

Bills aim to clean Valley air

Measures await governor's OK

By Hank Shaw - Capitol Bureau Chief
Stockton Record, September 11, 2007

SACRAMENTO - After five years of fighting, Sen. Michael Machado has managed to get past a reluctant Legislature a bill that would make the San Joaquin Valley Air Pollution Control District board more reflective of the rapidly urbanizing Valley.

The Assembly passed Senate Bill 719 on Monday by a vote of 41-32; no member of San Joaquin County's delegation voted for it. The measure's fate now rests with Gov. Arnold Schwarzenegger.

Another bill that cleared the Assembly on Monday and is expected to reach the governor's desk would add to the state's existing programs that help owners of smog-belching jalopies junk them in return for cleaner vehicles.

Sponsored by Sen. Dave Cogdill, a Modesto Republican who represents part of San Joaquin County, that measure would create a program to link people or companies that want to donate used vehicles with drivers of even older cars and trucks as a way to get the worst polluters off the Valley's roads.

Both measures are intended to improve conditions in the Central Valley, which has some of the nation's worst air quality. Asthma is rampant, and pollution-related respiratory problems are connected with 1,000 Valley deaths each year, according to federal health statistics.

Machado's proposal would expand the San Joaquin air board to include permanent seats for large cities such as Stockton as well as two governor-appointed air-related professionals, such as a respiratory doctor or an air-quality scientist.

Machado, D-Linden, has tried to pass this bill for years but has been blocked by rural and agricultural interests that see the change as eroding their influence on the board, which can regulate nearly anything that pollutes the air. Farmers, who are already heavily regulated by the board, fear that adding more urban interests could result in even more regulation.

Assemblywoman Nicole Parra, D-Hanford, was among the few Democrats to oppose the bill. "What is wrong with the board?" she asked on the Assembly floor Monday. "Give me three things this board has not done."

For starters, Stockton has never been represented on the board, Machado said, and the largest cities in the Valley have been on the board only once in the past 15 years. Machado also said adding professionals will bring their expertise to debates over potential regulation.

He said agriculture won't become a target.

"I think they're misinformed," Machado said. "Nobody is saying that the farmers are doing wrong or doing something bad. I'm a farmer, and there isn't anything in here I wouldn't be willing to live under on my own farm."

Cogdill's bill is a test of a free-market method of removing the worst-polluting vehicles from the roads. Although the state would oversee the program, the replacement cars would be provided by the private sector. Only 200 vehicles per year could be exchanged, and the pilot project would end in 2013.

His bill, SB23, needs a final vote from the Senate before it can go to the governor's desk; that vote is expected today.

As for Machado's bill, he's hoping Schwarzenegger will sign it.

"We've heard as much through back channels, but you're never sure until the ink's dry," he said.

Bill to expand valley air board

The Bakersfield Californian, Tuesday, Sept. 11, 2007

The state assembly ended a "long family feud" Monday when it passed Senate Bill 719, adding four members to the San Joaquin Valley Air Pollution Control District, according to Sayed Sadredin, executive director for the air district.

"Regardless of whether people felt it was needed, it had become a divisive issue and hurt our abilities to get resources from the state and federal governments because of this family feud," Sadredin said. "If the governor signs it, it's my hope this will be behind us and we'll get the help we need."

A version of this bill had been floated and failed for five years, he said.

The bill, which passed by only 41 votes, will add two medical experts and two more city representatives.

Assemblywoman Nicole Parra, D-Hanford, stuck to her guns and voted against the bill. Assemblywoman Jean Fuller, R-Bakersfield, also voted against the bill.

The Center on Race, Poverty and the Environment led a protest last week at Parra's Bakersfield offices trying to convince her to support the bill, but she did not relent.

"While I am open to amendments to add public health experts, I will remain opposed in its current form because it puts politics ahead of progress," she said in a written statement last week.

SB 719 will increase total board membership from 11 to 15.

Of the two medical experts, one must be a practicing physician in the valley and the other must have scientific or medical experience with the effects of air pollution, Sadredin said. These members will be appointed by the governor.

The two other new members will be elected city officials, increasing the total city representation from three to five. Of those five members, three must be from cities with populations lower than 100,000 and the other two must be from cities with populations greater than 100,000.

The remainder of the board will be made up of eight county representatives, one from each county in the air district.

The bill will take effect in January.

The board meets again on Sept. 20 at 9 a.m. in Fresno. The meeting will be video conferenced to the district's Bakersfield office at 2700 M St., Suite 275. It will also be Web cast at www.valleyair.org.

Passage of Valley air board bill thrills environmentalists

By E.J. Schultz / Bee Capitol Bureau

The Fresno Bee, Tuesday, Sept. 11, 2007

SACRAMENTO -- In a victory for environmentalists, the state Assembly on Monday narrowly passed a bill to expand the board that sets air pollution rules in the Valley.

Senate Bill 719 adds two city appointees to the San Joaquin Valley Air Pollution Control District and requires the governor to appoint two medical experts, a major priority for air quality activists.

Membership on the board now includes eight county appointees and three city appointees.

