

## **Group wants air laws to refocus on individuals**

### **Report calls for valley air district to control automobile emissions**

By SARAH RUBY, Californian staff writer

[Bakersfield Californian, Thursday, Feb. 3, 2005](#)

You might have to change your ways if breathing in the San Joaquin Valley is going to get safer. As it is, the air is so bad that the valley's children are more likely to have asthma than those who live elsewhere in California, and studies have found a link between air quality and heart disease.

At the same time, state and federal regulators have cut air pollution by hundreds of tons per year. However, those cuts can't keep up with our growing population and taste for polluting automobiles.

A report being released today by the Union of Concerned Scientists tracks this trend. The organization, made up of both scientists and residents, is an environmental advocacy group that got its start at Massachusetts Institute of Technology in 1969.

The report urges the state Legislature to expand the San Joaquin Valley Air Pollution Control District's jurisdiction to include cars and trucks. It recommends establishing a regional transportation and planning agency that would consider air quality along with land use and roads planning, and securing annual funding for air quality programs that now get money year to year.

Air quality gains from local oil refineries and power plants are being wiped out by skyrocketing growth rates, it said. That's because regulators have neglected to consider smaller sources of pollution such as automobile and truck travel, the report said. As people and businesses continue to move to the valley, diesel fumes and car exhaust are set to eclipse heavy industry as the region's biggest polluters, according to the report.

"The report is meant to be a wake-up call to valley residents, officials and state regulators," said Jason Mark, California director of the Union of Concerned Scientists. "We don't have a strategic plan in hand to deal with air pollution in the Central Valley."

Part of the problem is the tangle of bureaucracies that govern pollution.

The San Joaquin Valley Air Pollution Control District regulates emissions from farms, factories and refineries -- known as stationary sources. Cars, trucks and pesticides are within the state's jurisdiction, and the Environmental Protection Agency regulates heavy-duty engines such as earth movers, ships and trains.

What the air district can control -- industry -- it does control, said Seyed Sadredin, deputy air pollution control officer for the district. The next step is to start regulating individuals as strictly as industry.

"It has been easier over the years to go to businesses and ask them to spend millions, or even billions, to improve air pollution than it has been to appeal to the average Joe and ask him not to use his fireplace a couple times a year," Sadredin said.

Environmentalists say regulators have been easy both on individuals and industry, and that they haven't devised a long-term plan to combat air pollution.

"It's a shell game they like to play," said Kevin Hamilton, who coordinates an asthma clinic at Community Medical Centers in Fresno. "It degenerates to an abdication of responsibility."

State officials, who are in charge of cars and trucks, say that's unfair. California has the cleanest cars in the world, said Gennet Paauwe of the California Air Resources Board. The board is mandating cleaner diesel fuel, she said, and air quality is better today than it was 30 years ago.

Meanwhile, this spring the air district will begin working on a rule regulating warehouses and shopping centers for the traffic they generate. It is also refining rules for industrial boilers, space heaters and other equipment.

## **Government's handling of air quality panned**

### **Scientist group report details Valley pollution, suggests aggressive moves**

By Mark Grossi

[The Fresno Bee, Thursday, Feb. 3, 2005](#)

The Union of Concerned Scientists today will call for restructuring the local air pollution board and other aggressive actions to improve air cleanup efforts in the murky San Joaquin Valley.

The public interest group's recommendations are being released in a report, "Clearing the Air in the San Joaquin Valley," which is critical of federal, state and local air regulators.

The group notes that the 25,000-square-mile Valley, stretching from Stockton to Bakersfield, is one of the unhealthiest places in the United States to breathe.

The Valley has more violations of the daylong smog standard than any other place in the country over the past six years. The report notes the problem is bound to continue because the Valley is one of the fastest-growing areas in the state.

"Over the past several years, local, state and federal regulators have missed deadlines, prepared inadequate compliance plans and failed to act on plans to bring the region into compliance ...," according to the report, authored by Louise Wells Bedsworth. "This is a crucial moment in the region's development." Federal, state and local officials are working on expanded cleanup efforts, many of which are advocated in the report and are the result of environmental lawsuit settlements.

The Union of Concerned Scientists, working with the Steven and Michele Kirsch Foundation, emphasized swifter, more stringent action. The report calls for the local district to coordinate land use, transportation and planning through a regional authority.

The local district also is being urged to impose stringent rules and fees on expanding development that will add traffic and pollution to the Valley. The report asks state regulators to crack down on diesel pollution with strong rules.

