

Projects to improve San Joaquin Valley air get \$3 million

Bee Staff Reports

Modesto Bee and Merced Sun-Star, Sunday, Dec. 18, 2011

The San Joaquin Valley Air Pollution Control District's governing board has awarded \$2,947,694 to 11 projects targeted at reducing the valley's air quality emissions through new technology.

The board also authorized an additional \$3 million to bring more technology-advancement entrepreneurs in the valley.

The latest request for proposals to the Technology Advancement Program resulted in submissions ranging from an all-electric agricultural sprayer to a natural gas conversion kit for locomotive engines, an emission-reducing raisin tray burning system to a cleaner composting system.

District staff evaluated the proposals for relevance to attainment plans, co-benefits, cost effectiveness, funding requested and leveraging, and project readiness.

"We are encouraged by the response we received to this funding availability," Seyed Sadredin, the district's executive director and air pollution control officer, said in a news release. "The TAP program's primary goal is to advance technology and accelerate deployment of innovative clean-air technologies that can bring about emission reductions as rapidly as practicable."

The newly funded projects and amounts are:

- \$350,000 for Pure Power Technologies' proposal to demonstrate a non-urea NOx reduction retrofit system for diesel trucks.
- \$300,000 for California Bioenergy's proposal to demonstrate advanced two-stage controls to a biogas engine system to achieve near-zero NOx.
- \$258,000 for U.S. Hybrid Corp.'s proposal to demonstrate a plug-in hybrid wheel loader in a dairy application.
- \$292,830 for U.S. Hybrid Corp.'s demonstration of a plug-in hybrid propane/electric work truck.
- \$75,580 for Energy Conversions Inc.'s proposal to demonstrate a natural gas conversion kit for two-stroke diesel locomotive engines.
- \$370,534 for Electricore Inc.'s proposal to demonstrate a fully autonomous agricultural sprayer based on a zero-emission, all-electric vehicle platform.
- \$28,250 for Sun-Maid Growers of California's proposal to demonstrate an emission-reducing raisin tray burning system.
- \$300,000 for Thermata's proposal to demonstrate a concentrating solar steam system to offset boiler fuel consumption and emissions.
- \$250,000 for Leva Energy Inc.'s proposal to demonstrate a power-generating burner that recovers wasted energy through a microturbine.
- \$242,500 for the city of Manteca's proposal to demonstrate a serial hybrid hydraulic refuse truck.
- \$230,000 for the Association of Compost Producer's proposal to demonstrate a positively aerated static compost pile system.
- \$350,000 for PG&E Fleet Engineering's proposal to demonstrate an extended range electric drive Class 6 bucket truck with electric work site operation capacity.

"Not only are these new projects innovations that will help clean up the valley, but they are also vital to supporting the valley's technology development community and economic vitality," Sadredin said.

A new request for proposals will be released by the district in 2012. For more about the Technology Advancement Program or to subscribe to a free mailing list for notification of program developments, go to www.valleyair.org/Grant_Programs/TAP/tap_idx.htm.

Valley ozone plan gets federal OK

By Mark Grossi, staff writer

The Fresno Bee, Friday, Dec. 16, 2011

The Valley's plan to clean up summertime ozone by 2024 got federal approval Friday, four years after local officials completed it.

Air-quality activists last year sued the U.S. Environmental Protection Agency in federal court to force a decision. The EPA settled the suit by agreeing to issue decisions for both the Valley and the South Coast Air Basin, which also received approval for its plan.

A lawyer with Earthjustice, an Oakland-based legal watchdog that filed the suit, said the EPA approvals were disappointing and might have to be thrown out in further legal action.

"This plan contains several defects that are currently being litigated in the context of the one-hour ozone plans that failed in both L.A. and the Valley," said lawyer Paul Cort.

The Valley and the South Coast have the worst ozone pollution in the country, though each region has improved over the last decade.

To meet the cleanup deadline for the 1997 eight-hour federal ozone standard, both regions will need pollution reductions from state-controlled sources, such as diesel truck engines. A year ago, the poor economy forced state officials to delay the truck rules.

Seyed Sadredin, executive director of the San Joaquin Valley Air Pollution Control District, said his staff did not wait for federal approval of the plan.

"We have already implemented all the local measures that we promised in the plan," he said.

EPA OKs ozone plans for San Joaquin Valley

Central Valley Business News.com, Friday, Dec. 16, 2011

Air pollution control officials in the San Joaquin Valley can breathe a little easier following approval by the U.S. Environmental Protection Agency of the so-called "8-hour ozone air quality plan" for the eight-county region.

Approval is expected to lead to achieving the Clean Air Act's 1997 8-hour ozone standard of 0.08 parts per million by 2024, the EPA says.

It notes that there have been improvements in air quality over the previous decades with the worst air quality locations in the Valley improving for ozone by 6 percent and with other locations having even greater air quality improvements.

"But much work remains in order to protect the millions of people who live and work in these areas," says Jared Blumenfeld, EPA's regional administrator for the Pacific Southwest. "These plans will spur development of new technologies and will cut NOx emissions by almost 700 tons per day over the next twelve years and help reduce the number of cases of asthma and other respiratory ailments."

The Valley's air clean-up plan relies on development and deployment of new and improved technologies to achieve clean air.

Valley's ozone plan approved

By Sentinel Staff

Hanford Sentinel, Saturday, Dec. 17, 2011

SAN FRANCISCO - The San Joaquin Valley's 22-year air-quality management plan received a nod from the federal agency Friday, giving the region more time to bring its ozone level to compliance.

