no return from the damage of global warming, after which disease, desolation and famine are inevitable, say scientists involved in an international report due Friday on the effects of climate change.

Opinions vary about how long it will take to reach those "tipping points" and whether attempts to cut planet-warming gases churned out by power plants, vehicles and other human industry can slow, halt or reverse the harmful effects in coming decades. Some suggest it might be cheaper for society to adapt to the changing climate than to roll back the pace of warming.

COMPLETE COVERAGE: Climate change

QUICK QUESTION: What's your biggest fear about global warming?

But in the report, the second of three this year by the Intergovernmental Panel on Climate Change, thousands of climate scientists and representatives of more than 100 nations, including the USA, present in the most stark terms the "key global risks" — serious environmental consequences from the changing climate — that threaten humanity.

"It's time (a report) puts people on the planet into the picture" of global warming, says economist Gary Yohe of Wesleyan University, a lead author of the report.

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Concerning the USA, the report will reference numerous scientific studies on the effects of spring arriving weeks earlier, says University of Montana ecologist Steve Running, an author of the chapter on North America. The "big climate signal and impacts" will be in the West, he says. Earlier melting of mountain snow, on which much of the region depends for water, would mean more severe dry spells and droughts that would trigger worse wildfire seasons. Lower stream flows also would threaten fish and wildlife.

Research also has predicted more frequent heat waves, increased rainfall and flooding in northern states, and more severe tropical storms on the Gulf and East coasts.

In its first report in February, the panel, backed by the World Meteorological Organization and conducted under the auspices of the United Nations Environmental Programme, concluded that "unequivocal" evidence shows industrial releases of greenhouse gases have warmed the Earth an average of about 1 degree Fahrenheit in the past century. That makes it "very likely" that temperatures will rise 3 to 7 degrees this century, depending on future emissions.

This week's report, essentially a review and condensation of climate research since 2001, is designed to identify the dangers that the failure to curb emissions of carbon dioxide, methane and other greenhouse gases present for the planet. Just as new buildings in earthquake zones are designed to handle more

than everyday shocks, and fire insurance is meant to cover more than burnt toast, politicians and planners want to know worst-case scenarios, says Stanford University climatologist Stephen Schneider.

"In a sense, we are looking at a series of tipping points for humanity and climate," says Richard Moss, senior director on climate at the United Nations Foundation.

Irreversible effects on plants, animals, farming and weather already are apparent, says biologist Camille Parmesan of the University of Texas in Austin, one of the scientists assigned to review the report. Studies weighed in the report show that warming has eliminated about 70 animal species and affects 59% of wild species surveyed.

"We are seeing plenty of potentially dangerous outcomes where the hotter it gets, the worse it gets," Stanford's Schneider says.

Moss says the roughly 5-degree rise in global average temperatures envisioned in the February report will cause damage that cannot be recovered. He echoes a warning by NASA scientist James Hansen in 2004 that the window for action is only 10 years. The Stern Review, a high-profile report last year by the United Kingdom's chief economist, Nicholas Stern, warns of serious financial threats to agriculture and commerce.

Some scientists question such concerns. Danish statistician Bjorn Lomborg has become a spokesman for the view that trying to repair global warming will cost more money than just working to adapt the world to it. He suggests, for instance, that it would be cheaper to cure and eradicate malaria than to attack the rising temperatures that could expose millions more people to the disease.

Gore makes his case

Last month, Lomborg followed former vice president Al Gore to the microphone in testifying before a House committee. Gore, star of the Oscar-winning documentary on warming, *An Inconvenient Truth*, called the phenomenon a "planetary emergency." Lomborg countered that Gore "has gotten carried away and has come to show only worst-case scenarios."

Schneider argues that worst-case scenarios are still real threats. A collapse of the Greenland and Antarctic ice sheets, which Lomborg downplayed at the hearing, genuinely worries scientists such as Stefan Rahmstorf of Germany's Potsdam Institute for Climate Impact Research. Rahmstorf has suggested sea levels could rise as much as 4.6 feet worldwide by 2100. Schneider says a simple cost-benefit analysis ignores the reality that poor people in Bangladesh and other low-lying lands would have to bear the brunt of climate change.

In Brussels this week, about 60 lead authors are working with representatives of more than 100 nations to distill, clarify and approve the panel's findings in a short summary for policymakers. The summary is out Friday; the scientific chapters arrive Tuesday.

