



# Bay Area Monitor

A Bimonthly Review of Regional Issues in the Bay Area

Vol. 31, No. 1 August/September 2005

## R<sub>x</sub>: Fresh Air and Exercise

The "built environment"—homes, stores and offices, schools, streets and roads—has an impact on the health of its residents. This point was emphasized during two presentations at the June meeting of the regional Joint Policy Committee (JPC), which includes representatives of the Association of Bay Area Governments, the Metropolitan Transportation Commission and the Bay Area Air Quality Management District (Air District). Dr. Richard Jackson, California State Public Health Officer, linked past planning decisions to the increases in obesity and related health problems that now concern many health officials. Lynn Terry, California Air Resources Board (CARB) Deputy Executive Officer, discussed the recent CARB handbook on factoring sources of air pollution into land use decisions.

Dr. Jackson's presentation summarized a book he recently co-authored, *Urban Sprawl and Public Health: Designing, Planning, Building for Healthy Communities*. The book connects sprawl development to increases in obesity, depression and environmental health problems such as degraded air and water quality.

Both diet and exercise play roles in obesity, and Jackson showed how sprawling subdivisions and commercial centers accessed by multi-lane roads discourage the traditional forms of exercise—walking and bicycling to neighborhood destinations. Instead, he noted, many commuters spend hours in the car, leaving them physically and mentally exhausted and creating unhealthy levels of stress. Suburban parents often add hours of chauffeuring children to their driving time. If they do find time to exercise, they probably drive to a gym.

For children, who sometimes attend schools which have eliminated physical education, the lack of exercise is clearly linked to increases in obesity, particularly in a society which has "supersized" food servings. Consolidating schools into larger facilities rather than scattered smaller units for economic reasons can mean that it is often difficult or dangerous for children to walk to school. Car-oriented developments make it difficult for children and their friends to casually meet for outdoor play, which encourages a sedentary social life conducted by telephone and computer.

Mental and emotional health can also be affected by the built environment. This is particularly true for the elderly, and especially for elderly men, for whom the loss of a driver's license can be literally lethal due to the increased isolation and the emotional stress this causes. Isolation also contributes to depression, which has been increasing in children and teens.

Exercise is a known anti-depressant as well as the best answer to obesity. "Exercise is a life or death issue," said Dr Jackson, "but we have engineered the ability to walk out of the communities we have built." He suggested that businesses and public agencies should make stairs more prominent than elevators as a simple way to incorporate exercise into daily activities.

Regular contact with the natural environment can help alleviate attention deficit disorder, but many children spend most of their time indoors—and there has been a 500% rise in one generation in

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## No Idle Threat: New Regulations Target Idling Vehicles



Complaints can be made to the ARB online at <http://www.arb.ca.gov/enf/complaints/complaints.htm> or by phone at 1-800-END-SMOG.

The Bay Area Air Quality Management District (Air District) may be contacted at 1-800-334-ODOR.

Argonne National Laboratory calculator to determine cost of truck idling: [http://www.transportation.anl.gov/research/technology\\_analysis/idling.html](http://www.transportation.anl.gov/research/technology_analysis/idling.html)

With increasing evidence of the link between diesel soot and health problems, one focus of recent regulations has been idling diesel vehicles. In 2000, the California Air Resources Board (CARB) adopted a diesel Risk Reduction Plan with the goal of reducing emissions and the resulting health risk from diesel-fueled engines and vehicles in the state by the year 2020. Methods of reducing emissions of diesel particulate matter (PM) were identified, including more stringent emission standards for new diesel-fueled engines and vehicles, the replacement of older in-use engines with new cleaner engines, emission control strategies for in-use engines, and the use of low-sulfur diesel fuel.

In 2004, CARB adopted an Airborne Toxic Control Measure (ATCM) to limit heavy duty diesel motor vehicle idling in order to reduce public exposure to diesel PM and other toxic air contaminants (TACs) and air pollutants. The measure applies to diesel-fueled commercial vehicles with gross vehicle weight ratings greater than 10,000 pounds which are licensed to operate on highways, regardless of where they are registered. It affects public agencies, including transit agencies and public entities with heavy-duty vehicles, and private businesses, including private transit and tour bus operators, contractors, distributors, transporters, delivery services, and heavy-duty vehicle fleets.

