

## **Court says Valley meets air standard**

By The Record

Stockton Record, Tuesday, March 3, 2009

FRESNO - A federal court ruled Monday that the San Joaquin Valley has met a standard for particulate matter, pushing aside a legal challenge by environmentalists, air officials said.

The 9th Circuit Court of Appeals decision supported the Environmental Protection Agency, which found in 2006 that the Valley had met the federal standard for dust, soot and smoke known as PM10.

Environmental law firm Earthjustice challenged the EPA's original decision, citing dates on which particulate standards were violated because of blowing dust.

But the court found that two spikes were natural events that were beyond anyone's control, the air district said.

"Each time the district is taken to court by a group challenging our progress, we are vindicated at the highest legal levels," said Seyed Sadredin, the air district's director.

Earthjustice fired back, saying the decision was a "victory for polluters and a sad day for the Valley's breathing public."

## **Local briefs: Environmentalists lose in fight over Valley air**

Fresno Bee, Monday, March 2, 2009

The 9th U.S. Circuit Court of Appeals in San Francisco sided Monday with federal officials who say the San Joaquin Valley has met the federal standard for dust and other particles known as PM-10.

The court ruled against environmentalists who sued in 2006. The environmentalists said air authorities inaccurately claimed some PM-10 violations didn't count because of high wind conditions.

But the court Monday agreed with the U.S. Environmental Protection Agency, which decided the San Joaquin Valley Air Pollution Control District had met the federal standard for dust and other PM-10 particles.

Earthjustice, an Oakland based legal watchdog, last month filed a second lawsuit against the EPA's PM-10 approval. The suit challenges whether the improvement came from permanent pollution reductions or just a "fortunate weather pattern."

It also questions whether there also is a plan to maintain the PM-10 standard in the future.

## **Environmental roundup: Court finds valley meets air standard**

Bakersfield Californian Tuesday, March 3, 2009

A federal appeals court ruled Monday that the U.S. Environmental Protection Agency was right to declare the San Joaquin Valley in compliance with national standards for an air pollutant called PM 10.

Earthjustice, an Oakland-based environmental group that has been active in valley air quality issues, challenged the EPA's decision in December 2006, saying PM10 levels exceeded federal limits in Bakersfield and Kings County on dozens of occasions during a three-year period.

To reach attainment, the valley had to go three years without exceeding the national PM10 level.

The San Joaquin Valley Air Pollution Control District said those exceedances were caused by high-wind events, which are excluded under the EPA's "exceptional events" policy. The court

agreed and found the EPA right to exclude them. PM 10 is coarse particle pollution — tiny specks of dust, smoke and liquid — considered harmful to health at high levels.

### **Film contest focuses on air**

Stockton Record, Tuesday, March 3, 2009

Clean air is the subject of a filmmaking contest hosted by the San Joaquin Valley Air Pollution Control District.

Amateur filmmakers, including groups of high school students, can turn in videos no longer than 30 seconds in length that emphasize the district's Healthy Air Living.

That initiative encourages residents, businesses and faith groups to commit to helping improve air quality.

An iPod Shuffle will be awarded to as many as five members of the winning production team. The deadline is May 15. Professional filmmakers are not eligible. For more information, visit [www.healthyliving.com](http://www.healthyliving.com) or call (209) 230-6000.

### **Modesto forum addresses local climate response**

#### **Air Resources Board's fulfillment of bill presents area energy users with some formidable challenges**

By John Holland

Modesto Bee Tuesday, March 3, 2009

California's effort to deal with climate change could hamper Modesto area businesses and raise rates for electricity users, speakers said at a forum Monday.

They said businesses face high costs for reducing carbon dioxide and other emissions, and uncertain prospects for a "green" economy based on renewable energy and other innovations.

"It assumes that businesses have unlimited capital to invest," said Jan Marie Ennenga, executive director of the Manufacturers Council of the Central Valley, based in Modesto. "It projects phantom jobs to replace real jobs."

The forum drew about 90 people to a Modesto Irrigation District meeting room. It was sponsored by MID, the city of Modesto and several business groups.

The California Air Resources Board is carrying out Assembly Bill 32, signed in 2006. It aims to reduce emissions believed to be contributing to generally higher temperatures, rising sea levels and shrinking of valley water supplies from the Sierra Nevada snowpack.

