

Smog danger

Study that tracked children living in 12 Southern California cities says that by age 18 many of them had underdeveloped lungs

By PAT BRENNAN

[Orange County Register, Thursday, Sept. 9, 2004](#)

Living in smoggy places such as Southern California can permanently harm lung development in children, a landmark University of Southern California study to be published today shows.

Researchers tracked lung development in more than 1,700 children in 12 Southern California communities for eight years, and found that by age 18, many had underdeveloped lungs. The effects, the researchers say, are probably irreversible.

Orange County benefits from ocean winds that blow smog away from the coast. But residents of inland cities such as Anaheim might well suffer some of the same effects, the researchers say.

"We try to make the point in the paper that any urban area in the United States is likely to have elevated levels of these pollutants," said James Gauderman, associate professor of preventive medicine at the University of Southern California.

Air-quality regulators say "mobile" pollution sources, such as cars and trucks, are causing most of the problem. Shipping ports are also significant sources of air pollution.

Polluted air hurts lungs of children

Study indicates health problems loom for kids in worst regions

By LINDA A. JOHNSON - THE ASSOCIATED PRESS and MICHAEL G. MOONEY - BEE STAFF

[Modesto Bee, Thursday, Sept. 9, 2004](#)

New research shows that teenagers who grow up in areas with heavy air pollution have reduced lung capacity, putting them at risk for illness and premature death as adults.

In the longest study to date of pollution's impact on developing lungs, University of Southern California researchers followed children raised in communities around Los Angeles - some very polluted, some not - for eight years.

They found that about 8 percent of 18-year-olds in heavily polluted areas have lung capacity less than 80 percent of normal, compared with about 1.5 percent of those in communities with the least pollution.

"What they found here, until they find otherwise, I would expect would apply to other cities," said Patrick Breyse, director of the Division of Environmental Health Engineering at Johns Hopkins Bloomberg School of Public Health. He was not involved in the study.

The effects are the same for boys or girls, and whether or not the children have asthma or smoke.

"We're seeing air pollution effects on all kids, not just sensitive subpopulations," said lead researcher James Gauderman, associate professor of preventive medicine at USC's Keck School of Medicine.

Dr. John Walker, Stanislaus County public health director, said he plans to review the study and wants members of the county's Asthma Task Force to check its findings.

"It sounds like an important study," Walker said Wednesday. "But without knowing their methodology, who the investigators were, how they collected their data, I think it's premature to comment."

Walker noted that two years ago, the county conducted its own health assessment.

"Environment and air quality were factors we looked at," he said. "So, yes, this study is important."

As a father and grandfather, Walker said, he is concerned about news accounts of the study's findings - that air pollution reduces lung capacity in healthy children, as well as those with respiratory problems, and that the effects are cumulative and irreversible.

"I have seven grandchildren in this county," he said. "We should look closely at this study. Absolutely."

Findings no surprise

Anthony Presto, a spokesman for the San Joaquin Valley Air Pollution Control District, said the findings, while sobering, are not surprising.

"This is the very reason the air district exists," Presto said. "Frankly, it's not a surprise. This is what we've been trying to warn people about. It's a serious problem."

The two culprit pollutants in the study - nitrogen dioxide and carbon-laced soot particles - are found in the Northern San Joaquin Valley's air, Presto said.

Amounts found in the air in Stanislaus, Merced and San Joaquin counties vary, Presto said, depending on the time of year, traffic flows and other factors.

Both pollutants are the result of combustion produced in gas-oline- and diesel-burning engines, factories, boilers and fireplaces.

Nitrogen dioxide is an ozone precursor, Presto said, while carbon containing soot particles - which measure about one- thirtieth the width of a human hair - commonly are spewed from fireplaces and diesel engines.

The USC study appears in today's edition of the New England Journal of Medicine.

The researchers studied 1,759 children in 12 Southern California communities from the spring of 1993 through the spring of 2001, testing their lung capacity annually from ages 10 to 18, when lungs grow substantially and reach full capacity.