With some exceptions, the driver of a vehicle subject to this measure may not idle the vehicle's primary engine or operate its diesel-fueled auxiliary power system (APS) for more than 5 minutes at any one location. The exceptions are:

- idling a bus up to 10 minutes before passengers board to prepare the bus for their comfort. When passengers are on board, the bus is exempt.
- idling the primary engine or operating the diesel APS to operate a heater, air conditioner, and related equipment while sleeping or resting in a sleeper berth, if the vehicle is 100 feet beyond a residential area.
- idling due to traffic conditions out of the driver's control, or at the direction of a peace officer.
- idling when queuing in the normal course of performing work or service, when stopping and starting the engine would impede the progress of the queue. The queue must be 100 feet beyond a residential area.
- idling when it is unsafe to proceed because of weather or mechanical conditions over which the driver has no control.
- idling during timely checks to assure safe operating conditions and good working order of equipment, if idling is required for the inspections.
- mandatory idling for testing, servicing, repair, or diagnostic purposes.
- idling when providing a power source for controlling cargo temperature, operating auxiliary equipment, and performing work functions for which the vehicle was designed.
- idling when operating defrosters, heaters, air conditioners, or other equipment for safety or health purposes.
- idling by emergency vehicles while performing the services for which the vehicle is designed.

*(continued on next page)*

### Bay Area Monitor

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- idling when operating equipment such as a wheelchair or people-assisted lift as prescribed by the Americans with Disabilities Act.

In 2003, CARB adopted a school bus ATCM that regulates the idling of school buses and other vehicles, regardless of fuel type, near schools (grades K-12). On arrival at schools, whether in session or not, school bus, transit bus, and commercial vehicle drivers must turn off their engines and may not turn them on more than 30 seconds before leaving. If stopped within 100 feet of a school, school bus drivers must turn off their engines and restart no more than 30 seconds before departing, while transit buses and commercial vehicles may idle no more than 5 consecutive minutes. At locations more than 100 feet from schools, school buses may idle no more than 5 consecutive minutes per stop, except in traffic or to operate climate control devices and equipment required by persons with disabilities or special needs.

Trucks queuing to deliver or pick up cargo at major container ports in the state are limited to 30 minutes idling or queuing time by AB 2650 (Lowenthal) passed in 2002. The Bay Area Air Quality Management District (Air District) is responsible for enforcement of this law at the Port of Oakland.

Air District inspectors conduct regular surveillance by driving by the queues at the gates of the terminal operators' facilities. If the lines of trucks seem unusually long or slow-moving, a closer inspection is made. When the inspection indicates a potential violation, an investigation is conducted, and if the results of the investigation show non-compliance with the law, a Notice of Violation is issued. The penalty is \$250 per truck. Truckers may avoid queuing by making appointments with terminal operators, but few truckers are availing themselves of this advantage, in spite of Air District outreach efforts.

One of the benefits of limiting the idling time of a diesel-fueled vehicle is the reduced health risk from exposure to the pollutants in diesel exhaust (see sidebar on this page). The vehicles' drivers and

passengers, nearby workers and bystanders, and residents of impacted neighborhoods will benefit the most from a reduction of diesel emissions, since diesel exhaust tends to hang over its source. Most vulnerable to injury are children, workers, people with respiratory or cardiovascular disease, and the elderly.

Another benefit to the vehicle owner is the cost savings in fuel and engine wear and tear that result from reducing idling time. CARB estimates the savings for a small business with a fleet of seven or fewer vehicles to be \$425 per vehicle per year, including capital costs. The Technological and Maintenance Council estimates that 1 hour of idling causes engine wear equivalent to 7 hours on the road. Add to that an average of 1.3 gallons of fuel for "going nowhere, doing nothing" and it is clear that reducing the idling time of diesel engines has important economic advantages for vehicle owners.