The U.S. Environmental Protection Agency approved plans in the Valley as well as in the South Coast region in Southern California.

The two regions have the worst air quality in the nation. The plans, known as state implementation plans, will enable these areas to achieve the Clean Air Act's 1997 standard of 0.08 parts per million by 2024.

"Air quality in the San Joaquin Valley and South Coast continues to improve, but much work remains in order to protect the millions of people who live and work in these areas," said Jared Blumenfeld, EPA's regional administrator for the Pacific West, in a statement.

"These plans will spur development of new technologies and will cut [nitrogen oxides] emissions by almost 700 tons per day over the next 12 years and help reduce the number of cases of asthma and other respiratory ailments."

The Clean Air Act allows areas, such as the Valley and South Coast that are classified as in "extreme" nonattainment, to use new technologies to curb pollution. Air districts in both regions are working on developing needed technologies, EPA officials said.

Ground-level ozone - the primary precursor to smog - presents a serious air-quality problem and health concerns in the Valley. Formed when nitrogen oxide and volatile organic compounds react in the air under sunlight, ozone can aggravate asthma and other lung conditions. Children and the elderly are most impacted by ozone pollution, EPA says.

Power plant gives money to support clean-air projects

By Sabra Stafford

Turlock Journal, Friday, Dec. 16, 2011

A Bay Area power plant presented the San Joaquin Valley Air Pollution Control District with funds to help off-shoot the costs of pollution-reduction efforts.

Mariposa Energy, LLC, the owner/operator of the Mariposa Power Plant in Alameda County provided the Air District with a check for \$644,503, as part of a 2009 agreement.

The plant is just outside the jurisdiction of the San Joaquin Valley, and instead is in the Bay Area Air Quality Management District. However, it is expected that when the plant becomes operational in 2012, it will have an impact on the San Joaquin Valley's emission levels.

"We are delighted with the desire of Mariposa Energy to be a good neighbor to San Joaquin, even though it is under the jurisdiction of another air quality management district," said Leroy Ornellas, San Joaquin County supervisor and a governing board member of the Air District.

The funds are to be used to support clean-air projects, particularly those in Mountain House and Tracy, the communities closest to the plant.

The plant, which will be operated on an "on call" basis during hours of peak power consumption as determined by the California Independent Systems Operator, is seven miles northeast of Tracy and 2.5 miles west of Mountain House in San Joaquin County. Potential emissions from the plant include nitrogen oxides, volatile organic compounds and particulate matter, all of which are pollutants of concern in the Valley.

"We do believe in being good neighbors and in building the cleanest, most environmentally sensitive projects we can," said Mariposa President Yasuyuki Asakura. "As air emissions do not respect county borders, we approached this issue from a regional basis and reached out to San Joaquin. We're happy to help our neighbors to the east with their air quality issues."

Some of the clean-air projects to be undertaken include replacing and retrofitting heavy duty diesel engines and electrification of agricultural pump engines.

"Because of the unique characteristics of pollution in the Valley, we need to remain vigilant in our efforts to ensure that pollution from source outside the Valley do not impose added burden to the Valley residents and businesses," said Seyed Sadredin, the Air District's air pollution control officer and executive director.

Port an exporting king Stockton facility puts a dent in U.S. trade deficit

By Reed Fujii

Stockton Record, Sunday, Dec. 18, 2011

STOCKTON - While the United States runs a perennial trade deficit, the cause of much hand-wringing among economic experts, the Port of Stockton looks to put a small dent in that with a trade surplus for 2011.

Due largely to the emergence this year of a significant cargo - iron ore mined in Utah and destined for smelters in China - the port reports handling 1.36 million metric tons of export products vs. 1.29 million metric tons of imports through the first 11 months of the year.

It's already a record year for export shipments out of the past 20 years, Port Director Richard Aschieris said.

"I believe we're the only (West Coast) port that is now exporting more than we're importing, and the trends look to continue well into the future," he said.

Iron ore leads

"Iron ore right now is the dominant export," Aschieris said. "We've had a nice year in some of the other commodities, but iron ore by far is more than triple No. 2."

Through Nov. 30, iron ore shipments that began in January totaled more than 777,000 metric tons, while sulfur and rice, the port's second- and third-largest commodities, respectively, were tallied at 216,000 and nearly 207,000 metric tons.

A metric ton is a little more than 2,200 pounds.

Aside from iron ore, the port did a strong business in exports. Other commodities totaled nearly 587,000 metric tons through Nov. 30, more than any full year in the previous five years.

"It's another bit of good news for us," said Jeff Michael, director of the Business Forecasting Center at University of the Pacific.

"It's certainly unusual ... in the U.S. to be exporting more than it's importing," he said.

"To some extent, it reflects trends in the global economy," Michael said. "Exports have grown more rapidly than imports."

A changing world

The switch also reflects global construction trends, he noted.

Before the U.S. housing bubble burst, the Port of Stockton in 2006 recorded a record year for shipping volume, including nearly 2.2 million metric tons of cement imports.

Now, even as America's construction industry remains stagnant, China continues to build and import ore to feed its need for nails, screws and reinforcing steel.

"If these materials are going to be going to China from the U.S., let's ship them from the Port of Stockton. It's great," Michael said.

One factor contributing to the port's export boom has been railroad improvements, particularly since the acquisition of the former Rough and Ready Island naval base in 2000, Aschieris said.

The port has the capacity to handle up to three so-called unit trains - mile-long trains usually carrying a single commodity such as coal, iron ore or wheat.

And the port is investing in additional capacity.