The group recommends that state lawmakers pass legislation establishing three new members on the local air district board.

Carolina Simunovic of Fresno Metro Ministries said the change is necessary to give better representation for all community groups.

"Otherwise, we will be seeing more delay, delay, delay," said Simunovic, one of many advisers involved with the report.

## **News from the San Joaquin Valley**

[San Francisco Chronicle, Thursday, Feb. 3, 2005](#)

FRESNO, Calif. (AP) -- San Joaquin Valley air regulators are not doing enough to curb pollution in the region, which has seen more violations of the daylong smog standard than any place in the country over the past six years, according to a report released Thursday.

The report by the Union of Concerned Scientists calls for restructuring the local air pollution board so local districts can coordinate land use, transportation and planning through a regional authority.

The public interest group is critical of federal, state and local air regulators in the "Clearing the Air in the San Joaquin Valley" report, claiming agencies simply aren't doing enough to solve the problem.

The report notes that air pollution will only get worse as development continues in the valley, a fast-growing region that stretches from Stockton to Bakersfield and from the Sierra to the Coast Range.

"Over the past several years, local, state and federal regulators have missed deadlines, prepared inadequate compliance plans and failed to act on plans to bring the region into compliance," according to the report. "This is a crucial moment in the region's development."

Federal, state and local officials are currently working on expanded cleanup efforts, in part because of environmental lawsuit settlements.

The Union of Concerned Scientists, working with the Steven and Michele Kirsch Foundation, a San Jose-based philanthropic advocacy group, urged local agencies to impose stringent rules and fees on development.

The report also recommends state regulators institute stricter rules on diesel pollution and automobiles.

## More builders in valley working with environment in mind

By SARAH RUBY, Californian staff writer  
[Bakersfield Californian, Thursday, Feb. 3, 2005](#)

Green buildings are catching on in the Central Valley.

Kern Schools Federal Credit Union's new headquarters is in line to become the Central Valley's first certified "green building" for its environmentally friendly design.

The \$27 million office complex on Ming Avenue and Forum Way is being built according to guidelines set forth by the U.S. Green Business Council, which has certified 167 buildings in the United States and Canada since 2000.

"We want to respect our community and environment, and really set an example," said Cyndie Chavez, marketing officer for the credit union. "It's going to be amazing when we're done."

As conceived, the 144,000-square-foot office space will be 35 percent more energy-efficient than state law requires. It will make use of natural light and feature a new generation of heaters, air conditioners and light fixtures that minimize energy consumption.

And by planting drought-resistant plants and installing smart faucets that turn off when employees take their hands away -- among other things -- the building will use 30 percent less water than a conventional building the same size.

It even has showers on site to encourage employees to ride their bikes to work.

"Those sorts of initiatives sort of catch on in the Bay Area a little bit faster," said Loren Aiton, the project's lead architect from Teter a+e, a design and engineering firm based in Fresno.

But green buildings are increasingly common in the Central Valley, especially among home builders.

"We're trying to do our part," said Brian Todd, executive vice president of the Building Industry Association of Kern County. "There's so much you can do just in terms of design."

Bakersfield home developer Castle & Cooke California Inc., has been helping the California Building Industry Association develop a certification program for builders that go green. It's built 300 homes according to energy- and water-saving principles. Those guidelines will be unveiled by the state association next month.

These principles include designing shorter blocks that are more pedestrian friendly, using fixtures that cut energy use by 20 percent and putting electrical outlets in garages and yards to encourage residents to use electric lawn equipment.

"It's the right thing to do," said Castle & Cooke's Nate Meeks. "It does add cost to the construction, but we believe it's the direction we're all headed. It's a niche market."

Aiton said green building construction costs 5 percent to 10 percent more than conventional construction, but said most of the extras pay for themselves in lower utility bills. Environmental frills at Kern Schools Federal Credit Union's new headquarters should pay for themselves in six years, he said.

Environmentalists say they're pleased that green buildings are catching on in the Central Valley, home to extreme air pollution and bitter fighting over a limited water supply.

"I applaud developers who are willing to offer green options to the public," said Sierra Club activist Gordon Nipp, who has filed a dozen lawsuits against developers for building projects that worsen traffic and air quality, among other concerns.

He said he'd like green certification programs to require solar panels, which most do not.