Meanwhile, monitoring stations in each community collected continuous data on levels of several common pollutants spewed from car and truck exhaust pipes, factories and power plants.

Reduced lung function is linked to high levels of nitrogen dioxide, vapor containing nitric acid and other acids, and carbon contained in the tiniest particles of soot, which can penetrate deep into the lungs. The U.S. Environmental Protection Agency recently set new standards limiting emissions of such fine particles.

Ozone, which is found at lower levels indoors than the other pollutants, does not appear to affect lung capacity.

Bad air in LA, Central Valley

The Los Angeles metro area has the country's worst year-round fine particle pollution, and several Central Valley cities also are among the worst, according to the American Lung Association.

The lung capacity of children raised in the most-polluted communities grew by about 100 milliliters less over the eight years, compared with children in the least-polluted areas, Gauderman said.

That's about 7 percent reduced lung capacity for girls, "a fairly significant amount," Gauderman said. For boys, who normally can inhale and exhale about one-third more air than girls, capacity was reduced about 4 percent.

"They may not notice it today because at age 18 these kids are at their peak lung capacity," Gauderman said, but they could develop health problems in their 40s and 50s.

He thinks the pollutants limit breathing capacity by causing chronic inflammation in the small airways deep in the lungs.

The worst cities studied, Gauderman said, were near Los Angeles: Long Beach, Mira Loma, Riverside, San Dimas and Upland.

The results are similar to findings announced four years ago but go beyond it in showing that pollution's effects are cumulative. Gauderman and his colleagues are continuing to follow the teens to see if any develop lung-related health problems.

John Bachmann, associate director of science policy in the EPA's Air Office, said the "very well-conducted study" shows "that particular mix of pollutants has serious long-term effects in children."

He noted earlier research - mostly on people with asthma and other lung problems - suggesting that long-term exposure to air pollution leads to earlier death.

Pollution study shows dirty air hurts children's lung development

LINDA A. JOHNSON, Associated Press Writer
[S.F. Chronicle, Thursday, Sept. 9, 2004](#)

(AP) -- New research shows that teenagers who grow up in heavy air pollution have reduced lung capacity, putting them at risk for illness and premature death as adults.

In the longest study to date of pollution's impact on developing lungs, University of Southern California researchers followed children raised in communities around Los Angeles -- some very polluted, some not -- for eight years.

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Meanwhile, monitoring stations in each community collected continuous data on levels of several common pollutants spewed from car and truck exhaust pipes, factories and power plants.

Another major pollution source is diesel fuel exhaust from cargo ships docked at and trucks entering and leaving the huge Los Angeles and Long Beach ports, Gauderman said.

Reduced lung function was linked to high levels of nitrogen dioxide, vapor containing nitric acid and other acids, and carbon contained in the tiniest particles of soot, which can penetrate deep into the lungs. The U.S. Environmental Protection Agency recently set new standards limiting emissions of such fine particles, which are about one-30th the width of a human hair.

Ozone, which is found at lower levels indoors than the other pollutants, did not appear to affect lung capacity.

The Los Angeles metro area has the country's worst year-round fine particle pollution, and Bakersfield, Fresno and other California cities also are among the 10 worst, according to the American Lung Association. Other metropolitan areas on that list include Pittsburgh, Detroit, Atlanta, Cleveland and Birmingham, Ala.

The lung capacity of children raised in the most-polluted communities grew by about 100 millimeters less over the eight years, compared to children in the least-polluted areas, said lead researcher James Gauderman, associate professor of preventive medicine at USC's Keck School of Medicine.

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The worst cities studied, Gauderman said, were near Los Angeles: Long Beach, Mira Loma, Riverside, San Dimas and Upland.

The results are similar to findings announced four years ago but go beyond it in showing that pollution's effects are cumulative. No children with lung problems in the first four years appeared to improve later, noted Gauderman. He and his colleagues are continuing to follow the teens to see if any develop lung-related health problems.

John Bachmann, associate director of science policy in the EPA's Air Office, said the "very well-conducted study" shows "that particular mix of pollutants has serious long-term effects in children."

