

Heat leads to \$29M smog penalty for Central Valley

By Associated Press

In the S.F. Chronicle, Sacramento Bee, and other papers, Fri., Aug. 27, 2010

Fresno, Calif. (AP) -- A statewide heat wave this past week will mean a \$29 million penalty for Central Valley businesses and possibly others because of a spike in air pollution spurred by the sweltering conditions.

Triple-digit temperatures on Tuesday and Wednesday, combined with heavy back-to-school traffic, sent ozone levels spiraling well above federal air quality standards.

The Valley's air pollution control officials had hoped that cooler temperatures this summer would have allowed the Valley to avoid violations that trigger the expensive penalty.

Under existing regulations, businesses from Stockton to Bakersfield must pony up the funds to pay the fine.

But San Joaquin Valley Air Pollution Control District officials also are considering a \$10 increase in vehicle registration fees, since cars and trucks are responsible for so much of the pollution.

Walnut season a tough time for local allergy sufferers

By Hillary S. Meeks, staff writer

Visalia Times-Delta and Tulare Advance-Register, Mon., Aug. 30, 2010

One of the give and takes of living in a community that makes money off of agriculture is dealing with some of the byproducts of harvest.

In this case, walnut and almond harvests are notorious for the dust from shaking and sweeping involved in the process. As Marilyn Kinoshita, Tulare County's agriculture commissioner, pointed out, home owners are required to sign an acknowledgment that they are aware of farming near their land.

"We did get one complaint about an almond grower kicking up dust, but the individual purchased a home out in the country and the almonds were there far longer than the homeowner was," Kinoshita said.

Such is the case with many of the walnut and almond groves that can be found in Visalia, Farmersville, Exeter and near Porterville -†the trees were there before suburbs sprung up around them.

The San Joaquin Valley Air Pollution District is aware that the harvest can cause some air quality problems, and is currently doing research on emissions from almond harvesting, said Sheri Bohigian, spokeswoman for the district.

"It's difficult for [the growers] to limit their dust when they're harvesting," she said.

Farmers with groves of more than 100 acres can get help with conservation measures to reduce dust in other ways, such as watering down roads.

In the meantime, residents who live near such groves can expect harvest near the end of September and the beginning of October. Some growers may tell neighbors or put out signs to warn of impending harvest and dust.

Those who are bothered by the dust can take precautions, said Dr. Thuong Nguyen, an allergist with the Visalia Medical Clinic. His best tip to keep the dust from causing a problem: avoidance.

"Believe it or not, we do have some patients who leave the area for a short period of time until it's over," he said.

Avoidance is not always practical or feasible, Thuong said.

In that case, there are other measures that can be taken, said Dr. Rabinder Sidhu of Allergy and Asthma Associates in Visalia. He suggests keeping windows and doors closed when inside the house, and also checking for cracks in the structure that could let dust or pollen inside.

He said there is also special filters for air conditioners that catch more than regular filters. These cost more, but will be worth it for those who are sensitive to pollen and poor air, Sidhu said.

Another good suggestion is, when driving in dusty areas, to put the vehicle's air conditioner on recirculate so it's not sucking in dust, pollen or other particles.

"Any dusty environment makes anybody have problems, especially people with allergies," he said.

Symptoms can include nasal problems and coughing, but can also be as severe as chest tightness and lung problems, Thuong said.

Those who do have allergies or asthma and experience increased breathing problems should see their physician, both Thuong and Sidhu said.

Power trade has its critics

Some feel S.J. getting bad end of energy plant deal

By Alex Breitler, staff writer

Stockton Record, Sat., Aug. 28, 2010

TRACY - A natural gas power plant proposed for just outside San Joaquin County would be justified in part by reductions in pollution from a facility in Santa Clara, far from the smoggy Valley.

The 200-megawatt "peaker" plant, meant to help satisfy California's peak energy demands, could emit up to 46 tons per year of smog-forming chemicals, according to a report released this week.

To offset that pollution, developers of the Mariposa Energy Project would obtain credits from a facility which has decreased its own emissions - a kind of trade.

But here's where it gets dicey, one vocal power plant opponent says.

Because the Mariposa plant would be built within Alameda County - albeit just barely - it would be under jurisdiction of the Bay Area Air Quality Management District instead of San Joaquin Valley air cops.

