

Bill's passing opens up air board

By Hank Shaw - Capitol Bureau Chief
Stockton Record, Tuesday, Oct. 17, 2007

SACRAMENTO - State Sen. Michael Machado has won his five-year fight to change the membership of the San Joaquin Valley's air-quality board, a legislative battle that pitted the Linden farmer against his fellow farmers, their allies among the Valley's supervisors and the board itself.

Gov. Arnold Schwarzenegger signed Machado's SB719 last weekend, a move that overjoyed clean-air activists and irked Valley farmers, who say Machado's bill will undermine their influence on the San Joaquin Valley Air Pollution Control District board.

Supporters say the shift will add new perspectives to board deliberations, breaking what largely had been agricultural-rural dominance on the panel.

Machado's bill will require Schwarzenegger to appoint a lung doctor and an air-quality scientist who live in the Valley to the air board, which has broad regulatory power over businesses, farms and homes in the region. It will also shift the board's membership away from members of county boards of supervisors to include more city council members.

Urban and rural interests often clash over air issues: While cars and trucks are the main cause of the Valley's air pollution, construction equipment and agriculture are significant contributors.

"Cleaning the Valley air is everyone's responsibility," Machado said. "The additions to the San Joaquin air board broaden the representation to include those that suffer most from bad air. Working together, we can make the Valley a healthier place."

Machado, D-Linden, was one of only three San Joaquin Valley lawmakers to vote for the bill in the Legislature; Assemblyman Juan Arambula, D-Fresno, and Sen. Dean Florez, D-Shafter, were the others.

Machado hopes the new board will take action to improve conditions in the Central Valley, which has some of the nation's worst air quality. Asthma is rampant, and pollution-related respiratory problems are connected with 1,000 Valley deaths each year, according to federal health statistics.

"This is a huge step in the right direction," Carolina Simunovic of Fresno Metro Ministry said. Simunovic co-chairs the Central Valley Air Quality Coalition. "We consider the Valley's air-pollution problem a moral issue, and changing the air board was the right thing to do. We commend the governor for doing the right thing."

County joins cities in keeping 'cool'

Board of Supervisors pledges to reduce greenhouse gasses

By Shaun Bishop, MEDIANEWS STAFF
Tri-Valley Herald, Wednesday, Oct. 17, 2007

REDWOOD CITY - We'll try to be cooler, the San Mateo County Board of Supervisors pledged Tuesday.

The supervisors weren't worried about their image as much as the ozone layer. They agreed to sign on to the Sierra Club's "Cool Counties" campaign, affirming a commitment to drastically reduce the county's greenhouse gas emissions in the coming decades.

"This is a major first step that the county can take on the road to becoming carbon-neutral," Supervisor Jerry Hill said.

The board unanimously adopted the Sierra Club's Climate Stabilization Declaration, which encourages the county to inventory its greenhouse gas emissions and develop a strategy to reduce pollutants to 80 percent below the current levels by 2050. The declaration also encourages the county to advocate for climate protection at the federal level.

Supervisor Rich Gordon was inspired in July to adopt the pledge while attending the National Association of Counties annual conference in Richmond, Va.

The Sierra Club launched the Cool Counties campaign at the conference, and counted Alameda County as one of its inaugural members. Since then, Contra Costa and Santa Clara counties have also signed on.

"It seems very appropriate and very timely, given greenhouse gas emissions, that we take this step," Gordon said.

The Sierra Club's declaration, which is being signed by counties nationwide, was modeled after Gov. Arnold Schwarzenegger's executive order in 2005 to reduce

California's emissions to 80 percent below 1990 levels by the year 2050.

As an initial step, San Mateo County plans to contract with the International Council for Local Environmental Initiatives, an international group with an Oakland office, to do a baseline inventory of the emissions the county's operations produce. That analysis will cost the county \$13,000.

After that, the county plans to participate in regional initiatives to ease its impact on the environment.

The Sierra Club's efforts to get promises from counties for emissions reductions follows a similar effort on a city level to reduce emissions by 7 percent by 2012.

Mayors from nine Peninsula cities have signed the U.S. Mayors Climate Protection Agreement: Menlo Park, Atherton, Portola Valley, Redwood City, San Mateo, Burlingame, Millbrae, San Bruno and South San Francisco.

"Really, you need action at all levels of government because we all use energy," said Julio Magalhaes, global warming program coordinator for the Loma Prieta chapter of the Sierra Club. "This is just a continuation of the effort to get local action."

While the declaration focuses on reducing emissions strictly from county operations, Magalhaes said it is important for individuals to reduce their carbon footprints, too.

The agreement's signing left a brief window of opportunity for a joke and Supervisor Hill wasn't going to let it slip away.

