

## **Another air report, another F**

### **Smog and tiny particles make area one of nation's worst, lung association finds.**

By Barbara Anderson  
The Fresno Bee

(Updated Thursday, April 29, 2004, 7:19 AM)

San Joaquin Valley residents are breathing some of the dirtiest air in the nation, according to a 2004 air pollution report card made public today by the American Lung Association.

But flunking this annual air quality test is no surprise.

In the five years that grades have been issued, a Valley county always has received an F grade because of smog.

Of the top 25 most-polluted places in the country this year, Fresno County ranks as the second worst for ozone pollution -- a spot it held last year, too. Only people living in San Bernardino County in Southern California breathe more ozone, the main ingredient in smog.

But for the first time, counties were graded this year on a new pollution scorecard: particle pollution -- tiny pieces of soot and grime that make the air unhealthy to breathe.

Again -- the Valley flunked, landing among the nation's 10 most polluted regions.

The Valley's particle pollution is so bad that professors at University of California at Davis and UC Merced say the area provides a perfect laboratory for studying particles and the health problems associated with them.

"Some places in the country have a problem finding really polluted air. We don't have that problem," said Anthony Wexler, a UC Davis professor who is coordinating an effort to create an air quality research center that would have a Valley focus.

The decision by the American Lung Association to include particle pollution in its "State of the Air: 2004" report "is just more of a recognition that the particles are very important to people's health," Wexler said. A spike in particles has been linked to premature deaths, increased heart attacks, strokes and asthma attacks. And breathing particles over an extended period of time can shorten lives by one to three years, according to the lung association.

The air quality report paints a gloomy picture of the Valley.

Five Valley counties appear on the list of the 25 worst for short-term exposure to particles that are 2.5 microns or less in diameter, a size so small they cannot be seen with the naked eye and can be inhaled deeply into the lungs.

Fresno County ranks second -- behind Riverside County -- for 24-hour exposure to these particles. Kern County ranks third, and Tulare, Stanislaus and Kings counties rank 12th, 15th and 16th, respectively.

Long-term exposure to particles in the Valley is worst in Tulare County, which ranks fourth. Kern County is fifth and Fresno sixth for annual exposure to the pollution. Riverside takes the top spot, with San Bernardino and Los Angeles in second and third place. Kings and Merced counties make the list as the 12th and 22nd most polluted.

"The report is really dismal, but what it says is pretty much what we've been saying for quite some time: Pull together, find the solutions, make the hard choices and implement them," said Josette Merced Bello, president and chief executive officer of the American Lung Association of Central California.

Even a critic of the lung association's annual State of the Air report said the Valley is "the new frontier of air pollution." The Valley is one of a few areas with trouble reducing the air pollution, said Joel Schwartz, a visiting fellow at the American Enterprise Institute, a public policy think tank in Washington, D.C.

But Schwartz, of Sacramento, said the lung association exaggerates the gloom and doom. Air pollution levels have gone down nationwide.

"Even in a place like the San Joaquin Valley, there's been a general downward trend in air pollution in the last 20 years," he said.

The lung association assigned counties letter grades for ground-level ozone and short-term particle pollution based on a three-year weighted average calculated from the Air Quality Index, a health-based rating system the government uses for different levels of pollution.

Long-term particle pollution grades were garnered from federal Environmental Protection Agency violations of the air quality standard for particles. Counties that were in attainment of the standard were given a "pass" grade, those out of attainment, such as Fresno County, received a "fail" rating.

#### Hard on the lungs

With the Valley failing to make the grade for particles this year and failing the ozone test five times, it has a long way to go to clean the air, said Merced Bello.

"This is the fifth report in which the Central Valley has flunked. So what this says to us is we need to do some new things or different things if we're going to change the situation."

Ground-level ozone is a corrosive gas that hangs over the Valley during the summer and early fall months. Ozone can inflame and scar lungs. And recent research indicates that long-term exposure can hamper lung development in children and may cause asthma in some youngsters.

Smog in the Valley is blamed for contributing to asthma rates that are among the highest in the state and for increases in the number of people with lung diseases, such as emphysema and chronic bronchitis.

#### Lots of learning left

Particle pollution also can trigger asthma attacks and exacerbate other respiratory problems.

Kim Gobel, 41, of Clovis coaches tennis at Tenaya Middle School. She was diagnosed with asthma about a year ago. Her daughter, Allison Gobel, 12, has asthma and plays in tennis tournaments at Alta Sierra Intermediate School.

Sooty plumes of smoke and ozone clouds irritate the mother and daughter and drive them off the tennis court and indoors.

Gobel restricts driving on smoggy and sooty days to cut down on contributing to the air pollution; and she traded her Ford Expedition last year for a smaller vehicle.

