

Panel to get dairy ordinance as is Perea unable to get more stringent controls put in.

By Dennis Pollock / The Fresno Bee
Wed., Sept. 19. 2007

Fresno County Supervisor Henry Perea failed Tuesday in his attempt to modify a proposed dairy and feedlot ordinance so that it would feature more stringent controls on mega-dairies.

Instead, the ordinance that would regulate all dairies in the county will be considered by the Fresno County Planning Commission on Thursday in its original form. Should the commission approve it, the ordinance will go again to the board of supervisors for final action.

Tuesday's meeting drew comments from dairy operators who favor the proposed ordinance as it stands and from opponents who believe in tighter controls on larger dairies.

Supervisor Judy Case favored sending the proposed ordinance to the commission unchanged rather than "doing something different two days before the planning commission presentation."

She also said any action on Perea's proposal would result in delays and mean redrafting the ordinance.

Supervisor Phil Larson sided with Case, citing possible "inexcusable" delays.

Supervisor Bob Waterston opposed any action before a commission review, saying it would be "micromanaging the system. ... Let it come back to us."

Supervisor Susan Anderson argued, as Perea did, that a two-track system -- with tougher rules for larger dairies -- could work to the advantage of small family dairies that would face less-stringent regulation.

Perea said his proposed discussion was not aimed at "discussing the merits of the proposed ordinance" but was intended to clarify any confusion and allay the concerns of small- and medium-sized dairies.

He also said he believes the proposed ordinance has undergone "dilution because of pressure from some segments."

Some 30 county residents, many of them members of the Fresno Healthy Dairy Commission, attended the meeting and presented supervisors with 3,000 signatures in support of strong air quality standards for dairies.

Mary Savala, chairwoman of the organization, said her group supports a two-tier system with tighter controls on large dairies.

The Fresno Healthy Dairy Commission is an advocacy group of doctors, business leaders, clergy and other county residents.

Dr. Lee Snyder, a retired physician, said that as a physician for 46 years, "I have taken care of farmers, dairymen and workers, and I understand their commitment to the land. But we have a dreadful health problem with air quality and need to be as committed to the health of the community as the farmer is to the health of his land."

Selma dairy operator Steve Nash said his industry supports the county as a lead agency in regulating dairies and has worked with the county for two years on the proposed ordinance.

He said there already is "a robust regulatory system in place."

"If regulation is too expensive, it will have the opposite effect from what the public wants," Nash said. "It will encourage dairies to be much larger in order to survive."

Cleaner air or hot air? Does size matter for Valley pollution agency's mission?

Rural, ag and urban interests collide in search for balance.

By DHYANA LEVEY

Merced Sun-Star, Tuesday, September 18, 2007

As murky skies and high asthma rates loom over Merced County, you won't find many residents who say air pollution isn't a problem. But debate persists on how best to clear up the air.

A bill passed by the state Assembly last week would expand the board that sets rules to control air pollution in the Valley. If Gov. Arnold Schwarzenegger signs Senate Bill 719, the 11-member San Joaquin Valley Air Pollution Control District board would add two medical professionals and two city appointees to the team, for a total of 15.

Input from health experts and louder voices from Valley cities could only help the board make more informed decisions, supporters argue. "Our feeling is that better representation is always beneficial," said Mary-Michal Rawling, program manager of the Merced/Mariposa County Asthma Coalition. Pollution affects the lungs and exasperates asthma, a condition that 36,000 Merced County residents have been diagnosed with.

If there are more members on the board for citizens to reach out to, their interests will be better recognized, she added. And a board that deals with issues affecting health should include opinions from medical professionals.

Membership on the board now includes eight county appointees and three city appointees. SB 719 would increase the number of city members to five. It would also allow the governor to appoint a physician who practices within the district and has experience with the health effects of air pollution. The other new member would have medical or scientific expertise in air pollution.

But if it ain't broke, don't fix it, say the county supervisors, farm groups and district members against SB 719. The board is doing fine, and the more people you add to it, the more complicated it becomes to operate, said Steven Worthley, chair of the board and supervisor of Tulare County.

Merced County Supervisor Mike Nelson agreed: "I think it's a solution in search of a problem -- I don't think adding more people to the board will clean up the air any faster."