"We have one under construction right now," Aschieris said. "The overall project is valued at \$1.4 million. The port is investing about \$600,000 of bond money, and then the railroads are contributing the other half."

When completed, the port's rail capacity should rise to five unit trains per week.

And Aschieris expects another boost when a planned barge service begins to shuttle cargo containers - which account for the greatest volume of maritime shipping - between Stockton and the Port of Oakland.

Giant cranes to handle the cargo containers are due to arrive at the port early next month, and what's been called the marine highway project should go into operation in February.

"I think we'll do very well in the export side of the barge trips that will go on initially," Aschieris said. "In the first phase of the marine highway, we'll be handling products that are developed in the San Joaquin Valley. Then those products will come here and be exported via barge to the Port of Oakland.

"We already have a couple of tenants that have located to the port that export commodities that are intent on using the marine highway," he said.

"Over time, you'll probably see the barges come back from Oakland with import containers."

Port officials have been considering such a container shuttle service - receiving containers carried by truck and then shifting them to rail or barge for the final trip to Oakland - for nearly a decade.

The 2009 federal recovery act, which provided a \$13 million Transportation Investment Generating Economic Recovery grant, and \$750,000 from state clean-air officials are turning that long-held dream into a reality, Aschieris said.

"We were never able to afford the investment up front. But with the TIGER grant and with the grant from the air board and with the ... cooperation between the Port of Stockton and Port of Oakland, ... that service is going to be able to happen," he said.

Pacific's Michael said he expects the marine highway project to help boost the region's economy.

"It has a lot of potential, ... not transformative of the economy, but it certainly adds a new capability to the region," he said. "It could become a more diverse group of products moving both in and out of the port."

The barge shipping could also supplant trucking to the Port of Oakland, helping ease highway congestion and air pollution, which helped attract the clean-air funds.

"It's an investment that could yield a whole lot of benefits, both economically and environmentally, and otherwise," Michael said.

On patrol with the smoke police

By Kellie Schmitt, Californian staff writer
Bakersfield Californian, Sunday, Dec. 18, 2011

As the first rays of sunshine pierced the dense Bakersfield air, Mike Oldershaw searched for smoke.

"You want a sample of air across your face," he said, adjusting his truck's air vent. "You usually don't see it first, you smell it."

This morning, though, his eyes led him to the culprit: a stucco home in northwest Bakersfield with a wisp of gas piping out its tile roof.

Oldershaw, an air quality compliance manager with the San Joaquin Valley Air Pollution Control District, had spotted what could be the day's first no-burn violator.

When people receive tickets, "they're going to be pretty upset," he said, after snapping a photograph of the house. "But if this improves the lives of four million people, to me, this is a reasonable ticket."

This season, there have been 15 days when burning is prohibited in Kern County, during which time inspectors logged 36 violations -- the same number recorded during all last season (November to February). The high number of violations could be attributed to this year's colder evenings, officials said.

Residents who receive a violation notice in the mail can defend themselves through an in-person appeals meeting. There are some exceptions to the rule, such as residences where the only source of heat is a fireplace.

Violators face either a \$50 ticket or enrollment in so-called "smoke school," which involves a take-home test. For repeat offenders, fines can soar to \$1,000.

For inspectors in the field, detecting violations is an imperfect science. They have to distinguish between polluting chimney smoke and innocuous steam seeping from rooftop vents. Gated communities and high fences can thwart detection. Sometimes, it's hard to track down the scent of smoke, and far-off chimneys can disappear amid the maze of subdivisions.

From the street, inspectors photograph the smoke and the residence's address, which they'll send up to Fresno for final review. Staying in the car isn't just warmer; it's safer to avoid confrontation on a topic that can trigger angry responses.

Burn bans have been a hot-button issue in Kern County, with opponents saying the ban violates their personal freedoms and rights. Some argue the district should go after bigger violators, and reject the idea of tattling on neighbors.

The district has received expletive-laden messages about residents' "rights infringement." Once, an inspector had to dodge an angry homeowner wielding a kitchen knife. To ride along with an inspector, a Californian reporter had to sign a liability release form, and show proof of worker's compensation.

"Some people leave us messages saying 'Come and get me,'" said Seyed Sadredin, the district's chief. "But they're in the minority. We get a lot of calls on the other side saying thank you for this."

Since the first generation of no-burn rules took effect in 2003, the district says it has been the most effective way of reducing particulate pollution at the lowest cost. While tougher pollution rules imposed on business can cost tens of millions, this controversial restriction reduces particulate pollutions by 16 tons a day valleywide -- the equivalent of taking about 140,000 trucks off the road on a given day -- for the sole cost of not using a fireplace or wood stove, officials say.

For those who struggle with the cost of a less polluting heater -- such as a pellet stove or free-standing gas stove -- there is a grant program offering up to \$1,500 to fund the equipment. The district puts half a million into the program yearly, with a "soaring" number of residents taking advantage in recent years, Sadredin said.

But, even for those who say it's more economical to burn, Sadredin disagrees: "Unless you're getting free wood, it costs more to use purchased wood than a natural gas furnace."

Most violators reform after they attend "smoke school," which includes questions such as the hours of curtailment (midnight to midnight) and the health effects of inhaling smoke. Sadredin said the newly educated residents are often full no-burning converts.

"The thing that is the most helpful to them is when you point out the severity of smoke and their health," he said.

Enforcement is an important part of the rule, though the district is tight-lipped about inspectors' timing and whereabouts. On every no-burn day, they're patrolling somewhere in the valley.

