

Fire? Yule be sorry

By MICHAEL G. MOONEY, MODESTO BEE STAFF WRITER, February 9, 2003

No crackling yule log. No chestnuts roasting on an open fire. No cozy warmth radiating from the fireplace come Christmas Eve, Christmas morning or New Year's Day. No, this is not the work of some scheming Grinch.

Dirty valley air -- which seems to be at its dirtiest in late December -- is the culprit.

Federal authorities have given the cities and counties of the San Joaquin Valley Air Pollution Control District until April to show progress in cleaning the air or face onerous sanctions.

Wood-burning fireplaces and stoves are only part of the problem, but a significant part. Air district officials say fireplaces and older pellet stoves produce up to 30 percent of the region's particulate matter pollution during winter.

The particles they spew, including soot, ash, smoke particles and dust, also pose a health risk, especially for people with chronic respiratory conditions such as asthma.

That is why holiday hearths throughout the region could be consigned to join the other ghosts of Christmases past.

Officials in the 25,000-square-mile air district, which stretches from Lodi to Bakersfield, want to be able to ban use of wood-burning fireplaces and stoves when the particulate matter in the air reaches unhealthy levels.

The no-burn rule would be imposed only on the most polluted days, many of which happen to fall in the period stretching from Christmas Eve to New Year's Day, according to data that the district has compiled since 1999.

"The times when people want to burn the most," said Charlie Goldberg, an air district public education specialist, "are the times when we're going to have the biggest problems."

Ignoring the problem could prove costly for the district.

If the district does not act by April, federal sanctions could include increased operating costs for businesses, in the form of pollution offsets.

Other potential sanctions include no-drive days, and-or limiting vehicle traffic to certain days based upon odd and even license plate numbers.

"(Particulate matter) is a real irritant to children and anyone with a respiratory or cardiac condition," said Josette Merced Bello, another district public education specialist. "The younger the child, the more vulnerable he or she is to PM."

Various studies have linked particle pollution to respiratory illnesses, everything from chronic cough, chest pain and breathlessness to wheezing, phlegm and chronic bronchitis.

Merced Bello said studies indicate that fine particulate pollution is a serious health concern because the fibers are small enough to enter the blood stream.

In one study cited by Merced Bello, researchers tracked 552,138 adults living in 151 U.S. metropolitan areas from 1980 to 1989.

The study found an increased risk for cardiopulmonary diseases and lung cancer in areas where particle pollution was prevalent.

Others, however, are not convinced that chronic exposure contributes to premature death.

"Every winter, I have patients who complain about it," said Dr. Robert Tanaka, a Sutter Gould Medical Foundation lung specialist in Modesto. "But I don't think it's that bad. I think it's more a quality of life issue than a quantity of life issue."

Even so, Tanaka said that at his wife's urging, he recently installed a fireplace insert certified by the U.S. Environmental Protection Agency. The insert filters out much of the particulate matter that otherwise would end up in the air.

While EPA-certified fireplace inserts and wood-burning stoves greatly reduce pollution, they, too, could fall under the no-burn rule if the air is bad enough.

The air district conducted public hearings on the proposed no-burn rule in March. It will hold another hearing later this month, though the date had not been set as of Friday.

State Sen. Dean Florez, meanwhile, has established a special committee to investigate air pollution problems and how the state is dealing with them.

Florez, D-Shafter, conducted a hearing in Sacramento earlier last week. Similar hearings are planned in the coming weeks and months, including in Modesto, Merced, Stockton and Fresno.

The San Joaquin Valley Air Pollution Control District's Goldberg said the no-burn rule -- assuming it wins air board approval in April -- is likely to take effect in November, when the burning season begins.

Just how it would be enforced is being worked out.

Goldberg said the district is likely to set up a toll-free number for neighbors to call when they notice smoke coming from someone's chimney on a no-burn day.

Air district inspectors then would be sent to hand out tickets to homeowners who ignore the ban.

People using electric or gas-fired fireplaces, as well as fireplace inserts or wood-burning stoves certified by the EPA, would be allowed to burn most of the time, Goldberg said, including some days when fireplaces could not be used.

But he noted that when particle pollution is at its most severe, clean-burning inserts and wood stoves also would be shut down.

During the first year of the no-burn rule, most of the tickets would be warnings.

Eventually, violators would be subject to fines that are likely to total \$200 or more.

"We will be trying to educate people to the rule, especially in the first year," Merced Bello said, "and the dangers of ignoring it."

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Homeowners have options to standard fireplace

By DONNA BIRCH, MODESTO BEE STAFF WRITER, February 9, 2003

Most valley residents have heard of the San Joaquin Valley Air Pollution Control District's proposed plan to restrict the use of conventional wood-burning fireplaces and stoves in homes. The restrictions, which would go into effect early next year, are part of an effort to help clear the valley's dirty air. The hazy, gray pollution isn't just unpleasant to look at. It's unhealthy.

Wood smoke contains a plethora of nasty components such as carbon monoxide, nitrogen oxide, toxins, dust and particulate matter. The debris can aggravate respiratory ailments and infections, trigger allergies, cause headaches, sinus irritations and a host of other maladies.

The district's more stringent rules would include:

Mandatory no-burn nights when and where particulate matter levels are unhealthy.

Limiting the number of wood-burning devices in new housing developments.

Retirement of noncertified wood-burning devices when existing homes are sold.

There are a few exceptions. Gas and propane devices would be exempt as would wood-burning devices in locations above 3,000 feet elevation. Homes that use wood as their only heat source (in areas with no natural gas or propane service) would be exempt as well.

