

San Joaquin County, Valley near top of poor air-quality list

By Audrey Cooper, Record Staff Writer, May 1, 2003

For the fourth time in four years, San Joaquin County received a failing grade for air quality in the American Lung Association's annual "State of the Air" report.

In a report scheduled to be released today, San Joaquin joined 27 other counties -- including nearby Alameda, Sacramento, Calaveras and Stanislaus -- also receiving failing grades.

Also for the fourth year, three San Joaquin Valley cities were ranked as the second-, third- and fourth-smoggiest cities in the country: Fresno, No. 2.; Bakersfield, No. 3; and the Visalia-Tulare-Porterville area, No. 4.

The area around Sacramento and Yolo County climbed four spots this year to land at No. 6. Merced was ranked No. 7. Los Angeles stayed at No. 1, also for the fourth year in a row.

The rankings didn't surprise environmentalists behind lawsuits that have accused air regulators of ignoring the Valley's pollution problem.

"The incidence of childhood asthma in the Valley is triple the national rate. I think it's great that attention has been drawn to this issue, but the EPA and air district are still dragging their feet," said Anne Harper, an attorney at the Earthjustice law firm.

The U.S. Environmental Protection Agency is supposed to enforce and approve pollution-control plans written by the San Joaquin Valley Air Pollution Control District. That's never happened. The nine-county region may lose \$2 billion in federal road-building dollars if it doesn't get a plan approved by next year.

The pollutant focused on in the State of the Air report is ground-level ozone, or smog. The Valley also exceeds limits for particulate pollution, or tiny bits of soot, dust and vapor that dig deep into human lungs.

The Lung Association report says more than 33 million Californians are threatened by unhealthy air, up about 4 million from last year.

Some critics say those numbers are exaggerated.

"This is just scaremongering," said Joel Schwartz, a senior fellow at the Reason Public Policy Institute, a conservative think tank.

Schwartz said the grades handed out in the report are based on number of days the county had at least one monitoring station that surpassed federal limits. For example, if a station near Lodi exceeded smog standards for 10 days, the county would receive an "F" even if the air stayed healthy in Stockton and Tracy, he said.

"That's not to say there isn't an air-quality problem, but its misleading to tell people they're exposed to more unhealthy days than they really are," he said.

Lung Association officials defended the report, saying they used the most accurate, current data for the report. The EPA uses the same methodology to judge the number of bad-air days.

"The grades are just a snapshot of what's really happening. The fact of the matter is that most areas of the country are producing ozone air pollution at unhealthy levels and it is incumbent on all of us ... to look at real solutions," association spokesman Andy Weisser said.

For more information on the report, go to www.lungusa.org.

Nine California counties among nation's smoggiest

By BRIAN MELLEY, Associated Press, published in the Modesto Bee, May 1, 2003

SACRAMENTO, Calif. (AP) - California cemented its notoriety as the smoggiest state by having nine counties and six metropolitan areas listed among the worst-polluted areas of the nation, according to American Lung Association rankings released Thursday.

The California counties of San Bernardino, Fresno and Kern retained the top three positions as reported last year. The metro areas of Los Angeles-Riverside-Orange County, Bakersfield and Fresno also reprised their top rankings.

With its sunny skies, warm temperatures and reliance on the automobile, the Golden State has historically been the smoggiest place in America. While the air has gotten significantly cleaner - even as the population has swelled - haze continues to blanket large areas of the state in concentrations that violate federal standards.

"Even in the last few years, where they've made some large strides perhaps, it's just that again they have such a large hill to climb that it's hard for that to show up at this point," said Janice Nolen, director of national policy for the lung association.

Nationwide, nearly half of Americans are living in counties with unhealthy smog levels, the association reported. While 93 counties improved their marks from last year, 26 counties received lower grades this year.

Improvements in rankings, mostly in the Southeast, were attributed to weather patterns that brought cooler temperatures or winds that diverted pollution elsewhere.

The report gave 28 of California's 58 counties failing marks for air quality. Although nine counties improved their grades, the ALA said 33 million of the state's 35 million people are breathing dirty air. That number is up by nearly 4 million people from last year's report.