Environmental and energy analyst Anthony Patt of Boston University, a report co-author, says the report will divide the possible effects of temperature increases this century into three grades: a 3.6-degree rise with warmer winters but few human catastrophes; an up to 7.2-degree rise that wealthy nations could handle but would prove calamitous to poor nations and many species; and an even higher rise, which "would prove difficult for any society to adapt to."

What are the yardsticks?

In grades of scientific certainty, physical effects such as temperature, sea level rise and concentrations of greenhouse gases are most certain, Schneider says. Next come biological ones, such as species extinctions. And the hardest to estimate are human effects, such as disease and hunger.

What the panel's report will not establish is whether vast infestations by pine beetles in the forests of the western USA and Canada are tied to warming, Running says. Although many scientists believe there is a link, he says, research has not focused enough on temperature. "My nose is telling me there's a climate-change signal here, but the papers in print yet aren't doing a strong enough analysis."

Worldwide, thresholds were outlined last year in "Avoiding Dangerous Climate Change," a summary of tipping points for which British Prime Minister Tony Blair wrote the foreword. They include:

- At a 3.6-degree rise, all Indian Ocean coral reefs go extinct, and 97% of the rest around the globe are "bleached" or severely damaged. All Arctic ice disappears.

- At a 5.4-degree increase, half of all nature reserves become unable to conserve native species. The Amazon rainforest disappears.

- At 7.2 degrees or higher, coastal flooding is seven times worse than in 1990. Malaria threatens 330 million more people a year, and hunger jeopardizes 600 million. Australia no longer can grow food.

All of this leaves aside the most extreme risks that Schneider calls the "dark edge of the bell curve": melting of the vast Antarctic ice sheets; shutdown of Atlantic Ocean circulation, which brings warm weather to the United Kingdom; and the release of more greenhouse gases frozen in the Arctic tundra.

Some scientists, such as Penn State's Michael Mann, worry that the panel's reports lag behind the latest science because of a six-month research cutoff before their release, a lifetime in climate study.

Last month, for instance, a report in *Geophysical Research Letters* found that ocean acidification from increased carbon dioxide is likely to wreak "havoc" for shellfish and coral and disrupt food chains.

A Colorado State University analysis in March said warming will make grazing lands less productive by 2050.

A University of Minnesota team reported that Lake Superior has warmed an average of 4.5 degrees since 1979, about twice the local atmospheric warming.

Because the panel's reports trail such research, they are "always by design ... a little conservative," Mann says.

In May, the climate panel picks up where this month's report leaves off: an assessment of ways to counteract and adapt to warming.

"I suspect we're reluctant to think about it because we're worried that if we start, we will have no choice but to think about nothing else," John Lanchester, who reviewed recent works on climate change, wrote in a recent *London Review of Books*.

"The scientists involved are not just talking in a new way, one unfamiliar to both them and us, but are in effect trying to sell us something," Lanchester says. "And we the public might be undereducated, but we know not to trust entirely someone who is trying to sell us something. ... We deeply don't want to believe this story."

But James McCarthy of Harvard, incoming head of the American Association for the Advancement of Science, says the reality of warming is accepted, with regional climate-change trends already playing out as predicted.

The biggest tipping point already may have happened, says John Drexhage of Canada's International Institute for Sustainable Development: Talk of global warming has become routine and accepted for all politicians, not just Al Gore.

[Sierra Star, Commentary, Wednesday, April 4, 2007](#)

Fight pollution, buy a lawn mower

California Focus

By Tom Elias

Buy a lawn mower or gasoline-powered weed whacker in California this spring and you'll be contributing to the war on smog, not to mention reducing greenhouse gases that help cause global warming.

That's because after a five-year fight against the world's largest maker of small gasoline engines, California at last has triumphed. New 2007 model push-around lawn mowers produce about 40 percent less exhaust emissions than earlier models, plus an additional 90 percent reduction in evaporative emissions from lawn mower fuel tanks and hoses.

That's primarily the result of the state Air Resources Board sticking to its guns, with the strong backing of Democratic U.S. Sen. Dianne Feinstein.

This fight began in 2001, when the state anti-smog agency issued new rules calling for large-scale cutbacks in emissions from lawn mowers and other small engines.

Immediately, Wisconsin-based Briggs and Stratton protested in tones roughly comparable to the futile and misleading bleats automakers emit every time emission rules are tightened on them. (Carmakers right now are suing to invalidate California's pioneering greenhouse gas standards for cars and light trucks, set to become effective in three years.)

