

## **State: No common cause for Kettleman City birth defect**

By Eiji Yamashita

Hanford Sentinel, Tuesday, Nov. 23, 2010

Investigation into an unusual spike in birth defects in Kettleman City has failed to provide conclusive answers as to why so many babies in this tiny impoverished community near a toxic waste facility have been born with deformities.

In a long-awaited draft report released Monday, state health agencies said the probe - undertaken in January by order of Gov. Arnold Schwarzenegger - found no common underlying cause for the birth defects, opening a whole new debate about the legitimacy of the study.

While the operator of the nearby landfill facility said the report confirms the company's safety record, activists called the report "incomplete and biased."

A public meeting has been scheduled for Dec. 2 in Kettleman City by the state Department of Public Health and California Environmental Protection Agency to receive more comment on the report, which is slated to be finalized next month.

"While we wish there was an explanation for what caused the birth defects experienced by the children we studied in Kettleman City," said Mark Horton, director of the state Department of Public Health, "our investigation finds that no common health or environmental factor links the cause."

The report is the latest development in a long-standing controversy surrounding the West's largest toxic waste facility run by Waste Management, and health concerns facing residents who live 3.5 miles away. First uncovered last year by activists, the birth-defect concerns have since become a rallying point for residents opposing the expansion of landfills at the Kettleman Hills Facility.

The investigation included a case review of 11 children born with major structural birth defects, interviews with six of the 11 mothers of the children, as well as air, water and soil monitoring in the community and at the nearby Kettleman Hills hazardous waste facility run by Chemical Waste Management, state officials said.

The draft report concluded that the testing of pesticides found no link between the deformities and pesticides. An air analysis also found no link between the Waste Management toxic-waste facility 3.5 miles away and the environmental contamination of the town, the report says.

But the report indicates testing found low levels of lead in one of the town's wells and the well that supplies water to the elementary school. The investigation also confirmed a high level of arsenic in drinking water but concluded that it is unlikely to cause birth defects, and most mothers interviewed said they don't drink tap water.

The findings prompted immediate response by activists. While acknowledging some of the findings and recommendations were important, Bradley Angel, executive director of environmental justice group Greenaction, said the report leaves too many questions unanswered.

"Did they test diesel emissions? We don't know. Did they consider the fact that Chem Waste has been repeatedly busted for improper monitoring and handling of PCBs? Did they do a community health survey? Did they test the breast milk of the mothers? Did they do any biomonitoring of people's bodies?" he asked.

Angel also questioned whether the state has evaluated the illegal radioactive dumping at the Kettleman landfill alleged by the Los Angeles Times and Sen. Barbara Boxer. "We think the verdict is still out," he said.

Waste Management officials couldn't be happier with the findings that back up the company's claim regarding safety.

"We're pleased with the findings. They show this is a safe facility, and it's operated in the manner that is protective of human beings and the environment," said Jennifer Andrews, Waste Management spokeswoman.

Andrews defended the state study and dismissed criticism by activists as premature and baseless.

"We support the study, and we support the methodology. They were already criticizing the study before they even saw it, so I don't give much credence to their accusation that it is biased," Andrews said.

Despite its failure to find explanations for the birth defects, the report shows a significant shift in position by the state agencies from their earlier assessment of the situation.

When they reported their preliminary findings in February, agencies concluded that the number of birth defects was not higher than expected and blamed more on the health behavior of mothers than environmental causes.

The new report now acknowledges that more children were born with birth defects in 2008 and 2009 than would be expected for an area of that size. The report also notes that none of the mothers used tobacco, alcohol or drugs and they had good health care during pregnancy.

Despite a lack of findings linking environmental conditions in Kettleman City to the birth defects, the draft report makes recommendations for ongoing monitoring of chemicals present in the community.

Angel said these findings and recommendations should serve as a wake-up call to officials to stop further pollution in Kettleman.

"Even if Chem Waste was not to blame, there are so many pollution sources. There are serious pesticides around Kettleman City, and the drinking water is contaminated," Angel said. "This is a community at risk, and the last thing they need is more pollution."

## **McCarthy backs bill to slash rail project**

By John Cox, Californian staff writer  
Bakersfield Californian, Wednesday, Nov. 24, 2010

Local support for the California High-Speed Rail project suffered a blow Tuesday as Rep. Kevin McCarthy, R-Bakersfield, came out in favor of a bill that would take back \$2 billion in federal money already set aside to build the proposed 800-mile system linking Los Angeles and San Francisco through the Central Valley.

Calling the project unrealistic and too expensive at a time of soaring federal deficits, McCarthy joined more than two dozen Republican members of Congress who have backed the bill, introduced last week by Rep. Jerry Lewis, R-Redlands, that would return some \$12 billion in unspent federal stimulus money to the U.S. Department of the Treasury.

Federal dollars make up \$3 billion of the \$4.3 billion set aside to begin construction of the rail project. Taking away \$2 billion would, at the least, delay a project that promises significant economic benefits for Kern County and the rest of the valley.

McCarthy, long an advocate of reducing the federal deficit, stopped short of stating unequivocally that he opposes high-speed rail in California. But he raised fundamental concerns about the project's business plan, financing and, ultimately, whether it's a good reason for the country to go further into debt.

"I would say you don't start it up unless you can prove, one, that it's viable," he said in a phone interview Tuesday afternoon.

A senior official at the agency overseeing the rail project took that as an invitation.

"We haven't had the opportunity to sit down with Congressman McCarthy and talk through the details of our project," said Jeffrey Barker, deputy executive director of the California High-Speed Rail Authority. "We welcome the opportunity to do that."

