

Kern farmers say they're fighting pollution

The Bakersfield Californian

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Kern County farmers say they are getting a bum rap when it comes to air pollution.

Members of the local farm bureau told *The Californian's* editorial board Tuesday that they have been trying to do their part to clean up the air for years but aren't getting recognition. And they deny their industry is "exempt" from air pollution controls.

"We're farmers, but we have to breathe the air, too, like everyone else," said Peter Belluomini, vice president of the Kern County Farm Bureau. "We're part of the community."

Loron Hodge, executive director of the bureau, said in the past the group worked with the now-defunct Project Clean Air and helped fund studies of the valley's air pollution. Farmers also used to send their trimmings to be converted into electricity until the practice became less efficient financially.

Farmers also already take many "common sense" measures to avoid pollution, such as watering dirt roads or spraying them with special materials to prevent dust. Crops can become damaged by mites and fungus if they are covered with too much dust, said Doug Carter, a former president of the bureau.

"Dust and pollution are our enemies, too," he said.

And without farmers, the air pollution problem would be far worse, argued Carter.

By growing crops and regularly watering fields, farmers keep lands from drying out and becoming prime sources of dust, bureau members said. Even when they are plowing fields and stirring up dust, the farmers are helping out -- in the big picture, Belluomini said.

"Say you have a farmer who is growing alfalfa, they plow the ground for one day but then you get 36 months after that where the land is covered and watered and not creating dust," he said.

Bureau members also attacked claims that the agriculture industry is "exempt" from pollution control measures. Critics have noted that diesel-powered water pumps used by farmers across the valley aren't regulated as other stationary pollution sources are.

But Hodge argued that farmers are already subject to some restrictions. All diesel-powered water pumps are required to use the same low-emission diesel fuel that powers other California diesel engines.

Carter also argued that many farmers would switch to less-polluting electric pumps if the power companies would only charge them for the power they use. Instead, farmers are charged year-round even if they only use the pumps a few months each year, Carter said.

Group calls to save lands

By MATT WEISER, Californian staff writer

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An annual list of California's 10 most threatened wild places released today includes two Kern County landscapes: Tejon Ranch and Los Padres National Forest.

The California Wilderness Coalition put Tejon Ranch on its list this year, in part because of the decision by the Kern County Board of Supervisors to approve a 15 million-square-foot warehouse expansion on Tejon land at the foot of the Grapevine.

The Los Padres National Forest, which lies partly in Kern County, appears on the list because the Forest Service is studying 140,000 acres there for possible oil and gas leasing.

Another nearby landscape also made the group's list: the Panamint mountain range, on Bureau of Land Management property in neighboring Inyo County.

Keith Hammond, communications director for the California Wilderness Coalition, said massive development plans by Tejon Ranch Co. Inc. threaten a critical open-space area that includes habitat ranging from inland desert to coastal mountains.

"There is habitat on this ranch for a lot of species that are in trouble elsewhere. It's kind of a last stronghold for some of these critters," Hammond said.

The California Wilderness Coalition is a group of more than 80 environmental organizations -- including the Sierra Club, California Native Plant Society and Audubon Society -- working to protect the state's wilderness areas.

The 270,000-acre Tejon Ranch lies in both Kern and Los Angeles counties and is the largest single block of private property in California. The publicly traded Tejon Ranch Co. was historically an agricultural enterprise, but recently switched priorities to make development a leading share of its income.

Tejon Ranch officials did not return calls seeking comment Tuesday.

Many Kern County residents opposed Tejon's warehouse expansion because it will worsen the area's already terrible air pollution. The company has already built a major travel center along Interstate 5 and is now building a previously approved 5 million square feet of warehouses. Other proposals include a 30,000-home subdivision in Los Angeles County.

Hammond urged the company to reveal its development plans for the entire ranch so the public can gauge the long-term impacts.

"I do think it's possible that some of it could be developed in an environmentally friendly way," he said. "Unfortunately, the company has just been rolling out one development proposal at a time, without a master plan. It's really going to come down to corporate responsibility, and the counties and concerned citizens making sure there is an open, public process."