"We don't want to tip our hand," Oldershaw said.

On a recent Thursday morning, he photographed just two possible violations, and tried in vain to track down the scent of smoke on another.

But, later that day, he discovered that higher-ups in Fresno had dismissed them: it wasn't clear that the vents in question were chimneys and not clothes dryers. Still, Oldershaw wasn't deterred, pointing out that just being out and about with an air district vehicle shows residents the rule is a serious one.

"At least we're out looking," he said.

MORE ON NO-BURN

For more information on no-burn days, call 1-800-SMOG-INFO or check out www.valleyair.org/aqinfo/WoodBurnpage.htm.

No-burn days are determined in the late afternoon after district officials evaluate a series of factors including weather patterns and pollution. They go into effect from midnight to midnight.

No. of violations/no-burn days per season

2011-12: 36/15

2010-11: 36/40

2009-10: 64/41

2008-09: 85/54

Source: San Joaquin Valley Air Pollution Control District.

Longtime Grayson resident appointed to state environmental post

Patterson Irrigator, Saturday, Dec. 17, 2011

Former Grayson resident and Patterson High School graduate Arsenio Mataka was appointed assistant secretary of environmental justice for the California Environmental Protection Agency, officials from Gov. Jerry Brown's office announced Friday, Dec. 16.

Mataka, a Sacramento Democrat, has served as directing attorney for California Rural Legal Assistance since April 2011 after serving as a staff attorney there starting in 2010. He was a consultant at Mataka Consulting from 2009 to 2010 and an American Bar Association diversity fellow in environmental law in the office of Los Angeles Mayor Antonio Villaraigosa in 2008.

Locally, he also previously headed up the Patterson Irrigator blog, which has taken aim at various City Council members and local developers.

Mataka's new position, which will pay him \$74,076 annually, does not require Senate confirmation.

The Irrigator will have an online update sometime next week.

Kettleman City residents protest to air board

By Mark Grossi, staff writer

The Fresno Bee, Thursday, Dec. 15, 2011

A dozen Kettleman City residents protested at the Valley air board meeting Thursday, saying officials didn't give the town a real chance to talk about a permit renewal for the largest toxic-waste landfill west of the Mississippi.

The farmworker town of 1,500 has been battling for years against the nearby Waste Management landfill, which residents suspect is connected to birth defects, illnesses and deaths in their community.

The renewal of the landfill's federal operating permit, called a Title V permit, gives the public a chance to make comments and ask questions about the landfill. The landfill is regulated as a major source of ozone-making pollution, greenhouse gases and hazardous air pollutants.

The San Joaquin Air Pollution Control District sent public-meeting notices about the renewal to only two people in the town of 1,500 residents, said activist Maricela Mares-Alatorre, who received one of the notices.

"It's a joke, but it's not funny," she told the board. "We have a right to participate."

Air district officials replied that they went beyond legal requirements for notification, which include publishing it in a local newspaper and notifying anyone who has expressed interest.

The district also sent notices to five organizations that have worked with residents: Greenaction; Center on Race, Poverty and the Environment; El Pueblo Para El Air y Agua Limpio; Kids Protecting Our Planet and California Communities Against Toxics.

The district held a 7 p.m. meeting Dec. 8 in Kettleman City to discuss the permit, but residents boycotted it in protest over the notification process.

Mares-Alatorre said the district should have posted a notice in Spanish in the town's post office. The majority of Kettleman City residents speak only Spanish, do not read English newspapers and do not have computers to see Spanish postings on the district's website, she said.

"We live in a place that is contaminated with diesel, bad water and a toxic dump," she said. "It's not acceptable for any public agency to notify us this way."

The Title V permit is required of all major pollution sources, district officials said. Requirements usually involve monitoring, reporting and record keeping.

Air district officials said such permits often become an administrative exercise in California. The state already regulates such pollution sources with some of the country's most stringent rules.

Dry December a bad sign for rain outlook in Fresno

La Niña shaping up to bring dry weather this year.

By Mark Grossi, staff writer

The Fresno Bee, Sunday, Dec. 18, 2011

December is dismal in Fresno -- zero rain so far. Even worse, a dry December brings bad tidings for the rest of winter.

Only once in the past 134 years has Fresno gone without December rain. This is shaping up to be the second time. And when December is dry, there's a good chance rainfall will come in sprinkles instead of buckets in the next few months, say meteorologists.

Blame it on La Niña, the Pacific Ocean cooling trend that tends to mean dry weather for Central California.

But remember last year when La Niña was lurking in the Pacific? Fresno got a record 5.92 inches of rain in December -- more than half of the city's 11.5-inch annual average.

Fresno had 17.52 inches of rain in the rainfall year that ended June 30, ranking as the seventh wettest season on record. La Niña certainly did not mean dry weather last year.

So why the difference? Last year, La Niña combined with other ocean trends and the jet stream to blast California with a conveyor belt of storms. The ocean trends include one called the Pacific Decadal Oscillation, which last year meant a cooling in the north Pacific.

This rainfall year, which began July 1, the ocean trends simply are not as influential, meteorologists say.

La Niña is back to behaving more like a dry-weather phenomenon for much of California.

Storms are striking glancing blows in Northern and Central California while battering Canada. Southern California is getting a good dousing, which does not usually happen during La Niña. That's part of the chaos in the weather world.

Meanwhile, Fresno is high and dry in the middle of the state with only 1.57 inches of rain since July. The city's average from July to December is 3.66 inches.