He noted earlier research -- mostly on people with asthma and other lung problems -- suggesting long-term exposure to air pollution leads to earlier death. Bachmann said the new research improves on earlier work by studying a mix of common pollutants rather than one and by including some not routinely measured, such as carbon particles.

"It's a reason to keep working hard on air pollution," said Bachmann. "This kind of study contributes to our understanding of how far we need to go."

Besides the new particle standards, EPA is making power plants cut levels of smog-causing nitrogen dioxide by 40 percent by 2015. Some environmental groups argue the agency isn't doing enough to prevent thousands of deaths annually from air pollution.

The Clean Air Act and other pollution laws enacted since 1967 ended most "extremely severe episodes of air pollution" in the United States, C. Arden Pope III of Brigham Young University wrote in an editorial in the journal. However, there's growing evidence that fine particles coated with acids, metals and other contaminants increase risk of heart and respiratory disease and death.

"Decreasing these concentrations offers substantial opportunities for disease prevention," Pope wrote.

In the meantime, Breyse, the Johns Hopkins professor, urged children and adults to limit time working and exercising outdoors on days when air pollution is high.

"People tend to think air pollution is sort of a nuisance, that it's benign," he said, "but it's a serious public health problem."

Smog Harms Children's Lungs for Life, Study Finds

Eight years of research yield the most definitive evidence yet that dirty air stunts lung growth

By Miguel Bustillo, Times Staff Writer
[LA Times, Thursday, Sept. 9, 2004](#)

Despite decades of cleanup efforts that have greatly reduced smog, the amount of air pollution still found in parts of Southern California and elsewhere in the country can stunt lung growth in children, according to the most comprehensive study ever conducted on children's exposure to air pollution.

The lung damage is serious enough to lead to a lifetime of health problems and, in some cases, premature death, the research found.

Scientists have long known that smog aggravates respiratory conditions such as asthma. But until recently, they were uncertain whether the dirty air caused the problems or simply made pre-existing medical conditions worse.

The study, to be published today in the New England Journal of Medicine, provides the most definitive evidence yet that routine exposure to dirty air during childhood actually harms lung development, leading to a permanently reduced ability to breathe. Underpowered lungs are known to cause a wide range of health problems.

The study was conducted by a team of USC researchers that monitored the lungs of 1,759 schoolchildren in 12 Southern California communities from fourth grade until they graduated from high school.

"We were surprised at the magnitude of the effect we witnessed," said W. James Gauderman of USC's Keck School of Medicine, one of the researchers who conducted the eight-year study. "It pushed a lot of kids beyond that critical threshold of low lung function, and that was a surprise."

Children breathing dirty air were nearly five times more likely than children in less polluted communities to grow up with weak lungs, they found. The damage was similar to what is found in children whose parents regularly smoked around them.

In the communities with the dirtiest air, such as Upland in San Bernardino County, almost 10% of the children studied had "clinically significant" reductions in their ability to breathe.

In Long Beach, where air pollution levels were lower but still significant, the number was about 6%. In Lompoc, where air pollution levels were low, it was only 2%.

"There is a perception out there that air pollution has gotten a lot better, and certainly that is the case," Gauderman said. "But these findings indicate that from a health standpoint, a lot of people are still in danger."

The greatest danger appears to come from tiny particles - typically produced in diesel exhaust, by road dust and in animal waste from large-scale farms.

Until recently, such particles have not been regulated as strictly as ozone - the main ingredient in Southern California's smog. Ozone did not show up in the study as a major contributor to childhood lung problems.

While emphasizing risks, the study also pointed to a way to improve public health, according to C. Arden Pope III, an economics professor at Brigham Young University who wrote an editorial that accompanies the findings in the New England Journal.

"From at least one perspective, the overall results of research involving air pollution are good news - the control of air pollution represents an important opportunity to prevent disease," Pope said.