SB 719 cleared the Assembly on a 41-32 vote, the minimum margin for passage, and now goes to Gov. Schwarzenegger's desk.

The governor hasn't taken a position on the bill. But this year, in an indication that he is not happy with the status quo, he criticized the board's decision to delay a smog cleanup in the Valley. The extension to 2024 moves the target date more than a decade beyond the initial deadline set by the federal government.

Farm groups opposed SB 719 and lobbied heavily against it, saying the current board has made substantial progress.

Smog violations have decreased in the last few years, and the Valley's total for 2007 may be the lowest on record. However, the region remains one of the worst air basins in the country.

Valley Republicans voted no on SB 719, as did Democrat Nicole Parra of Hanford.

Changing the makeup of this board "is not going to change what we need to continue to do to ... fix our air problems," said Parra.

But Parra, who enjoys strong political support from farm groups, was unable to persuade other moderate Democrats to take her side.

Bill supporters said the membership changes would lead to a "broader coalition" that will help secure more state money to combat pollution.

"This board, more than any other, needs to be proactive and aggressive," said Assembly Member Lois Wolk, D-Davis, who presented the bill on behalf of its author, Sen. Mike Machado, D-Linden.

Though the bill would give environmentalists a bigger voice on the board, it is unclear whether there would be enough new members to push through major changes.

The smog cleanup extension was approved on a 9-2 vote. Assuming the four proposed additional members side with environmentalists, their voting bloc would likely top out at six votes, two short of a majority.

Still, activists were elated.

"This is the first step to change," said Carolina Simunovic, an air quality advocate with Fresno Metro Ministry. "Having health and science experts on the board ... is going to change the discourse on the board and there will be more of an emphasis on public health."

SB 719 would require the governor to appoint a physician who has a focus on the health effects of air pollution, and another public member with medical or scientific expertise in air pollution. Both members would have to live in the district.

The bill also guarantees large cities, such as Fresno and Bakersfield, a larger voice. Two of the five city members would have to come from a city with a population of 100,000 or more. The current make-up calls for just one member from a city with a population of 50,000 or larger. Besides Fresno and Bakersfield, Valley cities exceeding 100,000 in population are Stockton, Modesto and Visalia.

Opponents said the change will result in more bureaucracy and could lead to less of a voice for farmers, who often are the subject of new regulations set by the air district.

"There needs to be a full-rounded group of people that sit on these boards," said Assembly Member Doug LaMalfa, R-Oroville. "Instead, the direction is to skew it away from the folks who are being regulated."

In a last-minute flurry of lobbying last week, the California Citrus Mutual in Exeter directed members to urge a "no" vote from Assembly Member Juan Arambula, D-Fresno. In talking points, the citrus mutual called the bill a "power grab away from local authorities by a radical fringe of the environmental movement."

Arambula voted for the bill, saying it would increase the board's technical expertise. But he criticized lawmakers for not spending more money to fight Valley air pollution. He cited a recently killed bill that would have authorized the Valley air district to raise vehicle registration fees to pay for anti-pollution programs.

Senate Bill 240, by Sen. Dean Florez, D-Shafter, failed to move out of the Assembly Appropriations Committee, despite support from environmentalists and farm groups.

"What does the Valley need the most?" Arambula said. "It needs money."

Winds could clear Valley air

Weather shift may push smoke from fires north.

By Doug Hoagland / The Fresno Bee

Tuesday, Sept. 11, 2007

Smoke from a Northern California fire headed south again Monday, but a change in weather was expected to alter its course and spare Valley residents another smelly assault today.

A meteorologist doesn't anticipate another sooty stew of pollutants settling over the Fresno area as happened Friday, when conditions put the kibosh on outdoor activities and endangered the health of asthmatics and others.

"We're expecting a wind shift, and I expect the plume will turn around and go north in the Sacramento Valley toward Redding and northeast California," said Gary Arcemont, meteorologist for the San Joaquin Valley Air Pollution Control District in Fresno.

The smoke is from the 62,000-acre Moonlight fire in Plumas County, which was 20% contained Monday and had an "extreme" potential to grow larger, Arcemont said.

He said air quality in the Valley is expected to improve throughout the week.

"We have marine air coming in over the Coast Range passes and cleaning us out, but it takes time to push out the smoke," Arcemont said.

Monday's improving air quality also got a boost from firefighters battling the smaller Lick fire in Santa Clara County, which sent smoke into the Valley last week. It was 95% contained as of Monday at 7 p.m., according to a Cal Fire spokesperson.

"The satellite images don't show the plume of smoke from the Lick fire coming into the Valley that we saw over the weekend," Arcemont said.

Meanwhile, hospital emergency rooms reported no increases in patients with breathing problems Monday.

But more patients did seek treatment during and following Friday's conditions.

"Monday was a regular day," said Chris Long, spokesman for Children's Hospital Central California in Madera County.

Patient numbers weren't available for Monday, but 31 children with asthma, wheezing and other respiratory problems came to the hospital's emergency room Friday, Saturday and Sunday, Long said.

