

## **Triple digits, smoky air in Valley today**

By Eddie Jimenez / The Fresno Bee  
Monday, Sept. 27, 2010

Valley residents can expect 100-degree temperatures and poor air quality today.

A high of 101 is forecast for Fresno today, the National Weather Service said.

That, coupled with smoke drifting into the Valley from the Sheep fire in Sequoia National Forest and Kings Canyon National Park, has prompted the San Joaquin Valley Air Pollution Control District to issue an air quality alert until noon today.

With more 100-plus-degree days expected this week, the air quality alert is likely to be extended, said Jim Dudley, meteorologist with the National Weather Service in Hanford.

The forecast calls for a high in Fresno of 103 on Tuesday, followed by 101 on Wednesday and 100 on Thursday.

The record high of 105 for Sept. 27 isn't likely to be broken today, though records for the next two days -- 104 and 102, respectively -- could be challenged.

A ridge of high pressure over the western U.S. is driving Valley temperatures well above the normals this time of year, which are in the mid-80s.

Friday's high in Fresno is expected to dip to 97.

Overnight lows will be in the mid-60s this week.

The air quality will be unhealthy in Fresno and Tulare counties today and unhealthy for sensitive groups in Madera and Kings counties, according to the air district.

Older adults and children should avoid outdoor strenuous activities or heavy exertion today and people with respiratory conditions should be cautious, the air district said.

## **Mining plan near Sequoia park divides region**

**Environmental and cultural interests battle economic needs in Fresno County dispute.**

By Louis Sahagun, Los Angeles Times  
Sunday, Sept. 26, 2010

Reporting from Reedley, Calif. — A Mexican cement company's 100-year plan to blast gravel off a mountain at a scenic gateway to Sequoia and Kings Canyon national parks has pitted the environmental and cultural interests of San Joaquin Valley ranchers and Native Americans against the economic needs of the region.

Cemex, one of the world's largest suppliers of building materials, wants to blast and drill 2 million tons of sand and gravel each year on the southern face of Jesse Morrow Mountain, a western Sierra Nevada peak towering over California 180, about 20 miles southeast of Fresno.

Cemex spokeswoman Jennifer Borgen said the mine would supply the region for decades to come, create 40 new jobs and add about \$48 million annually to Fresno County's economy.

"It will also actually reduce air pollution and greenhouse emissions," she said, "because the conveyor belts will be covered and the material will be close to customers. As a result, it will cut

back on fuel emissions and reduce truck miles."

Opponents, however, fear it could become a major source of hazardous particulates and ozone in a region ranked as one of the smoggiest in the United States.

The proposal has already caused a rift within the Choinumni Tribe, one faction of which has received money and land from Cemex.

Starting in 2012, mine workers would blast down the mountain in a series of mile-long "benches," removing granite to be crushed for building material. After a bench is mined out, the one above it would be restored with topsoil and natural vegetation. Initially, the ridgeline of the mined portion of the mountain would be lowered 400 feet.

The proposal calls for 954 truck trips a day along the two-lane country highway that streaks past fruit orchards, a winery, cattle ranches and panoramic vistas of oak forests and meadows strewn with the remnants of ancient Native American villages.

Now, with the Fresno County Planning Commission preparing to vote on the project's environmental impact report, opponents organized under the banner Friends of Jesse Morrow Mountain are stepping up their campaign to prevent the mine from being built.

"When I first heard about this proposal, my heart fell into my shoes," said Jim Van Haun, who, with his wife, built the 20-acre Cedar View Winery and adjacent Sequoia View Bed & Breakfast in the shadow of Jesse Morrow Mountain in 1998. "It will destroy a priceless view shed and unique ambience."

Local cattle rancher Donna Hacker agreed. Standing on a massive boulder pocked with ancient grinding potholes just a stone's throw from the mountain, Hacker shook her head and said, "It's hard to imagine that Fresno County would even consider allowing a big, noisy, ugly mine in a place like this."

Richard Young, a retired NASA planetary scientist who lives in the area, questioned the county's assumption of a need for that much sand and gravel, given that U.S. Census Bureau information shows a slowing in growth since 1990. Young's own analysis indicates that gravel production by existing mines would meet the county's needs through 2030, providing plenty of time for officials to find alternative, less polluting sources of building material.

Fresno County Supervisor Debbie Poochigian, whose district includes Jesse Morrow Mountain, declined to comment on the project. "I want to keep my mind as open about this as I can before forming an opinion," said Poochigian, who received a campaign donation of \$1,000 from Cemex in 2008.

Critics are also concerned about Cemex's regulatory difficulties elsewhere. In Colorado, a state enforcement action against Cemex in 2006 resulted in a \$1.5-million settlement. The U.S. Environmental Protection Agency in 2007 filed a lawsuit alleging the company's Victorville operation had been modified without proper permits and pollution control equipment. In that case, Cemex agreed to reduce emissions and pay a \$2-million fine.