Some experts, however, cautioned that the report is based on deceptive methodology that can give failing grades for entire regions based on a few air monitoring stations that register violations, while others in the area record safe smog levels.

"It's incredibly misleading to tell people breathing clean air that they're in danger," said Joel Schwartz, a senior fellow at the nonpartisan Reason Public Policy Institute. "The report's been the same every year. It exaggerates air pollution levels and exaggerates risks each year."

The report is based on EPA data from 1999-2001.

The findings do not take into account a pollutant that's considered more dangerous than smog - tiny particles of soot that can lodge deep in the lungs and cause heart problems and even death.

Fresno is second for smog

County leads four others in Valley with its worst-yet ranking on national list.

By Barbara Anderson, The Fresno Bee, May 1, 2003

Fresno County is the second smoggiest place in the nation, leading four other central San Joaquin Valley counties that clog the top 10 of an air pollution report card released today by the American Lung Association.

The ranking is Fresno County's worst since the Lung Association began issuing its annual report four years ago. Last year the county was No. 3, behind San Bernardino and Kern counties.

San Bernardino County remained No. 1 and Kern County slipped to third. Tulare County moved up from fifth to fourth.

Valley leaders weren't surprised by the poor scores. The central San Joaquin Valley consistently dominates the list. In 2002, four of the worst 10 counties were from the region. Merced and Kings counties were ninth and 10th, respectively. By contrast, Los Angeles County ranked seventh.

"We know we have to solve this problem," Fresno Mayor Alan Autry said. "And we know the only way to solve it is on a regional basis."

All San Joaquin Valley counties, from San Joaquin in the north to Kern in the south, received an "F" grade for harmful levels of ozone in the association's "State of the Air" report. Sacramento County also earned a failing grade.

A total of 28 California counties flunked the survey's ozone test. More than 33 million people live in these counties. In the 2002 survey, 34 counties with a total population of 29 million failed.

Counties are assigned letter grades based on how often they exceed federal health standards for ground-level ozone. The Lung Association used Environmental Protection Agency figures from 1999-2001 for this year's report. Fresno County's ozone levels have increased steadily over the survey's four years.

Ozone, or smog, is a corrosive gas that hangs over the San Joaquin Valley during the summer and early fall months. Smog forms when sunlight cooks hydrocarbons and nitrogen oxides. Inversion layers press smog even more tightly to the ground.

Ozone can inflame and scar lungs. Children, the elderly, people who exercise or work outdoors, and people with respiratory problems suffer the most. Recent research indicates long-term exposure to ozone can hamper lung development in children and possibly cause asthma in youngsters.

Smog in the San Joaquin Valley is blamed for contributing to asthma rates that are the highest in the state and for increases in the number of people with lung diseases such as emphysema and chronic bronchitis.

"When we have a 16.4% asthma rate among our children and when we have an 11.9% asthma rate among our adults in Fresno County, we have an asthma epidemic in this Valley," said Charles Sant'Agata, executive director of the American Lung Association of Central California. "We have an awful lot of people who are suffering and also dying from lung disease."

Autry said the economy also suffers, because new businesses refuse to locate in an area with poor air quality: "This is literally destroying the economy of the region."

Seeking ways to improve the air without jeopardizing jobs was a theme of Operation Clean Air, a regional summit held last week in Fresno.

"We cannot and should not have to make the decision between food in our stomachs and clean air in our lungs," Autry said.

Officials at the San Joaquin Valley Air Pollution Control District said some positive strides have been made. The district reduced the number of times the region exceeded the one-hour federal standard for smog, said spokeswoman Josette Merced Bello. In 1997, the San Joaquin Valley violated the standard 66 times. In 2002, the number dropped to 31.

However, the Valley leads the nation in violations of the eight-hour ozone standard, averaging more than 100 per year.

Emissions from the tailpipes of cars and trucks are major sources of ozone, which plunges the Valley into a smoggy haze, Merced Bello said.