So what does all this mean? Folks who like to curl up in front of a roaring fire should start re-thinking their options. But that doesn't mean one has to do without completely. There are alternatives.

Homeowners with conventional wood-burning fireplaces can replace them with cleaner alternatives, such as natural gas units, pellet stove inserts or free-standing models.

What to choose depends on the user's wants and needs. The Bee spoke to Chris Joseph of Stanislaus Stove & Flue and Troy Cooper of Ultimate Spa & Stoves, both in Modesto, about a few options, the advantages and disadvantages.

Natural gas fireplace inserts

An insert fits into an existing fireplace, Joseph explained. He said many of his customers are replacing their wood-burning inserts with more efficient gas-powered models.

"They are neater, cleaner and convenient," Joseph said. "It's easier on your back (no heavy wood to chop or haul) and it won't bring termites to your yard."

Depending on the size and model, a gas insert can heat anywhere from 1,500 square feet to 2,000 square feet or more.

"(The heat) bleeds off into the rest of the house," Joseph said.

Another advantage is ease of use. Many natural gas inserts can be operated by flicking a switch or using a remote control. A user can adjust the insert's fan speed, which propels hot air into the space being heated; change flame height or set the thermostat control just as one would on a central heating system. With a remote, all that can be done without leaving one's chair.

A disadvantage: Though manufacturers have tried their best to make the ceramic logs in gas inserts look more realistic, you can still tell faux from the real thing. Cost of a gas insert can range from \$1,500 to \$4,000 depending on the model and its features.

Pellet stoves

Pellet stoves use as fuel little pieces of compressed wood and saw dust that resemble rabbit food. Some units use other natural materials as fuel, such as shelled corn or nut husks. Manufacturers make both free-standing and insert pellet stoves.

"A lot of our customers use their pellet stove as a (main) source of heat instead of their central heat," Cooper said.

Advantages of pellet inserts and stoves: They give off good heat and burn much cleaner than conventional wood-burning fireplaces; there's not as much ash to clean afterward; pellets are less expensive compared to wood; some units are operable by remote control; and once pellets are loaded, units are self-feeding.

Disadvantages: Pellet-fueled appliances need electricity to run the fan and auger, the device that feeds pellets into the unit. Also, for those who enjoy the "look" of a fire, pellet-fueled flames aren't as attractive as wood-fueled flames.

Pellet stoves and inserts range from \$1,000 to \$3,000 depending on the model. Pellet fuel can be purchased in 20-pound and 40-pound bags at hardware and home stores. A 40-pound bag at Lowe's sells for \$2.59.

EPA-Certified wood-burning stoves

There's a big difference between a wood-burning stove or insert and conventional fireplaces. Both use wood of course, but certified units burn cleaner.

The Environmental Protection Agency requires that all wood stoves made after July, 1, 1992, meet the agency standards.

Though not as clean as gas- or pellet-fueled devices, certified wood stoves are still a huge improvement over conventional fireplaces in terms of smoke emitted.

Today's wood stoves burn fuel more completely. For example, when burning a fire in a regular fireplace, much of the smoke is unburned fuel. That is why creosote builds up in a chimney over time.

But newer stoves use catalytic combustors, secondary chambers and other features to reburn the smoke before it rises into the chimney and the air. EPA-certified wood stoves produce between 70 percent to 90 percent less particulate matter compared to older counterparts.

Advantages: Wood stoves offer the most natural, realistic-looking flame. It's also usually cheaper to use than gas.

Disadvantages: It's messier, with more ash residue to clean than pellets and requires a place to store wood. Wood-burning stoves and inserts range from \$1,400 to \$2,500.

Homeowners need to remember that the San Joaquin Valley Air Pollution Control District's restrictions could still limit pellet and certified wood stove use on certain days.

A final note for homeowners looking to replace their conventional fireplaces: a building permit is needed.

"I emphasize the importance of a safe installation," Joseph said. "It can be unsafe if not installed properly."

When buying from a dealer that offers installation, make sure the installer is a licensed contractor covered by insurance and worker's compensation. You can check license status through the

Contractors State License Board. The Web site is <http://www.cslb.ca.gov>. Those without computer access can call the board's 24-hour automated line at (800) 321-2752.

Vote near on new power plant

By TIM MORAN, MODESTO BEE STAFF WRITER, February 10, 2003

Calpine Energy's East Altamont Energy Center proposal, northwest of Tracy in Alameda County, is nearing a licensing vote by the California Energy Commission.

The 1,100-megawatt natural gas-powered plant would cost \$400 million to \$500 million to build.

The project has received the recommendation of an energy commission committee that includes two of the five commissioners who will make the final decision.

The committee concluded that the plant is needed to support Northern California demand, particularly in the Bay Area. A megawatt is enough electricity to power 300 homes in Modesto in the summer and about 1,000 homes in the winter.

The state feels the plant is so important, in fact, that it tied Calpine's multibillion-dollar contract to supply power to the state to construction of the East Altamont plant and three other Calpine projects.

If San Jose-based Calpine doesn't make progress in getting the plant built, the state can cancel the power contract and take over the project, according to Oscar Hidalgo, a spokesman for the California Department of Water Resources.

The department has been buying power for the state's financially troubled utilities and negotiated long-term contracts with providers such as Calpine.

"We would like to see it built," Hidalgo said of the East Altamont proposal. "We want new power sources. We want to assure that we have new generation coming on line to serve residents long after the contract expires."

Market conditions for electricity haven't been ideal to build plants, Calpine spokeswoman Katherine Potter said, but the East Altamont Energy Center is a priority.

"It's a great project, and we are moving forward. Ideally, the market conditions will turn around and we will be able to build the project," she said.