To become a Leadership in Energy and Environmental Design building according to the U.S. Green Building Council's guidelines, Aiton's building will be judged on a point system. It allows builders to choose green modifications that work best in their climate. The first phase of the Kern Schools Federal Credit Union building will be done in November, and Aiton will submit his green building application once the second phase is finished in 2006. The U.S. Green Building Council then reviews and inspects the building, which takes several months.

## **Cow Pollution Study Surprises**

[Valley Voice Newspaper, Thursday, Feb. 3, 2005](#)

*Tulare County* - New research done at UC Davis found that cows produce just half the amount of air pollution as had been previously believed based on a 1938 study that has been used as a basis for current air regulations.

Even more surprisingly it turns out the front end of the cow produces more gas than the back end. In a strictly controlled closed chamber study, the cows belching contributed 60% of the gas emissions vs 40% from the excreta.

The findings are preliminary and not yet peer reviewed, cautions researcher Frank Mitloehner a UC Davis air-quality specialist and focuses only on one part of a real life dairy - how a cow behaves inside the free stall barn, he says.

If the findings are confirmed by further study, it could change the focus of air pollution rules and suggest a new strategy to curb gases from belching cows based on closer management of feed rations, he says.

Dairymen often change the mix of feed to improve milk production, but it looks like we might be able to change that profile of the rations to improve air quality.

Previously the conventional wisdom focused on the huge tonnage of manure from cows as the likely source of air pollution with some suggesting that cows waste was a bigger problem in the valley than smog from cars.

Mitloehner's paper was just one of seven presentations offered last week at a Fresno conference focusing on dairy air emissions. All of the presentations suggested that dairy air pollution was less than had been forecast based on a 60 year old Texas estimate that cows produce on average 12.8 pounds of volatile organic composition (VOC). The UC Davis study found the number to be 6.4 lbs.

Researchers are dividing up dairies up to their component parts looking to assess the emissions from cows in a corral, cows in a free stall barn and separately the effect of lagoons on air quality.

### **Lagoons Lower Too**

Other research papers given at the Fresno conference point to a smaller role of dairy lagoons in the overall air pollution figures suggesting lagoons contribute just 6 to 18% of all dairy pollution. Again, the numbers came as a surprise.

Dairies have been the target of numerous lawsuits, editorials and complaints as well as proposals to regulate dairy pollution. But the industry has complained that no science-based studies were yet available to assess just what dairies contribute to the valley's smog problems.

The California Air Resource Board and the Air Pollution Control District are looking into the issues to form the scientific basis for increasing regulations on confined animal facilities.

### **BACT**

Where all this is leading is adoption as soon as this summer of new air regulations by the San Joaquin Valley Air Pollution Control Board of a menu of options for dairies to pick from to decrease the impact of air emissions on dairies. All dairies built since January 2004 will be required to adopt Best Available Control Technology (BACT) to meet the new air standards.

In the case of dairies in the barn the focus could be to adopt diet strategies -- essentially breaking new ground in the dairy industry, sources say.

Dairies will be given the stick but offered the carrot, say industry sources -- incentives and low interest loan programs to adopt the new technology and management practices. When it comes to adopt dairy strategies it is likely the free market will be offering new feed product for dairymen looking to meet their regulatory obligation. Just what BACT is will be know in coming months as staff of the Air Board release their regulations.

A 12 member Dairy Permitting Advisory Group (DPAG), including representatives from the dairy industry, the San Joaquin Valley Air Pollution Control District, local community group representatives and scientific

experts, met this week at the Air District's Fresno office. DPAG was formed last September as part of a lawsuit settlement between the Valley Air District and two key dairy industry groups - the Western United Dairymen and the Alliance of Western Milk Producers, Inc.

"This is a very knowledgeable group on dairies and air-quality issues, and we believe its members are committed to working cooperatively to address these pressing issues," said Dave Warner, the Air District's director of permits.

In May 2004, the Western United Dairymen and the Alliance of Western Milk Producers, Inc., sued the Valley Air District over the District's interpretation of the implementation timetable of SB700, landmark state legislation that removed permitting exemptions from agricultural operations, including the multi-billion dollar San Joaquin Valley dairy industry.

According to the settlement agreement, the group's top priority is to make recommendations to the Air District on an emission factor for volatile organic compounds (VOCs), one of the components of smog, for dairy operations by April 15, 2005. This factor quantifies the amount of pollution produced by a dairy and determines the levels at which permits are needed. Several scientific studies are currently being concluded and each of these studies will be critically examined by the DPAG.

DPAG will also make recommendations regarding Best Available Technologies that new dairies will be required to put into place to minimize air pollution.