"We always knew we were cool," he said to chuckles from his colleagues, "but now it's documented by resolution that we're a Cool County."

Clovis expects lawsuit over Wal-Mart

City council approves a supercenter despite opposition.

By Marc Benjamin

The Fresno Bee, Wednesday, Oct. 17, 2007

The Clovis City Council gave its blessing early Tuesday to plans for a Wal-Mart Supercenter -- but that's unlikely to be the end of it. Opponents are now expected to head to court to slow the project once more.

City officials said they expected to be sued no matter what decision they made.

Opponents "have been actively engaged in the process since the City Council began reconsidering environmental review," said Clovis City Attorney Tom Riggs. "They put a lot of time and effort into it, so I would presume they will take it to the next level."

The council's 3-2 vote was the culmination of a four-year battle over a 492,000-square-foot shopping center at Herndon and Clovis avenues that opponents have said would bring traffic, noise and the potential for more crime.

Council Member Harry Armstrong said he expects a legal fight. "If it was turned down, one side sues," he said, "and if it's approved, the other side sues. It's a Catch-22."

Before the 6 1/2-hour council hearing Monday night, City Council members met with the city's lawyers and were told to expect legal action if they followed city staff recommendations to approve the shopping center without seeking more public comment on the environmental report.

Last month, the council conducted a six-hour hearing on the shopping center.

If a lawsuit is filed, it wouldn't be the first time the matter has gone to court. In 2004, opponents sued in Fresno County Superior Court after the city approved the project. They argued that the city had relied on environmental data that was more than 10 years old.

Judge Wayne Ellison ruled that the city must do an environmental review. City officials must return to court with developer Dave Paynter to show they have responded to that ruling. No date has been set for that court appearance, and it's not clear whether another lawsuit would be filed beforehand.

Riggs said it may take several weeks for the city to learn whether the judge will approve the city's environmental review.

On Monday night, the City Council approved an environmental report examining pollution, traffic and other effects of the shopping center, anchored by Wal-Mart. The center also would include Kohl's, Petco, Ross and Old Navy.

Attorney Natalie Weber, who represents Save Our Crossroads Center, a shopping area at Bullard and Minnewawa avenues, said during the hearing that the city's environmental report is "defective."

Weber's law firm filed the 2004 lawsuit on behalf of the Association for Sensible and Informed Planning.

"I do expect that the next body that will take a look at this is the judicial branch," Mayor Bob Whalen said Tuesday.

Armstrong and fellow Council Member Lynne Ashbeck cast the two dissenting votes. Armstrong said opponents will probably sue over the traffic study, pollution and water issues. He said the report didn't require enough road improvements.

Council Member Nathan Magsig said he fully supported the environmental document, however.

"I did not come across any member of our staff or legal counsel who had any concerns about the document," he said.

In approving the shopping center, the Clovis council also voted early Tuesday to place limits on Wal-Mart's store hours. Instead of a 24-hour store, the council backed 5 a.m. to midnight as operating hours because of police concerns about crime.

Wal-Mart spokesman Aaron Rios said he was "positive overall" about the council's decision.

"We are pleased with getting the development approved, and there is always the ability to come back and seek 24 hours," he said.

Rios predicts more legal haggling before the issues are settled and said it will be about two years before the Wal-Mart Supercenter opens.

If Wal-Mart does return to operate around the clock, the company needs Planning Commission and City Council backing.

"I want to make sure there is as much public input as possible," Magsig said.

Mining claims near wilderness areas in state seen as threat

Wilderness areas in the state could be affected by pollution, public land analyst says.

By Margot Roosevelt, Los Angeles Times Staff Writer
LA Times, Tuesday, Oct. 16, 2007

More than 21,300 mining claims have been staked within 10 miles of California's national parks and monuments and federal wilderness and roadless areas, according to an analysis of U.S. Bureau of Land Management records released Monday.

The claims, which have risen by more than one-third in the last four years, include more than 2,170 staked outside Death Valley National Park, 525 near Joshua Tree National Park and 285 outside Yosemite National Park. There are also 41 near the Giant Sequoia National Monument.

"If just a handful of these thousands of claims already staked turn into major mines, it could have devastating impacts on California's national treasures," said Dusty Horwitt, public lands analyst at the Environmental Working Group, the Washington-based nonprofit that issued the report.

In California and across the West, mining claims have skyrocketed in the last five years, driven by a boom in the global price of gold, copper, uranium and other metals. The rising demand, particularly from China and other developing nations, has spurred interest in reopening abandoned mining sites.

