

Wood-Burning Restrictions Loom

By David Chircop

Merced Sun-Star, Oct. 27, 2004

Two years ago, Mary Camper stopped burning wood in her fireplace because her 3-year-old daughter, Clair, suffered asthma attacks every time Camper lit a fire.

Now 5, Clair's asthma is under control and the Campers rely on central heating to warm their Merced home.

State air regulators want more people to follow Camper's lead, especially on windless fall and winter days when tons of tiny airborne particles of soot and dust make the air unhealthy to breathe.

Mandatory wood-burning restrictions go into effect in Merced and five Central Valley counties on Monday, and last until the end of February.

The restrictions are part of a multipronged strategy the San Joaquin Valley Air Pollution Control District has taken to reduce pollution.

The rule bans wood burning in fireplaces and stoves on days when air quality drops to an unhealthy level.

People who burn on no-burn days can face fines ranging from \$50 to \$1,000.

The program, launched last year, was prompted by health concerns about particulate matter, known to trigger respiratory problems.

In air-quality jargon, the pollution is known as PM10 -- particulate matter that's 10 or fewer microns in diameter, smaller than the diameter of a human hair.

Winter wood burning in the Valley adds an estimated 24 tons of unhealthy particulate matter into the air every day, say air district officials.

That accounts for about a third of the unhealthy particles released into the air each day.

During the winter months, the Central Valley has some of the nation's highest levels of PM10, failing to meet state and federal health standards.

The Valley is also home to some of the nation's highest asthma rates -- about 16 percent in Fresno and 11.7 percent in Merced, compared with an 8 percent national average.

The particulates are known to trigger asthma attacks and are believed by health experts to bring on heart attacks in people with heart conditions.

Last year, the Valley Air District issued 67 warnings to people lighting fires on no-burn days, but handed out no citations.

Mary-Michal Rawling, program manager for the Merced/Mariposa County Asthma Coalition, understands some reluctance to following no-burn rules.

"You're talking about going into other people's homes and dictating what they can and can't do, and people are very sensitive about that," she said. "But it's important for people without health problems to know what they're doing does affect other people."

During the winter months, the Central Valley has a strong inversion layer that creates perfect meteorological conditions for keeping particulate matter at ground level, where it is inhaled. When the inversion layer is strongest, the air is still and smoke can hang thick over the Valley floor.

"That can be something to cause your neighbor to have a heart attack if they have a heart condition," said Anthony Presto, spokesman for the air district.

He said 1,200 premature deaths in the Central Valley are attributed to air pollution every year.

Presto couldn't say for sure whether last year's wood-burning restrictions helped cut down on PM10 in the air, but said he knows the public is better informed.

"We believe a lot of people did pay attention when they found burning was going to be discouraged," he said. "They wouldn't burn."

Burning info

Daily wood-burning status can be checked at 1-800-SMOG INFO (766-4463) or www.valleyair.org <<http://www.valleyair.org>>. <<<http://www.valleyair.org>>>

The following are exempt from the new requirements:

- Households that rely on wood burning as their only source of heat
- People who live at elevations above 3,000 feet
- Areas where natural gas service is not available

Funding halted for dairies by panel

Pollution authority puts stop on controversial state loans for facilities

By VIC POLLARD, Californian Sacramento Bureau
Bakersfield Californian, Oct. 27, 2004

SACRAMENTO -- Embarrassed by disclosures that they have been subsidizing air pollution by dairies, top state officials ordered a halt Tuesday to controversial low-interest loans for dairy construction.

A three-member state funding board said it will not issue any more of the loans until it can be sure dairies will use the money to reduce air and water pollution.

The action by the California Pollution Control Financing Authority followed press disclosures that some \$70 million in subsidized loans have gone to dairies that increased air pollution in the Central Valley in recent years.

The money was intended to help businesses reduce pollution. The loans were granted on the basis that they would divert thousands of tons of solid waste from dumps. However, dairies have never sent their waste to sanitary landfills.

"I think we have lost the public's trust," said state Controller Steve Westly, one of the two Democratic members of the authority.

"We have a problem and we need to fix it," said state Treasurer Phil Angelides, the other Democrat and the chairman of the board who proposed the halt in funding.

Angelides and Westly pushed for the 90-day moratorium on new dairy loans, while the board's staff develops proposed new rules to require the dairies who get the money to help clean up the air and water.

Angelides said the dairies should be required to do more than the minimum pollution controls required by government regulatory agencies.

A representative of Republican Gov. Arnold Schwarzenegger sided with dairy industry representatives, who opposed the moratorium. He abstained on the 2-0 vote.

At Westly's request, the board also ordered a review of low-interest loans to all other industries to see if environmental rules need to be tightened for them.