The California lawnmower rule would cost 22,000 jobs in 23 states, Briggs & Stratton whined. The company claimed the state losing the most jobs would be Missouri, where the engine maker operates large plants in Rolla and Poplar Bluff.

Republican Sen. Christopher (Kit) Bond of Missouri instantly picked up on a corporate press release containing this claim, bombastically repeating it on the Senate floor. He did never note that all numbers he recited were based on a rules proposal the ARB had dropped a year earlier, not the rules it actually adopted. Nor did he mention that the ARB found Briggs & Stratton deliberately exaggerated the cost of technical changes it would need to make.

Then Feinstein noticed that the Briggs & Stratton claims directly contradicted one of the company's own filings with the federal Securities and Exchange Commission. "While Briggs and Stratton believes the cost of the proposed regulation on a per engine basis is significant, (it) does not believe the proposal will have a material effect on its financial condition or results of operations...." that filing said.

The upshot was that an amendment by Bond seeking to overrule the California smog fighters was shot down, and late last year, the new state rules finally won all federal approvals needed before they could take effect.

Now, as also happens after every automaker protest, all is well again in lawn mower land. "The outdoor power equipment industry is committed to manufacturing products that are both safe and environmentally friendly," said Bill Harley, president of the Outdoor Power Equipment Institute, to which Briggs and Stratton belongs. "The products made today are cleaner, quieter and more efficient than ever before."

If this is true, it is largely because the California smog fighters and Feinstein stuck to their guns. For if Briggs & Stratton and its pet senator had had their way, there would have been no reason at all for this industry to clean up its machines.

Precisely the same situation prevails as in automobiles, where hybrid cars are now become such a major profit center that Toyota, for one, plans by 2010 to offer all its models in gas-saving, almost emission-free hybrid versions. There would be no hybrids at all if it weren't for California's toughest-in-the-nation rules.

Just as the California market is so large it can force automakers to build cleaner cars every time this state demands an improvement, California's efforts will now bring cleaner lawn mowers to the entire world.

That reality is revealed in an Outdoor Power Equipment Institute request that the federal Environmental Protection Agency - which just approved the California standards - now issue uniform national emissions rules. The only way this can happen is for the EPA to imitate California's standards.

"Homogeneous regulations will permit the industry to manufacture, test, certify and distribute one product for all 50 states," said Harley.

In short, if you can't beat California, join it.

Which goes to show once again why it pays major environmental dividends all over America and the world whenever California refuses to bend its anti-smog rules.

It also shows that companies like Briggs & Stratton wasted valuable time and money fighting the California rules, a lesson it would also behoove the ever-recalcitrant carmakers to learn at long last.

[Sacramento Bee, Commentary, Thursday, April 5, 2007:](#)

JAY AMBROSE: The court intrudes

Scripps Howard News Service

From engine to caboose, the 5-4 Supreme Court opinion on global warming this week was loaded with fantasies and fallacies having no other discernible purpose than to justify an unconstitutional intervention in policymaking.

For instance:

- The Environmental Protection Agency has authority to limit carbon dioxide emissions from automobiles, the court said, because of the way a governing statute describes air pollutants. The Clean Air Act says they are "any chemical or physical substance or matter which is emitted into or otherwise enters the ambient air."

But as dissenting Justice Antonin Scalia observed, an air pollutant first off has to pollute, which carbon dioxide doesn't do.

As a greenhouse gas, it traps heat, but that's not the same as polluting - carbon dioxide is essential to life - and the trapping occurs in the upper atmosphere, not in the air. It is not, in short, an air pollutant. Said one newspaper editorial, you might as well call oxygen a pollutant. Scalia was funnier. Under the majority's definition, he said, "everything airborne, from Frisbees to flatulence, qualifies as an air pollutant."

Writing in the Wall Street Journal, law professor Jonathan Adler has noted that the Clean Air Act was devised to deal with urban air pollution and that Congress has repeatedly declined to cope with global warming by regulating greenhouse gases. Those facts alone should instruct sensible people that Congress never intended for the EPA to have the authority under law that five not-so-sensible people said it does.

- Justice John Paul Stevens, who wrote the majority opinion, airily dismissed the EPA's "laundry list of reasons not to regulate," one of those being that piece-meal efforts on autos by this country alone wouldn't do much good. That reason is perfectly valid. The EPA could outlaw every automobile in the nation tomorrow and any desired impact on warming would be negated as China puts an equal number of new automobiles on the road.