With its open pits, acid drainage, and air and water pollution, mining is the dirtiest of all resource developments, accounting for more Superfund toxic cleanup sites than any other industry. It also requires vast amounts of water for the processing of metal ore at a time when shortages are plaguing California and other western states.

The revival of hard rock mining also comes at a time when Congress is grappling with how to revise the General Mining Law of 1872 -- a statute virtually unchanged since it was signed by President Grant. Unlike the oil, gas and coal industries, which must pay royalties to extract resources from public lands, hard rock miners can dig out ore virtually for free. And, under the law, which has been the subject of fierce debate for decades, mining has precedence over ranching, hunting, fishing, conservation and recreation on public lands.

On Thursday, the House Committee on Natural Resources is to take up a proposed revision of the statute that would impose royalties on mining companies and recognize the value of water quality, fish and wildlife habitat in the consideration of claims. Roadless areas would be off-limits to new mines. Environmentalists are seeking an amendment for buffers that would protect the Grand Canyon, Yosemite and other national parks.

In 2002, California became the first state to require that open pits be refilled after a mine closes. As a result, mining companies moved to friendlier states, such as Nevada and Idaho, according to Adam Harper, former manager of the California Mining Assn., which shut down its operations in December. However, Harper said that underground mines, as well as smaller open-pit operations that don't fall under the regulations, might still be economically feasible in California.

In the 10-mile perimeter around Death Valley National Park, 723 new claims have been staked in the last four years.

"We are very concerned," said park Supt. James T. Reynolds. "I hope the public understands the destruction that will occur. Development will have far-reaching impacts that our grandchildren will have to address."

Reynolds said that the biggest threat is the depletion of groundwater, which is affected not only by mining, but also by farming and rapid residential development in California and Nevada communities near the park. "If too much water is pumped from the aquifer, then the seeps in the springs in Death Valley will no longer flow," he said. "Plants will die, animals will die and they would even have to truck in water to the valley's private resort."

Reynolds is negotiating with two borite mining companies in hopes that they will donate their land to the park. And he has strenuously opposed the reopening of the Briggs mine, an open-pit cyanide operation in the Panamint Range on the park's western border. "Unfortunately, we don't have the authority to stop" any of the claims, he said.

The surge in claims also affects wilderness areas within national forests and other public lands. More than 14,400 claims have been staked within 10 miles of California wilderness areas, including Ansel Adams, John Muir, Trinity Alps and Desolation.

Federally designated roadless areas, including the watersheds that replenish the drinking water in many California cities, are also affected. Nearly 11,400 claims have been staked within 10 miles of roadless areas in the Tahoe, Stanislaus and Humboldt-Toiyabe national forests, with more than 4,600 in the last four years. Nearly 1,500 of the claims are located within the boundaries of roadless areas.

Most of the claims will never become mines, Horwitt acknowledged. "But with the price of gold rising so rapidly, deposits that might not have been economically mined could become much more attractive," he

said. "Once a claim is staked, there is very little land managers can do to prevent mining. And it takes only a handful of claims to create a multimillion-dollar Superfund site."

While overall mining claims in California have jumped 19% since 2003, claims have risen in 12 western states by an average of 81%, including 239% in Colorado, 178% in Wyoming and 127% in South Dakota. Claims are even being sold on EBay.

National parks in several states are threatened, including Grand Canyon, which has 815 claims within five miles of its borders and more than 2000 claims within 10 miles, many of them for uranium. Arches National Park in Utah, a jewel of red rock country and a staple of automobile ads, has more than 1,200 claims within 10 miles.

Study to look at chronic pulmonary disease

By Cheryl Clark, UNION-TRIBUNE STAFF WRITER
San Diego Union-Tribune, Wednesday, Oct. 17, 2007

SAN DIEGO – Most patients suffering from chronic obstructive pulmonary disease are smokers, but why do only 20 percent of smokers get the condition?

Could air pollution, workplace chemicals, dust or certain lifestyles heighten a person's risk of coming down with emphysema, chronic bronchitis or other symptoms of the incurable disease? Or might family history and genetics be the real culprits?

To find the answer, researchers from UCSD Medical Center are joining colleagues at 15 other universities nationwide to launch the largest-ever study of pulmonary disease. The five-year project is backed by a \$37 million grant from the National Heart, Lung and Blood Institute.

"The real question is: Why do those 20 percent get it?" said Dr. Joe Ramsdell, a professor of clinical medicine at UCSD. "It's obvious that it's more than just smoking; our hypothesis is that it's in their genetic makeup."

Ramsdell and his fellow researchers will enroll about 10,500 people who are older than 40, have used cigarettes for at least 10 years and still smoke. One thousand of those participants will come from San Diego County.