Eight were admitted to the hospital.

"It was a pretty typical weekend, but a little higher on Friday," Long said.

At Community Regional Medical Center in downtown Fresno, 36 people sought treatment for shortness of breath in the emergency room Saturday and Sunday.

Normally, an average of three per day -- or 100 per month -- come for such treatment, said a hospital case manager.

"The spike in emergency room visits over the weekend seems to correlate with the smoke from the fires," said Patti Burton, an asthma case manager at the hospital.

"The particulate matter in the smoke is so small that we don't see it, but it is very irritating to sensitive airways, especially in asthmatics."

Poor air-quality affecting allergies

By Michael Miyamoto, Staff writer

Visalia Times-Delta and Tulare Advance-Register, Tuesday, Sept. 11, 2007

Poor air quality seen in the last week or so is keeping at least one doctor busy.

Dr. Rabinder Sidhu, an allergist who primarily treats asthma, chronic bronchitis and chronic obstructive pulmonary disease, said his patient load is up 15 percent to 20 percent. Many of those patients are complaining about difficulty breathing and overall tightness in their chests, said Sidhu, who practices at Allergy and Asthma Associates in Visalia.

Some have developed bronchitis-like symptoms, he said.

The problems can be attributed to a spike in particulates in the air caused by fires in Northern California, Sidhu said. His patient load was especially heavy on Friday, when Tulare County schools and other organizations were advised to postpone or cancel outdoor athletic events because of smoke.

Sidhu said he is treating patients by modifying their medications and advising them to stay indoors and refrain from exercising or doing any type of strenuous activity.

Meanwhile, Kaweah Delta Hospital is reporting no increase in emergency room visits. Emergency room doctors are treating about 200 people a day, about 30 percent of whom suffer from respiratory-related illnesses, hospital spokeswoman Angela Bouma said.

Air-quality monitors did not show any direct smoke Monday from fires east of Gilroy and in northeast California. There may still be some smoke from the fires in the Valley, the San Joaquin Valley Air Pollution Control District said.

Most of the smoke last week was from a fire in Plumas County. The fire, which started Sept. 3, by Monday had consumed 62,500 acres in a remote area in the Plumas National Forest six miles northeast of Greenville. The area is roughly 60 miles east of Red Bluff.

The fire, burning in steep, rocky terrain and fed by high, erratic winds, was reported 20 percent contained by CAL FIRE.

The fire east of Gilroy, known as the Lick Wildfire in the Henry W. Coe State Park in Santa Clara County, was 95 percent contained Monday, CAL FIRE reported.

Pollution experts keeping an eye on smoky sky

By Dhyana Levey

Merced Sun-Star, Tuesday, September 11, 2007

The Merced area continues to endure moderate effects of the smoke wafted into the San Joaquin Valley by two large Northern California wildfires that began last week.

But air quality officials are still concerned the situation could get worse.

Alert levels remain down from Thursday, when the San Joaquin Valley Air Pollution Control announced a code-red warning, deeming the air unhealthy for everyone.

By Saturday, the warning was reduced to a code yellow -- or moderate -- warning, meaning the air could be harmful to adults and children with extreme lung and heart problems.

As of Monday, the conditions hadn't changed, said Maricela Velasquez, spokeswoman for the district. "But localized air quality could fluctuate depending on smoke impact," she added.

The Moonlight Fire in Plumas County, northeast of Sacramento, continues to burn.

As of Monday morning, state fire officials reported it was 15 percent contained.

And while the smoke is primarily flowing into the Sacramento Valley, there is still potential for it to further affect the Merced area if the wind changes.

"It's something we are keeping our eye on," Velasquez said. "The biggest thing we urge is that if you smell the smoke or see it, you are probably breathing it."

Partial blame for air quality problems had also been given to the Lick Fire near Morgan Hill.

But at this point the fire is close to containment, fire officials say.

For air quality updates, go to www.valleyair.org.

Officials: Air quality puts some at risk

Children, elderly, those with health problems warned to stay inside during blazes

By Cheryl Winkelman, STAFF WRITER

Tri-Valley Herald, Tuesday, September 11, 2007

quality in the San Joaquin Valley remains harmful for those with heart or lung diseases, and all residents should pay attention to their surroundings when outdoors, air district officials said Monday.

The Moonlight fire in Plumas County and the Lick fire in Santa Clara County have impacted air quality in the Valley for days, and stagnant air has trapped smoke in both the southern San Joaquin Valley and the upper Sacramento Valley.

Fine particles in the smoke can aggravate chronic health problems, but all residents should be cautious, said Maricela Velasquez, a public information officer with the San Joaquin Valley Air Pollution Control District.

"Because we never know about the wind patterns or what could happen ... until those fires have been contained, if you see smoke or breathe smoke, go indoors," Velasquez said.

Older adults are more likely to be affected by the smoke, as are children, whose respiratory systems are still developing.

The air quality index taken in Stockton was measured at the moderate level of 52 on Sunday. Monday's level was not yet available.

Anything above 100 is considered high, and levels hitting 150 or more mean the air is unhealthy for everyone.