The provisions of the school bus ATCM and the heavy duty diesel motor idling ATCM may be enforced by CARB, any peace officer—including local police, sheriffs' departments, or California Highway Patrol officers—and air quality management or air pollution control districts. Enforcing agencies may conduct surveillance or inspection operations, or they may respond to complaints. The Air District refers the complaint to CARB, which has primary responsibility for enforcement (see sidebar on previous page).

When the ARB receives a complaint from a citizen about an idling vehicle, an advisory letter is sent to the registered owner, who may not be the driver, notifying the owner of the regulation and requesting a response. If CARB gets many complaints about the same vehicle or company, it will make a direct contact to discuss the problem. There are, however, few enforcement teams. A CARB inspector, a peace officer, or pollution control inspector who witnesses a

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#### Why Diesel Exhaust Is a Problem:

Most of the particles of diesel particulate matter (PM), a toxic air contaminant (TAC), are small, 10 microns or less in diameter; these can be inhaled deep into the lungs, where they cannot be dislodged and may cause cancer and lung disease. They may also have other substances including other TACs adhering to them. Studies have shown that when the level of PM in the ambient air is high, the number of hospital admissions, emergency room visits, and premature deaths in people with existing lung disease increases.

Besides PM, diesel emissions contain 40 other TACs such as benzene, formaldehyde, arsenic, nickel, polycyclic aromatic hydrocarbons, and dioxins. Most are carcinogenic and can cause other serious illnesses as well. Diesel exhaust also contains other air pollutants such as oxides of nitrogen, carbon monoxide, carbon dioxide, and hydrocarbons. Exposure to air pollutants may cause acute respiratory symptoms, eye irritation, and cardiovascular problems. Prolonged exposure may cause chronic respiratory or cardiovascular disease.

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## Taking Chances: Regional Impacts of Tribal Casinos



For more information:  
 ABAG Information and  
 Links on Indian  
 Gaming: [http://  
 www.abag.ca.gov/  
 current\\_issues/  
 Indian-Gaming/  
 indexgaming.html](http://www.abag.ca.gov/current_issues/Indian-Gaming/indexgaming.html)  
 California Nations  
 Indian Gaming  
 Association: [http://  
 www.cniga.com](http://www.cniga.com)

When plans for an Indian casino near the Oakland airport were withdrawn in June, officials concerned about local and regional impacts of a casino were jubilant. The news followed Governor Schwarzenegger's announcement of his intention to reject new tribal gaming facilities in urban areas. The demise of the Oakland plan seemed to confirm that tribes were recognizing that casinos would not be welcome in the region's cities. However, while the prospects for new tribal gaming in Bay Area cities may have dimmed for the moment, comments at the Association of Bay Area Governments (ABAG) Spring Assembly suggest that additional casinos remain in the region's future.

Speakers at the ABAG conference included an expert on gambling law, tribal representatives, and local and state officials. They provided historical information about tribal gaming in California, a look at several jurisdictions with existing casinos, and comments on Bay Area casino proposals.

These proposals exemplify a trend away from the reservation-based, primarily rural, resorts and casinos which were the first to be built under tribal compacts with the state, such as Cache Creek in Yolo County. A term used frequently at the conference was "reservation shopping"—the acquisition of land for development by tribes which have not been living on reservations. In the Bay Area, the poster child for this trend is the Lytton Band of Pomo Indians, which was granted the right to replace traditional tribal lands with land in San Pablo, enabling it to purchase Casino San Pablo for tribal operation. This was made possible because the federal government formally recognized the Lytton Band; there are many other federally unrecognized tribes which have applied for recognition and could gain the right to acquire land in the Bay Area.

Within the past year there have been discussions of putting Indian casinos in three different Richmond locations, at the edge of Rohnert Park in Sonoma County, and near the Oakland airport. The Governor's announcement that urban areas are off-limits for tribal gaming compacts with the state has affected the Richmond and Oakland

sites, but newly recognized tribes are likely to follow the example of the Federated Indians of Graton Rancheria in Rohnert Park and look at more rural parts of the region.

