

News in brief from the San Joaquin Valley

The Associated Press

Monday December 16, 2002, 10:50:05 AM

Bakersfield Californian

FRESNO, Calif. (AP) - Fresno-area home builders say they will endorse a proposal to ban wood-burning fireplaces in new subdivisions, supporting efforts to improve air quality.

In a letter to air district regulators last week, the Building Industry Association of the San Joaquin Valley said it will endorse the proposed ban of wood-burning fireplaces in new subdivisions that don't meet U.S. Environmental Protection Agency standards. The association will also support a recommendation to require home sellers to replace or dismantle older wood-burning stoves and inserts.

Association President Jeff Harris said studies show that fireplaces generate up to 32 percent of the pollutants on days when the air is worst. Builders fear the local economy could be affected if a plan for improving air quality is not adopted, he said.

Federal officials are requiring new rules because the San Joaquin Valley missed cleanup deadlines for particle pollution. Such pollution is linked to premature death, chronic bronchitis and other lung problems.

The district's proposals in the rule include a ban on wood-burning devices and fireplaces in new valley subdivisions, unless the home is being built on a lot one acre or larger. Natural gas heating devices would be allowed in any subdivisions.

Searching for answers

By Michelle Terwilliger, Californian staff writer

Monday December 16, 2002, 10:43:39 PM

Bakersfield Californian

Valerie Adams tries not to think about it too much.

But since her 3-year-old, Serena, was diagnosed with leukemia in October, it's been hard not to wonder why.

"For over a month I looked at everything around us," Adams said. "Did this cause it? Did that cause it? You can scare yourself silly thinking that something you did caused it.

"Then it comes to the point that you don't really want to know what caused it because you're afraid of the answer."

Adams has signed up Serena for a study to help find that answer.

At least three young Bakersfield girls were diagnosed with leukemia -- a cancer of the blood -- in October and although epidemiologists say Kern County's numbers are average, it feels like too much to their parents.

"To the parents, it's tragic no matter what," said Paul Mills, a cancer epidemiologist with the San Joaquin region of the California Cancer Registry. "No matter what the numbers tell us."

Kern County has the same rate of childhood cancer as the state of California, about 15 cases annually per 100,000 population, Mills said. Childhood cancer is the second leading cause of death in children after accidents.

Some local patients have been enrolled in the Northern California Childhood Leukemia Study, a \$7 million study sponsored by the U.S. National Institutes of Health. Researchers have requested an additional \$2 million.

The goal is to find out how leukemia develops and what triggers it.

Adams was completely willing to sign up for research to conquer what she feels has taken away her control of her child.

"The disease is in control," she said. "This horrible, evil disease has taken over her body. She's the one that has to fight it."

Sherri Morton also struggles with questions of why leukemia struck her 8-year-old daughter, Lauren-Ashley.

She's heard the theories that children who develop leukemia may have a genetic predisposition combined with some outside trigger.

"Being in the area that we live in with farmers and chemicals, I have farmer friends who are not supposed to use XYZ chemicals and they do," Morton said. "I think that's where the double hit comes in. Children are predisposed and then live in this environment."

Although cancer treatments have advanced in past decades, so much so that survivor rates are above 80 percent, researchers don't know for sure what causes some children to develop the disease.

The most common childhood leukemia, acute lymphoblastic leukemia (ALL), may be caused by a rare response in some children to an infectious agent, such as a virus or bacteria, according to researchers.

By studying the blood drawn from children at birth, scientists are trying to determine if molecular changes that put a child at risk occur before or after birth.

Based on the research thus far, it appears that molecular changes occur before birth, followed by some kind of exposure after birth that triggers the disease, said Patricia Buffler, principal investigator for the Northern California Childhood Leukemia Study.

"Childhood leukemia is a very complex disease," Buffler said. "If it was one factor, it would've been identified by now."

The Northern California Childhood Leukemia Study is based at UC Berkeley and began in 1996.

The study, which has approximately 300 enrollees, already has found possible associations of household pesticide use and paternal smoking prior to conception with higher risks of developing leukemia.

The leukemia study also reported that children who attend nursery schools may have a decreased risk of developing leukemia, according to a report published in the British Journal of Cancer in May.

The researchers said that when children spend time around other children, it stimulates their immune systems to develop.

Last month, the researchers presented findings that support the idea that breast-feeding may reduce the risk of developing ALL.

Angela Jimenez, mother of 3-year-old Rachel Jimenez, who has leukemia, said she and her husband thought carefully before enrolling their daughter in the study.

But after they learned that the study would include no extra invasive procedures, they decided it would be for the best.

"It's better for everyone if it will help anyone at all," Jimenez said. "Hopefully (it will help) our daughter down the line."