In a controversial move here, the company donated \$10,000 and an offer to lease 40 acres on the north side of the mountain to the Kings River Choinumni Farm Tribe, which supports the mine, the company said. The faction's leaders could not be reached for comment.

But David Alvarez, chairman of the Traditional Choinumni Tribe, referred to that deal as "yet another heartbreaking example of corporate divide-and-conquer strategies in Indian Country."

Allowing Cemex to mine Jesse Morrow Mountain, he said, "would be an assault on our traditions

and culture and put a cloud on the hopes and dreams of our elders."

Borgen pointed out, however, that the mine site had been surveyed by a team of anthropologists and archeologists who "found nothing at all of historic or cultural significance."

Some tribal members said she missed the point. Jesse Morrow Mountain anchors a swath of key ancestral lands that extends a few miles west to the Kings River, south to the site of a bloody massacre of tribal members in 1852, east to ancient campgrounds and north to the only patch of land still owned by the tribe of roughly 500 members: a two-acre parcel known as Choinumni Sacred Burial Grounds.

The grounds, which are off-limits to nonmembers of the tribe, are at the end of a dusty road just south of the Pine Flat Dam on the Kings River. Surrounded by chain-link fence, they contain dozens of gravesites marked by crosses made of scrap wood. Veterans' gravesites are decorated with small American flags and framed by large river rocks painted red, white and blue.

"My mother, Angie 'Yo-Wis-Nuth' Osborne, longtime leader of the Traditional Tribe, was buried there last November," said Audrey Osborne, that faction's historian. "She spent the last years of her life fighting for the preservation of Jesse Morrow Mountain."

"She told us, 'That site is sacred. It is not for sale. Do not give up this fight!' " Osborne recalled. "We promised to complete her work."

### **Drive a car? You may pay more for our bad air**

By Steven Mayer, Californian staff writer  
Bakersfield Californian, Friday, Sept. 24, 2010

If you live between Arvin and Stockton, the air you breathe may be picking your pocket.

The San Joaquin Valley will soon pay nearly \$29 million in fines for violating federal air-quality standards -- and if you own a car, the money may come directly from your bank account.

Ironically, the valley's air this summer was the cleanest on record, according to officials with the San Joaquin Valley Air Pollution Control District. But in mid-August when temperatures climbed past 110, the Air District recorded four violations of the one-hour ozone standard -- a federal Clean Air Act standard that measures the peak level of ozone during any one-hour period.

Just one violation anywhere in the eight-county air district was enough to bring on the penalty.

Rather than assessing the valley's largest stationary polluters, such as oil refineries, power plants and agricultural-production facilities, Air District officials are proposing to add approximately \$10 to \$12 to vehicle registrations in the valley.

"This is a fair thing to do in our view, since 80 percent of our smog comes from mobile sources," said Seyed Sadredin, Air District director.

Sadredin noted that industries in the valley have invested hundreds of millions of dollars in recent years to upgrade their pollution-control technology. And it has helped place them among the cleanest stationary sources in the country, he said.

"If anything, they deserve an award," Sadredin said.

The Air District has no jurisdiction over mobile sources -- auto and truck emissions -- but it does have the authority to assess valley residents through DMV fees.

Kerry Drake, assistant director of the air division for the Environmental Protection Agency's Region 9, said penalties associated with ozone levels have been on the horizon for a long time, since 1990 when the Clean Air Act was amended to deal specifically with ozone.

So the 2010 deadline for attainment should come as no surprise, he said.

Nevertheless, Drake said EPA is sensitive to how difficult it is for the valley to consistently meet ozone standards in an air basin lined on three sides by mountains and plagued by a climate that tends to lock pollution in the valley.

He echoed Sadredin in lauding the efforts of valley businesses, and noted that EPA has offered the Air District flexibility in how attainment is measured and fees are assessed.

Kern County Supervisor Ray Watson, who also serves on the Air District board, said he has some research to do before he decides whether he will vote to pass the cost on to DMV vehicle registrations or send the bill to valley businesses.

Neither option is attractive, he said. But given that most of the valley's ozone is generated by motor vehicles, the DMV option may be the lesser of two evils.

"It's a dollar a month, not a huge amount of money," Watson said. "But the other side of the coin is I don't want people to think every time we have a problem, we throw another fee or surcharge on them."

Either way, the \$29 million will go directly to the valley Air District to use in continued efforts to clean the air. Potential uses include establishing financial incentives for trading in older, polluting vehicles or purchasing cleaner-running vehicles.

Taft City Councilman Randy Miller, who serves on the Air District board, also appeared to be leaning toward the DMV alternative, however reluctantly.

"No matter who pays, it's going to be awful," he said.