DPAG will meet on a regular basis in the coming months to address these issues.

### **Excerpt from Ag News**

[Valley Voice Newspaper, February 3, 2005](#)

Supporters of building an **ethanol** industry in California have reacted negatively to new charges by California Air Resources Board (CARB) fuel manager Steve Brisby's assertion that the state should continue to seek a waiver from the federal government so we wouldn't have blend gasoline with ethanol. An article in a recent LA Weekly edition quoted Brisby as lamenting the fact that hydrocarbon emission had gone up last summer implying the increase was due to ethanol. Neil Koehler, who heads the California Renewable Fuels Partnership, wrote back that "Total emissions today with ethanol blended gasoline measured by the State are approximately 400 tons per day LESS than they were when MTBE was banned in 2002." Plus, California had the best air quality last summer -- the first year that ethanol was used statewide. Koehler is also president of Pacific Ethanol looking to build two plants in the central valley. Koehler has been in a running battle with CARB over ethanol -- each seeking support for their position from the governor. A 1998 study says ethanol tends to permeate from hoses from cars carrying with it nasty ingredients in gasoline. But Koehler says newer cars have no such problem. He notes corn-based ethanol is at least 30 cents cheaper than gas.

### **States See High Levels of Air Pollution**

By ELIZABETH DUNBAR, Associated Press Writer  
[in the S.F. Chronicle, Thursday, Feb. 3, 2005](#)

Minneapolis, MN (AP) -- Air pollution built to unhealthy levels around the upper Midwest, a wintertime rarity caused by the absence of strong wind, and problems were expected to continue Thursday for children and other sensitive groups.

Minnesota officials warned that air in the Twin Cities was unhealthy for anyone Wednesday, and Chicago and Columbus, Ohio, this week had their first-ever winter air alerts, warning of unhealthy conditions for people at risk.

Sunnier skies and increased wind were improving conditions in Minneapolis on Thursday, but air was expected to remain at levels unhealthy for children, the elderly and people with breathing problems from there to central Ohio. Those people were advised to avoid strenuous activities.

In Illinois, officials expected the air quality index in the Chicago area to be from 109 to 139, within the range considered unhealthy for sensitive groups. Air is considered unhealthy for everyone at 150 and above.

The region's pollution built up when a stagnant air mass over the region trapped fine particles near the ground this week. The particles come from sources such as car exhaust, factories and fireplaces. The air mass was expected to remain over the region for much of the week.

"Things that emit pollution are going to go out into the air and not really go anywhere," said Rick Hiltbrand, a National Weather Service forecaster in Chanhassen.

Martin Bernerd was back outside training for a half marathon along the Mississippi River in St. Paul on Wednesday after the area saw its worst air quality in 25 years.

"With the sun coming out, the air just looks better," Bernerd said.

## **Burning advisory**

[Modesto Bee, Thursday, Feb. 3, 2005](#)

Lighting your fireplace, wood stove or pellet stove today is discouraged in San Joaquin, Stanislaus and Merced counties. The San Joaquin Valley Air Pollution Control District forecasts air that will be unhealthy for sensitive groups. The no-burn recommendation is voluntary, though if the air gets worse, the district can order a ban.

## **Time limit on idling**

[Modesto Bee, Thursday, Feb. 3, 2005](#)

Truckers have to get rid of the habit of taking breaks and letting their rigs idle. As of Tuesday, California Highway Patrol officers can issue citations to those who leave trucks idling longer than five minutes while not involved in work activities, according to the California Air Resources Board. Buses can run engines no longer than 10 minutes. The board adopted the new rules as part of a plan to fight diesel pollution.

[Letter to the Fresno Bee, Thursday, Feb. 3, 2005:](#)

## **Big fines will get the attention of major industrial polluters**

In regard to the \$4 million fine for the world's largest cheese factory [story Jan. 30]: I think that the water-quality enforcers have finally done something to send a message to the other big and small polluters in California.

I think that fining a company this much money is a good idea, because instead of waiting for it to get worse, they are letting people know how big a problem this is and that it has to stop.

The president of Hilmar Cheese Co. [in Merced County] said that he understands what he is doing and has new facilities being built to fix the problem.

But the water-quality enforcers shouldn't stop here. I think they should keep a close eye on the factory and put a lot of pressure on the building of the new facilities, because that is the only way to keep this pollution problem under control.

Alex Huerta, Age 17, Bullard High School, Fresno