Even in less urbanized areas, casinos have impacts on local and regional neighbors, including traffic, air quality, land use, water and sewage services, and public health and safety. For example, the Rohnert Park casino was originally proposed on an undeveloped area at the edge of San Pablo Bay; environmentalists opposed it for its significant impacts on wetlands, and it would have affected traffic on Highway 37, the primary route across the north end of the region.

Federally recognized tribes are considered sovereign nations; they are usually not required to comply with regulations that would apply to other developers. Because tribes need local support for a proposed casino before the state will agree to a compact, there is an incentive for them to work with local communities to address impacts. However, communities need to be aware of all the potential impacts of a proposed facility. For example, some communities have found that although casino crowds mean that many more people now need protection, local police are not allowed on reservation land, or access for fire trucks is difficult. Roads leading to rural casinos are usually designed for rural traffic instead of the steady stream of buses and cars attracted by these facilities—and even if the tribe agrees to make improvements, these may be unwelcome to residents along a formerly quiet road.

In addition to local impacts, there are potential regional impacts. As sovereign nations, tribes are not subject to local land use laws or to state environmental regulations, although they are subject to federal pollution laws and, like a state, may be entrusted with administering some of them. Tribes are not required to observe property setbacks from sensitive neighbors or to protect waterfront areas, and they are also exempt from regional air quality regulations such as burning restrictions or permits for portable generators.

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There has been considerable debate over the effects of more Casino San Pablo traffic on nearby I-80, a key freeway which is often congested with commute traffic and commercial goods movement between the Bay Area and points to the north and east. Opponents have cited studies which say that every new slot machine at an enlarged Casino San Pablo could bring over 13 daily trips, although an article in the Marin Independent Journal notes that a 2000-slot casino and hotel complex in Solvang generates 7200 car trips daily, an average of just over 2 trips per day per slot machine. Solvang, however, is not in a major urban area.

A casino and resort proposal for Richmond's Point Molate, at the east end of the Richmond/San Rafael Bridge, alarmed officials in Marin County who feared that freeways and bridges serving the county could be impacted by casino travelers. The Rohnert Park site is close to Highway 101, already congested with commute traffic.

Casino supporters point out that casino trips are usually not made in peak travel hours—a statistic which might change if patrons did not have an hour or more travel time between home and the casino—and also contend that mitigation promised by casino developers could bring congestion relief that is otherwise unavailable from cash-strapped state and regional agencies.

Regional issues such as traffic, air or water quality might not be part of negotiations between a tribe and a local community, particularly since the "community" is defined as the city or county with jurisdiction over the property, and other jurisdictions may be consulted but are not entitled to be a formal part of the process. For example, the casino proposed near the Oakland airport by the Lower Lake Rancheria Koi Nation was actually closer to the cities of San Leandro and Alameda than to many parts of Oakland. The East Bay Regional Park District's Arrowhead Marsh Shoreline Park, a significant wetlands site, would have been the casino's closest neighbor. However, according to San Leandro's mayor, "at no time did they [the Koi Nation] make any offers to us in direct relationship to their proposal—nor did the City of Oakland." Eventually, the County of Alameda, the park dis-

trict, and the neighboring cities all opposed the casino, as did the Oakland City Council, but if Oakland had supported the proposal, the other jurisdictions might have had far less influence.

However, this does not mean that tribes will not consult with a wider community when a casino is proposed. Seven Pomo bands, including the Graton band working on the Rohnert Park site, met with Caltrans in October 2003 to discuss how tribes and the state could jointly address transportation needs in areas near reservations. Opposition to casinos on land that has not historically been part of a reservation will restrict opportunities for tribes which feel that gaming proceeds are their only means of obtaining capital for other investments important to their future. This should create the incentive for tribes to maximize the likelihood of succeeding with a proposed site.