The Jimenezes have considered their family backgrounds as well as the agricultural valley and the air quality when thinking of possible causes.

"There's just no way of telling," Jimenez said.

Everyone can contribute to cleaning the air

Visalia Times-Delta Editorial, Tuesday, December 17, 2002

Our air is choking us.

It's choking us because for the longest time air quality was like Mark Twain's famous quip about the weather: Everybody talked about air quality, but nobody did anything about it.

Enough talk. It's past time for action.

As the three-part series in the Times-Delta has pointed out this week, there is plenty being done. But there is much more left to do. It's up to all of us, not just government or industry or environmental agencies.

Evidence is everywhere

That reality has become inescapable. Evidence is everywhere.

Statistical evidence: In 2001, the Valley exceeded federal standards of clean air quality on 123 days.

Personal health evidence: Poor air quality hampers asthma sufferers and others with respiratory problems.

Empirical evidence: People in Visalia are fond of saying how they can't see the Sierra Nevada anymore because it is obscured by smog.

Political evidence: The San Joaquin Valley was recently listed as second only to Los Angeles as the area of the country with the dirtiest air.

The consequences of the Valley's bad air reach far. It is an expensive public health problem, costing businesses in productivity. It will ultimately ruin agriculture and leave our area desolate and unfit for life.

Change what we can control

The Valley's poor air quality has many causes. Some are within our control and some are not.

In the first place, the Valley's geography is ideal for creating ozone. It's a huge basin that traps pollutants and breeds unhealthy layers of ozone. Some of our bad air is not of our making -- it blows in from the Bay area and becomes trapped by the high ridge of the Sierra.

The Valley's location in the middle of the nation's most populous state also hurts, with hundreds of thousands of vehicles driving through the Valley daily.

Our own industry does help feed pollution, though. Agriculture stirs dust, uses pesticides and emits exhaust from its machines. Construction in our rapidly growing areas add to the dust.

And there are the cars, nearly 300,000 in Tulare County alone, and nearly 30 million in California.

More efforts are needed

Those factors get worse with each year. Despite our best efforts, air pollution is worsening, even though there are already many efforts in place to remedy it.

They include Smog Check, permitting on business and industry, including for the first time, agriculture, regulations that hold businesses responsible for exceeding pollution standards, and a massive public-relations effort.

Clearly, California must go beyond voluntary compliance with mandatory restrictions. Some of them will be uncomfortable. When the San Joaquin Valley Air Pollution Control District said it would crack down on fireplaces, for instance,

people protested. Smog Check II was not well-received. Any suggestions that people leave their cars are ignored. We will have to find different ways of doing business.

As a state and community, we must commit to a new lifestyle. We must make our habits friendlier to our air. We will have to accept smaller vehicles, fewer appliances and greater expenses.

Take action here at home

Meanwhile, the Tulare County Association of Governments, in conjunction with the Times-Delta, is working on ways to bridge that gap in what we want to do and what we actually do. TCAG is conducting a clean-air campaign to educate school children and convince those in business and service clubs how they can improve air quality by using transportation alternatives. It will culminate in a contest in which families and individuals are asked to tell in an essay how they "made a difference in air quality."

The winner will receive bicycles, a bike rack and bike helmets, courtesy of Groppetti Automotive, a program sponsor.

Cleaning our air will need to take place in those small ways, and in extraordinary ways as well. It must become the No. 1 public policy objective, with all the support that government can provide.

Ultimately, though, having cleaner air will depend on each of us making an individual commitment to change our thinking, change our habits and take charge of our lives.

We've all talked about it. It is past time for action.

City limits may grow

269 acres need to be developed for Visalia to expand

By Justin Stoner

Visalia Times-Delta Staff writer

Wednesday, December 18, 2002

A steady diet of new homes around Visalia has officials looking at loosening the belt on the city limit.

The number of new homes helped meet two of three criteria needed to expand the boundary. The city is down to the last 269 acres needed to be developed before city officials can expand the city limits to a size meant to accommodate a town of 129,000 people by 2010.

The expansion could trigger a spate of building in the southeastern and southwestern parts of the city, where some of the biggest tracts of new homes could be built.

But Mayor Jesus Gamboa is unsure if expanding the boundary is the right thing to do.

"A lot of the development you see in the northeast and northwest quadrants of the city is because we haven't opened up the south boundary," he said. "If we expand the boundary, does that mean momentum will shift back to south? I don't think the council would want to lose momentum in developing the north."

The City Council received an update on residential growth Monday night. Gamboa asked the council if he could be part of a city committee that will study the boundary expansion in the coming year.

The committee -- made up of other city officials -- could begin work in late January. The group will develop a report on a possible boundary expansion as early as July. Public hearings on whether or not to increase the city's size could begin in September.