The effort includes greatly reducing the use of carbon-heavy fuels in vehicles, buildings, appliances and elsewhere. It also calls for absorbing some of the carbon in forests and on farmland -- practices that could earn landowners money -- and capturing methane from livestock manure and other sources.

The plan aims to reduce the state's total emissions to the 1990 level by 2020, part of a long-term goal to cut 80 percent by 2050.

Dorene D'Adamo, an air board member from Turlock, said the effort provides a mix of regulations and incentives. These include a "cap-and-trade" system, in which companies that reduce emissions earn credits that they can sell to emitters who are not reducing.

"We do expect that the economy is going to turn around, and we also expect to see a lot of green jobs, but it's going to be very challenging as we move forward," D'Adamo said.

Cynthia Cory, environmental affairs director for the California Farm Bureau Federation, said research is needed on just how farmers could capture carbon in crops and earn money for the service.

The plan calls for 33 percent of the state's electricity to come from renewable sources by 2020. These include solar, wind and small hydroelectric plants, but not large dams.

MID is at 12 percent but faces about \$30 million in added annual costs to reach 33 percent, said Joy Warren, regulatory administrator for the district.

She said an average residential bill could rise from \$145 a month now to \$200 in by 2020. Modesto City Councilwoman Janice Keating, who moderated the forum, also cited the effect on residents.

"I'm very concerned about the average everyday person here in the Central Valley who is ultimately going to pay the cost at the bottom of the stack," she said.

### **EPA to test schools' air for toxic chemicals**

In the Contra Costa Times, Modesto Bee, Tri-Valley Herald & other papers, Tues., March 3, 2009

WASHINGTON — The Environmental Protection Agency will soon begin testing the air around schools for toxic contaminants.

The \$2.25 million program announced Monday will be the first to specifically target air contamination near schools. The EPA already operates a nationwide monitoring network that collects information on a variety of air pollutants.

The school monitors will focus on toxic chemicals that are known to cause cancer, respiratory and neurological problems - especially in children, who are more susceptible than adults because they are still growing.

Initially, states and local governments will monitor the air at 50 to 100 schools located near large industrial facilities or in cities where a variety of sources can lead to high concentrations of pollution.

The agency expects the monitoring to begin in 30 days.

"Questions have been raised about air quality around some U.S. schools, and those questions merit investigation," said EPA administrator Lisa Jackson.

But it is unclear what the agency can do about it if it finds that some pollutants are posing risks on school grounds. There are no federal standards for the 188 chemicals classified as air toxics. It can also be difficult to trace a pollution problem back to a specific source.

### **Oregon gives health data access to track pollution**

USA TODAY, Tuesday, March 3, 2009

PORTLAND, Ore. (AP) — The state has launched a new tool to help track the health effects of pollution.

The Oregon Public Health Division says the Web-based tracking tool will provide access to state environmental and health information from a single source for the first time.

The new system is part of a national network led by the Centers for Disease Control and Prevention that will provide similar data for 17 states across the country.

Oregon health officials say there is mounting evidence that pollutants in air, water, soil and food have an impact on health.

The Environmental Public Health Tracking network is available at [www.healthoregon.org/epht](http://www.healthoregon.org/epht).

Note: The following clip in Spanish discusses the Ninth Circuit Court of Appeals backs EPA's finding that the San Joaquin Valley is in attainment for PM10. For more information on this Spanish clip, contact Claudia Encinas at (559) 230-5851.

**En regla, el Valle de San Joaquín en cuanto al aire: Corte**

Manuel Ocaño, Noticiero Latino

Radio Bilingüe, Tuesday, March 03, 2009

La Novena Corte de Apelaciones determinó que el Valle de San Joaquín en California cubre requisitos que estableció la Agencia de Protección Ambiental (EPA) para el control de polvos y humos. Con esa decisión, la corte falló en favor de EPA y en contra de una demanda del grupo *EarthJustice*, que denunció a dicha agencia ambiental por su apreciación sobre el valle, en el 2006.

El Valle de San Joaquín va del norte de Los Ángeles al sur de Sacramento, y es la segunda región con aire más contaminado en el país después del condado angelino.

En cuanto a polvo y humo, *EarthJustice* presentó a la corte algunas fechas específicas del 2006 con intensa contaminación. La Corte decidió que el incremento de polvo y humo esos días se debió a causas naturales, totalmente fuera de control humano.