While pollution in the San Joaquin Valley remains an issue, this bill doesn't include any plans to decrease it. "But hard work and funding will," Worthley said.

Smog violations have decreased in the last few years, but the Valley remains one of the worst air basins in the country. And Merced's high level of ozone pollution puts it at sixth in the nation, according to the Asthma Coalition.

Sen. Mike Machado, D-Lindon, wrote SB 719 in the hope that shaking up the district board could be a solution. While the governor hasn't indicated support for the bill, he recently expressed his unhappiness with pollution in the Valley and mentioned the board's proposal to delay cleanup of the Valley's air until 2024.

Rosa Camacho of Delhi, whose 1-year-old son was recently diagnosed with asthma, waits with growing concerns for something -- anything -- to be done about the Valley's pollution. "We want our children to be able to play outside," she said.

Adding medical experts' opinions to a board that sets air pollution rules in the Valley could help members make better decisions, she believes.

"One would only hope that it would make a positive change," she said. "You don't know until you try."

However, the situation isn't that simple, said Diana

Westmoreland-Pedrozo, executive director of the Merced County Farm Borough, which is opposed to SB 719. Local and agricultural interests could suffer.

This bill would include two representatives from cities with populations of 100,000 or more, such as Fresno and Modesto, giving urban areas a louder voice. "Often when you have more urban representatives, it amounts to less and less understanding of agriculture at the table," she said.

The idea of two government appointees also made her nervous.

"Sometimes they are not responsible for the constituents like the elected officials are," she said. "There are other ways to get medical, science-based observation into the mix ... there are all kinds of studies the board looks at."

Local interests would not be served as well with the inclusion of these two government-appointed members to the board, said Mark Hendrickson, director of the Merced County's Governmental Affairs. That's why the county has spoken out against the bill.

Meanwhile, the legislators, residents and interest groups call for cleaner air. SB 719 will be a test case of whether less is more -- or the other way around.

Statewide drift worsens area pollution

BY STACEY SHEPARD, Californian staff writer
Bakersfield Californian, Wednesday, Sept. 19, 2007

Wildfire smoke that drifted through Bakersfield and other parts of the San Joaquin Valley in the past few months has raised new questions about how much of the valley's air pollution comes from other areas of the state.

Until now, air regulators believed neighboring regions contributed little, if any, to the valley's filthy air. But satellite images of recent wildfires paint a different picture.

"The (images) provided us with some new information, at least prima facie information, on how to look at air transport from other areas," said Seyed Sadredin, the San Joaquin Valley Air Pollution Control District's top official. "Unfortunately, it looks like we're getting hit from all sides."

Bakersfield was blanketed on numerous days with smoke from the Zaca fire that burned in Santa Barbara County in July and August. When that fire was extinguished, the Moonlight fire north of Sacramento and the Lick fire in the Bay Area broke out. Within days, smoke from those fires had blown down through the valley, creating high levels of smog and particulates all the way to Bakersfield.

Sadredin said satellite images of these fires and last summer's Day fire in Ventura County warrant a new look at how pollution blows into the valley from other parts of the state under certain meteorological conditions. He will ask the district governing board at a meeting Thursday to authorize staff to conduct more research.

The vast majority of the valley's pollution is still believed to come from local sources, Sadredin said. But even small sources of pollution outside the valley should be addressed, he said, due to the immense task the valley faces in complying with federal clean air standards for smog and fine particulates in the coming years.

The air district earlier this year sought an 11-year extension for meeting the federal smog standard. The initial deadline set by the government was 2013 but regulators have asked to push it back to 2024.

The district came under heavy criticism for requesting the delay. In response, Sadredin pledged to look for every option to speed up the time it takes to clean the air. Tackling pollution outside the valley is one way to do this, he said.

Why it matters

Bad air poses a major health threat for those living in the valley. Smog and particulates are blamed for elevated childhood asthma rates and a host of lung ailments.

About 22 percent of Kern County children suffer from asthma compared to 16 percent statewide, according to a 2005 survey conducted by the University of California, Los Angeles.

Other studies have shown the health impacts of poor air quality in the valley costs \$3 billion each year and cause 460 premature deaths and 3,000 days of lost work.

Another look

This isn't the first time the air district has looked at pollution sources outside the valley.