Miller said he's new to the air board, so he's still familiarizing himself with the process. But he said he feels the valley has been placed in a no-win situation.

"It's a ridiculous amount of money," he said. "And it's not doing anything to solve the problem, which is unique to us. We can't change the weather."

Frustration with the standards is building. Even Sadredin used the word "archaic" in reference to the one-hour ozone standard.

Some wonder whether the standards are truly within reach, short of a revolutionary and unlikely move among consumers toward electric or other low- or non-polluting vehicles.

"Considering our meteorological conditions, it's likely that we will continue to exceed the standards," Watson said. "I don't know how all of this is going to shake out. It's a challenge."

The proposal to assess vehicle owners in the valley will be considered by the Air District's governing board on Oct. 21.

## **Our Air**

**Smog and ozone** — Smog is formed when emissions from tailpipes and factories react in sunlight. Ozone, the key ingredient in smog, can exacerbate asthma and other lung conditions.

**Red days in the valley** — In 2008, the valley portion of Kern County experienced 41 "red days," meaning the Air Quality Index indicated "unhealthy" air for everyone on those days, with sensitive

groups at risk of more serious effects. The high number of red days was attributed, in part, to the large number of wildfires that year.

Last year, the number of red days dropped to 21. And so far this year there have been just seven red days in Kern County and 10 district-wide.

**Imported smog** — Up to 10 percent of the valley's ozone is blown in from the San Francisco Bay Area.

**Source:** San Joaquin Valley Air Pollution Control District

## **Sequoia Shuttle ridership up 40 percent**

By Gerald Carroll, Visalia Times-Delta and Tulare Advance-Register, Saturday, Sept. 25, 2010

Completing its fourth year Monday with its best ridership numbers yet, the Sequoia Shuttle will likely continue in 2011, but there are no guarantees, administrators report.

It all depends on what goes on in Washington [D.C.]," said Gamaliel Anguiano, director of the increasingly popular shuttle-bus service between Visalia and Sequoia National Park.

Grant funding and other outside revenue sources — mostly from federal transportation funds — heavily subsidize the service, which costs \$15 per rider, including admission to the park. Park officials have long lauded the shuttle's role in decreasing traffic and, hence, air pollution in the park during the height of the summer tourist season.

This year marked a whopping 40 percent increase in overall ridership over 2009, Anguiano reported, as 7,267 riders made the round trip during the season, which runs from Memorial Day weekend through Labor Day weekend.

"We actually extended the season past Labor Day weekend because the demand was there," Anguiano said. "The weather was still quite warm."

### **Passenger demand**

Even with the bump in riders, the shuttle still generated only around \$105,000 in ticket sales for the season — only a small fraction of what it takes to sustain the service, records show.

Each shuttle bus can carry as many as 16 on

any given trip, but an ideal number of passengers per trip is probably half that, or eight, Anguiano said.

"It can get a little tight with a full shuttle," he said. "It's ideal to have one empty seat between each passenger."

Still, visiting groups used the shuttle extensively, Anguiano said. One group, from the former Soviet republic of Belarus, came out in June and filled three buses.

"There were 48 of them in all," Anguiano said of the Belarus contingent. "Whenever groups that large use the shuttle, we do everything we can to accommodate them."

Ridership was at 50 percent capacity or better for the peak months of summer, Anguiano reported, but "could still use improvement" overall.

Such numbers will be used to determine whether the shuttle expands, contracts, suspends or continues its service next year and thereafter, experts say.

### **Sequoia's 120th anniversary**

The shuttle's final day Monday closely coincides with Saturday's the 120th anniversary of Sequoia National Park, officials reported. On Sept. 25, 1890, Congress passed and then-President Benjamin Harrison signed the act designating Sequoia as the nation's second national park. Yellowstone National Park was the first in 1872.

Further protective measures over the years have been taken to preserve wilderness areas in and around the park:

- Sept. 3, 1974: Congress passes and then-President Lyndon Johnson signs the Wilderness Act, designating nine million acres of public lands as "wilderness" and establishing the National Wilderness Preservation System.
- Sept. 28, 1984: Congress passes and then-President Ronald Reagan signs the California Wilderness Act designating the 723,036-acre Sequoia-Kings Canyon Wilderness.
- Sept. 1, 2010: President Barack Obama proclaims September as National Wilderness Month.

Obama released an extensive written statement after the proclamation was made, essentially to "celebrate America's abundance of diverse lands, remarkable wildlife and untamed beauty."

### **Calif. air regulators adopt new renewable rules**

The Associated Press

In the Modesto Bee and Merced Sun-Star, Friday, Sept. 24, 2010

SAN FRANCISCO -- California regulators have adopted the nation's most aggressive clean energy standards, rules that require utilities to derive one-third of the electricity they send to consumers from renewable sources like solar and wind within a decade.