Principal planner Steve Brandt said the final acreage could be developed by that time, so preparations can be made for adjusting the boundary.

The five-member council has kept a close eye on the residential growth of the city since 2000. More than a year ago, some home builders lobbied city officials to consider expanding the boundary, arguing the conditions have already been met under provisions of the General Plan.

But city planners didn't interpret the document the same way, putting off an expansion by a couple of years. Builders have used up about 300 acres of land for new homes in each of the past several years.

More than 9,700 acres of land in Visalia is taken up by homes. Another 3,260 acres is set aside for homes

Letter to the Editor, Merced Sun-Star, December 18, 2002

Evil energy companies

Editor: I can spend \$200 on wood to burn in my fireplace to keep warm this winter, or I can pay at least 4 times that much to PG&E for running my heater. I don't really have a choice.

I read that our governor is working very hard to make the greedy evil energy companies pay for their price gouging and scams. We know that they manipulated electricity supplies in order to drive prices up. Our state government is going to make them pay! And pay they will.

This is good news, right? We should all expect that, since we the consumers paid the money for the (artificially) overpriced energy, we the consumers would receive some sort of refund or even a credit. This is what you would expect from any business in California, right? Wrong.

You see, our government has negotiated with some of the evil ones and made deals so that the people who buy the energy and sell it to us can now have a

cheaper rate. Good news this time. right? Wrong. The big utility companies will not pass the savings on to consumers because they don't have to.

In this deal with the evil ones, California will receive more than \$400 million. Finally, you say, good news for the consumer. Wrong again. We consumers won't see any of that money, either. Our elected officials will spend it on our behalf (in places like San Francisco and Los Angeles). It's their job after all and they know what's best. It seems to me that the money we paid to PG&E in inflated energy rates that eventually came back to our government coffers is like an extra tax on us. I wonder how long before there is a replay of the whole "energy crisis" I don't think that the greediness of the evil energy companies, the public utility companies, or the government has gone away.

Now our local government is coming down on those of us who balk at this tax. We are now the evil polluting ones and we must pay. I think that the real danger comes from the pollution that flows through the minds and characters of our elected officials.

Darnise Gray

Merced

Letter to the Editor, Fresno Bee, Decembber 18, 2002

Farms must follow the same water rules as everybody

By David Mendoza

Fresno

We must start cleaning our farmer-created sewers now [editorial Dec. 8]. We

must hold agriculture accountable, but it must be an effective plan. We need to put in place incentives for all farmers and mersag associations to immediately address the problem.

If we do not, then the larger farmers and associations will always have their lobbyists to protect their self-serving interests, and our farm waste-created sewers will only get worse.

I agree it's past time for agriculture to abide by the same rules as other businesses, especially when it comes to protecting our air and water. Regulators should set a performance standard that all far will have to meet over a specific time.

No longer should the ag industry be allowed to move back deadlines and not focus their attention on an immediate health problem. Clean water and air in the Valley are emergency situations. Agriculture is our main industry, but it is a business, and no business should be allowed to so adversely impact our health.

Letter to the Editor, Fresno Bee, Decembber 18, 2002

'Apathetic state'

By Matt Herrick

Bullard High School, Fresno

(Published Wednesday, December 18, 2002, 5:23 AM)

As a student in an environmental science class following current environmental events, I have really focused on local and state air pollution issues.

I find that many people my age, and older, either have no idea about air quality

beyond whether or not the sky is clear or hazy, or they don't care. I really think that to allow ourselves to fall into such an apathetic state is terrible.

Why not educate everyone about air pollution? Why not start in elementary school? Why not get parents involved?

It is scary to think that such a pressing issue can be ignored by Valley parents. I want to make a plea to parents: Children are the future; why not give us or help us form a future with blue skies and breathable air?

Toxic ruling a setback for Lodi

Federal judge overturns order favoring city

By Jeff Hood, Lodi Lode, Lodi Bureau Chief

A federal judge ruled an insurance company doesn't have to pay Lodi \$381,045 in attorneys' fees and costs, or perform an investigation and cleanup of polluted soil and groundwater as ordered by a San Joaquin County Superior Court judge in 2000.

Lodi had asked U.S. District Court Judge Frank C. Damrell Jr. to order Unigard Insurance Co. to pay the default judgment awarded by Judge Carter Holly. Unigard had refused to abide by Holly's order, arguing its civil rights were violated.

Damrell ruled last week that part of a 1997 Lodi ordinance, the backbone of its strategy to force insurers to pay for a cleanup of underground toxic solvents and used by Holly to find in Lodi's favor, conflicts with federal environmental law.

Damrell cited an appeals-court decision to back his ruling.