The project is important from a state strategic standpoint because of its proximity to the Bay Area and major transmission lines, Potter said.

"It's a great site for supporting the California grid. Being near a major load center (the Bay Area) helps," she said.

Construction would create 400 jobs over two years and 40 skilled jobs to run the plant over its 30- to 50-year operating life.

The plant has drawn criticism from residents, environmental groups and the San Joaquin County Board of Supervisors, who are concerned about air pollution from the plant.

The plant is under the jurisdiction of the Bay Area Air Quality Management District, but sits near the border of San Joaquin County and the San Joaquin Valley Air Pollution Control District.

San Joaquin, Calpine have deal

The San Joaquin air district intervened in the licensing process and reached an agreement with Calpine, said Seyed Sadredin, director of permit services for the district.

Calpine will pay the district

\$1 million for projects to improve air quality in the San Joaquin Valley, Sadredin said.

Concerns also have been raised about water use. The plant would take 4 million gallons a day from the Byron Bethany Irrigation District.

Calpine is committed to using reclaimed water when the nearby Mountain House development is built, said Chris Davis, an information officer for the Energy Commission.

Opponents of the project will have a final chance to register complaints this month.

A public hearing on the plant proposal is scheduled for 10 a.m. Feb. 24 at the Tracy Elks Lodge, and written comments can be submitted to: California Energy Commission, Docket Unit, MS-4, Attn: Docket No. 01-AFC-4

1516 Ninth St., Sacramento 95814-5512.

The hearing will either lead to a vote of the full commission in about 45 days or changes to the committee's recommendation and another hearing.

Two more plants nearby

A similar project nearby is about halfway through the permit process, Davis said.

The Tesla Power Project also would be a 1,100-megawatt, natural-gas-fired plant, proposed by FPL Energy of Juno Beach, Fla. It does not have a state contract tied to it, however, Hidalgo said.

A third power plant in the area, GWF Energy's Tracy "peaker" power plant, was licensed last year and is under construction. It could be operating this summer.

The GWF plant does have a state contract, Hidalgo said. The 169-megawatt plant is a peaker plant that would operate at times of high demand. The other two plants would operate continuously.

Other plants have been proposed or are under construction in Stanislaus and San Joaquin counties.

The Modesto Irrigation District has an 80-megawatt expansion of its Woodland Generation Station under construction in Modesto and is proposing another 90-megawatt power plant in the Ripon area.

The Turlock Irrigation District has begun the licensing process for a 250-megawatt plant on 18 acres in an industrial area just south of West Main Street and east of Washington Road.

The point of all the development is to assure that California doesn't have another energy crisis, Hidalgo said.

"We learned from the crisis that it is important that plants be built. The goal is to increase the amount of megawatts available."

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Pollution measure to focus on farms

Legislation on pumps lets other exemptions stand, critics contend.

By Lesli A. Maxwell, Fresno Bee Capitol Bureau, February 10, 2003

SACRAMENTO -- As pressure mounts on state and federal officials to clean the San Joaquin Valley's dirty air, agricultural lobbyists are reluctantly writing legislation that would subject California farms to more pollution rules.

The proposal, still in draft form, calls for tightening a decades-old state law that has shielded the \$27 billion agriculture industry from air emissions rules imposed on other large industries such as oil refineries and glass manufacturers.

The measure would give local air districts authority to regulate diesel-run irrigation pumps under a provision in the federal Clean Air Act known as Title V, which requires restrictions on emissions from stationary sources. It also could pave the way for air officials to start requiring pollution permits on dairies, poultry farms and other confined animal feeding operations.

Farming activities that add to the Valley's dust and particulate-matter problem such as harvesting, discing and driving on unpaved roads would continue regulation-free -- a feature of the proposal that draws criticism from environmentalists who insist all exemptions must be repealed. That feature also could prevent lawmakers from embracing it.

The eight-county San Joaquin Valley is one of the nation's dirtiest and unhealthiest air basins. Local air district numbers show that in the summer, farms create more air pollution than the region's eight highest-polluting businesses combined. District officials predict that by 2005, livestock waste will edge out cars for producing the most reactive organic gases, a major component of smog. Farm equipment will come in second behind diesel-run big rigs for nitrogen oxides, another smog ingredient.

Those statistics and a series of environmental lawsuits are forcing state officials to look hard at changing policy set in the 1940s when agriculture wasn't considered a source of air pollution.

Farm lobbyists aren't fond of their own proposal, saying environmental lawsuits are forcing them and state officials to change the law.

But the consequences will be harsh if diesel-run pumps and dairies still are exempt from regulation by year's end, when federal officials may force new and expanding businesses to pay extra fees. By 2004, they will block billions of road-building dollars for California.

"We still don't think you can put a device on a farm like you can on a smokestack because farms aren't closed environments," said Manuel Cunha, president of the Nisei Farmers League and one of the architects of the legislation.

"We don't agree with the assertion that [irrigation] pumps are stationary sources, but we are agreeing to do something about it."

The environmentalists who filed suit say farmers are agreeing to the least amount of regulation they can to satisfy the U.S. Environmental Protection Agency.

"It's really immaterial whether or not this satisfies the EPA," said Brent Newell, a lawyer with the San Francisco-based Center on Race, Poverty and the Environment. "This is an ag industry bill that fails to remove a serious roadblock to any meaningful air pollution control measures."

Cunha bristles at Newell's characterization of the measure as an "industry bill," saying farm lobbyists are consulting with federal, state and local air regulators to ensure the legislation will withstand legal tests.

"This is not industry language we are throwing at some lawmaker," Cunha said. "We are working hand in hand with [air officials]."