After the meeting, state Sen. Dean Florez, D-Shafter, outlined plans for legislation to require tighter rules on the dairy loans.

The controversy involves a loan program that allows private lenders who provide financing for construction projects that reduce solid waste to get tax exemptions for the interest on the loans. This has allowed dairies and other industries to obtain loans at interest rates of 1 percent to 2 percent.

However, the program has sparked sharp complaints from environmentalists that it amounts to a taxpayer subsidy for dairies who are suspected of increasing air pollution in the valley, already one of the nation's smoggiest regions.

Nine Kern County dairies have received more than \$37 million worth of the loans.

The 90-day moratorium will affect five dairies that have pending applications for additional loans totaling \$25.6 million, officials said.

One of them is the Bidart Dairy II in Kern County, which is seeking \$3 million under the program.

The others are in Tulare, Kings and Fresno counties.

Another Bidart family dairy in Kern, one of the "mega-dairies" south of Bakersfield, received one of the earlier loans.

The authority did not move to require the return of previously loaned money.

Kern supervisors on board with dairy inspections

Move aimed at getting county to match Florez's efforts to form state law

By GRETCHEN WENNER, Californian staff writer
Bakersfield Californian, Oct. 27, 2004

County supervisors Tuesday unanimously supported a request from Supervisor Ray Watson to work out a dairy inspection program in conjunction with state law being crafted by Sen. Dean Florez, the Shafter Democrat.

Watson said it makes sense for Kern County to take part in a statewide approach to inspection efforts and environmental requirements.

"Pollution throughout the Central Valley affects us," Watson said. "It doesn't do any good if Kern County enacts (controls) and other counties are not required to do so."

Watson's request was an unscheduled agenda item submitted as a letter to the board.

The letter said Kern's own inspection rules, which are now in final-draft form and have been sent to Florez, should be completed in case the state legislation is delayed or dies.

Watson's district includes most of the recently proposed mega-dairies that could bring more than 200,000 more cows to Kern. About 290,000 are already here at 55 facilities.

Florez said he is glad Watson and other supervisors support the inspector concept. "Let's make this a reality," he said.

But Florez, who often criticizes county actions, added that more dairy inspectors might not have been needed if Watson hadn't "overridden his own planners" by voting against a temporary ban in August.

The board "approved a record number of dairies for Kern County" with its split decision then, Florez said.

Supervisors on Tuesday also unanimously approved a super-sized windmill for the Cameron Canyon area near Tehachapi.

The controversial 340-foot turbine proposed by Coram Energy Corp. required a special permit because it's being planted outside designated wind-energy boundaries.

Resident Jon Lantz, who has led opposition to the project since January, showed board members a three-dimensional topographic map to demonstrate why the ultra-tall tower is out of place near a canyon area zoned for estate-size lots.

But Supervisor Don Maben, whose district includes Tehachapi, said the area was in essence a "rural industrial" zone for the wind energy industry.

"I've thought heavily about this," Maben said.

The board added a rule requiring Coram to plant and maintain trees that will help screen residents from the turbine. The 340-foot machine will replace 10 existing 80-foot units. An additional 37 smaller windmills will remain at the site southeast of Cameron Canyon Road.

Study says drive time key to diesel pollution exposure

By RYAN PEARSON, Associated Press Writer

In the Fresno Bee, S.F. Chronicle and Bakersfield Californian, Oct. 27, 2004

LOS ANGELES (AP) - The amount of time Californians spend sitting in traffic is generally the largest factor in the amount of diesel exhaust particles they inhale, researchers from the University of California, Los Angeles said in a report released Wednesday.

Drivers can't entirely escape the cancer-causing emissions, but researchers said they can limit their daily dosage by avoiding freeways jammed with diesel buses and trucks, especially those with exhaust pipes located lower on the vehicles.

Black carbon, an important component of diesel particulate matter, was measured inside a car following such vehicles at a rate nearly 20 times higher than when the car followed a regular passenger car, according to UCLA environmental sciences professor Arthur Winer.

The findings were included in UCLA's seventh annual Southern California Environmental Report card, which grades the region in four different environmental categories each year.

The report gave Southern California grades of "B- to D" in reducing traffic, which contributes to the nation's worst smog problem. It gave grades of "B+ to B" to air monitoring efforts in the region.

In other areas, area regulators received an "A to B-" in efforts to reduce polluted water runoff, and a "C" grade for efforts to prevent dumping on Indian reservations.

The report emphasized a shift in recent years in the study of pollution. Instead of focusing solely on data from stationary monitoring stations, researchers now hone in on "microenvironments" by measuring where people spend their time and how harmful pollutants reach them in each place they are.

