Pesticide pollution cuts argued (Environmental activists threaten to sue over voluntary reduction efforts.)

By Mark Grossi Published in the Fresno Bee - Wednesday, March 10, 2004, 7:44 AM

Activists are threatening to sue the state over the voluntary cleanup of pesticide air pollution, contending the idea failed years ago in the smoggy San Joaquin Valley.

Even though the voluntary program has hit the target in recent years, it missed most interim goals along the way dating back to the mid-1990s, activists said.

They claim state air officials committed to replace the voluntary effort with regulations if any interim goals were missed.

The recent success of the voluntary program does not reassure them.

"It's quite astonishing that this has been out of whack for so long while regulators have looked the other way," said Brent Newell, Center for Race Poverty and the Environment lawyer representing several community activist groups. "They violated the Clean Air Act." The California Air Resources Board replied that pesticide air pollution dropped continuously from 1997 to 2001, the most recent year of air data available. The overall goal of a 20% reduction has been met.

"It's very complicated," said state spokesman Jerry Martin. "We are still looking at every aspect of this issue relating to the threatened legal action. But we have reached the target."

The lawsuit is the latest in a string of air quality litigation over the last three years in the Valley, which ranks among the three dirtiest air basins in the country.

Agricultural officials said they don't understand why pesticide use would raise a legal concern now. With costs rising, farmers have been cutting back consistently, said Manuel Cunha, president of the Nisei Farmers League.

"We met that 20% reduction with no problem," said Cunha.

Valley farmers still apply more pesticide than any other place in the state, Newell said. Fresno County alone used almost 29 million pounds in 2002.

Pesticides release pollution called reactive organic gases, which are a building block for corrosive ozone in smog. Pesticides rank as the sixth-highest contributor of reactive gases, behind sources such as livestock waste and cars, according to the Air Resource Board.

To address pesticide air pollution, the state committed to a 20% reduction over a 15-year period from 1990 to 2005.

The pollution totaled 25 tons per day from May through October in 1990. By 1995, the figure jumped to 36 tons per day, well above the reduction schedule.

The Department of Pesticide Regulation, which supervises the voluntary program, said officials didn't know until 1996 how many tons of pollution were coming from pesticides. An inventory never had been compiled.

"It's true that levels in the 1990s did exceed our target 20% reduction level," said spokesman Glenn Brank.

"However, these estimates were produced as part of the 1994 inventory and did not reach us until about 1996. By then, the levels were already on the way down."

The Valley still missed every interim goal from the mid-1990s to 2000.

The next year, the average was less than 20 tons of pollution per day, a big enough reduction to hit the goal even for 2005.

"Isn't that where we're supposed to be?" asked Debbie Jacobsen, president of the Fresno County Farm Bureau. "I don't understand the problem."

The 2001 result is irrelevant, said Newell. The voluntary program has failed in all years except one, so the public needs protection.

"We think the 2001 figures are artificially low because there was a decrease in acreage planted and there is some question about the Kern County pesticide reporting," he said.

Newell represents a coalition that includes the Valley-based Association of Irritated Residents and El Comité para el Bienestar de Earlimart.

He filed a 60-day notice to sue the Department of Pesticide Regulation and the Air Resources Board. The lawsuit is expected in early May.

"We intend to force the regulators to keep their promise," said Teresa DeAnda, president of the Earlimart group.

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Big trouble from tiny particles? (Air pollution specks driving health studies in Southland)

By Kerry Cavanaugh - Published in the Los Angeles Daily News - Sunday, March 07, 2004

Air researchers are using Southern California as their laboratory to study microscopic specks of toxic pollution spewing from tailpipes, concentrated along freeways and potentially affecting commuters' health.

Smaller than 100 nanometers -- or less than 1/100th the diameter of a human hair -- the ultrafine particles are so minuscule they slip through the lungs' natural defense system and lodge deep in lung tissue. There, they can be absorbed into the bloodstream and eventually damage or kill individual cells.

"This is really important. It has implications for lung cancer, implications for respiratory disease and implications, especially, for cardiovascular disease," said Dr. John Froines, a professor of environmental health science at the University of California, Los Angeles.

Froines heads the Southern California Particle Center and Supersite, a consortium of university researchers studying particulate matter and health effects from motor vehicles.

Ultrafine particles are formed from combustion -- namely of diesel, gasoline and alternative fuels.

Researchers have found the highest concentrations along and within 300 feet of busy roads and freeways, suggesting that motorists who spend as little as an hour a day on the freeway -- the average commute in Los Angeles -- face the greatest dose.

One study found that air in San Pedro, an area of high pollution near the ports of Los Angeles and Long Beach, had about 6,000 particles per cubic centimeter, an area about the size of a sugar cube.

By comparison, measurements taken in a car on a Los Angeles freeway recorded 500,000 particles in a cubic centimeter.

"It appears that someone driving from Lancaster to downtown and back at night is getting an enormous exposure to ultrafine particles," said Froines. "One of the areas of research we really need to get moving on is the effects of commute. Nobody has looked at that."

In another study, Scott Fruin, an air pollution engineer with the California Air Resources Board, and his colleagues loaded air monitoring equipment into an electric vehicle and drove the Los Angeles freeways.

They found that gasoline-fueled cars produced high amounts of ultrafine particles, especially during hard accelerations. Diesel-powered vehicles appeared to be an even more potent source.

Windows and ventilation systems provide some protection, but, Fruin added, "it doesn't matter what your ventilation systems are if you're moving fast."

Other researchers are working on the potential health impact of ultrafine particles.

Dr. Ralph Delfino, an associate professor at the University of California, Irvine, is monitoring senior citizens in Los Angeles and Riverside retirement homes to study a link between ultrafine particles and heart disease.