The Los Padres National Forest recently completed a draft environmental impact statement on a proposal to open areas for oil and gas drilling. A final version of the report is expected this spring.

Hammond said 74 percent of the lands proposed for drilling lie in wild and roadless areas, some in Kern County. These areas are home to dense oak woodlands and 20 threatened species, including the endangered California condor, the subject of a federal restoration effort that has cost \$35 million so far.

"Here's the government with one hand trying desperately to save this species, and with the other hand, for some reason, trying to take away its habitat with new roads and oil fields," Hammond said. "As far as we know, oil companies are not beating down the door to get into Los Padres National Forest. It's not a world-class, large oil field that we're talking about."

Suzanne Noble, spokeswoman for the Western States Petroleum Association, said the industry welcomes the opportunity to explore for oil on the forest. Though reserves there may be small, she said they could help meet the nation's energy needs.

"Even if the Forest Service made the decision to allow a company to go in and drill a well, they're only going to allow the minimum possible over the next 15 years, and the companies are going to have to go through very stringent lease restrictions," Noble said. "For them to be alarmed that the petroleum industry would rush in, I think, is a little exaggerated. I'm kind of surprised they put this on their Top 10 list."

Hammond said the Panamint Range is threatened by a proposed open-pit gold mine south of the town of Ballarat that would destroy the pristine scenery. Another threat is an off-road vehicle route that runs along a creek in Surprise Canyon. The year-round creek supports a lush green habitat amid the parched landscape and has been declared eligible for federal Wild and Scenic River status.

Only specialized vehicles can travel the canyon, said Ron Schiller, chairman of the High Desert Multiple Use Coalition. He called it a historic route that provides access to private land and the Panamint City ghost town.

"The road's impassible by normal vehicles, but in specially equipped four-wheel-drive rigs, you can go up there if you want to winch over some rocks," Schiller said. Because the creek was left out of surrounding wilderness areas, Schiller said, "it was clearly Congress's intent to leave that area open."

Giant Sequoia National Monument did not make the Top 10 list this year but is a candidate for next year. Hammond said the monument is threatened by a proposed management plan that could allow logging up to 10 million board-feet of timber annually.

"The actual impacts are just a little bit further out, otherwise it would definitely be on the list this year," he said.

Officials knew of lead pollution

By Doug Keeler, Midway Driller City Editor

Taft Midway Driller

Tuesday, March 4, 2003

Documents obtained by the Midway Driller, as well as interviews with former residents, indicate that the burn dump responsible for lead contamination spread well beyond the boundaries of Drill Site 26, Department of Energy lot on the 100 block of Jackson and Monroe streets.

Several current and former residents on the 100 block of Jackson Street have found burn dump debris when they dug in their yards.

In addition, documents and interviews show that government officials had reports in their possession which indicated there was more contaminated soil in residences along Birch Street to the north of the burn site that was cleaned up in 1997.

A clean closure report, prepared by Bechtel Petroleum Operations for the DOE in June 1997, detailed the work to remove 576 cubic yards of lead-contaminated soil from the lot. That soil, weighing 763 tons, was hauled to a waste disposal facility near Buttonwillow.

But more contaminated soil, which was plainly visible, was left on private property adjacent to the cleanup area.

Two areas of burn dump were identified in the report. One, designated as Area A, is located in the northwest corner of the lot on the east side of the alley. It was apparently caused by the on-site burning of household garbage, according to the report, and covered about 2,700 square feet.

"This debris also extended into the adjacent residential area north of the site," the report states.

The second section of the burn dump, designated Area B, was located 2,000 square foot area in the northeast corner of the west half of the lot. It, too, extended into residential property to the north "where it was observed to attain an even greater thickness."

The layer of ash was about 20 inches deep in the DOE lot, the report says.

Debris from a third area of ash, which contained remnants of debris which was apparently hauled to the site, dumped, spread out and then covered by a six-inch layer of soil was also found to have contaminated the private property to the north.

A physician with the Kern County Department of Public Health said she was told after the 1997 cleanup that workers looked over fences into the yards facing Birch Street and saw more ash residue on top of the soil.