Using such techniques, UCLA scientists determined that one-third to one-half of the diesel particles an average Californian breathes every day comes in the 1 1/2 hours spent in the car. That accounted for the largest single factor in determining particulate exposure.

The research, based on a new statistical analysis of a 1997 study, noted that drivers should especially avoid following closely behind trucks belching black smoke. Children riding older diesel school buses are even more at risk because of the tendency of such vehicles to "self-pollute," Winer said.

The UCLA report does not focus on resulting health effects, but public health groups have linked tiny soot particles found in diesel exhaust with lung and other types of cancer. They account for thousands of premature deaths in the United States each year, according to the American Lung Association of California.

New regulations are aimed at cutting diesel pollution nationwide, beginning in 2007.

"We have to clean up these dirty diesels. That would directly benefit millions of drivers," Winer said.

In fact, vehicle emissions have gotten cleaner under tougher regulations from the federal government and state Air Resources Board. The next step in minimizing health effects is reducing the amount of time people spend stuck in traffic, said Mary Nichols, director of the UCLA Institute of the Environment.

"The problem is, the agency that has the power to force improvements in the cars and fuels doesn't have the power to change land-use patterns or require construction of new transit systems," Nichols said.

Pollution authority halts flow of money to dairies

In the Fresno Bee and S.F. Chronicle, Oct. 27, 2004

SACRAMENTO (AP) -- The California Pollution Control Financing Authority voted Tuesday to temporarily halt funding dairy projects and to adopt standards to ensure that future funds improve air and water quality.

The 90-day moratorium puts applications for \$25.6 million on hold for five San Joaquin Valley dairies as the authority looks into how \$65.9 million in low-interest loans were issued for 18 dairy projects that may have led to expansions and created more pollution.

"We want to be improving the environment, not harming it," said Treasurer Phil Angelides, chairman of the authority. "It's very clear that there are air quality issues being created by the expansion and building of dairies in the Central Valley."

The mostly rural San Joaquin Valley south of Sacramento is the nation's most productive dairy region and has some of America's worst air pollution. Cow manure is considered a significant source of air pollution by regulators, but the industry questions the statistics used to reach that conclusion.

Sen. Dean Florez, D-Shafter, said the vote by the authority will close a "mega-loophole" for megadairies. He said he planned to introduce legislation in December that would provide further environmental protections and change the composition of the authority's board.

The legislation would add representatives from the state air and water boards to the three members currently on the board: the treasurer, the state controller and a representative from the Department of Finance.

It would also ban any tax-exempt financing for large animal farms that are considered major polluters. Florez said dairies were able to get funding by showing that they wouldn't send any waste to landfills -- something dairies don't do.

He said the funding allowed them to buy more land and increase the size of their herds.

"There's a mega-loophole in this whole authority," Florez said. "They forgot to ask the ultimate question, 'What's the impact on air and water quality?'"

Dairy industry spokesmen said the money was used to improve waste management on farms, curbing dust, odor and water pollution and the funds were not used to add cows and acreage.

"Every penny of that money was spent on very legitimate pollution control devices that both improve air and water quality," said Michael Boccadoro, who works with a dairy public relations group.

John Shehadey of Bar 20 Partners Ltd. in Fresno County, which applied for \$14 million in low-interest loans covered by privately issued bonds, said he and his father and brother planned to double their herd from about 7,000 cows.

Anti-pollution measures include upgrading roads to reduce dust, lining manure lagoons to prevent leaks and installing pipes to irrigate crops with wastewater.

He said the herd size could be doubled with or without those improvements -- it's just cheaper with the bond money.

"It's a typical knee-jerk political action," he said of Tuesday's vote. "It's just shortsighted."

Angelides said he thinks financing for the dairies was legal, but that some of the information provided by applicants was wrong. He said the big problem was the policy that allowed the funds to be approved.

The motion approved 2-0 by Angelides and Controller Steve Westly put a 90-day halt on funding dairy projects and required the board's staff to draft rules ensuring future dairy projects only receive financing if they improve water and air quality and go beyond what is required by pollution regulators.

Staff would also develop incentives for dairies to take innovative advanced pollution control methods.

Board member Bob Campbell of the Department of Finance abstained.

State Loans to Dairies to Be Halted

Pollution Control Financing Authority imposes a 90-day moratorium after justification for past awards is rejected.

By Mark Arax

Los Angeles Times, Oct. 27, 2004

Citing harmful effects on air and water, a state agency voted Tuesday to impose a 90-day moratorium on awarding low-interest loans to California dairies.