Jack Broadbent, EPA regional director, confirmed he is talking with farm lobbyists about the proposal but said the agency has not signed off on the measure.

"It's fair to say that we are still looking at the language to see if it does what it needs to with respect to the exemption," Broadbent said. "We have a common interest to address this issue and shore up a permitting program."

Several lawmakers have a keen interest in the bill and are considering whether to carry it into the Legislature.

The farm industry's first choice is Sen. Gil Cedillo, a respected liberal Democrat from Los Angeles who built good relations with farmers when they backed his fight to legalize drivers licenses for undocumented immigrants. Cedillo said last week he is looking at the measure and consulting with Valley lawmakers, particularly Assembly Member Sarah Reyes, D-Fresno.

Reyes said she doesn't think the bill goes far enough and is working on legislation that would require broader air pollution restrictions on large-scale farms.

"We have to be sure anything we do doesn't hurt the small guys, the family farm," Reyes said.

Sen. Dean Florez initially wanted to carry the farm lobbyists' measure but backed away from it last week.

"I don't think an industry-sponsored bill is going to work," Florez said. "Their bill is too piecemeal and will give too many people heartburn."

The Shafter Democrat said he hopes to work on a separate bill to deal with the exemption issue with two of the Senate's leading environmentalists, Sheila Kuehl, D-Santa Monica, and Byron Sher, D-Stanford. Both lawmakers lead key committees in which air-related legislation must be heard.

Crippen blasts fire handling

Fresno woodpile owner says fire crews failed to respond to calls first day.

By Mark Grossi, The Fresno Bee, February 8, 2003

Archie Crippen, owner of a woodpile that has burned for a month, says Fresno's sky would not be filled with dangerous smoke if the city hadn't ignored six emergency calls, allowing a delay that turned a small fire into a huge blaze.

Crippen and his son Lee also question the Fresno Fire Department's decision earlier that day -- Jan. 11 -- to douse a smaller fire in the woodpile and leave the property. Crippen said the fire was still burning down in the pile.

"At 4 o'clock in the afternoon, they said the fire's out," said Crippen, 79. "It looked like it was. It wasn't. They said, 'You just call us if there's a problem. Don't hesitate.' We tried."

Firefighters returned to the Crippen property between 10 and 10:30 p.m. after a Fresno Bee reporter witnessed the fire and called the city Fire Department.

Fire officials concede there was confusion over the emergency calls that evening, but a few hours' delay made no difference.

"[The fire] had found a vent hole," said interim Fire Chief Joel Aranaz. "It probably had been burning for some time before that day."

That is not the only difference of opinion between Crippen and the city on what happened Jan. 11.

Crippen, who avoided the media for weeks, decided to tell his story this week after an area resident sued him over the fire.

The lawsuit alleges that Crippen was negligent for storing contaminants in a way that injured the public and damaged the environment. The lawsuit says Crippen's permit did not allow him to store many types of debris in the pile, including automobile parts.

Crippen denies the allegation. He said the pile is basically wood. Firefighters say they found twisted metal, plastic, carpet, mattresses and auto parts.

The fire continued to burn Friday, but officials said clear, dry days helped them make progress. They remain reluctant to predict when the fire will be extinguished.

Microscopic ash and soot particles suspended in stagnant weather patterns continued to cause health concerns Friday. With light winds moving the plume, local air officials warned people to limit outdoor activities if they smell smoke.

The first flames of the fire, which began by spontaneous combustion in the large pile, were seen and reported by three callers in the early-morning hours Jan. 11.

Documents show fire units were dispatched a little after 3 a.m. to Archie Crippen Excavation, a wood-recycling site near Nielsen and Marks avenues. Crews found fire in a small part of a 4.8-acre pile that was stacked two stories high.

From that point on, Crippen's view differs from the one offered by fire officials.

Aranaz said Crippen was not interested in keeping firefighters at the site that afternoon.

"He didn't want us there in the first place," Aranaz said Friday. "He thought he could take care of it himself. He was more than happy to take over when we pulled out around 5 or 5:30 that afternoon."

Crippen said he appreciated the hardworking firefighters, but he wonders why they were directed to pour 1 million gallons of water on the fire. He said water seeps into the pile and helps speed the spontaneous-combustion process and spread the fire.

Aranaz answered: "We were putting out the flames on the surface of the burn. It was visible in a small area. That's where Archie was cutting a fire line with his equipment."

Crippen, using his own equipment, tried slicing out the small section where fire was visible after firefighters left that afternoon. But, in the darkness, the equipment turned on its side, stunning Crippen.

He escaped without injury. Three hours later, Crippen's workers, waiting for the Fire Department to return, retrieved the equipment from the fire.

Aranaz said he didn't think Crippen's efforts to create the firebreak would have helped even if he had been successful.

"This fire was already burning deep in the pile," he said.

Both sides agree on one thing: There was a lapse in the evening hours Jan. 11 at the 911 dispatch center in the Fresno Police Department, which handles emergency police and fire calls.

Police officials say they plan to investigate the way the calls were handled. The mayor's fire task force also is expected to discuss the calls.

Matt Crippen, Lee's son, called 911 at 6:30 p.m. The dispatcher said the Fire Department would again be sent to Crippen's property, but no one was dispatched. The Crippens say Matt called five more times that night to no avail. They said the dispatcher eventually warned him not to call back.

The dispatch log released by city officials for the evening shows Matt Crippen called only once.

But the log shows other people called at 7:57 p.m., 9:38 p.m., 9:45 p.m., 9:59 p.m. and 10 p.m. In at least two of the calls, the dispatcher said fire crews were allowing the fire to burn.