But it was a new regulation prohibiting fireplace and wood stove burning on bad-air days this past winter that she believes made the biggest difference to her health. "The air didn't seem to be quite so sooty, ashy," she said.

The no-burn order helped to reduce levels of wintertime pollution, said Dave Mitchell, planning manager at the San Joaquin Valley Air Pollution Control District, the agency charged with writing the rule. "It's really important for us in controlling [particles]."

A lot remains to be learned about particle pollution in the Valley.

Valerie Leppert, a UC Merced assistant professor of engineering, is examining the effects of combustion on soot particles. Preliminary research shows the burned particles are more reactive to sensitive lung tissue.

Understanding how this combustion process works "will go a long way toward improving health care," she said.

Leppert is working with Kent Pinkerton, a UC Davis School of Veterinary Medicine professor of anatomy, physiology and cell biology and director of the Center for Health and the Environment. Pinkerton used Fresno as the site for a study of the effects of particle pollution on rat lungs in 2000.

Leppert and Pinkerton said they hope some of their soot studies can be done at locations in the San Joaquin Valley.

Other researchers at UC Davis are looking at sources of airborne particles in the Valley -- diesel and car exhaust, fireplace smoke, and agricultural waste.

"One of my goals is to figure out what it is that is causing [health] problems," said Wexler, UC Davis professor of mechanical, aeronautical, civil and environmental engineering. "If we could know what it is about particles that are causing the problem, then maybe we could be more selective about spending money to get the problem under control."

## **Residents feel good about home**

### **But a poll finds that they believe air pollution is the Central Valley's No. 1 problem.**

By Kerri Ginis  
The Fresno Bee

(Updated Thursday, April 29, 2004, 7:04 AM)

Residents in the Central Valley's 19-county region generally like the communities where they live and believe the area will be an even better place to live in the future.

But those favorable impressions haven't eased their growing concerns about air pollution, the economy and the lack of jobs and affordable housing.

The findings were part of a survey conducted by the Public Policy Institute of California that reflects the growing trends in communities stretching 400 miles from Bakersfield in the south to Redding in the north.

Most residents recognized the rapid growth the region of 5.7 million people has experienced in the past five years. Residents pointed out that the population boom has created more problems, from less affordable housing to traffic congestion on the major freeways.

Air pollution still tops the list of growing concerns, with 45% of the population considering it the Central Valley's biggest problem.

But none of those issues has subdued the overriding enthusiasm for life in the Central Valley. Roughly 75% of residents said their local community or city is a good or excellent place to live.

"They feel up to now, at least, that things are good," said Mark Baldassare, statewide survey director for Public Policy Institute. "It's anybody's best guess right now if things will stay this way, but for now people are saying there's no place like home."

The survey found significant differences in residents' perceptions by subregion. They include:

70% of residents in the south San Joaquin Valley -- Madera, Fresno, Kings, Tulare and Kern counties -- rated their home town as an excellent or good place to live, lowest among the four regions. The other subregions are North Valley, Sacramento metropolitan area and north San Joaquin Valley.

8% of south San Joaquin Valley residents said their home town is a poor area to live, the highest of all subregions.

62% of south San Joaquin Valley residents rated air pollution as a big problem in their area, highest of any subregion. The north San Joaquin Valley was next, with 39% rating air pollution as a big problem.

27% of south San Joaquin Valley residents rated traffic congestion as a big problem, lowest among the subregions. The Sacramento metropolitan area was No. 1 among the four subregions, with 63%.

15% of south San Joaquin Valley residents said they are very satisfied with their area's job opportunities. This tied the Sacramento metropolitan area for the highest among subregions.

32% of south San Joaquin Valley residents said air pollution is the most important issue facing the 19-county Central Valley, highest by 18 percentage points among the four subregions.

Despite their concerns, more residents in the south San Joaquin Valley (47%) said they think the Central Valley will be a better place to live in the future than in any other subregion.

Fresno resident Jason Bolton, 30, has lived in the Central Valley since he was a boy. He likes Fresno and wishes other people had a more favorable opinion of the city.

It upsets him when he hears people say that living somewhere else might be better.

"It's the grass-is-always-greener mentality," said Bolton, an automotive service manager. "I think Fresno has a lot of upside to it. The only problem I have with it is that there isn't a lot of civic pride here."

The number of residents who believe the Central Valley will be a better place to live in the future outnumbers those who believe it will be a worse place. Only 32% believe things in the Central Valley are headed in the wrong direction.

The survey, conducted in collaboration with Modesto's Great Valley Center, questioned 2,005 adults from April 12 to April 20. The margin of error is two percentage points.