Past studies by the air district have shown that pollution from the Bay Area is responsible for about 30 percent of pollution in the northern parts of the valley and 6 percent of pollution in Bakersfield.

However, no pollution was known to come from the southern part of the state or areas north of Sacramento.

Pollution hard to track

Tracing pollution drift isn't easy, said Gennet Paauwe, spokeswoman for the state Air Resources Board, which oversees regional air districts.

"It's very complicated in terms of the complexity of the weather and wind direction," Paauwe said.

The state has conducted research on pollution drift between regions but it generally encourages regional air districts to focus on local sources, she said.

Clean air activists in the valley also support this approach. They feel all sources of pollution must be addressed but cautioned about focusing too much on sources outside the valley.

"I think it's very dangerous to start focusing on transport (from other regions) when we know the majority of our pollution comes from homegrown sources," said Sarah Sharpe, an outreach associate for the Coalition for Clean Air. "We don't want to detract from what we need to focus on here at home by pointing the finger at other areas."

How to go

A plan to study air pollution caused by sources outside the valley will be discussed during a San Joaquin Valley Air Pollution Control District Governing Board meeting Thursday.

It starts at 9 a.m. and will be shown via satellite at the air district's Bakersfield office, 2700 M St., Suite 275.

A meeting agenda is available at www.valleyair.org. For more information, call 326-6985.

Allensworth ordinance delayed

By David Castellon, Staff writer

Visalia Times-Delta and Tulare Advance-Register, Wednesday, Sept. 19, 2007

A county agency is going back to the drawing board after Supervisor Connie Conway said an interim ordinance to prevent development of new dairies around Col. Allensworth State Historic Park was off the mark.

"This is not what I asked for," Conway told county Resource Management officials at Tuesday's Board of Supervisors meeting.

The supervisors had planned to vote Tuesday on an ordinance that would bar use permits for dairies and other large projects near the Allensworth park for at least 45 days while research is done on setting up a permanent "mitigation zone" in the area. A mitigation zone is a section of land set aside as habitat for plants and animals, usually to make up for loss of habitat caused by development.

Conway proposed the zone at last week's meeting.

The delay in the vote resulted from two sets of maps that Resource Management Agency officials presented the supervisors. One essentially showed a 2.5-mile ring circling Allensworth while the other - taken from a map of potential mitigation zones done three years ago - showed a roughly 30-square-mile area beginning east of Allensworth and extending several miles the east and northeast.

Conway said the ordinance should affect only land west of Allensworth.

So what went wrong? George Finney, the agency's assistant director for planning, told supervisors that his office had only about 24 hours from last Tuesday's board meeting to prepare an interim ordinance proposal.

"We didn't have a heck of a lot of time to do [the work]," he said.

"I apologize for not giving staff enough time," Conway said, "but I am not happy with how it came back."

She said she could have been reached for clarification and she will be available over the next three weeks as officials prepare a revised draft.

The mitigation zone is intended to end the controversy involving plans to build two large dairies east of Allensworth, which preserves a town founded in 1908 for African Americans. [Residents and supporters of the park complained that dust and odors from the dairies would hurt the quality of the park.](#)

Last week, Sam Etchegaray, who had wanted to build the dairies on his land near Allensworth, signed a deal with the state to give up his right to build the dairies for \$3.5 million.

But Allensworth supporters are concerned that a dairy or other large operation that could harm the park might still be built on land to the west, promoting Conway's mitigation zone proposal.

In other business:

? Supervisors voted to give some of the county's 4,300 employees an additional way to save for retirement.

Currently, about 500 employees not represented by unions can contribute up to \$15,000 a year to 457(b) retirement-investment plans - similar to a 401(k) plans in the private sector - with the county paying matching funds of up to \$1,500.

In response to requests by some employees to defer more of their pay into the plan, the supervisors approved a proposal to allow the unrepresented employees to sign up for 401(a) plans, which allows them to invest up to \$45,000 a year along with what they put in their 457(b) plans.

Tim Huntley, the county's human resources director, said the new program will not cost the county anything because there are no matching contributions, and the administrator of the county's 457(b) plan will administer the 401(a) plan without charging any fees to the county.

? The supervisors approved acceptance of a \$3,500 check from Target stores to the county Health and Human Service agency to purchase children's books for the Reach Out and Read Program. Those books are handed out to young children when their parents bring them to county clinics for wellness exams.