According to a policy brief released Wednesday by the USC Urban Initiative, roughly 4 million children currently live in areas of the Greater Los Angeles region where the air remains polluted at least part of the year. Five million more children are expected to be born between now and 2021, the latest deadline set by the U.S. Environmental Protection Agency to clean the area's air.

Strict clean air laws have greatly reduced smog, particularly in coastal areas of Southern California, but serious pollution remains a regular occurrence inland as well as in areas subjected to heavy truck traffic.

Because the findings suggest that the threat to children posed by air pollution may be greater than scientists and health officials had suspected, the research is likely to lead to calls for tougher environmental regulations.

Wednesday, for example, environmental activists concerned about expansion of the ports of Los Angeles and Long Beach said the study's findings provided evidence for greater restrictions.

The ports have become the busiest in the United States. As they have grown, residents near them - as well as people living near the inland rail yards and warehouses that help move goods from the docks - have become increasingly worried about the potential health effects of diesel fumes and other air contaminants.

The activists said they hoped the new study would cause politicians to balance the economic benefits of port expansion against health concerns.

"I don't know what it's going to take to get people to stop and really analyze this," said Penny Newman of Riverside, who has campaigned against increased truck traffic serving port-related warehouses in her area.

To reach their conclusions, the researchers began tracking the children in 1993. As the children passed from adolescence to adulthood, technicians visited their schools to test their lung capacity.

By age 18, girls' lungs are fully formed and boys' lungs are nearly mature, likely making whatever damage occurs in childhood nearly irreversible, the researchers concluded.

The children lived in Atascadero in San Luis Obispo County; Santa Maria and Lompoc in Santa Barbara County; Lancaster, San Dimas and Long Beach in Los Angeles County; Upland and Lake Arrowhead in

San Bernardino County; Mira Loma, Riverside and Lake Elsinore in Riverside County; and Alpine in San Diego County.

The researchers also took measurements from pollution-monitoring stations in each of the communities to measure hourly levels of acid vapors, particulate matter, nitrogen dioxide and ground-level ozone.

The pattern of lung damage being worst in communities with more polluted air held true across racial and economic lines, and applied to children with or without asthma.

Underpowered lungs are a well-known cause of health problems. Reduced lung function ranks second only to smoking as a respiratory risk factor increasing a person's chances of premature death.

It strongly increases a person's chances of developing respiratory ailments such as wheezing during viral infections and can trigger more serious conditions such as cardiopulmonary disease later in adulthood, studies have shown.

The researchers did not pinpoint how air pollution was affecting the children's lungs. They theorized, however, that pollution may reduce the growth of alveoli, the tiny air sacs within lungs where the exchange of oxygen and carbon dioxide takes place.

District adopts outdoor policy

Unhealthy air and inclement weather would limit outdoor play in public schools

By Mark R. Madler

[LA Times, Wednesday, Sept. 8, 2004](#)

BURBANK - The Burbank Unified School board has approved a new policy determining when students can be outdoors during inclement weather and when the air's unhealthy to breathe.

The policy sets out what activities students can participate in depending on the air quality, heat and humidity.

"We discussed it at length to ensure we had what we wanted," Board President Dave Kemp said.

The policy, put together by a committee of administrators, physical education teachers and coaches, was first presented to the board in May. It was sent back for revisions by the committee and was adopted by the board Thursday.

The district had a general practice on what to do with hot days and bad- air days but wanted to get something in writing for staff and students, said Hank Jannace, director of pupil services.

"In recent memory, we haven't had many [air-quality] advisories," Jannace said. "But last year because of the [October] fires and the heat spell in April, we needed to put something in writing to deal with situations, especially with outdoor programs such as P.E. and athletics."

Each school will come up with a plan to handle unhealthy air and inclement weather that must be approved by the district, he added.

Board Vice President Paul Krekorian said the policy does not place restrictions on breaks for students to rest and have access to water, although there was recognition that there were differences in outdoor activities.

"Some P.E. classes would not be conducive to having students go off at any time for water," Krekorian said. "A football practice would be at a different standard."