Last week, the air quality index in the northern part of the valley hit as high as 78, and the district issued a warning that outdoor athletic activities should be canceled. Tracy Unified School District officials canceled outdoor physical education classes

during the day, but a prep football game was still held in the evening, as were prep games in Manteca.

Outdoor sporting events were either canceled or rescheduled at schools south of San Joaquin County, where air quality levels bordered on unhealthy.

Staff writers Aaron Swarts and Mike Martinez contributed to this report.

Startling rise in Plumas fire size

Burn area up a fourth in a day; wind shift sends smoke to Valley again.

By Robert D. Dávila - Bee Staff Writer

Sacramento Bee, Monday, September 10, 2007

The stubborn Moonlight fire in Plumas County grew almost a quarter in size Sunday, to 52,000 acres, as shifting wind sent smoke from the blaze in the northeast Sierra Nevada back toward the Sacramento area.

The amount of charred acreage in the Plumas National Forest mushroomed from 31,000 on Friday and 42,000 on Saturday, officials said.

Residents in the area said the shifting winds and acrid smoke created an eerie atmosphere in their communities on Sunday.

The expanding fire is pushed by heated air that rises each day and sucks flames into the forest crown, creating winds that in turn fan the blaze, U.S. Forest Service spokesman Mark Beaulieu said.

"Especially with such dry fuels," Beaulieu added. "We have real low air humidities up here."

Meanwhile, a change in wind direction Sunday pushed the fire south and southwest, sending ash and thick smoke into Taylorsville and Greenville. Gusts exceeding 30 mph could send smoke that had dissipated over the weekend back toward the Sacramento and San Joaquin valleys, Beaulieu said.

Northeasterly wind above 5,000 feet could bring "haze or brown muck" from the Plumas County wildfire to the Sacramento region today, said meteorologist Steve Goldstein of the National Weather Service. The wind is expected to shift to a more favorable southerly direction by Tuesday, he added.

"We're not expecting any hazardous-smoke advisories, but we'll see it," Goldstein said. "It will be right overhead."

The Moonlight blaze remained 16 percent contained Sunday, with almost 2,800 firefighters battling the flames. Wind created by the fire, and changing weather patterns, made it difficult to predict when it could be fully contained, Beaulieu said.

The fire has destroyed one home and a shed and damaged an outbuilding since beginning on Labor Day, according to the state Department of Forestry and Fire Protection. Ten firefighters have suffered injuries, according to the department's Web site.

Mandatory evacuation orders continued Sunday in the North Arm of Indian Valley, the Antelope Lake Recreation Area and other neighborhoods. In Taylorsville, Genesee Valley and part of Greenville, officials warned, but did not require, residents to leave.

In Taylorsville, smoke from the fire Sunday afternoon was so thick "it's like a fog," said Michael Kurihara, an employee at Young's Market. Residents planning to evacuate to a campground in town stocked up on nonperishable food items, he said.

The size and speed of the fire has many residents concerned, Kurihara said.

"It's very nerve-racking and upsetting to see this happening," he said. "The size of the fire is over 50,000 acres, and it's moving so fast. Everything is so dry."

Deal will halt dairy plans near Allensworth

State to pay \$3.5m to keep stench from park.

By Sarah Jimenez and E.J. Schultz

The Fresno Bee, Tuesday, Sept. 11, 2007

A Tulare County farmer and the state reached a deal Monday that prevents two dairies from being built near Colonel Allensworth State Historic Park.

The state Department of Parks and Recreation will pay \$3.5 million to Sam Etchegaray to guarantee that he won't build a dairy near the park, which historians and black leaders consider sacred ground.

"Today's agreement protects the cultural and historical significance of Allensworth State Park, while at the same time respecting private property rights," Gov. Schwarzenegger said in a statement.

The park is named after Col. Allen Allensworth, who founded the town in 1908. It became the only California town founded and operated by blacks.

Under the agreement, Etchegaray maintains ownership of the land. He plans to continue farming the land, but will be prohibited from operating "any type of animal operation" on the two parcels he had targeted for dairies, according to the governor's statement.

David Albers, Etchegaray's attorney, called Monday's agreement the culmination of a lengthy, emotional battle for his client and park supporters.

The issue has led to three lawsuits -- including one from the attorney general -- and a bill to ban dairies near the park.

The deal requires final approval by the state Public Works Board.

Etchegaray has worked on his dairy project since 1998, when he submitted an application to build two dairies housing more than 16,000 cows.

Opponents -- including black leaders from Los Angeles and the Bay Area -- have spent more than a year lobbying against the dairies, saying it would ruin the park.

Opponents attracted statewide attention, including support from Assembly Member Wilmer Amina Carter, D-Rialto. She introduced a bill in February to block animal feeding operations within five miles of the park.

The bill was later amended to create a 2 1/2-mile buffer around the park.

Carter still plans to pursue her legislation, which requires a final vote from the Assembly before it is sent to the governor's desk. The vote was scheduled for Monday, but lawmakers still hadn't taken up the legislation as of late afternoon.