Wal-Mart approval hangs on crime worries

Clovis officials will resume debate on a proposed 24-hour supercenter at Herndon and Hwy. 168 on Oct. 15.

By Marc Benjamin / The Fresno Bee
Wed., Sept. 19, 2007

Crime is surfacing as a major concern at a 24-hour Wal-Mart Supercenter proposed for north Clovis and may prompt the City Council to limit the store's hours.

The proposed shopping center at Herndon Avenue near Highway 168 would include Kohl's, Bed Bath & Beyond, Petco and Old Navy. But it was the Wal-Mart store that drew the most comments during a packed six-hour hearing before the Clovis City Council that began Monday night and didn't end until early Tuesday morning.

The City Council will resume its discussion of the project Oct. 15.

Many of those speaking complained about Wal-Mart's benefits, employment practices, the potential noise and air pollution, and suggested that Clovis could do better than a discount superstore.

But the issue that caught the council by surprise was crime at the existing Wal-Mart store at Peach and Shaw avenues in Clovis and the possibility that the new store could become a crime magnet.

Clovis police Capt. Janet Davis recommended the new store be closed from midnight to 5 a.m. to reduce crime at a proposed 228,000-square-foot store.

Davis said Monday night that the existing Wal-Mart store, which is not open 24 hours, received more than double the number of calls for police service in the past two months than either of the city's two Target stores or Kmart. Four of the calls were felony battery reports and one was a robbery. There were none at the other stores, she said.

Council members said Tuesday that crime concerns will weigh heavily in their decision about whether to allow the Wal-Mart to remain open around the clock. Some also questioned whether Clovis needs a 24-hour general merchandise store.

"I think they really need to work to make sure the Police Department is satisfied or realize we will not allow for the 24-hour Wal-Mart," Clovis Mayor Bob Whalen said.

Council Member Harry Armstrong said he can't imagine residents going to the store in the wee hours of the morning to buy children's clothing or cosmetics.

"We are not a large industrial area where people work around the clock," he said. "If we were in the Bay Area or Southern California it may be different, but this is Clovis."

Council Member Nathan Magsig said the crime statistics for the Shaw and Peach avenues store surprised him and that an around-the-clock store twice the size of the existing Wal-Mart raises concerns.

"It has not been made clear to me why there needs to be a 24-hour use," he said.

Overnight parking, which Clovis police say has contributed to the crime at the existing Wal-Mart store, will be prohibited at the new store. Clovis officials decided to prohibit overnight parking to allay concerns of neighbors, who feared it could draw crime and undesirable campers.

Wal-Mart spokesman Aaron Rios said the company still wants a 24-hour operation because customers want it. He also said the police analysis was not scientific.

Wal-Mart trains its staff to watch for crime and call police if they believe they see a problem, and that could have skewed the Police Department's figures, he said.

"We would rather overcompensate to make sure we have a safe environment for our customers," Rios said.

Wal-Mart officials will discuss the findings with police, he said.

Other Valley cities that have 24-hour Wal-Mart supercenters said they haven't seen a substantial increase in crime resulting from the stores. Hanford and Dinuba have had supercenters open 16 months, while Sanger's opened three months ago.

In Hanford, the Wal-Mart Supercenter has more calls for police service than the Target store, which is open 14 hours a day, 13 hours on Sunday.

Hanford police Capt. Darrell Smith said the supercenter produces 23.85 calls for service a day on average compared with 14.1 calls a day at Target. But, Smith said, the calls have been mostly for minor crimes, such as shoplifting, vagrants and disturbances, and Wal-Mart security officers "have been great to work with."

"It's no different than any other part of the business district in town," Smith said.

Sanger Police Chief Tom Klose said theft was a problem initially, but Wal-Mart security quickly addressed the issue.

Dinuba City Manager Ed Todd said most issues that come up are traffic-related and seldom occur during overnight hours. Few people are at the store late at night, which minimizes problems for police or Wal-Mart security officers.

"They control the inside and the outside is patrolled pretty well," Todd said.

San Joaquin drivers no strangers to traffic

County's roads called 'clogged arteries'

By Paul Bugarino, staff writer

Tri-Valley Herald, Wed., September 19, 2007

A national study released Tuesday confirmed what many San Joaquin commuters already know: Drivers are spending more and more time sitting in traffic on the way to and from their jobs.