The findings are used by government leaders, businesses and civic groups to help with planning and to get a sense of how residents see the challenges within their communities.

This is the survey's fifth year and some regional trends are starting to emerge, said Carol Whiteside, president of the Great Valley Center.

People continue to rate local police, parks and recreation as excellent or good. Four out of 10 residents said their city government is doing a good job of solving problems -- a statistic that has remained virtually unchanged since 1999, the survey's first year.

But perceptions of other issues have changed significantly in the past five years. Satisfaction with affordable housing dropped 18 points with only 19% of residents saying they are satisfied with housing opportunities compared to 37% in 1999.

The number of residents concerned with air pollution also increased dramatically in the past five years. Only 28% of residents mentioned air pollution as the top issue facing the region in 1999 compared to 45% this year.

Christina Musgrave said air pollution is a definite concern for her. The Fresno resident has bad allergies.

"They just seem to get worse every year," said the eighth-grade schoolteacher. "The air quality to me is just terrible and I'm one of those affected by it."

The survey reflects a cross-section of the community and provides a good indication of how residents perceive the region where they live, Whiteside said.

"This really helps us to define the Valley where it is similar and where it is different from the rest of the state," she said. "Even though it's one big valley, there are a lot of differences in it and the poll recognizes that."

## **Air pollution tops concerns, survey says**

### **Satisfaction with police, schools drops in report**

By David Castellon, staff writer

Visalia Times-Delta

April 29, 2004

Residents in the southern portion of the Valley have come to believe that air pollution is the region's most critical issue. Almost half of them would be willing to see tougher federal air quality standards even if it hurt the economy, according to an annual survey to be released today.

The Central Valley survey, by the Public Policy Institute of California, also showed:

Latinos are less likely than whites to rate their communities as good or excellent and are also less likely to believe that police protection and parks and recreation facilities are adequate.

Valley residents continue to be more conservative and place religion in a more central part of their lives than Californians in general. The south Valley -- including Tulare, Kern, Kings, Fresno and Madera counties -- is the most conservative and religious part of the Valley. Half said they had attended church in the last seven days and 49 percent said they considered themselves politically conservative.

There's greater community satisfaction in the north Valley than in the south. Still, 31 percent of south Valley residents said they believe their quality of life has improved over the past year, compared to 24 percent in the north Valley. This is the fifth year the institute has conducted the survey.

Among the 2,005 people who responded to telephone surveyors in April, satisfaction with police protection and public schools are down compared to previous survey years, and Hispanics were less satisfied with those services than whites.

"Whites gave much higher ratings [72 percent each] to local police protection and parks and recreation facilities than Latinos do," 58 percent, and 56 percent, respectively, the report states.

Not surprising, said Graciela Martinez, director of Proyecto Campesino, a group that helps Tulare County farm laborers.

"In this area, in particular, there has always been some kind of suspicion, from the Latino community in particular, of law enforcement because of past actions," including officers assisting in immigration raids, she said. "That tends to make people look at law enforcement in not as good a light."

Tulare County Supervisor Lali Moheno said she wasn't surprised at the survey findings. But, she said, local efforts are under way to bridge the confidence gap between Hispanics and police. Visalia is developing plans to build one of two new police substations in the city's predominantly Hispanic north side, she added.

She wouldn't comment further on the survey without having read it.

Additionally, the institute survey states, only 59 percent of Hispanics in the Valley gave their communities good or excellent ratings compared to 83 percent of whites, according to the survey findings.

"The divide between Latinos and whites on these issues likely come from persisting social and economic differences," according to a statement from Mark Baldassare, research director for the institute. "Satisfaction with higher education and recreational facilities tend to increase among residents who own their own homes and have higher incomes and more education."

#### Finances and economy

More than 23 percent of Tulare County residents lived in poverty in 2000, according to census data, and the county's 18.5 percent unemployment rate in March was the third highest in California.

Still, 42 percent of south Valley residents said they were financially better off this year than they were a year earlier, a higher percentage than in the other parts of the Central Valley, and 44 percent here said their situations were about the same.

From the 1999 institute survey to the one in 2003, the ratio of people grading the economy as excellent or good dropped from 55 percent to 35 percent. But optimism did perk up a bit in 2004, with 38 percent of the respondents giving the economy high marks.

"Not looking at it from the immigrant point of view, and particularly the farmworkers," Martinez said. "They are worse off this year than last year. You and I get raises for cost of living, and the majority of farm workers are still getting minimum wage, \$6.75 an hour, and the cost of living is still going up," particularly the amount they have to pay for gas.

Despite this, 32 percent of south Valley residents said the most important issue is air pollution. Air pollution topped the list for only 5 percent to 14 percent of residents in the other parts of the Valley, where the air isn't so bad.