In addition, a draft chronology by the state Department of Toxic Substance Control indicates that on May 15, 1998, a report by the Integrated Waste Management Board and Kern County sampled the perimeter of drill site 26 and reported finding high levels of lead. The chronology also indicates that in 2000, a letter was sent by the Integrated Waste Management Board to the Department of Toxic Substance Control and the IWMB "confirmed the presence of burn ash in residential parcels and public right-of-ways located adjacent to the drill site."

Longtime residents say the area was used as a public dump during the early part of the 20th century.

Current resident Jim Fox said he found ash and broken glass four feet deep in the yard behind his home at 117 Jackson Street several years ago.

One long-time resident said he and his father ran into garbage a half-century earlier when they were digging to install a sewer line.

Lester Carlson, who lived at 113 Jackson Street from 1934 to 1963, said he understands the area of the 100 block of Jackson where houses now was once full of small ravines and trash was dumped and burned there.

In fact, Carlson told the Midway Driller, his father bought the lot at 113 Jackson at a discount because it had been used as a dump.

"Before the county channelized Sandy Creek, it had many stream beds which cut through and eroded during flash floods," said Carlson. "The trash was dumped into the stream beds and leveled to cover the area."

Carlson's father bought a house that had been located in Taft Heights.

"When my father needed a lot for that house, he had his choice of 113, 115, 117 and 119, which had been scraped level," Carlson said. "Since it had been a former dump site, he got it for half the asking price of other nearby 'clean' lots, which were too expensive for him at the time."

Carlson said that he discovered a lot of metal waste when he and his father put in a sewer line in the late 1940s.

"I dug out (an) old transmission and similar gears, parts and linkages for the old mechanical brakes of trucks (and) two slide-action shotguns with the barrels severely rusted through," he recalled. "Both their wooden stocks were lacking. Old tin cans were so rusted they were powdery. There were many coils of wire as large in diameter as 1/8-inch and mostly rusted as well."

Busy at the Capitol

S.J. delegation has 100 bills on tap

By Will Shuck, The Record, Capitol Bureau Chief
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SACRAMENTO -- San Joaquin County's delegation in Sacramento has introduced nearly 100 bills this year, covering everything from highway signs to wood-burning stoves, from the way farmers sell milk to the way California buys medical supplies.

Many of the bills are mere placeholders, introduced before the deadline to give legislators more time to figure out what they want to do this year.

Many more are rough drafts, certain to undergo dramatic revision in the months ahead.

Still others are rehashes of bills that either failed to pass or were vetoed last year.

Most of the three Assembly members and two senators, whose districts overlap the greater Stockton area, have bills that in some way affect agricultural or rural concerns. But they also have taken an interest in a broad range of subjects.

Assemblyman Alan Nakanishi, R-Lodi, wants to make it easier for motorists to find blood banks off the highway. The freshman lawmaker has also introduced a bill that would give doctors a financial incentive to practice in the region's most sparsely populated areas.

The bulk of Nakanishi's bills were suggested by local people or directly affect his district.

"A lot of my bills were constituent-driven," he said.

He has one measure that would affect fewer than two dozen people. He introduced Assembly Bill 676 at the behest of a constituent who lost out on a portion of his pension benefits during local school restructuring. Nakanishi's bill aims to fix that.

The area's other first-term lawmaker, Assemblyman Greg Aghazarian, R-Stockton, is not only against raising taxes to fill the state's \$30 billion budget deficit, he has introduced bills that would cut taxes for farmers and others. He also wants to make it harder for government to fallow agricultural land to protect the environment.

"Somebody has to stand up for the farmer," Aghazarian said.

Assemblywoman Barbara Matthews, D-Tracy, begins her second term pushing for cost-saving measures in Medi-Cal, a move she says will help stretch scarce state resources. She wants the state to be more careful when it buys wheelchairs and other tax-funded equipment. And she wants to take away the licenses of doctors who try to bilk the state with bogus charges.

Matthews also wants to weigh in on regional air-quality regulations that could affect Valley residents' ability to burn wood in their stoves and fireplaces. She thinks smog cops could have gone too far in proposing stringent restrictions.