The nation's drivers suffered through stop-and-go traffic a total of 4.2 billion hours in 2005, up from 4 billion the year before according to the Texas Traffic Institute's Urban Mobility Report. The delay amounts to 38 hours per driver.

That increase holds true for drivers in San Joaquin County, officials said, particularly in areas where residents are likely to commute to the Bay Area.

"You can bet that the 50,000 commuters who trek over the Altamont Pass and the others who head towards Sacramento spend a heck of a lot more time in their cars," said Andrew Chesley, executive director of the San Joaquin Council of Governments. That agency handles transportation issues in the county.

Council of Governments board member John Harris of Manteca called San Joaquin's roads "clogged arteries."

Chesley said that the Council of Governments is cognizant of the fact that roads are more crowded — trying to "be ahead of the curve" in securing funding for expansion of Interstate 5 and Highway 99.

"With how fast the region is growing, we have to be proactive," he said.

Chesley indicated Interstate 205 is public enemy No. 1 for area commuters, as more often than not drivers are stuck in bumper-to-bumper conditions as they funnel into the Bay Area.

"I think that most everybody recognizes Interstate 205 is the key bottle neck in the county," Chesley said, adding that the problem is compounded by trucks — about 15 to 20 percent of the road's traffic — carrying goods from the Central Valley getting stuck on the road.

The answer is mass transit, Harris said.

"I've traveled around the country and the thing that's common is the single occupant vehicle," said Harris, who is also on the Manteca City Council. "Someone once told me we can build all the roads in the world, but as soon as you expand a highway, it will be full the next day,"

Harris said that the county does a good job of doing everything it can to provide road improvements to meet demand. He added that more mass-transit options, such as buses, van pools, trains or encouraging carpools would aid the situation.

The study estimates that drivers wasted 2.9 billion gallons of fuel while sitting in traffic. Together with the lost time, traffic delays cost the nation \$78.2 billion, the study estimates.

A typical San Joaquin commute involves traveling long distances. Residents in San Joaquin County ranked seventh in the state in average commute distance, according to the Census Bureau.

"I don't know how people can do that, driving to Oakland or San Jose every day, I'd be burnt out," Harris said.

Idling trucks add to the pollution problem in the south San Joaquin County. While pollution from trucks in the Central Valley as a whole is not caused by traffic congestion, it is something agencies like the San Joaquin Valley Air Pollution Control District are aware of.

"With two of the major west coast thoroughfares being used to bring goods from the farm to market and so much truck traffic, congestion is always a concern of ours," said Jaime Holt, a district spokeswoman.

Holt said policymakers and coalitions like the San Joaquin Valley Blueprint Project need to be innovative on how they map out future growth.

The population of San Joaquin County is expected to triple to 1.7 million by 2050, county officials said.

"We need to look at Los Angeles and San Francisco and how they built roads in their cities, so when the population doubles, we don't double the amount of traffic," Holt said.

Protesters rally against proposed Wal-Mart center

Group hopes for poetic justice at City Council meeting

By Leslie Albrecht

Merced Sun-Star, Tuesday, September 18, 2007

The City Council got a taste of political poetry Monday night from young activists fighting Wal-Mart's plan to build a distribution center in southeast Merced.

Two students from Golden Valley High School read poems against the proposed distribution center during the council meeting's public comment period. One poem, called "Taming the Beast," described the trucks that would serve the distribution center as "mindless predator(s) ...belch(ing) excrement."

Before the meeting the students joined about 40 other protesters to rally outside the Civic Center, chanting, "Whose air? Our air! Whose City Council? Our City Council!"

The protest marked another chapter in the increasingly vocal opposition to the Wal-Mart distribution center, which has become a regular feature of City Council meetings over the past several months.

Wal-Mart announced plans to build the distribution center two years ago; the project is now undergoing environmental review. The council will vote on the center when the environmental review is complete sometime this fall or winter.

Proponents say the project -- slated for a 275-acre parcel between Childs and Gerard avenues west of Tower Road -- would eventually bring 900 jobs to economically depressed Merced. Opponents say the 900 diesel truck trips the center would generate each day would worsen Merced's already poor air quality.