## Valley concerns

While 30 percent of south Valley residents surveyed said the state should have primary responsibility for setting air quality standards, 45 percent said they'd be willing to see tougher federal standards even if the economy was affected.

Another 26 percent said federal standards shouldn't affect the economy and 24 percent said there should be no tougher federal standards.

As for the other important issues on the minds of south Valley residents, air pollution and economic concerns were followed by crime and gangs, water availability, population growth and urban sprawl, education and schools, traffic and drugs.

Despite years of complaints and concerns about how to maintain the water supply in the south Valley, 47 percent of residents said they believe the supply is adequate while 23 percent said it is somewhat adequate and 10 percent said it is very inadequate. Another 10 percent told surveyors they didn't know.

And, an indicator of the overwhelming importance of agriculture across the Central Valley, 38 percent of all the people surveyed said that in forming future water policies, farms and agriculture should get the top considerations while supplying water to residences and environmental effects should come second and third.

## Supreme Court Curbs AQMD in Smog Battle

**In an 8-1 ruling, U.S. justices say the Southern California air quality agency went too far in making private firms buy low-pollution vehicles for fleets.**

By Miguel Bustillo, L.A. Times Staff Writer

Southern California air quality officials overstepped their authority when they required private trash haulers, bus lines and other companies to purchase low-pollution vehicles for their fleets, the U.S. Supreme Court ruled Wednesday.

The 8-1 decision significantly sets back a broad effort by the South Coast Air Quality Management District, the regional smog agency, to expand its reach and tackle the biggest sources of smog-forming exhaust: cars, trucks and other motor vehicles.

The federal government has primary authority over those pollution sources, and local regulators assert that federal officials are not doing enough to help clean the air in Southern California.

The ruling could also forecast trouble for other efforts by California officials to press the state's authority to push new air pollution regulations, some legal experts said.

Because Southern California has the nation's worst pollution problem, regional smog officials — responsible for air quality in Los Angeles, Orange, Riverside and San Bernardino counties — have long had the right to set tougher standards than the federal government for factories, power plants and other stationary sources of pollution.

But that authority does not help in handling emissions from cars, trucks and other vehicles, which account for about 70% of the region's smog.

To address that pollution, air quality regulators had argued that the federal Clean Air Act gave them the power to impose the anti-pollution requirements on fleets of vehicles. Because they were not regulating the manufacture of vehicles, just limiting the types that local fleet-owners could buy, the regulations did not overstep their power, the local regulators argued.

The Bush administration disagreed and sided with engine manufacturers and oil companies that sued the California regulators.

In the decision, eight of nine justices took the industry's side, saying Congress specifically sought to keep local officials from taking such measures when it debated the Clean Air Act.

"The manufacturer's right to sell federally approved vehicles is meaningless in the absence of a purchaser's right to buy them," Justice Antonin Scalia wrote in the court's opinion.

"If one state or political subdivision may enact such rules, then so may any other; and the end result would undo Congress' carefully calibrated regulatory scheme," he added.

Justice David H. Souter was the sole dissenter. He argued that although Congress sought to prevent local agencies from adopting regulations that resulted in a hodgepodge of engine standards around the country, AQMD officials were simply requiring fleets to choose among some current clean-engine technologies.

The Clean Air Act, he argued, does not prevent "one of the most polluted regions in the United States from requiring private fleet operators to buy clean engines that are readily available on the commercial market."

Since their adoption in 2000 and 2001, the rules have put more than 8,900 low-polluting trash trucks, transit buses, airport shuttles and passenger cars on Southern California roads, AQMD officials said.

More than 60% of the region's transit buses are running on cleaner alternative fuels, such as natural gas. By 2010, the rules were projected to erase 4,780 tons per year of polluting emissions, including 2,699 tons of carbon monoxide and 1,931 tons of nitrogen oxides, key component of smog.

The ruling comes at a time when Southern California smog fighters are losing ground in their battle to clean the air after decades of gains.

Last year, the area experienced 68 bad air days, a 28% increase from the previous year and nearly 50% more than in 2001. Last summer, air quality officials declared the first Stage 1 health alert since 1998. The public warning that the air was dangerous for everyone to breathe was one officials had thought they might never need to issue again.

The court's decision was welcomed by engine makers, who argued that the local rules prevented private companies from buying the vehicles they wanted. It was denounced by environmentalists and local air regulators, who were particularly angry that the Bush administration had entered the case on the side of industry.

California and 16 other states, along with the National League of Cities, National Assn. of Counties and National Conference of State Legislatures, had filed friend-of-the-court briefs supporting the AQMD.