"We're quickly coming to some very hard decisions as a society," she said. "Do we want to breathe clean air? What do we want more -- clean air or our cars?"

Bad air top 10

Counties with the 10 worst levels of air pollution.

1: San Bernardino County

2: Fresno County

3: Kern County

4: Tulare County

5: Riverside County

6: Harris County*, Texas

7: Los Angeles County

8: El Dorado County

9: Merced County

10: Kings County

Source: American Lung Association report card

*Houston

Crippen permit stands revoked

Fresno planner says massive fire at excavation site 'a sorry case.'

By Russell Clemings, The Fresno Bee, May 1, 2003

Archie Crippen's appeal of his land-use permit revocation was unanimously rejected late Wednesday by the Fresno Planning Commission.

Attorneys for Crippen, whose excavation and recycling business was the scene of a month-long fire in an immense pile of demolition debris, argued that the city should have warned him about the pile's hazardous condition. Because it didn't, they said, Crippen should not be punished.

But southwest Fresno resident Harlan Kelly Sr., who served on a city task force that investigated the fire, urged commissioners to reject that contention.

"The city is partially to blame," Kelly said. "But the city did not start the fire. The city did not bring the material there that started the fire."

In voting after nearly five hours of testimony, commissioners agreed:

"This is a pretty sorry case. Multiple parties have been negligent, have been derelict,"

Commissioner Jeffrey Harrington said.

Crippen's pile of debris from demolished buildings, initially estimated at 40 feet high and 150 feet on each side, burst into flames Jan. 11 as a result of spontaneous combustion. It burned and smoldered until mid-February, costing more than \$2 million to extinguish and filling the Fresno area's skies with smoke for days on end.

City officials ordered all activity at the site stopped because of fire safety concerns and moved to revoke Crippen's permit on March 7, after receiving reports that trucks were seen entering and leaving the site.

On March 20, Crippen defied that order and reopened his business, maintaining that his operations were limited to a public truck scale and the recycling of concrete and asphalt and did not pose fire safety hazards.

The city then sought a court order to enforce the shutdown. But the following week, the two sides agreed to allow him to continue operating, as long as he paid for a city-approved security patrol to ensure that he did not violate fire codes or other ordinances.

The settlement did not affect the city's other action against Crippen: the revocation of his land-use permit. But Crippen's appeal of that action meant that his permit remained valid until the Planning Commission heard his appeal and made its decision.

In its staff report to the commission, the city's Planning and Development Department said that Crippen's permit allowed him to recycle concrete, asphalt and other "inert, noncombustible materials," but not wood or other flammable debris.

The department alleged that Crippen had violated 20 different local or state laws by expanding his operation beyond the area allowed by his permit; taking wood, tires, wrecked cars and other materials not allowed by his permit; and creating a fire hazard and public nuisance. "We believe good cause exists to support this revocation," the report said.

The report urged the commission to uphold the revocation of Crippen's permit, but also offered a second option: making changes in the permit to bring the operation under better control. Such an action "would permit the city to recognize that recycling does provide certain benefits to the city at large," the report said.

County No. 4 on national smog list

Individuals need to do their part to clean the air

By Ameer M. Thompson, Staff writer, Visalia Times-Delta, May 1, 2003

Air pollution is everybody's problem.

It's not just agriculture's problem. It's not just industry's problem. It's also Joe and Jane Citizen's problem. That's the message that air quality and health officials would like to get out.

The Visalia-Tulare-Porterville metropolitan area is once again the fourth dirtiest in the nation, according to the American Lung Association's State of the Air 2003 report being released today. The area came in behind Los Angeles-Riverside-Orange County, Fresno and Bakersfield respectively. Houston-Galveston-Brazoria, Texas rounded out the top five.

"[Valley residents] have to breathe the air, but what they can do is help to clean the air," said Chuck Sant'Agata, president and chief executive officer of the American Lung Association of Central California. "When it's time, buy a zero-emission hybrid or electric vehicle. Car pool and take mass transit. There is a lot you can do and it all involves removing pollutants."