"At 8 o'clock, I go in the house," said Crippen, who lives at the woodpile site. "I've been working 16 hours by that time. The breeze comes up, and it's taking [the fire] right up over the pile."

A dispatcher asked a later caller whether he saw smoke or flame.

"I can see fire from here," the caller replied. "Fire, flames, smoke and fire."

When firefighters arrived sometime after 10 p.m., they decided to shower it with more water to hold down flames. But they soon stopped all work until Aranaz could inspect it Monday.

The fire chief said his inspection Monday led him to start through a standard protocol for a situation that the department could not handle alone. He notified county officials, who inspected the fire Tuesday. County officials called in state and federal authorities.

The Crippens saw a different picture. They said they saw a lot of smoke, fire equipment and people, but little action.

Said Lee Crippen, "Nobody knew what to do."

Valley air likened to toxic waste site

By MATT WEISER, Bakersfield Californian staff writer, February 07, 2003

Comparing the valley's smog to a Superfund toxic waste site, a coalition of 11 health and environmental groups is calling for a host of new pollution laws and a revamping of the valley's air-quality agency.

The groups released a six-page position paper Thursday, invoking the ominous Superfund title in reference to the federal industrial waste cleanup program.

Among other things, the groups want new state taxes and fees to fund pollution control, including increased vehicle taxes, development fees and a surcharge on each barrel of oil refined in the valley. They propose using the money, in part, to subsidize emission reductions from diesel vehicles and farm equipment.

The groups also call for eliminating a longstanding smog exemption for agriculture, a new regional transportation planning effort, rigorous enforcement of state and federal pollution laws, and measures to discourage sprawl development.

Dr. David Pepper of the Medical Alliance for Healthy Air, one of the 11 groups, called the proposals "low-hanging fruit" that could be adopted easily and immediately.

"We want to see change occurring and we want specific actions," said Pepper. "These are some specific things that should be taken more seriously."

The statement by the groups was released on the heels of the first hearing by a new Senate committee on valley pollution chaired by Sen. Dean Florez, D-Shafter. Florez said he plans to introduce new legislation this year, using ideas from the hearings, to reduce valley smog. The groups echoed his call for reform of the San Joaquin Valley Air Pollution Control District Governing Board, which today consists entirely of elected county and city politicians.

Both Florez and the coalition want to see the board at least enlarged to include air quality and health experts and members of the public at large. But Florez was critical of the groups' letter, saying it failed to describe where the money would come from to fund the proposals.

"This is my concern with environmentalists," Florez said. "They think everything is for free. They think if we just tell industry to do this, they'll have to deal with it. We want to tell industry what to do, too, but we want to have the dollars to help them do it."

Pepper said the concern over valley air quality is reaching a critical period of change. Too often, he said, industries have controlled the debate on air pollution, and the coalition's statement is an attempt to put the public's concerns out front.

"We hope to turn up the political heat and give him (Florez) some sense that there's more support out there," said Pepper.

"The air board has been a political organization. What happens is, they hear from the oil, trucking and farming industries, and that may represent a lot of money. But we represent a lot of people, and also a lot of money."

Bakersfield City Councilman Mike Maggard welcomed the coalition's ideas.

But as one of two Kern County representatives on the air district governing board, he also disagreed with the suggestion that board members are beholden to industry. "All of us on the air board are ultimately accountable to the voters," he said.

Fighting smog, Maggard said, "is tremendously more complicated than it appears, and there's no question that we need to improve air quality, but I can't arbitrarily endorse their suggestions until we've examined them. We have a responsibility to balance those concerns with job security for hundreds and thousands of employees in the valley, and we have a similar responsibility to balance the economic implications of all these rules and regulations."

But the coalition believes air pollution is an economic threat on its own. The groups assert that the San Joaquin Valley now has the nation's worst air, based on a California Air Resources Board tally of days in 2002 that exceeded the federal ozone pollution standard.

They also note that some 12,000 valley residents are hospitalized annually for asthma, nearly half of them children. This, they say, is a public health crisis with serious implications for the economy.

"This is a critical time in our air district," said Kevin Hall, air quality expert with the Sierra Club's Tehipite Chapter. "We want to participate in a positive way, and these are what we see as essential ingredients to a clean air plan. It's time to quit fooling around with people's lives."

Planners approve housing on bluffs

By DANIELLE C. BELTON, Bakersfield Californian staff writer, February 06, 2003

Planning commissioners said they understood the concerns. The commission said it cared about the environment, too.

But in the end, the members of the Bakersfield Planning Commission decided 316 new single family homes on the west side of Alfred Harrell Highway, north of Paladino Drive, would not greatly impact the valley's environment.

"The air-quality issues (regarding this project) are minimal compared to the issue of large projects being approved," said Commissioner Burton Ellison.

The commission voted unanimously Thursday night to approve the tentative tract map for the plot of land.

The land is owned by local developers Craig Carver and Tom Carosella.

"(The bluffs) is the only place where you don't have smog," said commission vice chair Jeffery Tkac, adding that because there is so little pollution in this area it would be better to build here than on the valley floor.

"I'm not as concerned as I would be with a place at a lower elevation," Tkac said.

Although commission members agreed with Tkac that the impact would be minimal, a vocal group of valley residents attending the meeting felt much differently.

"All projects have a negative impact on air quality in Bakersfield," argued Bakersfield resident Paul Gipe.

Local health and environment supporters were vocal in their disapproval of the land development.

Many argued the new homes could lead to more air pollution and the erosion of the bluffs.

More homes mean more people and more cars, which mean more air pollution, critics said.

