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Congress must aid Valley

Air pollution cleanup grants needed to protect public health.

Mary Curry, 81 years old and seasoned in political battles, captured southwest Fresno's plight when she told Bee reporter Mark Grossi, "We ask for help. Nobody is listening."

Curry could have been talking about the lack of investment in her community. She could have been talking about the many unsolved gang killings that frustrate her neighbors.

But she was talking about the confluence of poor planning and environmental inattention making southwest Fresno the unhealthiest place to live in California.

A startling fact stands out in Grossi's front-page story today on the state's most environmentally burdened areas: the life expectancy of people in southwest Fresno is 69 -- more than 20 years shorter than for someone in northeast Fresno.

This statistic brings into sharp focus why people seek environmental justice. In Curry's section of the city, newborns weigh less than babies whose mothers live elsewhere and emergency room visits because of asthma attacks are routine. Because southwest Fresno is separated from the rest of Fresno by train tracks and Highway 99, residents there breathe more diesel and gas exhaust. The once fondly described "Golden West Side" also is sandwiched between city and farms, thus residents are more likely to be exposed to pesticides.

Add these (and other factors) all up, and the California Environmental Protection Agency calculates that pollution burden in zip code 93706 is more than three times higher than in the least-impacted areas of the city. In addition, nine of the 12 unhealthiest zip codes in California are in the San Joaquin Valley.

The question is, what can be done to make southwest Fresno and the entire Valley healthier places to live and raise families?

Congress must pass and President Obama must sign legislation designating the San Joaquin Valley a federal air quality empowerment zone and bringing \$20 million a year in federal grants to clean up pollution.

California officials must stop allowing industries from the state's other regions from using the Valley as a dumping ground for hazardous waste and pollutants.

State officials, too, must make sure that the millions of dollars raised by greenhouse gas allowance auctions flow only to disadvantaged communities.

Valley leaders must stop chasing polluting industries in the name of job creation.

Finally, City Hall must listen and address, however it can, a glaring health problem enveloping not just southwest Fresno but much of the city.

Otherwise, people who value life expectancy and can afford to move will head in droves to the eastern foothills. Or never consider living in Fresno.

Health hazard: West Fresno the riskiest place to live in California

By Mark Grossi, staff writer

The Fresno Bee, Sat., March 16, 2013

From the Hyde Park mound in West Fresno, you can see the city landscape quickly go from residential to industrial park. You can smell it, too.

Across the street, there is an animal rendering plant, a poultry facility, a meat distributor and a PG&E substation. The Hyde Park mound itself is a converted garbage landfill.

But there is more: high asthma rates, widespread poverty and low birth weights that scientists link to dirty air, chemical exposures and a host of other problems.

The California Environmental Protection Agency takes it a step further. EPA says people in West Fresno live with higher health risks than anyone in California -- higher than any part of Los Angeles, Oakland or any place else you can name.

Life expectancy in West Fresno is more than 20 years lower than in northeast Fresno, according to a 2012 study done by a team of researchers including the Central Valley Health Policy Institute at Fresno State.

West Fresno and many parts of the Valley soon will be known as the riskiest places in California to live. Financial help appears to be headed this way, but there is controversy surrounding it.

The state EPA is expected to designate the most environmentally burdened areas in the next few weeks. West Fresno is at the top of list, and several other Valley zip codes are not far behind.

The state EPA's draft documents show the Valley has nine of the 12 worst places in California, including four in Fresno County and three in Stockton. The map of California's worst 10% shows mostly Valley ZIP codes.

The state's designations will be part of a program called California Communities Environmental Health Screening Tool, or CalEnviroScreen.

Businesses and industries worry that the science is vague and might be misused by government agencies. State leaders say the tool is not intended to replace project analysis, laws or planning.

The tool will fulfill part of the 2006 state greenhouse gas law, Senate Bill 535, by identifying such high-risk places, known as disadvantaged communities.

Funds will be raised from auctions of greenhouse gas allowances for California companies. Disadvantaged communities will be favored to get that money to address their problems.

Disadvantaged community is a good description of West Fresno. Mary Curry of the activist group Concerned Citizens of West Fresno says it has been this way for decades.

"We ask for help," she said. "Nobody has been listening."

But state EPA is paying attention. And it's no surprise the state recognizes the multiple layers of risks in West Fresno and the Valley above other places in the state, says Jonathan London of the University of California at Davis.

He worked on a 2011 study about Valley pollution and health risks, including West Fresno and the Kings County community of Kettleman City, which is just a few miles from a hazardous waste landfill.