"We're scrapping for every possible cost-effective pollution control strategy. Here is an example of a metropolitan area that is demonstrating leadership, and the rug is being pulled out from under them," said Bill Becker, executive director of the State and Territorial Air Pollution Program Administrators Assn. in Washington.

Regional regulators elsewhere in the country may now steer clear of innovative rules for dealing with air pollution problems in their backyards, he said.

"There seems to be a pattern at the federal level of taking away regulatory tools that state and local regulatory agencies have to clean up the air," Becker said. "We expected the administration to at least remain neutral."

Bush administration officials have maintained that they were not attempting to undercut the state's power.

"The driving force here was a genuine fear that every county and local agency would come in with their own fleet rules and distort what should have been a uniform national marketplace," said attorney Carter G. Phillips, who argued the case on behalf of the Engine Manufacturers Assn. and the Western States Petroleum Assn.

"In the long run," he argued, the ruling "should actually be beneficial to the environment, because there have been substantial gains in clean diesel technology, and now those manufacturers have more incentive to pursue those efforts."

A spokesman for the U.S. Department of Justice declined to comment on the ruling Wednesday.

Barry Wallerstein, the AQMD's executive officer, said the local agency would continue trying to apply its fleet requirements as broadly as legally possible to reduce air pollution.

"We are disappointed in the decision by the court," he said in a statement.

But Wallerstein and other officials noted that although the court ruling said the AQMD could not require private companies to buy lower-polluting vehicles, the agency would try to continue placing that requirement on fleets owned by public agencies.

The AQMD will also try to require the cleaner engines for trash haulers and other private firms that have contracts to provide city services, officials said

"We think a strong argument can be made that a public agency that is contracting with a waste hauler — as opposed to buying those trucks — is still essentially [making] a state purchase decision," said AQMD spokesman Sam Atwood.

Engine makers vehemently disagreed with that interpretation. "If that is their position, we may have another fight on our hands," said Jed Mandel, president of the Engine Manufacturers Assn.

### **Survey: Valley's residents stand by their home**

*Area seen as good place to live despite traffic, air*

By Eric Stern, Merced Sun-Star Capitol Bureau

*Also published in the Modesto Bee*

*Last Updated: April 29, 2004, 07:36:10 AM PDT*

SACRAMENTO -- Three-fourths of Central Valley residents continue to say their local community is a good or excellent place to live, despite growing concerns about traffic, dirty air and expensive housing, according to a new poll.

"Bursts of growth and development tend to arouse negative feelings among people who live in the area, so it's quite remarkable that most Valley residents believe life has either improved or stayed the same, but not grown worse," said poll director Mark Baldassare of the Public Policy Institute of California.

The fifth annual survey of the Central Valley, conducted with the Modesto-based Great Valley Center, shows that the enthusiasm of residents has remained constant since the first poll in 1999.

Baldassare called the response striking because 71 percent of people perceive that their local area has grown rapidly in the last five years.

Air pollution is viewed as the Valley's most important issue and is considered a big problem by 45 percent of residents, up from 28 percent in 1999.

The study found that more than two-thirds of residents would support tougher federal standards on air pollution, but the support for that drops significantly if regulations would hurt the local economy.

Residents also told pollsters they are growing dissatisfied with the quality of roads and traffic congestion. Sixty-four percent said they would be willing to increase their local sales tax to pay for road and transit projects.

However, support for a ballot measure to fund a high-speed rail line from San Francisco to Los Angeles through the Central Valley has voters here divided. Only 51 percent of likely Central Valley voters support the idea.

The survey also showed:

- Central Valley residents are feeling better about the economy.
- The University of California at Merced is very important or somewhat important to 81 percent of residents polled and even more to Latinos.
- More residents say that farms and agriculture are a higher priority than homes and residents when considering future water policy.

- A disparity in computer and Internet use between whites and Latinos is growing.

Findings of the survey were based on telephone interviews conducted between April 12-20, of 2,005 adult residents in the 19-county Central Valley region.

The full survey results can be viewed at [www.ppic.org](http://www.ppic.org). <<http://www.ppic.org>>

### **Survey: Life in the valley good ... mostly**

By VIC POLLARD, (Bakersfield) Californian Sacramento Bureau

April 29, 2004

SACRAMENTO -- Central Valley residents are a bit conflicted about the region where they live, according to a new survey.

An overwhelming majority of valley people like their local communities and are optimistic about the region's future

At the same time, a growing number of them are disheartened about problems with air pollution, population growth, schools and traffic congestion, according to the poll by the nonpartisan Public Policy Institute of California.

It is the latest in a series of such regional surveys taken by the institute over the last several years, covering the San Joaquin and Sacramento valleys, from Bakersfield to Redding.

Seventy-five percent of valley residents said their local city or community is a good or excellent place to live.