Schwarzenegger has not taken a position on the bill. Carter said she hopes he will sign it.

"My bill takes care of the entire area," she said -- not just the Etchegaray land.

Legislative hearings on the issue have drawn hundreds of black leaders from across the state. On Monday, Charles Allensworth, a great-great-great-nephew of the colonel, joined other park supporters at a rally for the bill outside the Capitol.

"This history and this dream will be kept alive better by not having some major development such as 'mega-dairies' so close," he said. "People will be able to enjoy a trip to Allensworth and not have to drive through the stench of dairy farms."

Tulare County is home to more than 600,000 cows on 300 dairies. Five dairies already exist between three and five miles of the park and community of Allensworth, which has about 120 families.

The Board of Supervisors approved Etchegaray's project in March after many impassioned public hearings.

Albers said Etchegaray's dream of having a dairy for him and his sons has been a long and challenging process. The political issues, including lawsuits and legislation, became bigger challenges than Etchegaray could overcome.

Etchegaray, who migrated from the Basque country in France, hopes to use money from the property rights deal to build a dairy elsewhere, Albers said.

"You look at this deal and it's pretty good for Sam, it's pretty good for the park and it's good for the people who want to preserve Allensworth," he said.

The deal calls for the Parks Department to purchase a "land-use restriction easement" that will last forever, according to the governor's statement.

Etchegaray had been negotiating with The Trust for Public Land, a private nonprofit organization, at the request of the state Parks Department during the past several months.

Nicole Lampe, public affairs manager for The Trust, said the organization no longer was involved in the project because a settlement was reached.

Land around Allensworth won't be used for dairies

State strikes \$3.5 million deal with land owner

By David Castellon, Staff writer

Visalia Times-Delta and Tulare Advance-Register, Tuesday, Sept. 11, 2007

A farm owner who touched off a major dispute by planning to build two dairies near Col. Allensworth State Historic Park agreed Monday not to build them.

The agreement between Visalia rancher Sam Etchegaray and the state Department of Parks and Recreation prevents him from operating a livestock facility on his 2,691 acres of land east and northeast of the park. The agreement was signed Monday.

While California buying the land had been an option, a statement released by Gov. Arnold Schwarzenegger's office said that the state instead will pay Etchegaray \$3.5 million to purchase the land-use easement that would allow "any type of animal operation" on the two land parcels.

Simply put, "They're going to buy the dairy development rights" as well as Etchegaray's right to establish any other livestock operations there, said his lawyer, David Albers.

And that agreement will continue in perpetuity, so if Etchegaray sells the land, any future land owners would have the same restrictions.

On the other hand, Etchegaray could continue growing alfalfa on the land, as he does now, or anything else he wants there, Albers said. The agreement came as the state Assembly was as little as a day away from voting on a bill that would prohibit any dairy or other livestock operations from being established within a 2 1/2-mile radius in all directions around Allensworth park.

The park preserves the town founded in 1908 for African Americans by Col. Allensworth, an African-American Civil War veteran.

Exactly how Etchegaray's deal with the state would affect that legislation wasn't clear.

That Allensworth bill - which passed both the Assembly and Senate and needs only to have the amended version passed by the Assembly to go to the governor's desk to sign or veto - was among dozens the Assembly was expected to vote on Monday and today.

"I wasn't party to this [agreement] - period," said Assemblywoman Wilmer Carter, D-Rialto, who is African American and authored the bill.

When asked if the deal for Etchegaray's land-use rights would prompt her to pull the bill, she said early Monday evening, during an Assembly session expected to continued late into the night, "I'd rather wait until I know what this means."

But Sen. Mark Ridley-Thomas, D-Los Angeles, still wants to bill to go forward.

"[Purchasing the land-use easement] is a step in the right direction," said Ridley-Thomas, a principal co-author of the bill. "We want [the governor] to do more by signing the legislation."

Ridley-Thomas said his problem with the governor's agreement is that it focuses only on one side of the park, instead of protecting it on all sides.

"The legislation is really the best course of action to protect Allensworth," Ridley-Thomas said.

The governor could decide the land-use agreement solves Allensworth's problems and veto the bill.

"I would think the bill would either die or be vetoed because it's a bad bill," Albers said.

What makes it bad, he said, is the attempt by state lawmakers to override a local land decision.

"What gave rise to the legislation was these dairies that were going to be built. The whole reason for the legislation has disappeared," Albers said.

He said his client planned to build a 4,000-head dairy on one site and a 3,500-head dairy on the other for his two sons.

But he encountered major opposition from residents in the Allensworth area and minority groups, particularly African Americans, throughout the state over concerns that dust and odors from all those cows would adversely affect the park and adjoining community.

And that opposition was further fueled when Tulare County supervisors approved the special-use permit for the dairies earlier this year. That triggered the development of a state Assembly bill that called for creating a protective zone around the park.

Victor Carter said that as far as he's concerned, the bill still needs to go forward and be approved.

He is president of Friends of Allensworth, a nonprofit group that, among other things, provides volunteers to give tours of the historic town and puts on special events there.