Kemp, a former athletic director at Burbank High School, said the district's coaches recognized the difference and he was satisfied there would be adequate access to water.

"We also addressed cold weather, although it is not so much of a problem," Kemp said.

The policy states that advisability of outdoor activity during cold weather will be based on wind factor and pupil history of cold-related illnesses. Precautions to prevent cold- related illnesses include varying activity levels according to the temperature, and avoiding prolonged periods of outdoor exposure.

Spare the Air today

[Modesto Bee, Thursday, Sept. 9, 2004](#)

Today is a Spare the Air day in Stanislaus, Merced and San Joaquin counties by declaration of the San Joaquin Valley Air Pollution Control District. People are asked to avoid unnecessary vehicle use, or, if they must travel, link their trips. People also are asked to postpone use of gas-powered yard-care equipment.

Stockton mayor receives ag's support for senate

By ERIC STERN - BEE CAPITOL BUREAU

[Modesto Bee, Thursday, Sept.9, 2004](#)

Republican state Senate candidate Gary Podesto, the mayor of Stockton and a former grocery store owner, snagged the California Farm Bureau Federation's endorsement Wednesday over Democratic Sen. Mike Machado, a third-generation farmer from Linden.

"Machado forgot his farming roots and small-town values that appealed to so many Republicans, Democrats and swing voters," Farm Bureau President Bill Pauli said.

Machado is running for a second term in the 5th Senate District, which stretches from Woodland and Davis in the north to Manteca and Tracy in the south, and includes Fairfield and Vacaville.

It's a farm-heavy region producing almost \$2.3 billion worth of crops and commodities annually. But Machado, once a darling of the agriculture community, has "drifted away," said Pauli, standing with Podesto next to stacked boxes of apples at Farmington Fresh, a produce distributor on Highway 99 south of Stockton.

Voting record concerns Bureau

The Farm Bureau, the state's largest farm organization, endorsed Machado - a former San Joaquin County Farm Bureau president - in his first legislative race, a 1994 run for state Assembly. He was successful then and in re-election bids in 1996 and 1998.

But the Farm Bureau last backed him in 1998, declining to do so when he ran for Senate in 2000.

"In recent years, the California Farm Bureau - longtime supporters of Mike Machado - have become increasingly concerned about his voting record," Pauli said.

The Farm Bureau has been especially critical of Machado's support for tougher smog regulations on farmers. The regulations include Senate Bill 700, which took effect in January, requiring permits for diesel-powered irrigation pumps and other farm engines that long had been exempt from clean air rules.

Senator defends trade-offs

Machado, chairman of the Senate Agriculture and Water Resources Committee, said Wednesday that he's proud of his support for clean air standards that protect children's health in the rapidly growing countryside.

He said he's still an "active farmer" on the farm his grandparents established in 1906 and understands the trade-offs that come with stricter environmental regulations.

"I would never ask a person in agriculture to do something I wouldn't do myself," Machado said. "I made a decision based on what I thought was good for the overall benefit of the community."

On his farm, where he grows tomatoes, grapes and other crops, Machado said he has eliminated field burning - instead he mulches straw and orchard prunings - and has incorporated minimum tilling practices that reduce diesel fuel use.

Machado said it's ironic that Podesto is attacking his voting record on clean air measures when the American Lung Association gave the Stockton region an F rating for air quality the past five years. Podesto was elected mayor in 1996.

In a July survey, the Public Policy Institute of California found that 47 percent of the respondents in the Central Valley said air pollution was a big problem.

Podesto gets endorsement from farm group

Senate candidate says he'd listen better to bureau's concerns

By Audrey Cooper

[Stockton Record, Thursday, Sept. 9, 2004](#)

STOCKTON -- State Senate hopeful Gary Podesto sweated through three hot Central Valley news conferences Wednesday to spread the word: the California Farm Bureau Federation wants him in the Legislature.

But the mayor tiptoed around questions about whether he agrees with the farm bureau's opposition to legislation aimed at cleaning up air and water pollution, two major issues in the Senate district that encompasses parts of San Joaquin, Sacramento, Yolo and Solano counties.