London said, "People with low income and people of color are disproportionately located in those places with high concentrations of factors that can lead to poor health conditions."

Place your bets

If you live in West Fresno, will you really die younger? Will you actually get asthma, cancer, heart disease or other serious health problems?

The science is not intended to make such individual predictions, says John Capitman, executive director of the Central Valley Health Policy Institute at Fresno State. It is not a health assessment, which goes into far more depth and history of a patient.

"I'm looking at the big shape of the iceberg," he said, "not little pieces of it."

Scientists say they are looking at risk -- the odds that something may happen. The risks are higher in places such as West Fresno and Kettleman City, but lower in the Woodward Park area of Fresno.

In his 2012 "Place Matters" study, Capitman said he calculated mortality rates in each Valley ZIP code. He also included such details as income, ethnicity, education and pollution exposure.

But what if some aspect of lifestyle, such as diet, could account for the early mortality?

Capitman said it would be hard to make that case. The repeating patterns in the places with the highest early mortality suggest something more than lifestyle problems.

"We saw communities of color, immigrants, low income, high exposure to air pollution, clusters along Highway 99, asthma," he said. "So are they all eating the wrong things? I don't think so."

Life expectancy in West Fresno's ZIP code is 69 years old or less, according to Capitman's study. Life expectancy in the more affluent Woodward Park ZIP code is up to 90 years old.

In the state's CalEnviroScreen document, the contrasts between the two are just as striking. The pollution burden in West Fresno is rated more than three times higher.

The populations are near the same size -- 41,087 in West Fresno and 45,191 in Woodward Park, state EPA shows. But there are vast differences in education, birth weights, poverty, ethnicity and asthma rates.

One dramatic example of the differences: pesticide applications. Located in an urban-farming transition area, West Fresno ranks in the 90th percentile for such chemicals statewide. Amid rows of suburban homes around northeast Fresno, the Woodward Park ZIP code ranks in the 23rd percentile.

There are objections and doubts about the way the state is presenting this information, especially about pesticides.

The California Farm Bureau Federation last month wrote a letter to the state EPA, saying the screening tool makes it look as though pesticide use equates to 100% exposure.

"These pesticides have the strictest application and use regulations (buffer zones, worker safety clothing requirements, restricted entry intervals, etc.) of any pesticide applications nationwide," wrote Cynthia Cory, the Farm Bureau group's director of environmental affairs.

But the tool is intended only as a screening device, said John Faust, of the state EPA's Office of Environmental Health Hazard Assessment. The EPA is not assessing blame or indicating the level of exposure, he said.

The agency does not have complete information on exposures to such chemicals, Faust said. But the screening is important because it shows where people might be vulnerable to such chemicals.

"We're finding out where people use chemicals as a way to get at the question of where exposures are taking place," said Faust.

West Fresno's fight

Mary Curry says everyone in West Fresno knows someone in the community with asthma. She has it. The CalEnviroScreen draft document shows West Fresno's emergency room visits for asthma rank in the 98th percentile -- among the highest in the state.

Curry says the Concerned Citizens of West Fresno will fight for health, adding that the animal rendering plant is at the top of the list.

But is the rendering plant part of the risk?

The plant on West Belgravia Avenue, owned by Texas-based Darling International Inc., has operated nearly 60 years. The company has spent millions of dollars in the last decade upgrading its operation.

The plant is not among the four companies identified in the U.S. Environmental Protection Agency's Toxics Release Program for the 93706 ZIP code.

One company on the list is Cargill Meat Solutions Corp. on South Fig Avenue. Its chemical releases are basically ammonia, according to federal EPA.

But Curry says the stench of the Darling rendering plant makes life miserable for people. Ask any West Fresnan who has asthma, she says.

"The wind knows no boundaries," she said.

Curry says it's just one more layer of stress on an overburdened West Fresno where the battle for health seems endless.

The 81-year-old Curry is no stranger to public battles. In 1985, she was the first African-American woman elected to the Fresno Unified School District board before being recalled in 1990 during her second term.

She and the Concerned Citizens of West Fresno sued the city of Fresno last year over the rendering plant.

The group says the owners should apply for a conditional-use permit to process the 850,000 pounds of animal carcasses and animal parts into such products as poultry feed and tallow. A hearing is scheduled May 21 in Fresno County Superior Court.

West Fresno and the rendering plant are not high political agendas around Fresno, says the Rev. Chris Breedlove, pastor of College Community Congregational Church. He says Fresnoans need to help their neighbor.