Originally, his group had sought a 5-mile buffer zone against livestock around the park, but Victor Carter said they were fine with the 2.5 miles in the bill. He and Assemblywoman Carter are not related.

But while he was happy the state reached an agreement to stop Etchegaray's dairy plans, Victor Carter said that only protects a portion of the area around Allensworth park.

He said the south portion of the park is protected by homes, but there is nothing to prevent a livestock operation being started to the west, which would prompt another fight to keep it away from Allensworth.

So the bill before the Assembly would prevent such problems in the future, Victor Carter said. But even if the legislation dies or is vetoed, another possible solution may be coming down the pike.

Tulare County Supervisor Connie Conway is expected today to present a proposal during the Board's regular Tuesday meeting to establish a "mitigation bank" along the western edge of Allensworth park.

She said her idea is to set aside some land in that area near the Pixley National Wildlife Reserve and the Allensworth Ecological Reserve for conservation purposes or as permanent open space. Her measure would prohibit livestock operations from being built there.

As for how the land would be set aside, she said the county buying it is one possibility, as is giving land owners tax credits to prevent specified development there.

Mexican trucking firm 'ready to go to work'

Cross-border hauling program is under way

By Sandra Dibble, STAFF WRITER

San Diego Union-Tribune, Tuesday, Sept. 11, 2007

MEXICALI - While trucking groups in the United States and Mexico decry a pilot program opening the border to long-haul operators, Rafael Godínez Sandoval is getting ready to roll.

Inside Godínez's small operations center in the heart of Mexicali's industrial district, a trailer packed with tightly wrapped pallets of plastic fruit baskets manufactured in central Mexico is set for delivery to a grower in Northern California.

"We're ready to go to work, we have the people, and we have the equipment," Godínez, 49, said as stepped past a Kenworth 18-wheeler with the emblem of Mexico's patron saint, the Virgin of Guadalupe.

With its fleet of 40 vehicles, Transportes Rafa de Baja California is one of 36 long-haul truck operators in Mexico poised to participate in a one-year demonstration project supported by the U.S. and Mexican governments. Seen as a step toward the full opening of the border required by the North American Free Trade Agreement, the program would allow up to 100 closely scrutinized companies from each side to participate.

Mexico's largest trucking association, known as Canacar, insists it does not oppose free trade and supports the eventual opening of the border to truckers from both sides. But association leaders say Mexican truckers are not receiving equal treatment under the pilot program and are subject to greater scrutiny than their U.S. counterparts.

"We're not afraid of competition," said Jorge Arizona, Canacar's representative in Mexicali, who is preparing to enroll three of his trucks in the program. "We just want rules that are fair."

Godínez said much of the opposition in Mexico stems from apprehension that large U.S. companies will displace smaller Mexican firms and take over their routes inside Mexico.

"There's a lot of fear," he said. "It's like when you're going to get married and you don't know what will happen when you walk through that door. You say, 'Will it go well? I sure hope so.' "

U.S. opponents say Mexican trucks don't meet U.S. environmental and safety standards, and warn that the trucks could be used to smuggle drugs or terrorists. The Teamsters had sought a court injunction to block the program, arguing that it does not fully comply with requirements, and opponents are now hoping to end the program through congressional action.

In recent years, U.S. and Mexican trucking companies have largely been limited to traveling in each other's border zones and were forced to contract with other truckers to move goods anywhere beyond. Proponents of the program say it will not only save money and time, but reduce pollution.

The program "will allow us to demonstrate in practice that door-to-door cargo shipments without intermediaries will lower costs . . . and increase our country's competitiveness," Luis Téllez, Mexico's secretary of transportation and communications, said Sunday during a news conference in Mexico City.

The first Mexican company cleared to operate in the United States, Transportes Olympic, sent a truck from the state of Nuevo Leon early Saturday to deliver steel in North Carolina. The first U.S. company in the program, Stagecoach Cartage & Distribution Inc. of El Paso, Texas, has won approval to travel throughout Mexico and is expected to start this week.

According to figures published by Canacar, citing data from the U.S. Federal Motor Carrier Safety Administration, which oversees the program, the overwhelming majority of Mexican companies with preauthorization to participate in the demonstration program are from Mexico's northern border area. Nearly half are from cities near California. Close to 70 percent of applications are from small companies, according to the report.

Some Mexican companies have been moving their goods across the United States for years by forming their own U.S. companies. Others form ties with a U.S. company. Transportes Rafa cooperates with family members in the United States who operate the Calexico-based company Rocha Trucking and Parking Inc.

Godínez said he has been preparing his company to cross its own trucks. His fleet includes 24 Kenworth 18-wheelers built in Mexico to U.S. specifications; the two he wants to enroll in the program meet U.S. emission standards.

All of his company's employees routinely take drug tests, and he has installed motion-sensitive security cameras around his trucks to prevent anyone from breaking into his shipments. The company's biggest hurdle will be finding drivers who can learn enough English to communicate with U.S. inspectors and law enforcement officers.

