

## **Supervisors declare impasse with prosecutors**

By James Burger, Californian staff writer  
Bakersfield Californian, Wednesday, Sept. 1, 2010

In other action Tuesday, supervisors:

- Approved mitigation fee agreements with the Saco Ranch and Stockdale Ranch projects.

The two large land development proposals will be annexed into the city of Bakersfield, shifting much of the tax revenue to the city.

But the county was able to negotiate payments from the developers that will support county services that will still be provided to the developments after annexation.

- Agreed to eliminate the Animal Control director position currently held by a retiring Guy Shaw.

Public Health Director Matt Constantine argued the position is not needed and the county can save \$22,741 by hiring a leader for the department into a less lofty classification.

- Voted to oppose plans from the California Air Resources Board to lump Kern County in with all of the eight San Joaquin Air District counties for calculating the pollution reduction targets the county must meet by 2020 and 2035.

Kern County Planning Director Lorelei Oviatt told supervisors that lumping Kern in with everyone else ignores the fact that Kern County covers valley, mountain and desert areas and has unique characteristics with heavy truck traffic and military installations.

She said reducing greenhouse gases by 5 percent by 2020 and 10 percent by 2035 are goals that will be impossible to meet -- setting Kern County up for failure.

"It will not be a matter of stopping building. It would be a matter of stopping functioning," Oviatt said. "We could literally stop driving -- everyone -- and not make those targets."

*Note: This passage is an excerpt of a longer article.*

[Bakersfield Californian, Commentary, Wednesday, Sept. 1, 2010:](#)

### **UCLA letting researcher stay -- for now**

By Lois Henry, Californian Columnist

The mucky-mucks at UCLA have apparently decided to go ahead and follow their own policies -- after a team of legislators demanded they do so -- in the attempted firing of one of the university's longtime researchers.

Jim Enstrom, a 34-year researcher with the university's Environmental Health Sciences Department, had been notified that his last day would be Aug. 30 because "your research is not aligned with the academic mission of the Department," according to a letter from the department.

Enstrom had appealed but was told to clear out before the appeal was settled.

That's a no-no, according to university policies, something the 20 legislators pointed out in their joint letter to the University of California chancellor on Aug. 16, which also threatened to pick apart the issue at a public hearing in Sacramento if Enstrom was cut loose before the appeal process ran its course.

The school remained tight-lipped and appeared poised to carry through with its heave ho until 5:01 p.m. Monday when Enstrom was notified that, okaaaaaaay, he could stay until his first appeal, plus a "whistleblower" appeal he filed Aug. 26, are settled.

Enstrom, and I, believe he was retaliated against by his department for his activism in trying to get other scientists and regulators at the California Air Resources Board to play fair when it comes to the actual science of air pollution and whether it causes as much harm to Californians as has been claimed.

Prevailing thought in the department, which gets research grants from CARB, is that pollution, specifically particulate matter known as PM2.5, is killing us.

Enstrom is one of a growing number of scientists who have found that PM2.5 has little to no effect on premature deaths in California.

And that has made him a pariah in his own department.

Rather than considering Enstrom's work (a 2005 study that has been published, peer-reviewed and stood up under withering criticism over the years), CARB and now the Environmental Protection Agency have instead misquoted his research and ultimately ignored it.

The first time was in a report written by disgraced CARB researcher Hien Tran who, it was discovered by Enstrom and others, had lied about having a Ph.D from UC Davis.

That Tran report outlined the number of Californians who supposedly die prematurely each year from exposure to diesel PM2.5. It was used to justify stringent new regulations for the trucking industry by CARB that would virtually make today's fleets unusable in California.

After Tran's deception was revealed, as well as an attempted cover up by CARB Chairwoman Mary Nichols, the board vowed to have the Tran report properly redone.

Instead, they've now decided to use an EPA health effects assessment that was just released.

And whaddaya know? Enstrom's 2005 study isn't mentioned, which is funny because it was noted in the draft version of that report.

I know because I had asked the EPA several months ago why his study -- and two other studies that also showed little to no effect on premature deaths in California -- were so badly misquoted.

Mary Ross, the EPA spokeswoman I talked with, initially said I must be confused. The studies were not mischaracterized, she said.

So I e-mailed her specifics, such as how the years in Enstrom's study were all mixed up and the index said his results were for cardiovascular and respiratory mortality when, in fact, he had looked at "all cause" mortality, and only his data from 1973 to 1982 showing a very small effect was cited, whereas the data from 1983 to 2002 showed zero effect.

I never got my questions answered.

Another scientist, Fred Lipfert, had complained publicly that his report on veterans, which showed no effect for all cause mortality, was presented to make it look as if there was an effect.

And a portion of the well-known California Adventist study of smog, showing PM2.5 had no premature death effect, was left out.

"It's very subtle," Enstrom said of how his and other scientists' opposition studies have been manipulated or simply shunted aside. "No one would pick up on it unless they were very knowledgeable of the epidemiological evidence."

It may seem nitpicky, but that's what I think we all want in science. That and an open, honest look at all the research, especially work that challenges prevailing thought.

If evidence that PM2.5 is really killing us is so rock solid, why is one guy with a different view causing so much heartburn?

Meanwhile, Enstrom is hoping he can move forward with an application for a new grant from the Health Effects Institute to do another study looking more deeply into PM2.5's supposed health effects.

He needs his UCLA position, however, to get the grant, which must be signed off on by exactly those faculty members who voted to have him fired.

"It's a never ending saga," he said.

Here's hoping the saga continues for Enstrom.