Bakersfield resident Michelle Beck said she feared the new housing would lead to people building pools and needing more water for their plants and lawns.

Beck argued this could lead to water running down the bluffs and causing erosion of the topsoil.

"It will ruin our beautiful bluffs," she said.

Local cyclist John Lotze and a few others present at the meeting argued that homes should be set back farther from the bluffs by as much as 200 feet. But Roger McIntosh, a representative for the land owners, said this would leave no room for the houses to be developed at all along the bluffs.

"A 200-foot setback would virtually take out an entire tier of lots," McIntosh said.

McIntosh said the builders would appease nature and health enthusiasts by including nature trails and a park in the design.

He also said possible erosion was taken into consideration and that the layout would be set up so the water would run into the street, rather than down the bluffs.

But residents were skeptical.

"Private owners will manipulate their property, affecting the bluffs," said Craig Smith, a deputy district attorney for the county.

Got Pollution?

Air Board Seeks Good Numbers On Dairy Emmissions

Valley Voice Newspaper, Week of Feb. 10, 2003



San Joaquin Valley - Farmers are getting hammered these days over air pollution. Blamed for the apparent worsening smog problems in the Valley - the finger pointing by environmental groups, citizens, news media and the government now permeates everyone's thinking - even farmers. Check out the first seminar at this year's World Ag Expo - air emissions - now taking top billing from international trade talks and cooking demonstrations.

While everyone wants the regulators to "do something about it" the state's top air regulators are waiting for some good science to give them some answers - particularly with dairy emissions - a favorite whipping boy in the Central Valley. Obviously a big target because of the massive amount of manure it produces - it is at the same time Tulare County's biggest "cash cow" - our largest industry.

The environmental group The Center for Race, Poverty and the Environment (CRPE) spent the past few years halting the expansion of the industry largely over this issue of dairy emissions and the amount of gases and PM-10 (dust) they pour into our air. While the group cited figures in their arguments and legal challenges based on some kind of science, the conclusion both dairy industry groups and regulators are now agreeing on is that in many cases it was "not good science."

"We've been studying cars and industry smoke stacks measuring air pollution for 20 to 30 years," says California Air Resource Board staffer Patrick Gaffney. "But in the case of dairies and other ag uses its just been in the past few years" that the issue has been on the radar screen.

Gaffney is a top official in the emission inventory branch of the ARB whose task it is to catalogue and offer a best estimate of air emissions in our atmosphere and where they come from "to try to improve our air quality."

Yet with dairy emissions - measuring them is literally a moving target. "You can't just wave a paper bag around and get good numbers," says Fresno State Professor Dr. Charles Krauter who was hired last year by the ARB to give them good science on reactive organic gases (ROGs) - a major contributor to smog. Believe it or not, this valley study that only took its first measurements last October is the first major scientific analysis of these ROGs for dairy cows since 1938.

Still the 1938 study is cited as the source for all current Air Resource Board emission estimates and press assertions that "cows rival cars as smog producers" remains a theme in the current report by the Fresno Bee on valley air quality. The 1938 study itself cites 1890 statutes on methane and estimates that 8% of the methane the cow emits is gas - ROGs. The problem is - that science may be just plain wrong.

So says researcher Dr. Charles Krauter whose initial ROG numbers have just been forwarded to the ARB's Patrick Gaffney for analysis. Regarding the older science based on the 1938 work Krauter says he "doesn't have much confidence in them."

"We have far better equipment now." Krauter says he will need about a year to offer a number to ARB on what an average dairy on a per head basis produces. "At least we believe we've proven that we can do that."

The 1938 survey assumed that 8% of methane a cow gives off was reactive gas - a figure that could be far too high or far too low - but in the newest study ROG's will be measured directly.

But Gaffney says what they believe now is that the 8% figure is far too high and that ROG's make up only 1 or 2% of methane emissions.

A dairy cow's contribution could be one quarter of what earlier estimates have claimed.

Suddenly the dairy cow looks less like soot belching diesel semi-truck as a factor in the valley smog problem.

The ARB's Patrick Gaffney says earlier PM-10 numbers assumed for dairy cows in California was reduced this past year as a result of Texas A&M and UC Davis work by a factor of about 4 down from 29 lbs PM-10/1000 head to 6.7 lbs. The best science on ammonia is now part of the state emission inventory based on a 2001 study out of UC Davis at 74 lbs. NH₃/head/year - also about 40% lower than previously estimated, says Gaffney.

Gaffney predicts they will get a full picture of the dairy industry's contribution with the completion of the reactive gases study over the next year thanks to contributions from a number of sources including the ARB, San Joaquin Valley Air Pollution District, Western United Dairymen and Fresno State.

Dr. Krauter says he has spent the past 30 years studying ammonia and that's how the ARB came to him to do these current studies. He says "plants pull ammonia out of the air" as they apparently do with other gases suggesting that a dairy surrounded by crop land may be the best mechanisms to help scrub the air.

The emission numbers will be folded in the California state implementation plan for ozone that California must supply to the EPA to stay in compliance with the Clean Air Act.

Last year the Voice quoted a National Academy of Sciences report on estimating air emissions that suggested the need for new studies.

There is no doubt that ag pollutes and that the 1.1 million dairy cows and the emissions of tons of manure they produce is a problem along with being a great fertilizer. Efforts to manipulate and moderate those emissions are underway in Merced County - SWQ Control Board study on how varying factors like the feed rations and capturing of gases can potentially lower the stink that reduces air quality. Then - maybe the stink over dairies will ease.