About 11.4 million people in the United States suffer from chronic obstructive pulmonary disease, and 12 million others are believed to have it but haven't been diagnosed.

The disease is the nation's fourth-leading cause of death. It is responsible for about \$21 billion annually in health care costs.

Symptoms of the disease, which isn't contagious, include conditions that restrict airflow in the lungs, a chronic cough with mucus and shortness of breath that's worsened even by everyday activities such as getting dressed.

The San Diego portion of the study will focus on recruiting Latino and black smokers. Researchers want to know why these smokers, among other things, often respond differently from whites to medications used to treat the disease.

Another goal of the project is to identify genetic markers that may signal higher risk of pulmonary disease.

"Some people who smoke their whole lives don't develop problems. Look at George Burns," said Paul Ferguson, executive director of UCSD's Clinical Trials Center.

Half of the people who join the new study will have been diagnosed with chronic obstructive pulmonary disease. The remaining participants won't have the condition.

Ramsdell and Ferguson said they hope to enroll pairs of siblings in which one person has the disease and the other doesn't. Since these siblings have similar genetic makeups, the parts of their DNA that are different may hold some clues.

Two who plan to volunteer for the project are Jim Dobbins, 58, and his sister, Doreen, 56, both of Clairemont Mesa.

Both have smoked for several decades. While Jim was diagnosed with chronic obstructive pulmonary disease 11 years ago, Doreen has remained healthy.

Jim Dobbins thinks he's genetically predisposed.

"It runs in my family. It killed both my parents and my grandfather," he said. "But why is my sister clean, when she has smoked almost as long as I have?"

Chronic obstructive pulmonary disease

The condition:

- Consists primarily of chronic bronchitis and emphysema, which restrict airflow.
- Kills more than 122,000 in the United States annually.
- Has been diagnosed in about 11.4 million Americans. About 12 million others probably have it but are unaware.
- Is strongly associated with smoking. Eighty percent to 90 percent of people with the disease are or were smokers.
- Has other possible causes, including air pollution, secondhand smoke or various industrial pollutants, a history of childhood respiratory infections and genetic predisposition.

SOURCE: American Lung Association

Four die in windy desert

Blowing dust blinds motorists on Highway 58 outside Mojave

Staff and wire reports

Bakersfield Californian, Wednesday, Oct. 17, 2007

Two separate fatal vehicle accidents along Highway 58 in the eastbound lanes happened Tuesday afternoon due to high winds and low visibility. This one is a van versus big-rig, killing one of the occupants in the van.

Emergency personnel are shown on scene of a fatal accident, one of two in the same area in the eastbound lanes of Highway 58 near Mojave. High winds caused [blowing dirt and sand](#) in the desert area, with low visibility causing the accidents.

Strong winds blowing dust in the roadway caused several multiple-vehicle crashes along Highway 58 Tuesday that killed two people and closed portions of the road.

Two people were killed in separate accidents about 1,000 yards apart along Highway 58 three miles east of Highway 14 in Mojave, California Highway Patrol Lt. Dana Leach said.

James Stanley Parsons, 73, of Vancouver, Wash., died at 11:45 a.m. Tuesday, and Ernest Dale Codd, 64, of British Columbia died at 11:46 a.m. after accidents in blowing sand, according to the Kern County coroner's office. Parsons was driving a pickup, and Codd was a passenger in a van. Both were wearing seat belts, according to the coroner.

Highway 58 was closed between Highways 395 and 202, and Highway 14 was closed between Highway 58 and California City Boulevard, Leach said. Some roads were expected to be reopened by 5 p.m.

Meanwhile, more than a dozen vehicles slammed into one another when a blinding sandstorm surprised motorists Tuesday in the high desert north of Los Angeles, killing at least two and injuring 16.

Two of the injured were in critical condition after the crash that left vehicles scattered across Highway 14, Los Angeles County Fire Inspector Ron Haralson said.

The situation earlier Tuesday was chaotic.

"High winds were blowing dust and dirt and creating pockets of zero visibility," Leach said.

The National Weather Service reported gusts of 55 mph, according to The Associated Press.

The Weather Service issued a dust storm warning for the Antelope Valley Tuesday afternoon, cautioning that blowing dust in the region could reduce visibility to near zero.

"It's not unheard of for the area to experience a dust storm, but it's not an everyday type of thing," said meteorologist Jaime Meier in the Weather Service's Oxnard office.

Like the rest of California, the Antelope Valley has been bone-dry this year, receiving less than 2 inches of rain. That means dirt and sand are not packed down in the ground and are more likely to swirl in the face of strong winds.

"It's just loose and is able to impact visibility just the same way as a blizzard," Meier said.