Mark Baldassare, the institute's survey director, said that is striking because 71 percent also perceive that their communities have grown rapidly over the past five years.

"Bursts of growth and development tend to arouse negative feelings among people who live in an area, so it's quite remarkable that most valley residents believe life has either improved or stayed the same, but not grown worse," Baldassare said.

Indeed, more than half of valley residents, 53 percent, said they believe things in the valley are headed in the right direction, while just 32 percent said the area is moving in the wrong direction.

On the other hand, just 38 percent of residents rate the local economy as good or excellent, down from 55 percent in 1999.

However, there were two bright spots in the perception of the economy, according to the survey

One of them was the southern San Joaquin Valley, which includes Bakersfield. There, 37 percent gave the economy positive ratings, up slightly from 33 percent a year ago.

For 61-year-old Ken Laster, who has lived in Bakersfield all of his life, despite the Central Valley's air quality problems, life is good here, he said. Laster and his wife are just a couple of hours away from the coast and the mountains. The couple have also found no lack of employment.

"We've always had good jobs here," he said.

The other bright spot was in the Sacramento metropolitan area.

Things that trouble residents include air pollution, which is viewed as the valley's most important issue. Smog is viewed as a big problem by 45 percent of the population, up from 28 percent in 1999.

But various areas of the valley view the problem differently.

In the south end of the valley, from Bakersfield to Madera, 62 percent view air pollution as a big problem, compared with 17 percent in the north end, around Redding.

Local resident Carol Bustos is concerned about air quality. Bustos has lived in Bakersfield for 15 years and has no plans to leave.

"I hate the air quality, but otherwise I love it," she said.

Comparisons with previous surveys show a steady increase in concern about traffic congestion, loss of farmland and population growth and development.

Lisa Green, who lives in the southwest, said she hopes housing development doesn't get out of hand.

"I've enjoyed living in Bakersfield," Green said. "I feel like it's just the right size."

She enjoys being able to get anywhere in the city in about 20 minutes and having plenty of stores and other businesses close at hand, but rumors of plans to develop to the south have made her nervous.

Green said she doesn't want to see Bakersfield become like Fresno.

"I think we're almost in danger of getting a little bit too big," she said.

The findings were based on a telephone survey of 2,005 adults in the 19-county valley region between April 12-20. The margin of error, officials said, is plus or minus 2 percent.

The complete survey results can be found on the institute's Web site, [www.ppic.org](http://www.ppic.org).

## **S.J. flunks clean-air report again**

### **California counties dominate American Lung Association list**

By Audrey Cooper  
(Stockton) Record Staff Writer

April 29, 2004

A top clean-air group has given San Joaquin County a failing grade for its smog problem for the fifth year in a row.

The county is one of 34 in California that received at least one "F" by the American Lung Association in its annual State of the Air Report released today.

Yet hidden deep in the 237-page report is a tiny piece of good news for San Joaquin County residents. The county was given a "D" for its particulate-pollution problem. That's the best grade given to any county within the San Joaquin Valley.

The report analyzes how frequently and severely counties and cities exceed federal health-based limits for smog and particulate pollution. The data is averaged over three years, starting in 2000. Those are the most recent years with verified data from the U.S. Environmental Protection Agency.

Smog is formed when different emissions -- from sources such as cars and animal waste -- are heated by sunlight in the air. Particulate pollution comprises microscopic flecks of soot, vapor and dust. Those particles lodge deep into lungs. Air pollution has been linked to asthma attacks, impaired lung function, premature deaths, increased hospitalizations and cancer.

In the new report, counties received up to three grades: one for smog, one for annual exposure to particulate pollution and one for daylong peaks in particulate pollution. It's the first year the Lung Association's report included analysis of particulate pollution.

"We want the public to understand the seriousness of the air-pollution problem. It's deadly, causes asthma attacks, causes people to go to the hospital and emergency room," said Bonnie Holmes-Gen, a spokeswoman with the Lung Association.

"We need to make sure there is public support for stronger air policies and that our politicians will stand up for clean air," she said.

Although California often ranks as the biggest air-pollution hotspot in the nation, it is possible to clear the air here, Holmes-Gen said.

"It will take substantial investment in alternative fuels and lower polluting vehicles, but it can be done," she said.

The report also ranked the top 25 most polluted counties in the country. Valley counties regularly turned up on lists comparing cities for smog pollution, long-term particulate problems and short-term particulate pollution.

The smoggiest county in the nation was San Bernardino, and next-door Riverside County was top ranked in the report for short-term and long-term particulate pollution.

San Joaquin County didn't make the top 25 list in any of the three categories, but that doesn't mean the air is healthy to breathe, experts said.