During the Stockton news conference, state farm bureau officials said that incumbent Sen. Michael Machado,

D-Linden, has lost touch with his farming roots and voted for bills that placed burdensome regulations on farmers. Machado operates a family farm in the Linden area with the help of his brother and father.

While the statewide farm organization endorsed Machado when he ran for the Assembly, the group turned away from Machado years ago. The influential farm group supported Alan Nakanishi during Machado's 2000 bid for the Senate. The local San Joaquin Farm Bureau, which Machado led for years as president, has not yet made a decision whether to endorse either Podesto or Machado.

Machado's campaign staff brushed aside the endorsement. The senator values his involvement in the farm bureau, but that doesn't mean he has to vote in lockstep with the organization, campaign manager Andrew Acosta said Wednesday.

Podesto, now mayor of Stockton, said he would listen better to the farm bureau's concerns if he were elected in November.

Yet the Republican candidate shied away from taking a firm stance on some bills that Machado supported over protests from the farm bureau.

One, SB700, was passed last year. It requires farms to obey the same clean-air permitting requirements as other industries. The U.S. Environmental Protection Agency had threatened to withhold billions of dollars in federal road-construction funds if the Legislature didn't remove the exemption for agriculture.

Another clean-air bill, SB705, forbids the burning of farm waste, such as orchard prunings and dead vines. The smoke from such burns contributes to the Valley's particulate pollution, which has been shown to cause premature deaths.

Podesto said he thought that "more science was needed" to justify the bills.

"There should have been more study before those bills were passed the way they were," he said.

Podesto also hinted that he disagreed with a bill Machado wrote that would have allowed the state's water-pollution regulators to increase river flows in order to dilute pollution. Such a bill might have saved the city of Stockton millions of dollars in upgrades to its sewage-treatment plant. The bill never made it out of the Senate this year, in part because of opposition from the farm bureau.

Podesto didn't say whether he favored such legislation. Instead, he said the state's water-pollution regulators often make decisions that, in retrospect, were ill-informed.

Machado's campaign accused Podesto of ducking the issues.

"Clean air and water is too important an issue to let something like a political endorsement get in the way," Acosta said.

Farm bureau President Bill Pauli said his organization decided to support Podesto because the group believed he would protect family farmers.

When asked whether the farm bureau had concerns about the city of Stockton allowing development to proceed on valuable farmland, Pauli said that regulation -- not development pressure -- was what drives farmers out of business.

Panel favors 5,652-cow dairy

Homeowners may appeal to supervisors

By Laura Florez, Staff writer

[Visalia Times-Delta, Thursday, Sept. 9, 2004](#)

People who live in the newest housing development in northwest Visalia or will move into the growing area in the future were given some advice Wednesday: Learn to live with the neighbors.

To the dismay of some residents of Shannon Ranch, a housing development on the outskirts of Visalia, and dairy owners who say the area is already home to too many dairies, Tulare County planning commissioners decided Wednesday to make the area's newest neighbor a 5,652-cow dairy.

"People need to know when they move into an ag area what they're in for," Commissioner Shirley Kirkpatrick said. "In Tulare County, we have a right to farm."

When completed, Shannon Ranch will take up about 600 acres -- 400 acres devoted to single-family homes, the remaining 200 acres for multifamily homes and commercial property, schools and churches.

And more growth is coming to the area, said Steve Brandt, planning manager for the City of Visalia.

Since it was adopted in 1991, the city's general plan has designated development in northwest Visalia up to the St. Johns River, he said.

Already the city is entertaining proposals to annex 28 acres on the west side of Demaree Street between Riggan and Pratt avenues, where Centex Homes is proposing to build 186 single-family homes, he said.

And there could also be a smaller development of 20-25 lots near Demaree Street and Pratt Avenue, he said.

"The county's plan shows development in this area too," he said.

The Mineral King Dairy, which could open up as soon as next fall, will become the county's 35th dairy in a 5-mile radius, said Roberto Brady, project review division manager for the county's Resource Management Agency. It would be located west of Road 108, between Avenues 336 and 352.