"It's difficult to find someone who speaks English," said Godínez's son Rafael Godínez Beltrán, a 24-year-old international business student who is the company's manager. "I think that companies who have bilingual drivers aren't going to let them go for anything."

The company still must purchase insurance before it can get a final go-ahead, a step it plans to take this week.

Transportes Rafa has come a long way since Godínez's father started delivering bales of alfalfa five decades ago in a Mack truck. Today, the company shuttles 40-foot containers filled with electronic components between the port of Ensenada and maquiladoras in Mexicali; moves cotton from Mexicali to Ensenada for export to Asia; and carries U.S.-made electronic goods from the border to central Mexico.

Godínez's dreams involve expanding to both sides of the border. One day he hopes to double his fleet, with 40 trucks able to operate in both countries. But for now, he'll start with one truck: "It's going to be a test for us."

Sacramento County eyes stove, fireplace restrictions

Modesto Bee, Friday, September 7, 2007

SACRAMENTO — Sacramento County could soon be one of the first counties in the state to bar residents from using wood or pellet-burning stoves and fireplaces to help control air pollution.

The restrictions would likely apply on about 30 days each winter, from November through February, under a plan county air regulators will consider Sept. 27. Electric and natural gas fireplaces would be exempt, as would stoves that are a home's only source for winter heat or cooking.

The rules are in response to new federal standards to control fine particulates, invisible dust that invades the bloodstream after being inhaled.

"It's almost like a virus or a bacteria in that it can get into your body in ways that the coarse particulate matter cannot," said Christina Ragsdale, spokeswoman for the Sacramento Metropolitan Air Quality Management District. "So you breathe it in, and it can get into your bloodstream. It gets into you systemically."

That can bring problems like asthma, chronic bronchitis and impaired lung function.

The county needs to take dramatic steps to meet the standards adopted in December by the U.S. Environmental Protection Agency, said Larry Greene, the air board's executive director. Failing not only means poorer air quality, but potential delays in approval and money for transportation projects.

Violations would bring a \$50 fine for a first offense.

[Manteca Bulletin Editorial, Tuesday, September 11, 2007](#)

Poor valley air quality & survivor of Sept. 11 attack

Vince Rembulat - Reporter

How bad was the air quality in the Central Valley last week?

It was so bad that some school as far south towards Fresno were forced to cancel a number of outdoor activities along with some early afternoon sporting events.

It was so bad that health experts were encouraging everyone - including the young, the old and ailing - to stay indoors.

Almost sounds like a tired punch line.

But it was hardly a laughing matter.

A pair of wildfires were blamed for causing the worst air quality in decades, with the Air Quality Control District issuing several emergency warnings.

As for aesthetics, the poor air quality did create a rather interesting atmospheric hue, particularly during the early evening hours, reminiscent of something you might find in a sci-fi flick.

I didn't feel the effects of the poor air quality until I came home from covering a football game on Friday night, which marked the first day of the fall prep schedule.

Mike, a scribe from another publication also doing double duties, mentioned doing a story on the valley's poor air quality earlier that day.

High school football, in fact, is so big around here that many of the local newspapers including the Bulletin will pool their resources, using stringers and reporters from the news side in order to provide ample coverage.

For me, it takes little to no time at all to get back in sports writing swing of things upon finding my place along the sidelines or the press box. Personally, I prefer the view from the latter.

Mike made a brief mention of the symptoms one might experience from being exposed to this air pollution. But in part to my questionably short attention span, those details most likely went in one ear and out the other.

Nevertheless, it wasn't until late that night that it hit me. I was awoken from my deep sleep with a brief bout of hacking and coughing. Not since being exposed to plenty of second-hand smoke during a visit to the East Coast last winter did I experience such a respiratory attack.

Yes, they still have smoking and non-smoking arrangements in certain states.

While visiting family in Maryland, I was a bit surprised that my dinner company - they were predominantly smokers - were considerate enough to opt for the non-smoking section of a Frederick eatery.

However, there was very little refuge from the second-hand smoke once we went from the restaurant to the pool hall for a billiard tournament. Later on, I had a cough attack similar to that of a few nights ago.

I think it's the part of not being around it that suddenly I find myself sensitive to being exposed to the smell of cigarettes along those with a habit of smoking.

For that matter, I'm sure that those who reside in areas of poor air quality - take Southern California, for example - might have a higher tolerance of breathing in the smog that engulfed our neck of the woods this past week.

Of course, all of this pales in comparison to what those exposed to the air at Ground Zero in New York City in the aftermath of the terrorist attacks on Sept. 11, 2001.

Reports continue to trickle in to this day on the events that occurred exactly six years ago to this day, with rescue and recovery workers experiencing their share of debilitating illnesses including cancer from being exposed to more than 2,500 contaminants at the World Trade Center site in the months that followed.

Some of those substances could be blamed for triggering kidney, heart, liver and nervous system deterioration.

In fact, Corey Daniel, who was one of the 9/11 survivors, will be in Manteca today to share his personal experience of being in the second tower at the time when the first plane struck the WTC North Tower.

He's the guest speaker this evening at the meeting of the South San Joaquin Republicans at Chez Shari restaurant in the Manteca Park Golf Course.