The Stevens' response is that a "reduction in domestic emissions would slow the pace of global emissions, no matter what happens elsewhere."

On this subject, he is himself very slow.

Curbing the pace of emissions matters only to the extent that you also curb warming. What happens elsewhere is crucial. That's why the Bush administration has been negotiating on warming with developing nations, including China. By quite possibly rendering the administration less flexible in what it does on the home front, the court ruling may have lessened the potential effectiveness of these talks.

The court decision tells the EPA that the only means of avoiding regulation will be to cite sound science showing the greenhouse gases do no warming harm. The science remains uncertain - there is no consensus on coming calamity - but you can bet the court majority thinks the science is settled and will reject any assertion to the contrary.

- Another fallacy from the not so fabulous five relates to the discussion above. Bringing the suit in this case was Massachusetts, which did not have standing, according to Chief Justice John Roberts. Yes it did, Stevens said, because there was a "risk of catastrophic harm" to its coastline from seas rising because of warming, all of which is conjectural, not the particularized citing of injuries required by precedent. Stevens said new EPA rules could reduce that risk "to some extent," which is hypothetical overreaching at best, uninformed gibberish at worst.

Here is what's clear: Rulings such as this amount to a legally unjustified intervention in a constitutional order that's supposed to leave such policy decisions to the legislative process.

The courts will be in this game in a big way now, Congress will have a reduced role, the EPA is going to have its hands tied, the regulatory efforts will be mostly futile, the costs will be high, and here is the great irony noted publicly by a former EPA general counsel and others, but apparently grasped by few. For all the bashing Bush has received on this issue, he has had an extremely active, thorough and successful anti-warming program that includes research and voluntary industrial cutbacks on emissions. He has

thereby reduced greenhouse gas emissions by more than most countries officially agreeing to abide by the Kyoto accords.

[Tracy Press, Guest Commentary, Thursday, April 5, 2007](#)

Kumbaya discussions elevate valley

By Larry Hite

I participated recently in a very interesting town hall-style meeting in Tracy. It was facilitated by a group contracted by the San Joaquin Council of Governments to survey the opinions of local citizens to help map out a blueprint of how California's Central Valley will take shape between now and 2050.

The participants were asked to imagine themselves in a hot air balloon traveling over the Central Valley in 2050 and to envision what they would like it to look like. The participants were broken into small working groups of about six to eight people each and given eight different economic and environmental factors to consider in formulating the future look of the Central Valley. Participants were asked to consider air quality, housing, open space, agriculture, economic development, mobility, urban growth and water. From these factors, they had to choose five as their top priorities and rate their level of importance in achieving the look of the valley in the future.

Not surprising to me was the outcome.

While listening to each person speak about his and her choices and the justification for those choices, I noticed a pattern we have all seen in Tracy for close to a decade. There are folks who like Tracy because of that "small town" feel and think Tracy is rapidly losing that feel as the city continues to grow. There are others who believe Tracy has already lost this "small town" image and instead needs to address issues that are faced by large towns and cities. One common thread among almost all of the participants was the need to make Tracy and the Central Valley a safe and enjoyable place to live.

What impressed me the most during the entire evening was that while there was a wide range of ideas and feelings on how Tracy and its neighboring cities should look, the final picture that everyone envisioned looked pretty much the same, and there was little argument over who was right or wrong. What I noticed is something that I've believed to be true about our community all along. We all care about our city and want it to be the best possible place to live; we just don't all agree on how to arrive at the desired outcome.

In this particular exercise, everyone came with ideas and was open to listening to the ideas of others because they knew that changes to our city and our surrounding community were not dependent on their decisions that night. It gave each attendee something to think about and possibly a new perspective on the ideas and concerns of others in the community. Instead of one-sided dialogue among people with differing opinions, these folks were actually communicating. Each person presented ideas and points of view, and those not speaking were listening and considering the viewpoints of others. While the discussions weren't about who was right or wrong, they were about finding ways to achieve what was best for all of us.

Imagine what we could achieve for our community if all our Tracy City Council meetings were conducted in this manner and the participants and community came to the table with an open mind rather than a set agenda for accomplishing what each of us already have decided is best for everyone.

Larry Hite is owner/operator of a Tracy home inspection service.