"There's a high pressure system set up like a block wall for this part of the state," said Fresno-area meteorologist Steve Johnson, who has forecast in this region for decades. "We're getting dry, cold air from Canada."

This week in the San Joaquin Valley, patchy fog will be followed by sunny weather with highs in the mid-50s and lows dipping to the high 20s and low 30s, the National Weather Service says. Early morning frost is expected early this week.

That forecast has been repeated over and over this month: pleasant, rainless days and mostly windless, chilly nights.

"It's a lot more typical of the La Niña pattern this year," said meteorologist Brian Ochs of the National Weather Service in Hanford.

The lack of air movement also can mean poor air quality, usually because many residents burn wood in fireplaces.

The region has recorded soot violations almost every day in December. Tiny particle pollution also includes chemicals, diesel exhaust and other debris that can penetrate deep into the lungs, triggering lung and heart problems.

The Valley is among the worst places in the nation for such pollution, known as PM-2.5.

The federal Climate Prediction Center is calling for a drier-than-average stretch over the next two weeks. It's possible Fresno could come up completely empty on December rainfall.

The only other time the city went rainless for this month was in 1989 during a five-year drought.

Meteorologist Johnson analyzed the numbers by looking at the 10 driest Decembers in Fresno. He found six of them preceded winters with below-average rainfall. Three others were about average.

Only one season -- 1999-2000 -- was above average, mainly because February had a record-breaking 6.12 inches.

In further analysis, he compared July-to-December rainfall totals in Fresno.

He found this year's 1.57 inches for that six-month stretch to be the 27th driest on record. Only four seasons with such dry starts had average rainfall for the year, he said.

He said, "It makes you wonder what will happen in January."

Cemex shrinks mining plan for Jesse Morrow Mountain

By Kurtis Alexander, staff writer

The Fresno Bee, Thursday, Dec. 15, 2011

Mexican cement giant Cemex is scaling back a proposal to mine a prominent ridge in the Sierra foothills, an apparent attempt to head off opposition to the project.

The revised plan calls for mining gravel on less than half the 400 acres initially proposed for the slopes of Jesse Morrow Mountain.

The change would preserve the mountain's ridgeline, which towers above Highway 180 east of Sanger. The ridgeline was originally slated for blasting as part of the dig, striking a nerve with environmentalists and Native Americans -- many of whom remained skeptical Thursday about the company's long-term plans.

Cemex officials declined Thursday to discuss their latest proposal. But officials with Fresno County, who have final say on whether the project moves ahead, said the company had endorsed the change.

"I'm assuming that they're doing this in response to all the comment," said Briza Sholars, an environmental planner with the county Public Works and Planning Department. "There was a lot of outcry from the public about the ridgeline being torn off."

The new plan is detailed in an environmental review of the project released Thursday. The plan is one of three alternatives that will be forwarded to the Fresno County Planning Commission as soon as February for consideration.

Any decision by the commission is likely to be appealed to the Board of Supervisors.

Under Cemex's newly preferred alternative, mining would be confined to 155 acres of the mountain, 25% less rock would be extracted and the quarry would shut down in 50 years instead of the 100 years originally proposed.

Opponents of the project have only begun to look at the new, 28-pound environmental impact report. But initial reaction was skeptical.

"We're still going to have the same issues to deal with, just on a smaller scale," said Jim Van Haun, who owns a winery and bed-and-breakfast at the base of the mountain.

Van Haun shares concerns with many in the area about harmful dust being emitted from the proposed quarry, mining trucks clogging up local roads and overall unsightliness of the venture. The project has been a source of controversy for nearly 10 years.

"The first thing visitors will see of the Sierra Nevada is a degraded mountain," said Van Haun, referring to the tourists who use Highway 180 to get to Sequoia and Kings Canyon national parks. "Is that how we want to characterize this community?"

The mine, which would cut into the south side of the mountain facing the highway, would connect to a conveyor belt that would lower rock to processing facilities for concrete and asphalt.

Cemex has said the operation is needed to meet the future needs of the Valley's construction industry.

Mines along the San Joaquin River, a historical source of construction materials, have begun to dry up.

A second proposal to mine in the Sanger area, pitched by Colony Land Company, also is under county review. Two other nearby gravel mines have recently been approved.

Industry insiders say demand for construction materials is low due to the weak economy. But they say launching new mining projects now, so that materials will be available in the future, is paramount to the industry and the state's economy.

"In the Central Valley, there's been a lot of interest in the high-speed rail project as a project that would demand a lot of construction materials," said Gary Hambly, president and CEO of the California Construction and Industrial Materials Association.

"And there's a huge need in this state to build and rebuild our aging infrastructure."

County Supervisor Debbie Poochigian, whose district includes Jesse Morrow Mountain, did not return calls seeking comment.

Most of the supervisors have not made their position on the project known. Most have reported accepting campaign contributions from Cemex.

Cemex, which is based in Monterrey, Mexico, is one of the world's largest suppliers of building materials.

Company officials declined to answer questions about their mining plans Thursday. Instead, they sent a two-line statement to The Bee via email: "Cemex is committed to being a good neighbor and has taken into consideration the concerns of members of the community. We are confident the revised EIR will address these concerns while providing the materials necessary for future infrastructure projects in the area."

Friends of Jesse Morrow Mountain, a grassroots group that emerged to fight the mine, said Thursday that Cemex's revised plan had not addressed member concerns.

"You're still going to have a tremendous negative visual impact and it's still going to be putting a lot of pollutants into the air," said Gene Otto, the group's president.