Dairy owners Floyd and Gail Kampen, who live in the area and oppose the project, said the county got its dairy count wrong. The new dairy, they say, will become the 37th in a 5-mile radius.

"It's so close; we're already in a cluster," Gail Kampen said. "We need to put a moratorium on large dairies."

Those who oppose the dairy, like the Kampens and some who live in Shannon Ranch, which is three miles south of the dairy, are concerned that it would bring more dust to the area, more flies and traffic, and have a detrimental effect on their overall quality of life.

Through mitigation measures, though, planning commissioners could relieve some of those concerns, said Neil Zwart, a co-applicant of the dairy.

Dairies and people can live side by side without experiencing negative effects to quality of life, Kirkpatrick said. The county has rules, called the Animal Confinement Facilities Plan, for establishing dairies, and Zwart was able to follow them.

"It's mainly a perception problem," she said. "It's tough when the two cultures meet."

But some who oppose the project don't agree with the Planning Commission's decision.

Some are considering appealing the decision to the Tulare County Board of Supervisors, Brady said.

People have until Sept. 20 to appeal to the board.

Kim Marone, one of about 25 residents of Shannon Ranch who oppose the dairy, said she hopes county officials will look at the situation over the long run.

"I spoke up for the sake of my children. It's really unfortunate for the people whose quality of life is going to be affected by the dairy," she said. "It may look good on paper, but realistically it isn't how things happen."

Floyd Kampen said county officials need to look at the consequences of their decisions.

"We're looking to the future," he said. "What if we expand more, what's down the road?"

But Zwart, who says his intent all along is to be a good neighbor, says people have to take into consideration how important the dairy industry is to Tulare County.

"It's the No. 1 industry here," he said. "The infrastructure is here for dairy. Dairy is the No. 1 employer. We employ people 365 days a year."

What's next

Anyone wanting to appeal the Tulare County Planning Commission's decision on Mineral King Dairy has until Sept. 20 to appeal to the Tulare County Board of Supervisors.

Council puts kibosh on marijuana shops within city limits

By JAMES BURGER, Californian staff writer
[Bakersfield Californian, Thursday, Sept. 9, 2004](#)

Marijuana shops don't belong inside Bakersfield city limits, City Council members said Wednesday night.

The move was a response to the recent opening of the city's first such shop -- one that city officials said has not been permitted in town.

The shops, which sell marijuana for medical uses under California's Compassionate Use Act of 1996, have cropped up across the state.

There are currently three shops in Kern County -- two are in Oildale.

The third just opened on K Street near San Joaquin Community Hospital.

A person who answered the phone at the shop, Compassionate Caregivers, on Wednesday said the business is a dispensary but wouldn't comment about the city's plans.

City Attorney Ginny Gennaro said the opening of the K Street dispensary prompted the city to make it clear that marijuana shops don't meet the requirements of city codes.

Development Services Director Jack Hardisty said the shop has not been given a permit to operate in Bakersfield.

It is unclear what will happen to Compassionate Caregivers now.

Gennaro said it's too soon to tell whether enforcement action will be taken against the business.

The council also approved a plan to build the Allen Road bridge over the Kern River between Rosedale and southwest Bakersfield.

Then, they approved a swath of office zoning that land developer Castle & Cooke wants to build nearby, along the north side of Stockdale Highway between Allen Road and Jewetta Avenue.

The offices will replace apartments that area homeowners had protested against.

Council members delayed a decision on a tract of homes near Mesa Marin Raceway after hearing debates between the developer and the Sierra Club.

An issue was how to handle the payment of fees, by the developer, which would be used to reduce [air pollution](#) that comes with tracts of homes.

Sierra Club officials have pushed for the fee, suing other developers and requiring the payment of \$1,200 per home as a condition of settling those lawsuits.

But no agreement was reached Wednesday night and the fee issue, and the tract of homes, are set to come back to the council at its next meeting.