In April, Merced's Stop Wal-Mart Action Team announced a campaign to educate council members on its cause. Since then the group's members have been regular speakers at council meetings, bombarding the council with information about Merced's air quality and other issues. The group has also tried to drum up support by hosting events, including a picnic featuring pinatas shaped like Wal-Mart trucks.

Patrick Lauppe, the Golden Valley junior who read the poem called "Taming the Beast," said he wasn't worried that the council could grow weary of the sustained anti-Wal-Mart campaign.

"The more we attend these meetings, the more they'll realize we're unequivocally against this project and we won't let it into our town without a fight," said Lauppe.

In July, Wal-Mart representatives paid their own visit to the City Council. Spokesman Keith Morris told the council then that although the project's environmental review is taking longer than originally expected, Wal-Mart is "still committed to building the facility in Merced."

The anti-Wal-Mart folks showed up elsewhere on Monday night's council agenda. The group also submitted a letter applauding a proposed resolution on development policies, but the council failed to vote on the measure.

One policy would have directed city staff to carefully study how building shopping centers near the new Mission Avenue highway exit could affect area traffic. The site where Wal-Mart wants to build its distribution center is about three-quarters of a mile from new Mission Avenue exit.

The other policy would have told commercial developers that the City Council "is not inclined to entertain" requests for discounts on the fees developers pay when they build in Merced. The policy would also state that the City Council "refrains from negotiating impact fees (with developers) on an individual basis."

Councilwoman Michele Gabriault-Acosta said she worried that the policy on fee discounts could sound hostile to developers, and asked city staff to come up with some new language.

"To me it seems the door is shut and there's no ifs, ands or buts about it...I'd like to see something that explains (the policy) without shutting the door and saying (to developers) 'head to Madera,'" she said.

But Councilman Bill Spriggs urged his colleagues to OK the no-discount fee policy, noting that developer fees pay for critical infrastructure such as streets, parks and sewer capacity.

"It's incumbent on us to set policy that lets developers know that they're not going to blow into town, blow out of town, and let us live with their problems for the next 50 years," he said.

The council voted unanimously to send both items back to city staff, asking for more clarity in the resolution's language.

Ban urges countries on global warming

By Charles J. Hanley, AP Special Correspondent
in the Modesto Bee, Tuesday, September 18, 2007

UNITED NATIONS — The science is clear and the time short, but the political will is lacking to confront global warming, the U.N. secretary-general said Tuesday.

Ban Ki-moon said he hoped next Monday's "climate summit" here will help galvanize leaders to take action "before it is too late."

Asked at a news conference about President Bush's planned separate meeting to discuss global warming measures among a handful of countries later next week, the U.N. chief said Bush assured him it would be coordinated with the established U.N. process of negotiating climate treaty commitments among all nations.

The U.S. administration rejects treaty obligations, such as the Kyoto Protocol, to reduce emissions of carbon dioxide and other greenhouse gases blamed for global warming. Bush favors voluntary reductions instead.

Of the Washington meeting, Ban told reporters, "We welcome individual measures and initiatives by many countries, but all these measures and initiatives should fit into the (U.N.) process."

He said about 80 heads of state and government would be among the 154 participants at Monday's all-day climate discussion. It isn't designed as a negotiation, but to send "a strong political message at the leaders' level for the climate change negotiations in Bali meeting in December," Ban said, referring to the annual U.N. climate treaty conference.

Bush isn't listed among participants in the day's events, although the U.S. Mission to the United Nations said he will join in the summit dinner that evening.

In a series of major reports this year, a U.N.-sponsored scientific network said unabated global warming, potentially raising average temperatures by several degrees, would produce a far different planet by 2100 - from rising seas, drought and other factors. The scientists said animal and plant life was already being disrupted.

"The science has made it quite clear, and we have been feeling the impacts of global warming already clearly," Ban said. "We have resources. We have technology. The only (thing) lacking is political will. Before it is too late, we must take action."

The Kyoto Protocol, a 1997 annex to a 1992 U.N. climate treaty, requires 35 industrialized nations to reduce greenhouse-gas emissions by, on average, 5 percent below 1990 levels by 2012. Talks at Bali are intended to launch negotiations on a similar regime of mandatory cutbacks for the post-2012 period.