"All we're looking for is sound science so my dairymen don't get pushed around" and "forced to clean up pollution" that may not be real, says Western United Dairymen's environmental director Paul Martin. "That's why we are collaborating in this study."

What the dairymen may not want to hear is that they will have to spend money to clean up this problem and that hammer over their heads will likely remain. Also that the pollution cows do produce - even in small quantities - may be more harmful than we thought. In the meantime, experimentation in reductions of air emissions at dairies shouldn't be put on the back burner.

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[Fresno Bee Editorial, February 7, 2003:](#)

Help from the state

Lawmakers have a full agenda of issues, actions on air quality.

A state Senate committee got an earful on the Valley's filthy air on Wednesday, the first of what we hope are many such encounters.

Many of the solutions to our foul air must be found in Sacramento, and the sooner the Legislature and the governor come to real grips with the scope and deadliness of the problem, the better for all of us who breathe here.

Sen. Dean Florez, D-Shafter, organized the Senate Select Committee on Central Valley Air Quality, which heard wrenching testimony from the parents of Valley children who suffer from asthma, and from the children themselves. The stories are familiar to those of us who live here; we hope they opened some eyes at the Capitol.

Sophia Hinojoza's son, first-grader Larry, has severe asthma. "He has a hard time getting along with his peers because most days he can't go outside and play with them," she told the committee.

Kimberly Williams, whose 12-year-old son, Kerry, has a severe case of asthma, complained about lax regulations -- or the lack of regulation at all -- on agricultural operations in the Valley.

Fresno Unified School District Superintendent Santiago Wood offered the information that asthma is the second-leading cause of absences from schools in his district -- more than 1,500 each day.

Wood called for the elimination of emissions from diesel engines, a ban on wood-burning fireplaces and halting or slowing down construction of new dairies. All of those are notoriously large sources, he pointed out correctly, of the particulate pollution that causes so much respiratory damage and disease in the Valley. And those are useful places for the Legislature to start.

Florez is preparing a number of bills to address different aspects of the Valley's air quality problem. That's also a good start.

The select committee is in a good position to raise the level of understanding and ignite the debate that must take place on the serious issues of Valley air. But education and debate, while necessary, are not sufficient in themselves to solve the problems. Serious action, sometimes painful and costly action, must emerge from this legislative effort.

Kerry Adaway-Williams, Kimberly's 12-year-old son, put it this way to the committee: "There's a lot of stuff you can do and I can't say off the top of my head what all of that is. Just do something."

[Letters to the Editor, Fresno Bee:](#)

[February 10, 2003](#)

Working on Air

By Bob Dwyer
Chairman, The 1000 Friends of Fresno

It is no secret that we have a major problem with our air here in the Valley. Our poor air quality not only puts a drain on our economy, but it is a silent killer that is especially difficult on those most vulnerable, the young and the elderly.

In order to cut through the rhetoric and finally get some progress in cleaning up our air, the 1000 Friends of Fresno is starting a Neighborhood Smog Watch program, in which neighborhoods will meet in small groups and find ways to reduce factors in their area that contribute to the overall problem. They can set up car pools, distribute information to their neighborhood and use any other means that they think will attack this most serious problem.

All parties interested in joining this effort may call our office, 291-2261, and be put in contact with the program coordinator.

[February 9, 2003](#)

Coordinate traffic signals to improve Valley air quality

By Patricia Wilhelm
Fresno

There has been a great deal of discussion about the factors contributing to air quality problems here in Fresno. I would suggest that one of the major problems is the idling of automobiles at red lights. The lack of synchronization of traffic signals in Fresno has to be a major contributor to the atmosphere conditions.

We often go to Bakersfield to visit our two daughters and their families. We travel along major

thoroughfares and have found that after stopping for the first traffic light, the rest are often green, even during rush hour traffic. It is far cry from the conditions here in Fresno.

We have also traveled to the Stockton area to visit friends and find the same circumstances. When we visit family in Southern California, it is usually a far cry from the stop-at-almost-every-light conditions found in Fresno.

It is time for Fresno to move out of the dark ages in the matter of traffic control and movement and realize the extent to which stop-and-go driving is contributing to the health problems occurring here.

High-speed promises

By Maria Contreras-Sweet

Secretary, Business, Transportation and Housing Agency, Sacramento

Gov. Gray Davis is firmly committed to making high-speed rail a reality in California and to providing the High Speed Rail Authority with the resources it will need to get that done.

State law makes it clear that the authority is the entity responsible for the program. Nothing in the governor's budget proposal changes that. It simply recognizes that the authority -- a group of volunteer appointees on the panel with three staff -- cannot move forward what would be the single largest public works project in the history of the state without support.

The authority would not lose its independence, but rather gain the resources and experience of Caltrans, which oversees three of the busiest rail lines in the nation. Amtrak President David Gunn and other national leaders cite it as the "model" for rail operations.

Under Gov. Davis, more than \$500 million has been committed to improving the state's intercity passenger rail program over the last four years. Those investments have paid off in improved performance and rapidly growing ridership. That bodes well for the future of rail in California. This issue is not about turf or jurisdiction. It is about doing everything possible to ensure that the Valley and all of California get connected by a high-speed rail system.

[February 8, 2003](#)

Curious role models

By Norman M. Parsons

Fresno

Dallas Blanchard (letter Jan. 30) presents the issue of the SUV, which he calls a "suburban assault vehicle" and a "smog-belching behemoth," vs. a child's lungs. The alleged protector of the child's lungs is the Earth Liberation Front, which has been torching SUVs. Mr. Blanchard says that he does not condone this torching, but states that "at least someone is doing something about them."