### **Time for a closer look?**

Kern County Supervisor Ray Watson, who has worked to generate support for certain parts of the rail project that would create jobs in Kern County, said now may be a good time to take another look at the project's financial assumptions and goals -- but that he thinks the project is viable.

"It sounds to me like we have homework to do," Watson said. "I'm not prepared to give up on it. I just think we need to sit down and get our homework done."

One of the project's biggest proponents in Washington, Rep. Jim Costa, D-Fresno, agreed with McCarthy that the federal deficit needs to be cut. But he suggested that Congress look at recommendations by a presidential deficit commission that earlier this month proposed cutting back Medicare, defense spending, farm subsidies and other programs.

Costa acknowledged that the rail authority may need to revise its ridership projections, which are used to calculate whether the system will ultimately make or lose money, and which have recently come under critical scrutiny. He also said projects like these are necessarily built in stages rather than all at once.

But Costa insisted that the project makes sense on many levels, from expectations that it would [reduce pollution](#) and traffic to its potential for creating near- and long-term jobs.

### **Where the money comes from**

Congressional skepticism could spell trouble for the rail project down the line. So far, funding has been identified for only the project's first segment, which would run from Bakersfield to Fresno or from Fresno to Merced. A decision on which to build first is expected Dec. 2.

Overall the project is estimated to cost \$43 billion. Of that, between \$14.5 billion and \$16.5 billion would come from the federal government, according to the rail authority. It said another \$9 billion would come from a bond sale approved by California voters, while \$10 billion to \$12 billion would come from the private sector.

Barker, the rail authority executive, said McCarthy's support for removing federal dollars from the project would not jeopardize chances that the first segment would come to Bakersfield, nor would it affect a future decision on whether a lucrative train maintenance facility will be built in Kern County.

"At the end of the day," Barker said, "it's not going to come down to the opinion of one politician or another."

[Bakersfield Californian, Commentary, Wednesday, Nov. 24, 2010:](#)

### **Just how can California high-speed rail help Kern County? Let us count the ways**

With officials for California's high-speed rail project about to decide where to begin construction, it's time to make the case for Bakersfield as the best starting point for the state's bullet trains.

Let's start with jobs. Kern County needs them -- and needs them now. The unemployment rate stands at 15.2 percent -- well above the state average. The need is nearly as great in Bakersfield itself, where nearly 11 percent of the work force is without a job.

Building the first stretch of high-speed rail from Bakersfield to Fresno would bring tens of thousands of new jobs to the region -- not just to build the line itself but to operate and maintain it -- and bring more customers and more opportunity to business in process.

There are practical reasons to break ground in Bakersfield as well. The 113-mile segment between Bakersfield and Fresno -- unlike many other parts of the proposed system -- is relatively straight and flat.

And if there's a city in California that needs and deserves faster, cheaper and more convenient transportation options, we're it.

The limited air service in the area provides only a handful of direct flights a day to Los Angeles or San Francisco.

That means that, for some, the only real option is going by car -- a long drive up and over the Grapevine to Los Angeles or an equally long stretch north on Highway 99 or Interstate 5 -- with all the pollution, traffic and lost time a daylong journey entails.

Bringing high-speed rail to the Bakersfield area will also help continue a clean-energy cultural shift that has been under way here for years.

We're proud of our history as an energy provider to the state -- and we're equally proud to be leading the way as a producer of renewable wind and solar energy. Now, we can use clean energy to power California's high-speed trains, cutting air pollution and helping our clean air.

There's real money and real momentum behind this project. The state was recently awarded \$715 million in additional federal funding for the project -- bringing the total state and federal funds available for construction to \$4.3 billion.

Kern County leaders have wisely recognized this project for the historic opportunity it represents, and worked with a local land owner to provide an ideal site for the project's proposed heavy maintenance facility. That's a great incentive for the state's High Speed Rail Authority to choose Bakersfield.

We all know Bakersfield as a great place to live. Our job over the next few weeks is to show the state's rail planners just how right we are as the starting point for California's high-speed rail future.

*Ray Dezember of Bakersfield is a retired banker best known for leading American National Bank and its holding company, Central Pacific Corp., over a 24-year period of growth. From 1983 to 1989 he was a director of the Federal Reserve Bank of San Francisco.*

[Stockton Record Editorial, Wednesday, November 24, 2010](#)

### **Let's really clear the air**

Valley motorists will be hit with a new \$12 fee on each car they register.

That's the result of a \$29 million penalty imposed because the Valley air district, which covers San Joaquin County south to Kern County, violated allowed ozone levels in August.

The violation came in the middle of a heat wave and just as back-to-school traffic pushed ozone pollution over the top.

"We are so close" to meeting the ozone standard, air district chief Seyed Sadredin said at the time.

We might be close, but close doesn't count to Paul Cort, an attorney with Oakland-based Earthjustice.

Cort has petitioned the Environmental Protection Agency to crack down harder on the San Joaquin Valley, because it hasn't met a clean-air deadline set 20 years ago.

"We're talking about really high levels of ozone," Cort said. "These are the really horrible days that send people to the hospital."

That ozone and other air pollutants are unhealthy is established fact. That we can flip a switch and make it go away is fantasy.

Point in fact, our air is getting better. Last summer, violations of the one-hour ozone standard were recorded just seven times. In 1996, there were 56 violations.

That's not good enough, according to Cort, who has petitioned the EPA to increase its enforcement. Failing that, Cort is threatening to sue.

Achieving it will not come quickly or without cost.

But we are moving in the right direction. Valley air today is cleaner than in years past, even as the number of people and cars has increased.

We can't stop our efforts, but we also can't allow what's been done already to be dismissed out of hand because perfection hasn't been achieved.