The American Lung Association report examines ozone air-quality data for 1999-2000, the most recent quality-assured data from the U.S. Environmental Protection Agency. The report grades and ranks counties on how often their air quality reaches "unhealthful" categories of the EPA's Air Quality Index for ozone air pollution.

Those statistics don't show that air quality in the Central Valley has actually improved over the past 11 years because, even though the area is improving, it is still at nonattainment with federal health standards.

The San Joaquin Valley Air Pollution Control District must cut the amount of pollution in the area down to a healthful level to come within compliance or lose \$2 billion in federal highway money if it misses certain deadlines.

At this point, Valley Air District officials are seeking a voluntary downgrade from "severe" to "extreme." The downgrade would give the air district more time to meet standards.

"Air quality has been improving, and it has been great progress, but there is still a lot more that needs to be done," said Kelly Malay, spokeswoman for the San Joaquin Valley Air Pollution Control District. "We need to meet the federal health standards."

Steps to cleaner air

There are three main components of any plan needed to clean up the air, Malay said. They are:

- i The air district needs to continue adopting rules over the areas it can legally regulate, mostly stationary polluters.
- i State and federal agencies need to put controls on the sources they can regulate but the district can't, such as vehicles and agriculture.
- i The public needs to become more active in its contribution to cleaning the air.

Public involvement may be the key. For example, 83 million vehicle miles are traveled through the San Joaquin Valley, from San Joaquin through Kern counties each day. That's equal to 3,333 trips around the circumference of the Earth or 175 trips to the moon and back -- in just one day, Malay said.

There is proof that what the Valley air district has been doing is working.

Bakersfield moved into third place, behind Fresno in the dirtiest-cities list this year after coming in second for three years running. That is mostly because Kern County has a lot of stationary pollution sources that have now been regulated by the air pollution control district. Consequently, Kern County is seeing its air become cleaner at a faster rate than Fresno County, which has a lot of mobile pollution sources, Malay said.

But for the San Joaquin Valley to come into compliance, voluntary controls will make the difference, Supervisor Steve Worthley said. Worthley sits on the air district board for Tulare County.

"No one is going to force someone to buy a hybrid car, but if enough people bought hybrid cars, then they would have an impact, and that would go above and beyond [the regulations]," Worthley said.

But until the air is cleaned up, Valley residents have to deal with health problems that are associated with the bad air.

"Definitely on days when air quality is poor we do have more patients coming in with problems," said Dr. Thuong Nguyen, a Visalia allergist.

The San Joaquin Valley has some of the highest rates of asthma in the country, but Nguyen said the air doesn't just aggravate asthma or allergies.

"Lots of times people blame allergies, but in fact they don't have any allergies at all," Nguyen said.

He said the bad air can cause people to become congested and have stuffed-up noses.

Sant'Agata said that the air also causes problems for people with emphysema, bronchitis, lung cancer and the flu.

"[Bad air] is impacting our citizens and we need to do something about it and we need to do it now," Sant'Agata said.

Nation's worst-air list

Smoggiest metropolitan areas in the nation (Numbers in parentheses are last year's rankings):

- 1 Los Angeles-Riverside-Orange County (1)
- 2 Fresno (3)
- 3 Bakersfield (2)
- 4 Visalia-Tulare-Porterville (4)
- 5 Houston-Galveston-Brazoria, Texas (5)
- 6 Sacramento-Yolo (10)
- 7 Merced (7)
- 8 Atlanta, Ga. (6)
- 9 Knoxville, Tenn. (8)
- 10 Charlotte-Gastonia-Rock Hill, N.C.-S.C. (9)

Worst counties

- 1 San Bernardino (1)
- 2 Fresno (3)
- 3 Kern (2)
- 4 Tulare (5)
- 5 Riverside (4)
- 6 Harris, Texas (6)
- 7 Los Angeles (8)
- 8 El Dorado (14)
- 9 Merced (9)
- 10 Kings (11)

On the Net

For more information on the American Lung Association's 2003 State of the Air report, visit www.lungusa.org.