Recent proposals for mitigating impacts, either through improvements financed by the tribe or through money sent back to the surrounding community, have represented larger percentages of casino profits than before. As these mitigation payments rise, communities are more likely to see the proposed casinos as job and revenue producers rather than drains on local resources. The Point Molate proposal was welcomed by many Richmond officials who felt it would benefit the city by increasing employment and bringing more visitors to the area. The City of San Pablo depends on Casino San Pablo for a sizeable portion of its law enforcement budget and anticipates that negotiations with the Lytton Band will mean even more revenue for the city.

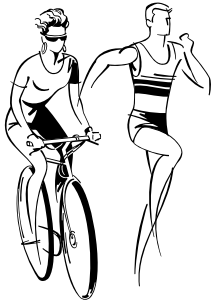
Social issues, such as measures to address gambling addiction, can also be built into negotiations with tribes, although they are not part of the permit process for other facilities such as card rooms or race tracks. However, for cities that already have other gambling facilities, the positive fiscal impact of a casino could be offset by losing the other facilities. Racing is particularly likely to go, because it is already in financial difficulties, according to a study done on the impact of Casino San Pablo on

(continued on page 8)



More resources:  
 California State  
 Association of  
 Counties (CSAC) fact  
 sheet (2003) on  
 casino impacts:  
[http://  
 www.csac.counties.org/  
 legislation/  
 indian\\_gaming/  
 fact\\_sheet2.pdf](http://www.csac.counties.org/legislation/indian_gaming/fact_sheet2.pdf)  
 CSAC Webpage on  
 Indian Gaming:  
[http://  
 www.csac.counties.org/  
 default.asp?id=297](http://www.csac.counties.org/default.asp?id=297)  
 Historical overview:  
[http://www.igs.  
 berkeley.edu/library/  
 htmlIndianGaming.htm](http://www.igs.berkeley.edu/library/htmlIndianGaming.htm)

## Planning & Health, *from page 1*



Ritalin use, the drug usually prescribed for the disorder. "Kids are deprived of natural experiences, deprived of autonomy, deprived of the ability to bicycle to their friends' houses," said Dr. Jackson, urging JPC members to look at better siting for schools and parks.

One of the environmental health impacts mentioned by Dr. Jackson, air pollution, was the impetus for the CARB guide, *Air Quality and Land Use Handbook: A Community Health Perspective*. Lynn Terry pointed out that the recommendations included in the handbook are intended to guide decision makers, not to impose requirements. While each development proposal is different, the results of CARB-sponsored studies can provide valuable information to planners and other local officials. For example, tests show that pollution drops off dramatically as distance from a freeway increases, and at approximately 500' from a freeway it is reduced by 80% or more (see also page 7). This means that development which is closer than 500' to a freeway should not house sensitive uses, such as daycare or nursing homes, and may require features which will protect occupants from the effects of the air pollution. Terry acknowledged that no part of an urban area can be totally free of some pollution from freeways. However, there are ways to reduce the overall risk from freeway pollution, such as programs to retrofit vehicle fleets.

While CARB siting recommendations are compatible with transit-oriented development, there are some caveats. For example, dry-cleaners are often cited as one type of small retail use which is desirable in mixed-use neighborhoods, but because of air quality concerns, dry-cleaners should not be in the same building with residences unless some rigorous safety measures are taken or all actual cleaning is done off-site. When transit-oriented development is planned along major transportation corridors or at BART stations which are directly adjacent to a freeway, the guidelines can be used as part of a risk analysis to move sensitive uses away from air quality impacts.

Freeways were the main focus of the JPC discussion, but specific recommendations on ports, refineries, and sources of dust and odors are also

included in the handbook. Terry noted that CARB is currently working on a risk analysis of ports and suggestions for cleaning up port emissions.

The Air District is responsible for reviewing environmental impact reports (EIRs) for projects which could have air quality impacts, and supports use of the CARB guidelines by local officials. Terry commented that the goal is to get to the point where EIRs do not show air quality impacts from freeways and other specific sources, because planners will be well-informed about these concerns.