"This report really underscores the problem with air quality in the San Joaquin Valley," said Kelly Hogan Malay, a spokeswoman for the San Joaquin Valley Air Pollution Control District.

"Fixing this is not going to be easy or painless. The public is going to have to make some sacrifices, as will businesses and industry," Malay said.

The air district is in charge of drafting pollution-cutting plans so that the region can meet federal standards. New smog limits recently announced by the EPA would give the region until 2013 to have clean air or face possible sanctions. In the worst-case scenario, the Valley could lose more than \$2 billion in federal road-building dollars for not having a workable plan to clean the air.

The air district, however, has no control over vehicle-tailpipe emissions -- the No. 1 source of Valley air pollution. Regulating car and truck emissions is primarily the responsibility of the federal government.

To view the American Lung Association's report, go to [www.californialung.org](http://www.californialung.org).

## **Supreme Court nixes California's anti-smog rule**

The Associated Press

Published in the Modesto Bee

April 29, 2004

WASHINGTON (AP) - The Supreme Court ruled Wednesday that a Southern California agency may have gone too far in imposing its own anti-smog rules for city buses, airport shuttles and other vehicles.

Justices, on a 8-1 vote, sided with oil companies and diesel engine manufacturers which claimed that local pollution rules conflict with national standards.

The San Francisco-based 9th U.S. Circuit Court of Appeals upheld the tougher local rules, but the decision was voided by the high court. The Supreme Court sent the case back to California to consider the issues.

Justice Antonin Scalia, writing for the court, said that the emissions rules appear to be blocked by the federal Clean Air Act.

"If one state or political subdivision may enact such rules, then so may any other; and the end result would undo Congress's carefully calibrated regulatory scheme," he wrote.

Justice David H. Souter filed the only dissent. Souter, who is from New Hampshire, said he disagreed that the Clean Air Act "prohibits one of the most polluted regions in the United States from requiring private fleet operators to buy clean engines that are readily available on the commercial market."

The rules apply to Los Angeles, San Bernardino, Riverside and Orange counties, which together have the nation's worst air-quality problem. The restrictions were imposed in 2000 and apply to fleets of vehicles such as buses, waste haulers and others.

The Clean Air Act gives states some authority to set their own rules. At issue in Wednesday's case were local standards.

The case is Engine Manufacturers Association v. South Coast Air Quality Management District, 02-1343.

## **Report: nearly half the nation lives in high smog regions**

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Published in the S.F. Chronicle

Thursday, April 29, 2004  
(04-29) 09:34 PDT LOS ANGELES (AP) --

More than half of the nation's population lives in counties blanketed by hazardous levels of smog, many of which are located in California, according to an American Lung Association report released Thursday.

The annual study says about 159 million Americans, or 55 percent of the country, reside in 441 counties threatened by air that is heavily polluted with ozone or tiny particles of soot, known as particle matter.

The Golden State, with its clogged freeways and sunny climate, retains its notoriety for poor air quality, holding a majority of the top 10 worst-polluted counties. The Los Angeles metropolitan region placed at the top for most ozone pollution for the fifth consecutive year.

The Houston and Knoxville, Tenn., areas ranked fifth and ninth, respectively.

The results were based on Environmental Protection Agency data collected over several years, the report said. The EPA released its own report earlier this month on counties that fell below federal standards for ozone levels but did not include a review of particle pollution. A study on longterm ozone trends will be released by the EPA next month.

Janice Nolen, director of national policy for ALA, said strides have been made to cut pollution, particularly ozone contamination, but many people remain at risk for smog-related illnesses like asthma, cardiovascular disease and lung inflammation.

"We still have a serious air pollution problem across the country. It's cleaner ... but it's not clean enough," Nolen said.

Ozone pollution occurs when hydrocarbons and nitrogen oxides -- released when fossil fuels burn or chemicals evaporate -- combine with heat and sunlight.

Particle pollutants can come from fireplaces, automobiles and agriculture. They can lodge deep in the lungs, contributing to heart problems and sometimes leading to death over longer periods of exposure.

Industry representatives counter that cleaner burning engines are helping reduce smog.

Some experts claim the ALA paints a misleading picture by using measurements from only a few monitoring stations to derive conclusions about large areas. The group exaggerates the scope of the problem, one researcher said.

"You wouldn't realize we have made such incredible progress in reducing pollution from this report," said Joel Schwartz, a visiting fellow at the American Enterprise Institute.

According to the report, San Bernardino ranked No. 1 among counties nationwide in ozone pollution. Riverside County had the nation's worst annual and short-term particle matter pollution.

Overall, 34 of California's 58 counties failed one or more of three clean air tests in the study.