Bush has rejected Kyoto and signals no new readiness to accept such mandates. He complains that the 1997 agreement, under which European and other nations are reducing power plant and industrial emissions, would damage the U.S. economy and should have been imposed on China and other poorer nations that are exempt.

The meeting Bush has called for Sept. 27-28 in Washington, involving major industrial nations and a few developing countries, including China and India, is expected to focus on "goals," not obligations, for reducing climate-altering emissions. Some environmentalists accuse him of trying to subvert the U.N. treaty process with the separate talks.

"If President Bush's idea of initiating new, parallel talks between just a few countries is just an effort to derail these ongoing talks, then the other countries participating in the talks should not allow this to happen," said London-based biologist Saleemul Huq, a lead author of this year's U.N. climate studies.

AQMD wants to put the brakes on polluters

Pilot program uses roadside monitors to test emission levels.

By Ralph Vartabedian, staff writer

L.A. Times, Wed., September 19, 2007

If you think your everyday exhaust fumes are a private matter -- maybe your dirty little secret -- you haven't met up with Southern California's new pollution detectives.

In recent weeks, an innocuous white van has been parked on a Los Angeles freeway onramp, as well as other key locations across the region. Inside is new technology in the battle for cleaner air.

The van is loaded with high-tech equipment that uses ultraviolet and infrared sensors to measure the amount of pollution spewing out of the tailpipes of passing cars.

No, you will not get pulled out of your car, handcuffed and sent to the Twin Towers for spewing out too much crud. But you will get a polite letter in the mail, suggesting you volunteer for a program that will pay for up to \$500 in emission system control repairs or \$1,000 to take your vehicle off the road permanently.

The program began in March and so far 2,000 letters have been sent out, resulting in a couple hundred vehicles being repaired and a few dozen scrapped.

The results so far might sound like small change, but the aim of this pilot program, costing \$4 million, is much larger. The measures are part of a future of tough new regulations and enforcement, aimed at getting gross polluting vehicles repaired or off the road.

The remote monitoring program is a pilot project run by the South Coast Air Quality Management District to assess whether it is possible to, on a more sweeping scale, identify vehicles that are out of compliance and to try to figure out why so many cars fall into that category.

It isn't only junk heaps and classic cars that are fouling the air, but sometimes late-model vehicles that have racked up more than 100,000 miles. Some of these vehicles spew out more than 100 times the pollution of a properly functioning, compliant vehicle.

In fact, just 10% of vehicles produce more than 50% of the pollution, said Dean Saito, the agency's manager for the remote monitoring program. As tougher new pollution laws come into effect by 2015 and then 2023, the AQMD will tighten up on a lot of pollution sources.

One big source is cars that actually pass the smog tests that are required every two years for all but the oldest and newest vehicles. A significant fraction are polluting shortly after passing the test. A report last October by a little-known state agency -- the California Inspection & Maintenance Review Committee, a unit of the Department of Consumer Affairs -- found that 40% of the vehicles that failed a smog test and then passed after repairs were made to the emission control system were once again out of compliance just weeks or months later.

In other words, the repairs are not fixing the root cause of the problems or the owners are somehow gaming the system, Saito said.

One scam is the use of "clean pipes," in which a smog test machine is hooked up to the exhaust pipe of a car different from the one that is supposed to be being tested. Another potential problem involves the quick fixes that correct excess emissions only temporarily. An example of that is the installation of a new catalytic converter that cleans up exhaust temporarily, but then becomes fouled by overwhelming engine emissions.

Here's where the smog spies come in. As cars accelerate down an onramp, the sensors measure the output of hydrocarbons, nitrogen oxide and particulates. The system also images the license plate.

Only the dirtiest 1% or 2% of the vehicles are selected for the letters, under the current pilot project. And compliance is completely voluntary, since the vehicle owners can now ignore the invitation for subsidized repairs. In fact, many people don't want anything to do with the program, officials say.

The nice-guy approach may eventually give way to a tough-guy approach. AQMD has long-range plans to conduct remote sensing on a much larger scale, when far stricter measures will be needed to meet future air quality standards. The idea, obviously, is to not allow problem vehicles to spew out excess pollution for months or years before the next smog test.

Such a monitoring program would not require the use of mobile vans. Fixed sensor stations could check every vehicle driving down a road and electronically transmit the results to government offices.