The California Air Resources Board on Thursday voted unanimously to set the new benchmarks, which currently stand at 20 percent.

Board chairwoman Mary D. Nichols says the new regulations will save consumers money while guaranteeing a steady supply of energy for the state.

Gov. Arnold Schwarzenegger favors the change as a way to meet the requirements of 2006 law mandating statewide reductions in greenhouse gas emissions.

A state legal office will review the regulation, and has a year to approve it.

[Bakersfield Californian commentary, Sunday, Sept. 26, 2010:](#)

### **\$29 million fine for bad air? Please explain**

By Robert Price, Californian Columnist

So it's come to this: We're being fined for living in the San Joaquin Valley. Not for abusing our valley, or disrespecting our valley, or allowing a uniquely cantankerous group of people to live among us in our valley -- we're getting dinged merely for occupying this particular swath of earth. As if we weren't penalized enough in July and August when temperatures nudged 110, now we're being punished just for being.

That's the alarming conclusion we must take from the news that the eight counties of the San Joaquin Valley will soon pay nearly \$29 million in fines for violating federal air-quality standards. Officials of the San Joaquin Valley Air Pollution Control District are almost embarrassed to admit it, but it's likely we'll each fork out an additional \$10 to \$12 in car registration fees to cover the bill.

That's right, we're in trouble for living in a bad-air basin. Yes, even though the valley's air this summer was the cleanest on record, according to the Air District. Even though the valley's largest stationary polluters, such as oil refineries, power plants and agricultural-production facilities, had a better-than-average year in terms of compliance. Even though it was the summer's hotter-than-normal temperatures, and not our collective lack of concern, that wreaked havoc with official ozone meters. Even though, for the 700-millionth straight year, God refused to rip an asteroid-sized air vent in the Tehachapi mountains, thereby allowing all of that bad trapped air to flow out and those soothing ocean breezes to flow in.

Look, most of us are team players. Most of us want to rid this place of asthma and heart disease and all of the other unpleasant long-term by-products of dirty air. If the Environmental Protection Agency wanted to get everybody on board, it would officially admit that we're making a responsible effort here. Fine the rest of the state and give it to us as compensation for putting up with these immutable geographic/meteorological circumstances. Give us some credit for putting up with wood-burning restrictions and electric lawn care products; don't condemn us.

But no. We're being fined for living in a horseshoe-shaped valley that traps pollutants -- as much as 10 percent of it regularly wafting south from the San Francisco Bay Area. We get smog from the other side of the mountains, too, whenever California's tinderbox back country goes up in flames, which is generally once or twice a year, often owing to the encroachment of residential development into rural areas not well protected from fire. But the greatest non-homegrown share comes from interstate and trans-state freeway traffic, including commercial long-haul truckers.

What can we do about this misapplied fine, short of revolution? Start charging others for the benefit of leaving their soot on our doorstep as they pass through.

I have a few unrealistic (and possibly illegal) fantasy solutions.

- Set up toll booths at both ends of the valley, not only along Highway 99 and Interstate 5, but at every major east-west crossing route. Five bucks for every car not registered in one of the eight San Joaquin Valley counties, plus another \$10 for every additional axle. Sure, vehicular traffic in the valley's four or five metro areas contributes to the ever-present smog blanket, but we're also the primary thoroughfare for north-south traffic, including a huge percentage of commercial conveyance. We deserve some compensation. What are they gonna do, try to avoid the toll by driving around us?
- Sue neighboring counties that allow development to intrude on land that goes up in flames every 20 years. Start with San Bernardino County, where residential kindling explodes in billion-dollar bonfires with predictable regularity. They burn, we brush the ashes off our Chevy Silverados.
- Help us cut a deal on low-emission cars and trucks. The federal government wants to encourage consumers to consider alternative-fuel vehicles. Fine. Make the San Joaquin Valley the ultimate laboratory. Offer some significant subsidies toward the purchase of electric or hybrid cars for those who can prove residency in the San Joaquin Valley.

The Air District is powerless to regulate vehicle use in the valley, but the feds might have some influence. Let's put the onus on them -- and the car manufacturers. Let's turn this into Hybrid Valley, and in the process answer once and for all the question of whether a concentrated, large-scale rollout of alt-fuel vehicles actually cleans the air or just shifts the burden to electric-generation plants. The feds will have to develop a sound battery-disposal program, too, which they'll have to do anyway.

OK, everyone -- start holding your breath.

I don't mean to imply that we citizens of the valley are doing everything we possibly can to clean our air. We can do better, starting with a thousand small things. (No. 1 on my personal list: gas-powered leaf blowers.)

But directing a \$29 million fine at a valley saddled with so many natural environmental challenges is like spanking a child for being red-headed. I've never minded paying taxes and fees that were just and fair, or that paid for a clearly defined benefit, but this isn't any of those things. It's just wrong.