And pollution reductions to offset the plant's impact will come not from a Valley source, but from Owens Corning Insulating Systems in Santa Clara.

Will a decrease in pollution from a factory in Santa Clara make up for emissions from a new power plant seven miles northwest of Tracy?

"You know which way the wind blows," said Tracy shoe store owner and power plant opponent Bob Sarvey. "They (Alameda County) get the property tax dollars, and we're stuck with whatever comes out of the smokestack."

The Mariposa power plant is the latest in a series of power projects proposed along the Alameda-San Joaquin border. Sarvey's protests killed one of those sites last year, the much-larger Tesla Power Project.

The community is mixed on this latest proposal. The Tracy Chamber of Commerce says in a letter that the power plant could stimulate job creation and local spending to the tune of \$33 million during construction, and \$5 million each year afterward.

Others, including the Mountain House Community Services District - just 2.5 miles east of the plant location - oppose it, citing the emissions credits issue and concern about the Valley's air, which already exceeds federal pollution standards.

Sharing that worry is the San Joaquin Valley Air Pollution Control District, which notes the plant is a mere 2.4 miles from its jurisdiction.

The Valley district, however, has agreed to a \$644,503 payment from the plant's developer, Mariposa Energy LLC, to help make up for the impact on local air quality. The district said in a staff report that the developer "exhibited great willingness" to address Valley concerns.

This week, the Bay Area air district released a report detailing the plant and its air pollution impacts. Lisa Fasano, a spokeswoman for that district, said the plant design has already been changed based in part on the district's own concerns.

"This is a very clean facility," Fasano said Friday. "They're putting state-of-the-art air pollution controls on it, and it has conditions ... that will make it the cleanest burning power plant of its kind."

Future hearings before the California Energy Commission would be necessary before any new power plant could be built.

Contact reporter Alex Breitler at (209) 546-8295 or abreitler@recordnet.com. Visit his blog at recordnet.com/breitlerblog.

Get involved

Public comments on the Mariposa Energy Project are accepted through Sept. 27. E-mail comments to Brenda Cabral at bcabral@baaqmd.gov, or write to Cabral at the Bay Area Air Quality Management District, 939 Ellis St., San Francisco, CA 94109.

The report about Mariposa's impact on air quality can be downloaded at www.baaqmd.gov. Search for "Mariposa."

MID to weigh power deal for wood-burn plant

Bee Staff Reports

Modesto Bee, Mon., Aug. 30, 2010

The Modesto Irrigation District would pay 11.2 cents per kilowatt-hour at the start for electricity from orchard wood, under a contract going before its board Tuesday.

The price was disclosed Friday in an MID staff report about a plant proposed for the Beard Industrial District, south of Yosemite Boulevard.

The biomass power would cost more than conventional sources such as natural gas or hydroelectricity. The MID pays an average of 8.5 cents per kilowatt-hour from all sources, according to another staff report.

But the biomass would cost much less than the 17 cents per kilowatt-hour the MID has agreed to pay for power from a large solar project proposed for north McHenry Avenue.

The biomass contract includes a 2 percent cap on annual increases in the price.

The 33-megawatt plant, which would supply 9 percent of the MID's power needs, mainly would burn chipped wood from orchards removed for new plantings or development. It also could get limbs pruned from living trees and waste lumber from construction sites.

The plant is proposed by Stephen Endsley of Modesto, a real estate investor and retired cardiologist, and Robert Ellery, who owns a Hayward boiler company. They are counting on a federal economic stimulus grant to cover 30 percent of the \$80 million-plus construction cost.

Proponents say that even with the above-average cost, the plant is worthwhile because it would cleanly burn a fuel that long has been torched in the open on farms. A state law has phased out most open burning, but some remains under exemptions.

Also Tuesday, the board will consider certifying a report that found that the plant would not have a major impact on the environment. Critics have questioned whether the planned emission controls are adequate.

Calif. bill aims to reduce smog test fraud

By Associated Press

In the Sacramento Bee, Merced Sun-Star and Modesto Bee, Fri., Aug. 27, 2010

SACRAMENTO, Calif. -- Smog checks on cars might soon be conducted with more advanced technology intended to save California motorists money under legislation sent to Gov. Arnold Schwarzenegger.