The report follows a U.S. Supreme Court ruling Wednesday that clean air regulators overstepped their authority with anti-smog regulations forcing private fleets to use clean fuel and produce low emissions.

The South Coast Air Quality Management District, which oversees four Southern California counties, enacted the rules to bring the region's air quality in line with federal requirements.

A lower court will decide whether officials can apply tough antismog rules to public vehicle fleets.

[Fresno Bee editorial, April 29, 2004:](#)

**Failing grades -- again**

**More depressing news about Valley air quality from Lung Association.** Here's a report card parents may have trouble sharing with their children: 34 of California's 58 counties get an "F" on at least one of three air quality tests analyzed in a study by the American Lung Association. It gets worse for us here in the Valley: Fresno, Tulare and Merced counties show up on all three lists, and rank among the worst 25 areas nationwide in all three categories.

Other Valley counties that flunked at least one of the tests are Kern, Kings, Madera, Mariposa, San Joaquin and Stanislaus. That's a pretty clean sweep.

There are a few surprises on the list, including the Bay Area and coastal counties of Alameda, Contra Costa, San Diego, San Francisco, Santa Barbara and Ventura.

The tests measure ozone and short-term particle pollution levels, as well as year-round particle pollution levels.

The report concludes that 24.3 million people in California are at risk from ozone pollution (smog), 30.3 million are at risk from short-term exposure to particle pollution, and 22.7 million are at risk from year-round exposure to particle pollution. A lot of those people are here in the Valley, and a lot of them are children.

Unfortunately, cleaning up the air is going to be even harder than the most pessimistic among us expected. It will mean dislodging most of us from comfortable routines. It will cost money. And it will be even more difficult to make serious gains when the Bush administration continues its assault on the Clean Air Act and its 30-year record of progress.

Already significant rollbacks have been undertaken, and many -- if not all -- of the sanctions that are needed to prod us into doing the right thing have been weakened or abandoned altogether.

Much has been done to clean the nation's air in recent decades, but the Valley lags behind. In addition, we know more now about the effects of pollution, and it gets a little bleaker each time a new study appears.

In the end, we may be on our own in the Valley. Awareness of the problem has grown dramatically, but do we have the will to see things through?

[L.A. Times editorial, April 29, 2004:](#)

### **Choking Off Air Quality**

Last summer was the smoggiest in the Los Angeles Basin in six years. And this week, a brown haze again enveloped City Hall and the local hills as temperatures soared. Along with these setbacks, Southern California's effort to clean the air is once again under attack, this time by the U.S. Supreme Court.

Unhappily, the court decided Wednesday that a regional clean-air board had overstepped its authority by ordering vehicle fleet operators — public and private — to buy cleaner-burning trucks and buses as they replace dirty diesel vehicles.

The justices held that the federal Clean Air Act trumps the stronger rules of the South Coast Air Quality Management District. Heaven forbid, the court said, that local rules might proliferate. To date, the rules have put more than 5,500 clean-fueled and lower-emission vehicles on the road in Los Angeles, Riverside, San Bernardino and Orange counties, most of them powered by natural gas. That's 5,500 city buses, trash trucks, school buses, airport shuttles, taxis, street sweepers and heavy -duty utility trucks that don't trail plumes of black soot.

Diesel vehicles contribute 23% of all nitrogen oxide emissions, a key smog ingredient. Moreover, according to the Environmental Protection Agency, the tiny particles in diesel exhaust clouds can cause lung cancer, asthma and a host of respiratory problems.

The manufacturers of heavy -duty diesel engines, angry about potentially reduced sales, brought the lawsuit the court ruled on Wednesday. The Bush administration could have stayed out of the fight but instead filed a friend-of-the-court brief on the engine makers' side.

In an 8-1 vote, the court bought the argument that in adopting the fleet rules, the local air agency had exceeded its authority because the rules, in effect, set emissions standards. The Clean Air Act allows only the federal government to set emission standards. The AQMD had argued that the rules only set requirements governing vehicle purchasing.

Thirty years ago, the L.A. Basin's miserable smog prodded Congress, when it amended the Clean Air Act, to let the state of California ask for exemptions from federal rules so it could impose tougher emissions standards. Clean Air Act language pushes the EPA to grant such waivers in most cases. That's why California set more stringent air-quality standards for automobiles and why automakers now sell cars across the nation that meet California's standards.

The AQMD didn't ask for waiver authority when it passed the fleet rules. At minimum, the court's decision should prod the AQMD's board to enlist the state Air Resources Board to ask for such authority on the local agency's behalf when it meets next week. Air in the Los Angeles Basin is still the smoggiest in the nation — and getting worse after steady years of improvement. The regional rules that steadily reduce diesel exhaust shouldn't choke in a federal noose.