Many Choinumni Indians also have fought against the project, claiming Jesse Morrow Mountain as an ancestral home that should not be disturbed. Some members of the group, however, say the land is not significant.

Otto speculated Thursday that Cemex has downsized the project only to improve the chances for approval -- but would later seek permission to build out.

"Once they have the mine in operation," he said, "it's much easier to expand."

GOP gets provision to curb ban on energy-sucking light bulbs

Renee Schoof, McClatchy Newspapers
In the Fresno Bee, Friday, Dec. 16, 2011

WASHINGTON — The Department of Energy won't be able to enforce rules that ban energy-wasting light bulbs when new standards take effect in January, thanks to a requirement slipped into the federal spending bill.

House Republicans added the provision in response to the concerns of people who mistakenly thought that the 100-watt incandescent light bulb would be banned when new standards go into effect on Jan. 1.

"We heard the message loud and clear from Americans who don't want government standards determining how they light their homes," said Rep. Fred Upton, R-Mich., the chairman of the House Energy and Commerce Committee.

Conservative radio talk show host Rush Limbaugh told his listeners this month that the days of the 100-watt bulb were numbered. It soon will be "illegal to buy an incandescent light bulb. ... Well, you can have them but you can't sell them but they're still gonna be gunning for you," he said, according to a transcript of a Dec. 9 program.

In fact, the new standards don't ban incandescent bulbs, but rather require that new ones use about 25 percent less electricity. The extra efficiency is provided by the use of halogen gas.

"Same light, lower energy bills. What's not to like?" Jim DiPeso, the policy director for Republicans for Environmental Responsibility, said in a statement Thursday. "Americans have more choices in lighting than they have ever had."

The light bulb standards were approved with bipartisan support in 2007 and included in an energy bill that was signed by President George W. Bush.

The provision that Upton got placed into the spending bill will cut off money the Department of Energy would have used to make sure that the regulations are followed. The lighting standards themselves remain. They start with more efficient equivalents of the 100-watt bulb in 2012 and include other bulbs through 2014.

The House passed the spending bill on Friday, and final action on it in the Senate was expected on Saturday.

The U.S. has had many other energy efficiency standards over the past few decades. Refrigerators, washing machines and many other appliances use less electricity than older versions did.

Kateri Callahan, president of the Alliance to Save Energy, a nonprofit organization that promotes energy efficiency worldwide, said the light bulb standards were the most important of these energy-saving standards. When they're fully in effect, they'll save the equivalent energy of 30 power plants; families will save about \$100 a year in energy costs; and air pollution will be reduced by the equivalent of taking 14 million cars off the road.

Polls show that two-thirds or more of Americans already have started to transition to more efficient lighting, Callahan said.

Kim Freeman, a spokeswoman for General Electric Co., said that over the last five years consumer demand for incandescent bulbs has decreased by about 50 percent.

Better light bulbs are the most affordable efficiency upgrade for a home, said Shannon Baker-Branstetter of Consumers Union, the advocacy arm of Consumer Reports.

Kyle Pitsor, vice president for government affairs with the National Electrical Manufacturers Association, said that U.S. lighting companies, which are following the law, are concerned that they'll face unfair competition from companies that make inefficient bulbs, once the Department of Energy isn't checking.

If inefficient bulbs are still for sale, the transition to energy-saving ones will slow down, said David Goldston, the director of government affairs at the Natural Resources Defense Council, an environmental group. More efficient bulbs will save people money, but it's not a big enough part of their budget that they'll do it automatically, he said.

Pitsor said the industry in the U.S. and globally would continue to invest in lighting efficiency innovations.

The industry has been improving the light color and quality of compact fluorescents. In addition, LED (light-emitting diode) bulbs for residential use will be on the market in 2012. CFLs and LEDs save more energy than new halogen incandescent bulbs.

Gov. vows to prepare Calif. for climate change

By Jason Dearen, Associated Press

In the S.F. Chronicle, Thursday, Dec. 15, 2011

SAN FRANCISCO -- The United Nations' top climate official joined California Gov. Jerry Brown on Thursday to call for renewed efforts in the state to more quickly adapt to the risks that extreme weather and a rising sea pose to agriculture and the coastline.

Rajendra Pachauri, chairman of the United Nations Intergovernmental Panel on Climate Change, joined Brown, scientists, former Gov. Arnold Schwarzenegger and billionaire Sir Richard Branson at a conference at the California Academy of Sciences in Golden Gate Park.

Brown organized the conference, he said, to urge people to "wake up" to extreme weather patterns caused by manmade global warming that he said are already causing damage, and to start thinking about what California ought to do to prepare for

worse threats.

He said the state needs to gird itself against floods caused by the faster snowmelts that are already happening, putting pressure on aging levees and threatening the state's agriculture industry.

Warming climate also means longer and more intense wildfire seasons that will threaten homes and infrastructure such as power lines, and affect air quality.

"The greatest obstacle we face is a deep sense of complacency, a sense that things were this way yesterday and were OK and will continue," Brown said.

"It's difficult to see what's not completely obvious ... the buildup of greenhouse gases and climate change, we see it, it's pretty clear," he said.

Brown lumped together global-warming skeptics, including GOP lawmakers and the Cato Institute, calling them a well-funded "cult" that disagrees with the vast majority of published, peer-reviewed climate science.

"The main thing we have to deal with in climate change is the skepticism, the denial and the cult-like behavior of the political lemmings that would take us over the cliff," Brown said.

"The Cato Institute has speakers that say environmentalism is a greater threat to capitalism than Marxism itself," he said, evoking laughter from the audience.