The bill by Assemblyman Mike Eng would employ cars' on-board diagnostic systems. Currently, tailpipe emissions are measured.

AB 2289 was approved by the Assembly on a 48-21 vote. It now goes to the governor.

Most inspection stations would use scanners to access a car's computerized data on pollution control systems.

Eng says the advanced testing system would make it more difficult to falsify test results, while keeping an additional 70 tons of smog a day from being emitted.

The Bureau of Automotive Repair would set fine amounts for any violations.

[California Watch Blog, Mon., Aug. 30, 2010:](#)

Under fire from industry, scientific panel is 'gutted'

By Amy Standen

Five out of nine members of a scientific panel that advises the state on toxic chemicals have been fired in recent weeks, following disputes with the chemical industry and a conservative group that targets environmental laws.

"It's been gutted," said Paul Blanc, a professor of occupational medicine at UC San Francisco and one of the panel's four remaining members.

While the Scientific Review Panel on Toxic Air Contaminants is not well known outside of regulatory circles, its work carries clout in state environmental policy. Since its inception in 1983, the panel has evaluated more than 300 chemicals – everything from pesticides to secondhand smoke – and advised the state on how these chemicals should be regulated.

Among the dismissed members is panel chairman John Froines, who also heads the Department of Environmental Health Sciences at UCLA's School of Public Health. Froines has served on the panel since it was founded and has been its chairman since 1998. Froines says he learned of his dismissal July 22 in a two-sentence letter from Assembly Speaker John A. Perez, D-Los Angeles.

Panel members, including Froines, have come under fire over the years when their designation of certain substances as toxic came at a cost to industry.

Most recently, Froines and other members of the panel made enemies in the chemical industry when they [publicly criticized](#) the California Department of Pesticide Regulation for its plans to approve a strawberry fumigant called methyl iodide, which the scientists said would [endanger farm workers](#).

Froines, who said he'd received no explanation for his dismissal, praised the work of his colleagues, many of whom had served on the panel for more than a decade. "The integrity of this panel has been nothing short of impressive," he said. "Why would you destroy it?"

Craig Byus, dean of UCLA's Thomas Haider Program in Biomedical Sciences, learned of his dismissal the same day as Froines. Then, on August 20, three other panel members received similar notices, this time from the California Environmental Protection Agency. The three members were Joseph Landolph of USC, Gary Friedman of Stanford University School of Medicine, and Charles Plopper of UC Davis.

Asked about the dismissals, staffers for both Perez and California EPA said the time had come for panel members to be reappointed. Candidates for these positions, they explained, come from a list supplied by the UC Office of the President.

When the list arrived, they said, the names of Froines and others weren't on it. UC Provost Lawrence Pitt said that he couldn't speak directly to the names on the list, but that he wasn't aware of any specific instructions to remove specific panel members.

"I'm confident we have no part of it," Pitts said.

Froines and others on the panel said that while single panel members may step down and be replaced every few years or so, such widespread, simultaneous dismissals are unprecedented. "Normally what happens is we get reappointed, or the state just continues us."

"It's curious, you've got this obscure panel that's been doing a good job," said Sierra Club California director Bill Magavern, "so why suddenly the wholesale changes?"

One group taking credit for the shakeup is the Pacific Legal Foundation, a Sacramento-based conservative group with a [history of fighting environmental legislation](#). The foundation has charged, in an [ongoing lawsuit](#), that panel members shouldn't be able to serve such long terms.

Foundation attorney Damien Schiff said he believes the lawsuit served as a catalyst for the dismissals, which he called a "needed infusion of fresh blood for the panel."

The lawsuit stems, in part, from longstanding complaints from the building and transportation industries over the panel's [1998 conclusion](#) that diesel particulate is toxic to human health. That determination formed the basis for a series of [regulations](#) of the trucking industry, which has [vigorously fought](#) the new rules.

State officials have announced the appointment of five new UC scientists to replace the departing members. Michael Kleinman, whom Froines says he admires, is an adjunct professor at the UC Irvine School of Medicine. Kleinman will be chairman of the revamped panel.

UCSF's Paul Blanc said he believes the quick turnover will get in the way of the panel's ability to do its work. "I think this will cripple the committee," he said "certainly in the short term."