For more information about the San Joaquin Valley Air Pollution Control District visit www.valleyair.org.

Opinion: As lawmakers scramble for answers to the air-quality problem, the fear is that their actions will be incomplete, or worse, irrational. Measured, balanced action is needed/6A

Senate panel approves bill raising fines on polluting vehicles

The Bakersfield Californian, The Associated Press, April 30, 2003

SACRAMENTO (AP) - A Senate committee has approved a bill that would raise fines on smoking cars and allow San Joaquin Valley law enforcement agencies to inspect for polluting cars at sobriety checkpoints.

The Senate Transportation Committee approved SB708 sponsored by Sen. Dean Florez, D-Shafter, on Tuesday.

Under the bill, the minimum fines for smoking vehicles will rise from \$100 to \$250 and the maximum fines will rise from \$250 to \$400. The bill also allows a "fix it" ticket to be dismissed if a driver proves the vehicle has been repaired within 30 days. The driver then would only pay a \$10 administration fee. The bill would also allow poor drivers to receive assistance from the California Bureau of Automotive Repair to fix polluting vehicles.

County law enforcement officers would also be able to set up check points for smoking vehicles next to sobriety checkpoints under the bill.

Florez had originally included a provision that would have required all cars and trucks newer than 45 years to undergo smog checks, but dismissed it after thousand of classic car owners protested.

SB708 is one of several bills Florez has introduced to cut air pollution in the valley, one of the dirtiest air basins in the nation.

The Senate Environmental Quality Committee approved a package of bills targeting farms and dairies on Monday.

[Editorial, Visalia Times-Delta, May 1, 2003](#)

Time to calm the air debate in the Valley

We who live in the southern San Joaquin Valley are convinced that air pollution is our biggest problem, but we're not sure what to do about it nor that we trust government -- particularly the federal government -- to handle it.

No wonder, then, that local elected officials and regional regulatory agencies are only now coming to terms with the consequences of the Valley's dirty air.

Nearly four in 10 residents of this region told survey-takers from the respected Public Policy Institute of California that they or members of their family suffer from asthma or other respiratory problems.

As those numbers get higher, and we believe they will, so will the pressure increase to clean up the air. And as the pressure increases, the solutions, unfortunately, will be more forced, less rational and more beyond our control.

That is the cost of decades of inaction and neglect, of blaming the problem on dirty air from the Bay area or on just one segment of the economy or, in classic Tulare County fashion, claiming that it's Sacramento's fault or Washington's fault.

A package of bills introduced by state Sen. Dean Florez, D-Shafter, is a case in point. Florez's proposals, called sweeping by some, contain some things that should have been done years ago, along with other things whose relevance to air pollution escape us, such as a three-mile barrier between city limits and dairies. Florez, in turn, is responding to another symptom of Valley inaction, demands by the federal Environmental Protection Agency that the Valley finally take steps to come into compliance with federal air standards. Florez says his list of bills seeks to do that.

What we fear, though, is that Florez's proposals may not be comprehensive enough.

Example:

Florez proposes an end to ag burning, something we suspect most people would agree with and consider long overdue.

Ag burning in the southern San Joaquin Valley is largely an attempt to get rid of tree trimmings or whole trees as old orchards are pulled out and new ones planted.

A nonburning solution depends on the viability of facilities that can use ripped-out trees, either to generate power or to recycle.

If such alternatives are not in place, a significant section of area agriculture will eventually wither. So alternative-use facilities have to be assured, whether through tax credits or other methods that assure their viability.

Badly managed, a clean-air program could cripple the Valley's economy, and not just in agriculture. An area with persistent double-digit inflation could bleed even more jobs.

Economic growth, so nurtured in the last 10 years, with investments in infrastructure like Visalia's industrial park, could hit a wall.

It's time for elected officials to realize the importance of rational, measured, balanced action.

The alternative is that regulators in Washington and Sacramento will prevail, and we will not like the result.

[Fresno Bee editorial, May 1, 2003:](#)

Getting the message

Air pollution survey is encouraging, but will we go the distance?