Perhaps some day in the near future a child will read of the Earth Liberation Front's efforts on behalf of his or her lungs and tell his mother, "Mommy, when I grow up I want to be an arsonist."

[Bakersfield Californian Editorial, February 8, 2003:](#)

Why drag Jesus into this?

By DIANNE HARDISTY, Californian Editorial Page Editor

Who wudda thunk. When I bought my Tahoe sports utility van (you know, the dreaded SUV) I thought I selected the vehicle because it had lots of room to take my discarded newspapers and other stuff to be recycled.

It had the power needed to pull the old 16-foot Bayliner boat Don Galey convinced us in 1984 we needed. It also could pull our small utility trailer that we fill with junk to go to the county dump.

But the big reason for selecting a two-wheel drive (note, not an off-road version) Tahoe was that it made traveling easier for my mother. Her wheelchair slides nicely inside.

Now I learn I bought it because I wanted to aid international terrorists, such as Osama bin Laden. Who wudda thunk.

If you believe a gaggle of Hollywood celebrities, environmental activists and political commentators, including the shrill, self-promoting Arianna Huffington, SUVs and their owners comprise an "axle of evil" that keeps America supping at the trough of Middle Eastern oil and that is financing terrorists networks. The gas-hogs are also polluting the air and threatening the lives of others who drive smaller vehicles.

I could go on and on. It's stunning to learn how much evil I have been up to. And to drive home their point, critics have rolled out a star-studded television advertising campaign. Of course, we are asked to ignore the fact that some of these studded stars actually own SUVs themselves. (They got theirs, we can't have ours.) And the producer of these advertisements once built a garage for the 21 cars he owned. But, of course, the fumes coming from their tailpipes don't stink.

The stereotype SUV enemies push is that there is no good reason for owning these road-hogging four-wheeled missiles that are driven by greedy, inconsiderate, testosterone-filled people.

The venom they spew gives no consideration to individual circumstances. It's a one-size-fits-all hate campaign. It reminds you of the folks who glare at and complain about people who park in handicapped spots. Unless the driver gets out the car with one limb missing, other, jealous drivers are not convinced the parking accommodation is merited. Forget that there may be some other unseen health problem.

It's time we all lighten up a bit. Not everyone who owns and drives an SUV is a bad citizen. And likely all SUV owners present and future would like their vehicles to be more fuel efficient and safer on the road.

Legislation introduced last month by U.S. Sens. Dianne Feinstein, D-Calif., and Olympia Snowe, R-Maine, is a good step in that direction. The bill calls for the same fuel efficiency standards applied to passenger cars eventually to be applied to SUVs and light duty trucks. The two senators tried this last year and failed. It is time Congress and automakers get with the program. Bring SUVs and light trucks into the real world where air is polluted and roads are crowded.

In the meantime, the rest of us need to show each other a little tolerance. Until you have driven a mile in someone's SUV, don't pre-judge them. There could be a good sound reason for driving a Hummer. (I don't know one.) And some people really might drive their Cadillac SUV off road. (I once saw a fully-loaded cotton trailer being pulled by a brand-new Mercedes sedan. Go figure.)

Figuring out other people's motivations and actions can be unfair and a bit tricky. A far-fetched component of the campaign against SUVs drags Jesus into the debate. Apparently attempting to shame Americans out of their SUVs, evangelical opponents ask: "What would Jesus drive?"

Being a carpenter, my guess would be a pickup truck with an aluminum thingie in the back to hold his tools. Since you didn't hear much about him being on a job site he spent a lot of time preaching the truck probably would be a pretty old junker that would have trouble passing Smog Check.

Intrigued by this question, I turned to the fountain of all knowledge the Internet which offered several theories about Jesus' wheels:

Jesus drove an old Plymouth because the Bible says, "God drove Adam and Eve out of the Garden of Eden in a Fury."

Maybe he drove a Pontiac or a Geo, wrote one person, noting the passage urging the Lord to "pursue your enemies in your Tempest and terrify them in your Storm."

Very popular was the theory that the Lord drove a Dodge pickup because Moses' followers are warned not to go up to a mountain "until the Ram's horn sounds a long blast."

My favorite was the theory that Jesus drove a Honda, but didn't like to talk about it. As proof, people cited the verse in St. John's Gospel where Christ tells the crowd, "For I did not speak of my own Accord... ."

Get it? Honda Accord.

And I take comfort in that theory. For when I am not driving about town in my Tahoe and annoying SUV-haters, I am driving my Honda Accord.

[Letter to the Editor, Bakersfield Californian](#)

Don't eliminate fires

Brian Todd, of the Kern County Building Industry Association, has never been in my house on a cold morning. How dare he suggest that my wood-burning stove does not heat my house.

The fact is that my wood burning stove heats the 3,000-square-feet of my home. I have saved more than \$600 this winter because of that little "polluter" -- and I mean little polluter!

Think of the power I have conserved, for crying out loud! Let's get real here!

There are so many other things this community could do to resolve bad air problems. Close down all drive-up windows; stop authorizing 15 million square feet industrial centers that increase commuters, commute times and truck emissions; remove the "super stores" like Wal-Mart and Cosco from busy intersections where cars line up and wait for their turns to merge into the already over-crowded streets; and crack down on the "clunky, old, vehicles" that emit visible, brown exhaust from their mufflers because the owners can't afford to repair them.

The planning commission of this county do have a responsibility to protect the quality of life, not just to "steward its land use." How dare they contribute to eliminating of one of the most quality events of the day -- the lighting of a good ole' fashion fire in the cold, early morning hours or on that rainy day.

I say protect the quality of life and start controlling the quantity those living it!

LEE HAMMETT, Bakersfield