The same day, Damrell also rejected Lodi's request to reconsider his Sept. 19 order that the city's 1997 agreement with the state Department of Toxic

Substances Control doesn't prevent others from suing the city for contributing to the spread of toxics through its sewer lines.

The rulings are related to the city's legal efforts to force property owners and businesses, through their insurers, to remove perchloroethylene, also known as perc or PCE, and trichloroethene, or TCE, from the soil and shallow groundwater. Lodi filed a lawsuit in November 2000 against 15 individuals and businesses that may bear responsibility for discharging the chemicals, which are considered hazardous to human health. Insurers are trying to prove that Lodi shares in the blame because of leaking sewers.

Damrell's recent rulings have largely favored insurers, who hope to force the city to share in the cleanup costs.

But before the federal suit was filed, Lodi ordered property owner M&P Investments --insured by Unigard -- in 1998 to investigate the extent of pollution released from its property at 40 N. Main St. M&P objected, with hearing officer John Reece, a Stockton attorney, finding in the city's favor in 1999. M&P appealed that decision to the Lodi City Council, which denied the appeal on April 28, 1999.

M&P and Unigard failed to contest or comply with the order after that, with Lodi going to Superior Court for a default judgment that wasn't appealed. Unigard in February filed a motion saying its civil rights were violated because the City Council was an impartial hearing board.

Michael Donovan, an environmental-law expert hired by Lodi, said Damrell sided with Unigard because a burden-of-proof standard in the city's ordinance is more strict than in federal law. But Donovan said that shouldn't have been considered because Unigard didn't offer any evidence to apply against the standard. Damrell disagreed.

Donovan said Lodi may ask Damrell to reconsider his order or take the matter to the 9th Circuit Court of Appeals.

"What we're saying is, 'Good grief, judge,' " Donovan said. "It's a fairly difficult decision to handle. The burden of proof is a standard you use to resolve competing evidence. There was no competing evidence to resolve, so we won."

Attorney Dennis Zaragoza, representing Unigard, could not be reached for comment.

Recent studies appear to show that the M&P Investments site, once occupied by Busy Bee Laundry and Cleaners, has hardly any toxics.

No TCE was detected and a majority of samples failed to detect PCE, according to the M&P-hired consultant. The highest reading was 57 parts per billion in one groundwater sample, above the drinking-water standard of 5 ppb, but well below readings in the thousands of parts per billion found near Guild Cleaners and the former Lodi News-Sentinel site on Pine Street.

Only three of 40 soil samples registered above 5 ppb, with 15 the highest.

* To reach Lodi Bureau Chief Jeff Hood, call 367-7427 or e-mail jhood@recordnet.com

Shredding farm waste preferable

Merced Sun-Star Editorial, Friday, December 13, 2002

We've heard a lot lately about the quality of the Valley's air - it's bad, we know - as well as ways to improve it by reducing the release of pollutants.

Next winter, the San Joaquin Valley Air Pollution Control District is going to clamp down on wood-burning fireplaces, and there's talk of traffic light synchronization as a way to prevent excessive ozone pollution from idling automobile engines.

"But what about the pollution caused by agricultural burning?" some people ask.

Well, some growers, like Bob Weaver of Atwater, are already doing their share to keep pollutants out of the atmosphere.

Rather than burn the clippings from his almond orchards, Weaver shreds them into mulch, which is composted in time for the next harvest.

This makes a whole lot of sense. It gets rid of ag waste without being detrimental to the environment, and at the same time it provides a benefit in the form of nutrients for the soil.

The federal Natural Resources Conservation Service, part of the U.S. Department of Agriculture, is already working with Merced farmers to subsidize the cost of shredding and chipping ag waste.

There was enough money last year to fund all the subsidies, but in other years, growers have been turned away because there wasn't enough money to go around.

Farmers like Weaver are to be commended for their efforts, and we encourage others to follow suit.

We now have newly elected state Sen. Jeff Denham on record as saying he will author or support legislation for incentives. That's good news. We'd like to see the same decision-making from Assemblywoman Barbara Matthews.

While the state budget isn't looking too healthy these days - \$10.2 billion in cuts have been proposed by the governor - it would be foolish for the legislature not

to, at the very least, look at funding incentives for farmers for years when federal dollars aren't available.

Providing funds for particulate matter pollution would require action from the state Legislature to divert funds to local air districts.

One possible source of funding that wouldn't affect taxpayers is taking the portion of the money from vehicle registration fees that is already being set aside for programs to fix our ozone problem.

We urge our air district to get behind subsidies for farmers and growers to recycle their waste. Over the past decade, the district has spent more than \$71 million helping Valley residents purchase electric lawn mowers, and retrofitting farm and bus engines.

But it seems there are no immediate plans to shell out funds for these kinds of subsidies.

That's a shame.