The 6 p.m. meeting is free and open to the public.

[Letter to the Fresno Bee, Tuesday, Sept. 11, 2007:](#)

Put cigarettes in the ashtray, not city streets

At least three times in the past week, I have seen something very disturbing while driving. The driver in the car in front of me has thrown a burning cigarette out the window.

It also amazes me when they drive with their windows down, flicking ashes out the window. Guess they don't want the smell in their car. Well, neither do I. I would like to be able to drive with my windows down on a nice day and not have to breathe in secondhand smoke when I pull up to a stop light.

Smokers always complain they get a bad rap, and that if they want to smoke they should be able to. I agree: Smoke if you want, but don't throw your lit cigarette out the window, use your ash tray. It's that thing in your car, usually below the radio that most likely carries your spare change. I wonder who they think will come along and pick up their cigarette butts? There is no cigarette butt-cleaning fairy.

With the Valley air so bad these days from recent forest fires, it scares me to think one of these drivers might decide to take a drive the mountains, all the while flicking their ashes and throwing their lit cigarettes out the window. That is a recipe for disaster.

Julee May, Fresno

[Manteca Bulletin Editorial, Saturday, September 8, 2007](#)

Gas-powered leaf blowers, valley smog & our future

By Dennis Wyatt, Managing Editor

It's amazing how we often fail to see the big picture.

On Friday afternoon with two wildfires - one from Plumas County and the other from Santa Clara County - filling the San Joaquin Valley Basin with enough smoke for the issuance of a serious health alert, there were more than a few people out with gas leaf blowers in Manteca.

The one spotted on Center Street working under hazy and smoky skies was typical. He was using the leaf blower to push lawn clippings and leaves into the street - and toward the front of other property - with no intent of picking it up. This was verified 10 minutes later when he had departed with his lawn care equipment and the clippings were still spread out nicely elsewhere along the street.

This act of wanton waste and effort begs several questions.

- Why even bother to move the debris if all you are going to do is be a "Good Neighbor, 2007-Style" and push it into someone else's yard?
- How can we continue to justify the use of gas-powered items such as leaf blowers when such two-stroke engines have been identified as a major source of air pollution?
- Just how much does someone pay a lawn service to help make the rest of the neighborhood ugly?

Years ago, such two-stroke gas-powered equipment was identified by the Diamond Bar Air Pollution Control District as the second largest source of serious air pollution behind jet landings and takeoffs in the Los Angeles Basin. The reason is simple. There are no "catalytic convertor" type devices attached to them.

There is no need to outlaw gas-powered leaf blowers although I believe a realistic case can be made to do just that except in commercial applications. Most yards can easily be "cleaned" with an electric powered version and not be nearly as annoying to neighbors.

When several cities in the Los Angeles Basin earlier this decade tried to outlaw gas-powered blowers - more because of the annoying noise than any other reasons - it was met with howls of

protest from lawn care workers as well as advocates for illegal immigrants.

There is unfortunately a connection there since illegal immigration advocacy groups tried to turn it into a racial issue. In the end, city after city backed off as they were convinced it would "cost jobs."

That's the beauty of people who can only see trees and not appreciate the entire forest.

Two things could have happened if such a ban had taken place.

First, people could actually manually rake and use brooms. Heaven forbid that people slow down and do a more detailed job without creating enough decibels to drown out boom box music emitting from a souped up Honda Accord. Yes, there would be a cost factor that would prompt some to drop their lawn service. But the odds are most would absorb the increased cost and retain lawn services.

Second, the market is an amazing thing. If California as a whole passed regulations requiring noise levels on leaf blowers to drop below a certain point and for the level of air pollution that they generate to be reduced substantially, someone will come up with a solution and market it.

There is no reason why a 2007 car rolling off a dealer's lot pollutes less than a leaf blower - or a gas-powered lawn mower for that matter - just because the manufacturers have a strong lobby.

Would Californians pay the price for more expensive leaf blowers that pollute less and make less noise?

For a state that has led the nation - and the world - doing just that with gas-powered vehicles it's kind of a stupid question to ask.

The "greenhouse concerns" that pollsters have recently picked up on is nothing new. Even Pete Wilson - the chameleon architect of the pre-Arnold Schwarzenegger Republican Party in California - understood rank and file GOP members in the Golden State had an environmental streak wider than that of most Democrats in other states. That's how he parlayed the Mojave Desert Protection Act in the U.S. Senate into a two-term stint as governor.

California - and the San Joaquin Valley in particular - has a growing problem. No matter how effective we are with current efforts to reduce air pollution, there will be more people.

The answer is not putting a tourniquet on growth as that simply fulfills the prophecy of complete economic collapse. You could take a page out of the Sierra Club's radical playbook and dance around the notion of mandating abortions and cutting off immigration of all kinds to essentially save the Delta Smelt, et al.

Why not impose sound regulations for gas-powered yard care equipment that makes sense for Californians today - and tomorrow - instead of waiting for our economy to choke on the accumulative effect of kow-towing to special interest whiners?