State Treasurer Phil Angelides, who heads the Pollution Control Financing Authority, said his agency erred in loaning nearly \$66 million in anti-pollution bond money to a score of giant dairies that have helped turn the San Joaquin Valley into the nation's most polluted air basin.

He emphasized that future dairies seeking the tax-exempt financing would be turned down unless they came up with "innovative and advanced" technology to reduce pollutants from cows.

"I recognize the importance of the dairy and agriculture industry to California, but at the end of the day, we must do our utmost to protect our environment," he said. "The Pollution Control Financing Authority needs to be financing projects that clean up our air and clean up our water."

The three-member pollution control board - which includes state Controller Steve Westly and the governor's finance director - decided to adopt new rules after a recent Times article revealed that the board had used false information to justify loans to 18 giant dairies at interest rates as low as 1%.

In every instance, state records showed, the board decided that the new dairies deserved the pollution-control loans because they were diverting thousands of tons of cow waste from landfills.

But dairies, by long-standing practice, do not send their waste to landfills. Instead, cow waste is shunted into large, open-air lagoons that endanger the groundwater and emit millions of pounds of smog-forming gases each year, according to regional air and water quality regulators.

"The information to justify the loans was wrong," Angelides said at a news conference following the moratorium vote. "These were not the right facilities to finance."

Environmentalists who first complained about the funding applauded the moratorium while dairy farmers said they still deserved the loans.

"We support the Pollution Control Financing Authority in its efforts to make the program as effective as it can be," said Michael Marsh of the Western United Dairymen, which represents 1,100 dairy farmers statewide. "At the same time, we know that dairies were already undertaking serious pollution-control measures."

Farmers who received the loans said their new dairies posed fewer risks to the environment. By expanding their acreage and growing crops, they had more land to spread manure, thus lessening the chances of contaminating the groundwater. But the bigger properties also allowed them to double and triple their herds, adding even more ammonia and reactive gases to the air, the farmers acknowledged.

The loan controversy has shined a light on a rather obscure state program that delivers hundreds of millions in loans to waste-disposal firms, oil companies, public utilities and other businesses that find innovative ways to curtail their pollutants.

In several cases, the loans have been used by dairymen to close smaller operations in Chino and open dairies with as many as 14,000 cows in the San Joaquin Valley, which produces more milk than any other region in the country but has more violations of the eight-hour ozone standard than even Los Angeles.

"This moratorium closes a mega-loop-hole for mega-dairies," said state Sen. Dean Florez (D-Shafter), who will hold a legislative hearing in December to examine the loan program. "Don't come to the authority unless you have a proven technology to clean the air."

Some leaders in the dairy industry have been pushing the technology of methane digesters, which enclose the lagoons and recycle methane gas as an energy source.

But because the digesters fail to remove ammonia and other gases that degrade air quality in the San Joaquin Valley, Angelides doubted they would qualify for a new round of anti-pollution funding.

New traffic signal will cost \$130,000

By Roger Phelps

The Porterville Recorder, Oct. 27, 2004

Instead of pouring ever-more traffic toward a set of "hurry-up-and-wait" stop signs at Putnam Avenue and Villa Street, Porterville will upgrade the intersection's traffic control from four-way stop to stoplight.

It won't be cheap. The city will spend around \$130,000 to erect the stoplight.

"Steel is very expensive, and the gadgetry as well," said Public Works Director Baldomero Rodriguez. "And, there are not many manufacturers - there were four at one time, but now I think there are two."

Porterville will erect the stoplight essentially because both Putnam and Villa carry significant amounts of traffic at peak hours.

"You can have a lot of volume, but if it's all from one way, it doesn't meet the 'warrant' (set by the state)," Rodriguez said. "(Putnam and Villa) is a corridor for significant-enough traffic in both directions."

City studies show that per day, 8,000 cars use the intersection traveling on Putnam and another 5,200 pass through on Villa.

"We're going to start advertising this week, and that'll go for about a month," Rodriguez

said. "To start work, we're looking at the latter part of February."

The stoplight idea has been on the table for some time, Rodriguez said. That's part of the reason a more recent idea, a traffic-roundabout project proposed this year for the intersection by City Councilman Richard Stadtherr, could not receive full consideration, Rodriguez said. A roundabout carries traffic without stops, typically costs about the same to put in as a stoplight and avoids the maintenance costs of a stoplight.

Porterville this year filed with the San Joaquin Valley Air Pollution Control District a list of air-pollution-control measures the city will pursue. At Stadtherr's urging, the council included roundabout intersections among those measures.

Stadtherr at the time said, "Roundabouts would do more than all the other measures combined."

Most of the work for the Putnam-Villa stoplight won't cause closure of either street, but some will. City crews will re-route traffic when that time comes, Rodriguez said.