There are some encouraging numbers in a recent survey of Valley residents' view of pollution -- especially air pollution -- and its impact on their lives. The best news is that 41% of those responding from the 19 counties of the Central Valley say air pollution is a big problem -- more than any other problem mentioned in the survey.

But there are important caveats, as with any survey. The biggest and most important: People often find it easy to say these things to a pollster -- who is against clean air? -- but when they are asked to tax themselves, or take a bus, or give up their backyard barbecue or their ag burning permit to actually make the air cleaner, it's not nearly so easy.

Take the survey results about local sales tax initiatives for transportation: 67% of Central Valley residents -- from Bakersfield to Redding -- said they would support such a measure. But how much for roads and highways? How much for buses and light rail? The devil is in the details, as backers of last fall's Fresno County Measure C found, when opponents of massive new freeway spending derailed an initiative that otherwise contained much they liked.

In Madera, Fresno, Kings, Tulare and Kern counties, 72% of respondents said air pollution was either a very serious or somewhat serious threat. But up and down the Central Valley, only 39% said they would be willing to endure tougher government air regulations even if they hurt the

economy. In other words -- as in so many things -- we want clean air, but we're not yet convinced we should have to pay for it.

The unwillingness of the majority to see economic conditions get worse is understandable. Things are already pretty dreadful around here. But the fact is, the economy is already suffering because of our bad air -- in lost crops, lost production and the health costs of treating ever-increasing numbers of people with respiratory problems.

None of this is meant to diminish the importance of the survey's findings and their energizing effect. In particular, we hope the numbers sink in deeply with elected representatives from all of those counties, at every level. There are votes to be had through support of clean-air initiatives, perhaps enough votes to risk losing the support of special interests that are less interested in clean air than they are in business as usual.

Will we stay the course? Politicians are eager to know that, and special interests are betting we won't. The path to cleaner air is straight uphill -- but at least most of us now recognize that the path is there.

Air board's ruling a step backward

Thursday, May 01, 2003

It's official: Central Valley residents think the air they breathe stinks to no end.

Poll results released this week by the Public Policy Institute of California showed that for the first time since the survey started in 1999, Valley respondents are more likely than people in Los Angeles to say air pollution is a big problem.

While 37 percent of Los Angeles residents say their filthy air is a big problem, 41 percent of adults who live in the Great Central Valley - defined as the region between Bakersfield and Redding - make the same claim. Bad air, the survey found, is the biggest detractor to living in the Valley.

OK, everybody. Now it's clear we agree that the air is bad. So what is our government doing about it?

The California Air Resources Board, for one, isn't doing its part. We think the board took a major step back in the fight for clean air last week.

We're talking about the board's ruling to virtually abandon California's landmark Zero Emission Vehicle program, or ZEV. Under the aggressive 1990 regulations - which had since been weakened - 10 percent of cars for sale this year in California would have been mandated to be nonpolluting. Now that program is only a memory.

"Erosion" is the appropriate word here, because that's what has happened to the ZEV program since its inception. Major automakers (translation: major money and lobbying power) have been at odds with the program because it costs them dearly for research and development. They've pecked and picked at the program until it finally gave in, which happened with CARB's decision last week.



Instead of agreeing to produce nonpolluting vehicles, CARB has sided in favor of requiring carmakers to produce cleaner gas-burning vehicles, tens of thousands of gas electric hybrids and 250 hydrogen fuel cell vehicles in the next five years.

Air board officials contend the gas-electric hybrid vehicles, like Toyota's Prius, are more marketable and would do more to clean the air if they become popular with the purchasing public.

We'd like to think that this is a step in the right direction, but we're skeptical. The 1990 ZEV provisions had one goal in mind: to force automakers to produce vehicles that don't pollute. CARB's decision, fueled by the automakers, has another goal: to save money for the big corporations that make cars.

We think a line needed to be drawn to force automakers to take the ZEV program seriously . Over and over, that line has been blurred. And now it's gone altogether.

We don't think that's going to make anyone in the Central Valley feel better about the polluted air we breathe.