Patrick J. Michaels, a senior fellow in environmental studies at Cato, said the institute has never denied climate change but disputes temperature projections by the UN, saying the sensitivity of temperature to changes in carbon dioxide levels have been overestimated.

"Gov. Brown clearly has not read anything that the Cato Institute has published on global warming. Rather than deny it, we believe that indeed the surface temperature of the planet is about one degree Celsius warmer than it was 120 years ago and that increasing atmospheric carbon dioxide has contributed to this," Michaels said in a statement to The Associated Press.

"On the other hand, it is also clear that the rate of observed warming is falling beneath the midrange projections from the United Nations' Intergovernmental Panel on Climate Change."

Pachauri said UN studies show that 95 percent of human deaths associated with extreme weather events happen in developing countries.

Yet he said the world's large economies, such as California, can make great strides toward helping reduce global greenhouse gas emissions, especially through the simple task of retrofitting existing buildings.

"If one could retrofit buildings to make them more efficient, and if new buildings could be built to current standards, it's really a win-win situation," Pachauri said. "Overall, the building sector has the largest potential for the reduction of emissions."

In a rare public appearance since leaving office, Schwarzenegger, a Republican, attributed the success California has had in passing its landmark climate change laws to bipartisan cooperation.

While in office, the former governor frequently promoted California's landmark 2006 global warming law, called AB32, which paved the way for the state's cap-and-trade system for controlling greenhouse gas emissions by the worst polluters.

He called the debate over bankrupt solar panel maker Solyndra "narrow minded" in a world moving ever faster toward renewable energy.

"At the same time (as Solyndra) there were restaurants that failed, manufacturers that failed ... all kinds of businesses that failed and no one talks about that," Schwarzenegger said during a short interview.

"They did the best that they could and they made mistakes. That's what happens in business - if you make mistakes you fail."

Not everybody watching Thursday's conference agreed that California was on the right path.

Dorothy Rothrock of the AB32 Implementation Group said the state has isolated itself by adopting stringent regulations that come at too high a cost.

"As we discuss the risks of climate change and California's future, it is appropriate to consider whether our greenhouse gas emissions reduction strategies will have an impact on climate change," Rothrock said in a statement.

"California has failed to design a cap-and-trade market that will be adopted by other states and jurisdictions in the near future and our efforts alone will not make a difference in global emissions."

[Bakersfield Californian Commentary, Sunday, Dec. 18, 2011:](#)

A test of science in a sand dune playground

By Lois Henry, Californian Columnist

Well, it's happened.

In the pell-mell quest for "clean air" a government agency is now attempting to regulate the wind.

OK, technically the San Luis Obispo Air Pollution Control District is saddling the Oceano Dunes State Recreational Vehicle park with its new regulations.

But it's really the wind that has the starring role in this little drama.

I bring this situation up for two reasons. One, it clearly illustrates how science can be mangled to achieve a desired policy.

And two, Oceano Dunes has long been Kern County's favorite sandbox. You might want to play in it while you still can.

The San Luis Obispo air district didn't like PM10 levels on the Nipomo Mesa, which lies just inland of the Oceano Off Highway Vehicle park. PM10 is tiny bits of dust or soot 10 microns in size.

We haven't heard much about it lately because the smaller PM2.5 has become the lead air pollution bugaboo, but PM10 is still in the mix.

The federal standard for a 24-hour average of allowable PM10 is 150 micrograms per cubic meter. California, of course, has a much lower standard of 50 micrograms per cubic meter.

Whether there are any true health effects from exposure at either level is an interesting question, which we'll come back to.

PM10 levels on the Nipomo Mesa were regularly exceeding the 50 microgram mark on windy days, according to Air Pollution Control Officer Larry Allen. And looking at the hourly levels, he said, there were spikes of 200 to 700 micrograms.

"These are hours when people are active during the day," he said. "That was of high concern to us."

So, they tracked the source and determined it was dust blowing off the dunes.

Pinning down the culprit

They looked more closely trying to see if the true underlying culprit was OHV riders kicking excessive sand into the air, which the wind then carried to Nipomo Mesa.

But, no. There was no correlation between busy park days and increased PM10 levels.

Let me repeat that: There was no pattern of heavy riding days and elevated PM10 levels.

The air district then commissioned a second study, now known as Phase 2, "...to try and determine what roll the vehicle activity was playing on dust getting to Nipomo Mesa," Allen told me.

Because it couldn't possibly be the wind, which blows about 500 million pounds of sand onshore each year to form the dunes in the first place. Not to mention, the Nipomo Mesa is itself a massive sand sheet created by what? Wind blowing sand onshore.

No, couldn't be that.

Anyhoo, the Phase 2 study concluded that while wind does blow sand and dust inland from lots of places, it blows more from the OHV park.

The study says the OHV riding area causes more dust overall because it's been "disturbed."

It's also much wider than other dune areas studied and simply has more sand. But that wasn't part of the conclusion's reasoning.

Rather, researchers conjectured the vehicles break up a crust on the sand.

When that crust is broken, it makes it easier for the wind to whip more dust into the atmosphere.

The crust idea comes from studies of Owens dry lake bed in eastern California. Mountain streams carry silt and minerals to the lake bed and when the water evaporates the minerals harden into a

crust. When that crust is broken, the fine silt beneath can be carried into massive dust storms on the high desert.

That's the high desert, however. Not beach dunes.

There is no crust on beach dunes. It does not exist.

Understanding dune "morphology"

That's not just me talkin', I got that from senior engineering geologist Will Harris with the California Geological Survey.