[Modesto Bee Editorial, Mon., Aug. 30, 2010](#)

This week: Biomass votes at MID

The Modesto Irrigation District board is scheduled to make two key decisions Tuesday regarding a biomass plant proposed in an east Modesto industrial area. The decisions:

Whether to adopt a declaration stating that the project will not have serious environmental impacts, and

Whether to sign an agreement with Valley Bio-Energy to buy up electricity produced by the facility for 20 years. If this is approved, the MID figures it will need to spend \$4.4 million of its own money to connect to the facility.

Both votes are crucial to the developers of the \$80 million project. They are counting on private investors and federal tax rebates for up to a third of the cost. MID staff estimates that electrical rates will rise 3 percent starting in 2013 to pay for the "green" power. The MID board meets at 9 a.m. Tuesday, 1231 11th St.

The Hughson City Council has two special meetings tonight, one at 6 to certify the results of the recall election last week, and the second at 7 to swear in the three new members chosen in the election. The first meeting is at City Hall, 7018 Pine St. The second is at the Community-Senior Center, 2307 Fourth St.

The Riverbank City Council has a special meeting at 6 tonight, 6707 Third St.

The Stanislaus County Board of Supervisors, meeting at 9 a.m. Tuesday, will hear a report on the Community Service Agency's efforts to prevent and detect fraud within In-Home Supportive Services, the large and growing program that provides assistance to seniors and the disabled to help them stay out of nursing homes. Basement, Tenth Street Place, 1010 10th St.

[Bakersfield Californian, Commentary, Fri., Aug. 27, 2010:](#)

UCLA professor's case obscures undeniable facts about pollution

Lois Henry's Aug. 15 column "Independent thought not wanted at UCLA," illustrates yet again that there are two sides to every story.

Henry leaves the reader thinking that there is some kind of conspiracy to unfairly regulate diesel emissions. She implies James Enstrom lost his job as a UCLA researcher because he wouldn't go along with the mindset at UCLA to prove air pollution, specifically that particulate matter measuring 2.5 micrometers (PM 2.5) or less from diesel soot emissions is harmful to our health.

PM 2.5 is the smallest of particles that hang in the air that we can't see with the naked eye, but can easily lodge into our bodies as we breathe it into our lungs. The bulk of the studies on this topic have concluded that diesel soot is extremely harmful to our health and can cause premature death. Why does Henry so quickly dismiss the weight of the studies that support the opposite of Enstrom's one study outcome?

Enstrom wasn't actually fired. That's a dramatic and inaccurate way to characterize what happened to him. Simply, Enstrom wasn't reappointed when his term appointment ran out. Why does Ms. Henry question the motives of UCLA, but not the motives of a researcher who is courted by an industry that is resisting regulation because it will cut into its profit margin?

Henry does great harm when she downplays the toxic effects of diesel soot. I live in Lebec, which is a community along Interstate 5 within the Grapevine region, and it's been documented by Caltrans and others that approximately 750 diesel trucks an hour drive by our three mountain community schools that line the interstate in Lebec and Gorman. That means approximately 5,000 trucks drive by our schools during normal operating hours. Young lungs, hearts and brains are especially vulnerable to exposure to toxins.

I'm so afraid this bandwagon of minimizing the effects of diesel soot will slow down the process of protecting the children of my community, including my own child. I take Henry's columns against regulating the diesel industry personally.

I believe that Henry likes to champion the underdogs of the world, and I have admired that quality in her columns in the past. Perhaps she relates to the small owner/operator truck drivers who are worried about how they will pay to upgrade their trucks to meet the new air pollution regulations.

Others have also been worried how to economically protect the small operator, and many have worked hard to make sure there will be funding available to help the small owner/operators who will be financially impacted by the new regulations.

I believe it's appropriate for the larger corporate trucking companies to financially absorb the costs of modifying their fleets so they will produce less toxic emissions.

If regulations aren't in place to decrease diesel truck emissions, those who will pay the price of inadequate regulations will be the children and elderly who breathe in the particles emitted by a lucrative and flourishing industry.

Linda McKay of Lebec is president of The TriCounty Watchdogs, an environmental nonprofit organization, and chairwoman of the Environmental Justice Advisory Group for the San Joaquin Valley Air Pollution Control District