I asked AQMD spokesman Sam Atwood whether the program has triggered cries that this is Big Brother on the highway. "I don't think we have had that reaction," he said.

But a fair number of people object to any kind of remote sensing, whether it involves detectors for vehicle pollution, radar guns for speeding or red-light cameras in intersections.

For those who insist on skirting the rules, there is even an industry that supplies illegal devices that intentionally defeat emission control systems for muscle car enthusiasts.

In July, the U.S. Department of Justice reached a civil settlement with Illinois-based Casper's Electronics over the company's sale of engine sensors that override an automobile's emission system. The department said the company has sold 44,000 of these defeat devices that have added 7,400 tons of hydrocarbons, 347,000 tons of carbon monoxide and 6,000 tons of nitrogen oxides to U.S. air.

The company agreed to pay a \$74,000 civil penalty. Other manufacturers of these devices are under investigation.

What's at stake? Southern California air, some of the worst in the nation, is causing widespread impaired lung function in children, increased heart disease and higher death rates.

Air quality officials warn the region is not on track to meet existing standards and that even tougher new standards will leave "no room for wavering or hesitation."

[Modesto Bee editorial, Tuesday, September 18, 2007](#)

Kamilos deserves time, even if port isn't interested

Developer Gerry Kamilos appeared to suffer a setback with last week's news reports that neither the Port of Oakland nor the Bay Area's Metropolitan Transportation Commission plans to include his Crows Landing project as part of a funding application from the state transportation bond. Regardless, Kamilos still should have until next April to show what and whether he can deliver with his massive West Park proposal.

Kamilos' plan centers on turning the 1,560 acres on the former air base and an additional 3,000 acres into an inland port with short-haul rail connections to the Port of Oakland. If the rail component proves unfeasible, what's left?

Fortunately, Hillwood, the other company that sought to become the master developer for the air base, is still interested. Last winter, we preferred Hillwood's proposal because that company is more experienced with industrial projects and because we doubted the feasibility of the rail component. But three of the five county supervisors opted for the higher-risk choice -- Kamilos.

From the get-go, Kamilos has faced strong opposition from some West Side residents, largely over disruptions that would be caused by frequent trains. There also are strong objections to losing prime farmland and doubts about the availability of water.

But the biggest challenge for Kamilos is getting the millions needed for rail improvements. If Crows Landing is not part of a Bay Area application, Kamilos would have to align with a Central Valley partnership for a share of the \$2 billion that is to be available for trade corridor projects out of the \$19.5 billion transportation bond (Proposition 1B).

The competition for that \$2 billion will be fierce, and the Bay Area and Los Angeles-Long Beach are the big guys in the ring.

Under a timeline posted Monday by the California Transportation Commission, guidelines are to be developed this fall for how to divide the \$2 billion. Projects are to be nominated and reviewed in the winter, with a program adopted by March 1.

That timeline might not materialize, however. In the session just ended, the Legislature failed to pass a bill specifying how to allocate the much-sought trade corridor dollars.

There's also \$1 billion from the transportation bond earmarked to [reduce air pollution emissions](#) from freight activities along trade corridors. The first \$100 million of that was allocated, and there doesn't appear to be any significant amount in the plan for Kamilos.

It doesn't matter. County supervisors have a one-year agreement to negotiate with Kamilos, and they should honor it. Next spring, the supervisors owe county residents a thorough and honest appraisal of whether the West Park plan is achievable and if it offers the best option for bringing jobs and business to the county.

[Letter to the Fresno Bee, Wed., Sept. 19, 2007:](#)

Hurry up and wait

I've discovered the secret of combating bad air and high gas bills in Fresno/Clovis. It happened while riding my bicycle.

I often find myself riding along Willow Avenue or Herndon Avenue, and guess what I've seen? Most of the time when I approach a red light at the next intersection, I am able to catch up to and even pass cars and trucks that have gunned past me from the last stoplight a half-mile back. I travel at about 20 mph and none of the gas-burners are progressing across town any faster than I am. It never fails, and I am always amused.

Just think, set the speed limits all over town at 20 mph. Pollution will go down. Gas prices will come down, because far less will be bought at the pumps. And people will still get to their destinations on time.

And one more thing: The streets will be a lot safer for cyclists.

Jim Heinrichs, Clovis