He was astounded at this crust theory and lack of understanding of dune morphology (how they form etc.) when he read the Phase 2 study. The California Geological Survey works closely with State Parks and other state agencies when issues of geology come up. Which is how they got involved.

What Phase 2 researchers mistakenly labeled as "crust," was regular dune layering, Harris said. Wind does a very good job of sorting sand into coarse, medium and fine layers packed tightly together. When the wind picks up or blows in a new direction, the sand sorts again, always in layers.

"That's how dunes form and how they migrate," Harris said.

In extensive comments on the Phase 2 study, Harris pointed out this error in geologic understanding, but the air district never responded to the crust concerns.

And that was just one of many problems pointed out by Harris and others.

As a side note, several people I interviewed gave the impression that the Geological Survey was "in the pocket" of state parks and that's why Harris was so critical of the Phase 2 study.

Sorry guys, but Harris is the same fellow who killed a proposed OHV park north of Bakersfield. State Parks wanted that park bad. So did the local OHV crowd, the City of Bakersfield and the County of Kern.

There were nothing but green lights until Harris did a soil survey and said no way. The dirt was too fine and had too much potential to carry not just dust but valley fever spores to populated areas.

Believe me, State Parks and most of Bakersfield was unhappy with Harris. But he proved himself to be independent and absolutely aligned with science over popularity or politics.

Back to the Phase 2 study.

Another key problem was that researchers measured sand movement and wind speeds in different locations. In fact, wind speeds for the riding area were measured 2.5 miles inland at a California Department of Forestry building.

They measured sand movement in the midst of the OHV park but measured wind speeds 2.5 miles inland (where speeds are naturally lower) and concluded that sand moves more easily at lower wind speeds in the riding area compared to undisturbed dune areas.

Please read that a second time to let it sink in.

Amazingly, even after district staff admitted measuring sand movement and wind speeds in different locations was a screw up, they still insisted it didn't matter.

"We agree that winds measured at the CDF site may not be representative of the winds experienced at the (OHV park) where the Phase 2 sand flux sensors were located," the district wrote in its response to comments, which was included in a 220-page staff report given to board members just days before the Nov. 16 vote on the new regulations

Call me crazy, but since determining how much sand the vehicles are supposedly flinging into the wind was the entire point of the Phase 2 study, that admission screams "DO OVER!"

But no.

The district glossed over that glaring flaw by saying there are lots of other studies (which they don't cite) showing "disturbed sand/soil has a greater potential for windblown dust than undisturbed soil."

Oh come on, now. If that's true, then why do the Phase 2 study at all?

Bruce Gibson, chairman of the air board and a San Luis Obispo County Supervisor, said he looks forward to obtaining accurate sand movement and wind speed information, as that is one of the measures the OHV park must now implement.

"But lacking that information doesn't change the basic findings of the study," he said.

Yeah, who needs accurate baseline information? Sheesh.

Assessing the health threat

Allen and Gibson both told me it was absolutely not the air district's intent to shut the park down.

"But we have a solemn responsibility to protect the air quality of this county," Gibson said.

C. Arden Pope, the grand pooh-bah of air pollution and health effects research, told me not all PM is created equal.

"Some sources don't seem to be as toxic," he said. "Such as windblown dust and natural particles."

Like from a sand dune, maybe?

Oh, and another thing the San Luis air district apparently failed to take into consideration -- oceanic salt, which is a component of PM10.

In some areas measured in the Phase 2 study, salt made up 50 percent of particulate mass. Windblown oceanic salt is also not a threat to human health and should be discounted in PM calculations, according to the California Air Resources Board.

The new OHV park rules imposed by the air district make no allowances for that.

Then there's the vegetation issue. The Phase 2 study alludes to OHV activity causing de-vegetation when, in reality, there are 650 more acres of vegetation at Oceano Dunes than existed historically, aerial photos and studies show.

It just goes on and on.

So, ultimately, the OHV haters may finally get their wish. If the state can't somehow wrestle enough PM10 out of the wind, it may not be able to afford to keep the park open.

No matter how much they try, though, the wind will still be there, blowing sand.

The State Parks Off Highway Division, which operates the Oceano Dunes park, is now required to put in monitors to see how much PM10 is coming off the dunes.

They will put one within or just behind the riding area and one in a control site, to be determined.

The new San Luis Obispo Air Pollution Control District rule says that if the riding area monitor shows 20 percent more PM10 than what's recorded at the control monitor on a day when the riding monitor is also above the California standard for PM10, then the park is in violation.

That could result in a \$1,000 fine per day of violation.

The air district's recent study showed there were about 75 violation days downwind of the riding area, compared to 13 violations days downwind of a non-riding dune area, according to Larry Allen, Air Pollution Control Officer.

The goal of the new rule, he said, is to reduce PM10 from the park to background, or natural levels.

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[Bakersfield Californian Blog, Monday, Dec. 19, 2011:](#)

Bakersfield Observed, a blog about life, media, politics and people

By Richard Beene, Californian CEO and President

SMOKE POLICE: Call me cranky, but was anyone else also appalled at the story in Sunday's Californian about people from the San Joaquin Valley Air Pollution Control District driving around town looking for people using their fireplaces on no burn days? Say what? California is broke, the educational system is in crisis, Sacramento is a dysfunctional mess and yet somehow we can still afford to have people on the public payroll driving around town looking for people enjoying a warming fire. Sheesh.

Richard Beene is president and CEO of the Bakersfield Californian. He blogs at www.BakersfieldObserved.com. These are his opinions, not necessarily those of The Californian.