Breedlove last year wrote a Fresno Bee Valley Voices opinion about the rendering plant. He says he has heard people say: Why don't they just move from West Fresno?

"Many people don't have that luxury," Breedlove said. "That's where they are stuck."

Support grows for modifying Calif. environment law

By Laura Olson, Associated Press

In the Fresno Bee, Modesto Bee and other papers, Sat., March 16, 2013

SACRAMENTO, Calif. -- California's four-decade-old environmental protection law has been credited with saving habitat, reducing air pollution and giving residents a voice against deep-pocketed developers.

Yet this year, the California Environmental Quality Act has become a target for sweeping changes in the Legislature. Democrats who typically align with environmental groups are taking seriously the concerns that have long been raised by business leaders.

The champions of change include Gov. Jerry Brown, who has called reforming the law "the Lord's work." Critics say the act is being used well beyond its intended purpose and instead is employed by unions, activist groups and even rival developers to delay or stop projects they don't like, often at great legal expense to developers.

The law has been amended virtually every year since it was signed in 1970, often in the form of "nipping around the edges and carving out exemptions," said Richard Frank, a professor of environmental practice in the law school of the University of California, Davis. This time, he sees momentum building behind larger changes to the law.

"There is a shrinking minority of stakeholders that believe CEQA shouldn't be touched or changed at all," he said.

Modeled after the National Environmental Policy Act, a federal law passed the year before, California's statute requires an initial environmental review for certain projects and a more comprehensive examination if a project is likely to have significant impacts. Supporters say the review process leads to modifications that prevent harmful consequences while giving the public information about potential changes to their neighborhoods and business districts.

Yet the law also can tie up building proposals for years. Reform advocates cite numerous examples of project opponents using the law to halt, rather than fix, development proposals.

Business leaders who have raised those concerns in the past are bolstered this time by groups supporting affordable housing, mass transit and public works.

Their coalition, the CEQA Working Group, highlights an analysis by the San Francisco law firm Holland & Knight, which examined published cases between 1997 and 2012. The review concluded that few challenges targeted industrial projects, while many targeted so-called urban infill projects and other environmentally minded proposals.

"We're not for taking away anyone's right to make sure CEQA is available," said Carl Guardino, the coalition's co-chairman and president of the Silicon Valley Leadership Group. "We want to make sure it's not being abused."

Supporters of the current law cite a study by the state attorney general's office that examined challenges filed in San Francisco during the final six months of 2011. Of the 5,203 city and county projects reviewed under the environmental law, just 18 resulted in lawsuits, the study found.

Among recent challenges filed under the law is one regarding Cordova Hills, a proposed development east of Sacramento. Developers have defended their plan for 8,000 housing units and commercial development as abiding by strict criteria, but two environmental groups have objected to the project as promoting sprawl in a way that is incompatible with regional planning efforts.

Advocates say the right to express concerns about a development project must be preserved if changes to the law are considered.

"CEQA gives every Californian a right to weigh in," Sarah Rose, chief executive of the California League of Conservation Voters, said during a recent news conference to announce a coalition of the law's supporters. "Those who would like to see California's environmental laws deregulated seem to want to silence that voice."

The debate also is important to city and county officials, who generally favor development but try to balance it against protecting open spaces and the integrity of their communities.

The California State Association of Counties is compiling a set of policy proposals to be released later this spring. It is expected to detail some of the ambiguities faced by the agencies that review development projects to ensure they comply with the law.

Brown has said he wants reasonable changes to a law he has called "a land mine that often blocks things," but he has offered no details on the fixes he would like. Democratic lawmakers in the state Senate are leading the overhaul efforts but also have offered few specifics.

Senate President Pro Tem Darrell Steinberg, D-Sacramento, introduced a bill outlining general areas he intends to address, including easing the process for projects within urban areas and preventing opponents from delaying a project by filing thousands of pages of documents as court deadlines approach.

Detailed bill language could be taken up by the Senate Environmental Quality Committee by late April. The committee's incoming chairman, Sen. Jerry Hill of San Mateo, is working with Steinberg on the proposal.

Recounting how he gasped for air during high school football practices in the Bay Area, he said environmental improvements in the years since then illustrate the law's influence. Still, Hill said he supports finding a way to eliminate the "background noise" of lawsuits that blur the distinction between legitimate environmental concerns and peripheral issues.

"It's created delays and distractions from the environmental regulations that we cherish," he said of the act's evolution.