In less than two hours, Dr. Jackson and Lynn Terry brought out some of the pressing public health concerns which must be considered by local officials and planners. Obviously, there are others. CARB recently completed a report on indoor air quality. Dr. Jackson's book covers issues such as deaths and injuries from automobile crashes and accidents involving pedestrians, water quality impacts from runoff, and the "heat island effect", where increased heat levels in urban areas due to absorption by dark surfaces and lack of trees can contribute to heat-related illnesses. There is also an environmental justice component, because some of these impacts, such as air pollution from freeways, may have a disproportionate effect on minorities, who are often both poor and predisposed to health problems by other factors in their lives.

Current planning, such as transit-oriented development and other forms of "smart growth", are not automatic answers to these concerns. Some of the questions asked by JPC members illustrate the complexities: what about dense urban neighborhoods, where the local dry cleaner has his family living above the shop? Is it a good idea to add housing to a heavily used corridor with lots of diesel buses, where residents will have good access to transit but be exposed to diesel soot? If the city doesn't put housing next to the port, will the port expand until it is next to existing housing? These local officials have learned that they and their colleagues will need to start considering health issues, such as obesity and mental health, along with jobs and housing needs, transportation and environmental impacts, when they make their planning decisions.

Leslie Stewart

For more information:

A brief version of Dr. Jackson's book written by the lead author, Dr. Howard Frumkin, is online at <http://www.cdc.gov/healthyplaces/articles/UrbanSprawlandPublicHealth-PHR.pdf>

The Air Resources

Board handbook is available online at <http://www.arb.ca.gov/ch/landuse.htm> or

from the CARB Information Office,

1001 I Street, First

Floor, Environmental Services Center,

Sacramento, CA

95814

## Regional News in Brief

### Transit-Oriented Development Policies

The Metropolitan Transportation Commission (MTC) has approved its Transit Oriented Development (TOD) Policy, with some changes from previous drafts (see June/July 2005 issue). Thresholds for transit expansion corridors now address only housing units, without consideration for jobs, and the minimum housing units per station have been increased to 3,850 for the Bay Area Rapid Transit District (BART), 3,300 for light rail, 2750 for bus rapid transit, 2200 for commuter rail and 750 for water transit. According to James Corless, MTC, "A housing threshold *only* is easier for local jurisdictions to do in their plans, and housing has the most impact on transit ridership." Although housing requirements were increased, affordable housing units will be given a bonus of 50%, so that two affordable units will count as three units toward meeting the thresholds. Other changes eliminate Corridor Working Groups in corridors which already meet the housing thresholds, and drop TOD requirements for the BART/Oakland Airport Connector because it is infeasible to provide housing at the airport.

BART approved a revised TOD policy in July. The policy was reviewed during 2004 by representatives from BART, the Center for Transit-Oriented Development, the Metropolitan Transportation Commission, the Association of Bay Area Governments, and the Bay Area Air Quality Management District. Changes included focusing on a broader area than BART-owned property when planning for TOD at BART stations, increased flexibility in considering replacement parking strategies as part of a broader approach to improving access to BART, and targeting funding for amenities which contribute to the success of a TOD project, such as plazas and public art. Staffers from BART and MTC have said the two TOD policies should function well together.

BART also approved a draft Memorandum of Understanding for a major corridors affected by both TOD policies, the East Contra Costa County BART Extension (e-BART). BART, Contra Costa County, and four cities will participate in the corridor planning, together with the Contra Costa Transportation Authority and the East Contra Costa Transportation Authority, which will provide partial funding for the project. Once signed by all parties, the memorandum will allow environmental and ridership studies to move ahead, using scenarios which include conventional BART but also smaller diesel-powered trains using existing tracks, bus rapid transit or express buses.