"If you try to tell people they can't have fireplaces, they'll storm the Bastille. They'll riot in the streets," she said.

State Sen. Mike Machado, D-Linden, will once again try to reform the way dairies sell their milk to processors. He's reintroduced a controversial bill that had local farmers comparing the plan to California's ill-fated foray into electric deregulation.

"It's nothing like that," he said. "There will be those who don't want to be a part of it. But it's a question of making tools available to people."

Among those who didn't want to see a repeat performance of the bill was Matthews, chair of the Assembly Agriculture Committee.

"But it's back," she said with a shrug.

"I told her (it would be)," Machado said. "It's part of the process to try to bring her up to speed on it, too."

Machado also wants to make sure the state isn't giving away information that identity thieves might like when it sells its outdated computers. He's also pushing for regulatory reform to help "crisis nurseries" that offer free child care for stressed-out parents who, without help, might be on the verge of abuse.

Republican Sen. Chuck Poochigian, whose district stretches from Lodi to Fresno, has offered up a range of bills, but says his keenest focus is on private-sector jobs and their effects on the state's budget crisis.

Poochigian was among the first Republicans in Sacramento to offer a bill that would force the state to roll back a number of labor-backed laws that business leaders have labeled "job killers."

"You can't collect taxes if you don't have a strong private-sector economy," Poochigian said.

The senator said the budget crisis "has changed his focus somewhat," and that he'll spend more time working on economic fixes than on bills, "which is not to say that bills aren't important."

He has conducted a series of meetings on the effects of higher workers' compensation premiums, and he expects to continue in that effort.

"We're learning a lot about the problems facing the job-producing private sector," Poochigian said. "The rollback of job-killing legislation is a very big priority, not only for me, but also for a number of my colleagues."

His signature measure for the year, Senate Bill 1010, would repeal workers' compensation benefit increases. Like other rollback measure by fellow Republicans, the bill will face fierce opposition from majority Democrats who say it's impossible to blame those so-called job-killer bills for hurting the economy, since many have yet to take effect.

Into that category falls Nakanishi's most controversial bill, a measure that would exempt school-construction projects from the state's prevailing wage law. That law requires that workers on state-funded projects be paid essentially a union wage even if they are not union workers.

"We're all trying to help the schools, especially now," Nakanishi said. "And we're all going to have to pitch in, even the workers."

Nakanishi would also like to shield retired doctors and dentists from malpractice suits stemming from volunteer work at free clinics.

"I'm trying to get retired physicians back into practice," he said.

Another Nakanishi measure would forgive some student loans to doctors who agree to practice in rural areas, including portions of Amador County, where doctors can be hard to find.

Aghazarian would like to give a tax break to farmers who upgrade their irrigation systems or filter their waste water. He'd also like tax breaks for those who build farm-worker housing, and for those who conduct environmental research.

He said even though the state faces a huge deficit, "it's an investment in the future."

Other bills from the local delegation include:

Poochigian

- * Enhanced penalties for those convicted of identity theft.

- * Placing voter-registration forms in annual tax packets.

Machado

- * Streamline the process for licensing crisis nurseries, where stressed-out parents can temporarily leave their children.
- * Create a San Joaquin Delta Conservancy to oversee environmental projects.
- * Create a clearinghouse where farmers can have easy access to government programs.
- * Increase the size of and state involvement in the regional air quality board.

Matthews

- * Exempt prison guards from jury duty to avoid having to pay overtime.
- * Eliminate a fingerprint system that Matthews says costs far more to operate than it recoups in catching welfare cheats.
- * Create a reverse auction system for state purchases, where vendors would be encouraged to beat their competitors' price.

Aghazarian

- * Allow landscape contractors to hire swimming-pool builders as subcontractors.
- * Ease pesticide regulations on farmers who use chemicals only briefly during the year.

Nakanishi

- * Transfer Oak Grove Park from San Joaquin County to the city of Stockton.
- * Allow Amador County to refurbish its former county hospital into the courthouse it will give over to state care by 2006.

The delegation also introduced many other bills, the viability of which will be seen in coming months as they make their way through the committee process. Bills introduced this year have until the end of next year's session before they expire