For more information: MTC, James Corless, [jcorless@mtc.ca.gov](mailto:jcorless@mtc.ca.gov), 510-464-7733; BART TOD Policy, Peter Albert, [pAlbert@bart.gov](mailto:pAlbert@bart.gov), 510-287-4702



### RIDES Shuts Its Doors

RIDES for Bay Area Commuters has ceased operation after 28 years. The nonprofit agency was started in 1977 to set up vanpools during the energy crisis, and continued to encourage alternatives to single-driver commutes by adding carpool matching, trip planning and support for bicycling to work. The Metropolitan Transportation Commission (MTC) has selected another contractor to continue the program in conjunction with MTC's other transportation information services provided through 511 and 511.org

### Diesel Emissions and Health Effects

A recent study conducted in West Contra Costa County, *Deluged by Diesel*, has determined that homes close to freeways and industry in the area receive far more diesel soot and other contaminants than homes in less industrial parts of the county. The study was conducted by the Pacific Institute in partnership with the Contra Costa Health Services Department and the West County Asthma Coalition, Neighborhood House of North Richmond, West County Toxics Coalition, and the Community Health Initiative. It included testing for diesel particulates in indoor air and an analysis of diesel emission sources in the vicinity of the tested homes. Data showed that particulate levels in the West County homes were highest on weekdays, while the control home had little variation during the week, indicating that truck traffic was a major factor in the pollution. *The full report is online at [http://www.pacinst.org/reports/west\\_county\\_diesel](http://www.pacinst.org/reports/west_county_diesel)*

Health impacts of air pollution are illustrated by a Southern California study which indicates that children in the most polluted areas suffer from diminished lung capacity. The University of Southern California study has been following over 1700 children in 12 communities for over ten years, and will continue to monitor them until they are in their early 20s. Scientists suggest that their results may be explained by the constant irritation of pollution on sensitive lung areas, and they also suspect that some pollutants may inhibit growth of the tiny air sacs, alveoli, that are essential to lung function. *More information is available from the USC News Service office, [www.usc.edu/uscnnews/stories/8212.html](http://www.usc.edu/uscnnews/stories/8212.html)*



### Air Quality Milestones

The Bay Area Air Quality Management District approved its Toxics New Source Review program in June (see February/March 2004 issue). In July, the district approved an innovative rule for controlling refinery flares (see April/May 2005 issue).

League of Women Voters of the Bay Area Education Fund

# Bay Area Monitor

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## Idling, from page 3

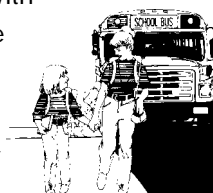
violation may write a ticket, although most peace officers have not been trained to do this. A driver who violates the provisions of this ATCM may be subject to a civil penalty of \$100 or more and possible criminal penalty.

The Air District has been received a few complaints about school bus idling and is currently developing a set of procedures, expected to be ready for adoption later this summer, for enforcing both the school bus idling ATCM and the heavy duty diesel motor idling ATCM.

The ARB staff is working on details of the heavy duty diesel motor idling ATCM second phase, which will become effective January 1, 2009 and will restrict idling of the primary engines or diesel-fueled APSs during driver rest periods. Options for complying with these idling restrictions include shutting off the engine when weather permits, using off-board and on-board electric power sources, and non-diesel-fueled APSs.

The Air District has two programs that will augment CARB's idling ATCMs and further reduce diesel emissions. The District is offering incentives to diesel-fueled vehicle owners for alternate-fueled APS units, using funds from the Carl Moyer Program to reduce diesel emissions. With funds generated by a \$2 surcharge on motor vehicle license fees, the District is offering subsidies to diesel-fueled vehicle owners for installing catalytic converters to reduce emissions. The programs are ongoing and will continue as long as the money holds out.

Adelia Sabiston



## Casinos, from page 5

horseracing in the Bay Area. If racetracks close in Northern California, this will impact racetracks in Southern California as well as racing at county fairs, according to the study. For some cities and counties, this will be a negative effect.



The decision on whether to accept, or even woo, a tribal casino is one that will be different for each community. However, the local and regional impacts may be as extensive as those from other types of development and there are fewer regulations that apply to understanding and mitigating them. It is crucial for any community that may be a casino site—and its neighbors—to understand the impacts and to work together to make the facility a positive rather than a negative part of the region. As Rohnert Park Mayor Jake MacKenzie says, "Once it is there, we will be living with it every hour of every day, forever and ever."

Leslie Stewart