UCLA researcher Andre Nel published a study last year that showed ultrafine particles could get into human cells and damage the mitochondrion, which is the powerhouse of the cell. Researchers are trying to figure out the larger impact that cell damage has on the body.

Because the particles are so small, some researchers believe they behave like a gas and can get into parts of the body larger particles can't. Smaller particles also are able to carry more toxic chemicals.

For all the concern about ultrafine particles, some researchers suggest they are a piece of the pollution puzzle and alone may not cause the increased hospital visits, heart attacks and lung damage.

"I think we're going to see that ultrafines contribute to health effects, but I don't think it's clear yet that they are going to be the main contributor," said Dr. Robert Devlin, chief of the clinical research branch of human studies division at the U.S. Environmental Protection Agency.

The EPA traditionally regulates individual pollutants, but controlling ultrafine particles is complex because they're formed from a mix of contaminants.

For that reason, Devlin said, scientists are encouraging the EPA to regulate the pollution source, instead of the pollutant itself. That could mean cleaner-burning combustion systems in vehicles and coal- and gas-fired power plants.

Constantinos Sioutas, a University of Southern California engineering professor and Supersite deputy director, said ultrafine particle findings shouldn't make people afraid because pollution is a long-term health issue.

But the findings can and should have an impact on regulations and people's lifestyles, particularly in Southern California.

"The broad public needs to be banged on the head and know that the air you breathe will kill you," Sioutas said. "And you probably should try not to drive your car as much."

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No rewards for cheating

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The state's air quality board has a chance later this month to take a major step in the direction of cleaner air in California's Central Valley and elsewhere -- not to mention addressing a stunning example of corporate misbehavior.

The problem has to do with diesel engines that were designed to cheat on federal air quality standards. Seven manufacturers equipped the engines they built from 1993 to 1998 with "defeat devices" -- software that allowed the engines to pass emissions tests, but then let them exceed those standards when they were used on the highway.

Those emissions have been linked to asthma and other respiratory diseases in both children and adults.

The feds and the state sued, and won -- but the problem is still with us. As part of settling the suits, the manufacturers agreed to pay for a "reflash" on each of the affected engines. That basically means disarming the cheating software whenever the engines are brought in for the periodic rebuilding diesels require.

But today's diesel engines are more durable than their predecessors, and only 10 percent of them have been fixed to this point. That's too slow. The California Air Resources Board has a recommendation from its own staff for a new regulation that would speed up the process. The board will be meeting in Sacramento to consider the issue March 25, and could make a final decision then. What it should do is move aggressively to make the industry clean up its act, and do so inside of a year.

The problem is not trivial. The Air Resources Board itself estimates that the cheating allowed an additional 30 to 40 tons per day of nitrous oxides into the air in California. NOx is a major ingredient in ground-level ozone, or smog, as well as damaging particulate matter.

Continuing to let the diesel engine industry off the hook -- essentially a reward for cheating -- is not acceptable. This is a part of the air quality problem in the state that we thought had been fixed. It's high time that turned out to be true.

Diesel engine makers cheated on air quality standards and got caught, but they're still getting away with it. The state must step in.

Reforestation best for fire area

By CHRIS HORGAN, Lake Isabella

The Bakersfield Californian
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The Forest Service has proposed a plan to restore the habitat of endangered species and wildlife in the Lake Isabella region. Clean water and fish habitat, as well as the forest, will be restored far faster than if left alone.

A side benefit of restoration would be the reduction of greenhouse gases. Thriving planted new trees will absorb carbon dioxide, which causes global warming.

Restoration was proposed to take place on only 238 acres of the 4,270 acre Burnt Ridge area. It suffered 100 percent tree mortality and the worst erosion.

This area is still high in fuel load from the dead trees. If left untreated, it will be at high risk of catastrophic wildfire for the next 20 to 30 years. Only dead trees were going to be removed by the Forest Service. Some standing dead trees were going to be left, as well as some on the ground, for species habitation, ground cover and mulch.

Replanting with native species would speed up the process of reforestation by 200 to 300 years.

With all these benefits, environmental groups should applaud the plan. Unfortunately, they do not. A lawsuit to stop any restoration was filed by such environmental groups as the Sierra Club, Earth Island Institute, Center for Biological Diversity, Heartwood Foundation and Sequoia Forest Keepers.

One of their experts, a fire ecologist, cited a report by forest hydrologist Robert L. Beschta to to support the claims of the environmental groups.

This study was not done in the Kern River Drainage, but in the Pacific Northwest, which has an extremely different climate. The report has not been peer reviewed.

Yet this is somehow sound science because it is presented by righteous environmental groups.

These groups filed a motion to strike the testimony of Tule River/Hot Springs District Fire Management Officer Paul Gibbs and thereby discredit him.

Gibbs has a Bachelor of Science degree in forestry and has been a professional forester for 14 years; has been working with fire and fuels for 17 seasons; is a certified and qualified incident commander, type 3; prescribed fire burn boss, type 1; fire effects monitor; wildland fire use manager, as well as holding other various firefighting and fuels management positions.

For some reason, the environmental groups feel his credentials do not qualify him as an expert. They could not be more wrong. While Gibbs has been working in the Sequoia forest every day, their experts probably have been in far-off courtrooms. They spent, at most, a few days, perhaps only a few hours, in the local forest.

Yet somehow in that brief period they could determine the true condition of the forest better than Forest Service scientists, each one of whom have worked and studied in the Sequoia for more than a decade.

Please write a letter and let your elected representatives know that we want them to make sure our forests are actively managed and restored to health and to stop the endless lawsuits that are killing our forests as well as wasting vast amounts of tax dollars.

Chris Horgan of Lake Isabella is a conservationist and retired video equipment installer. Community Voices is an expanded commentary that may contain up to 500 words. The Californian reserves the right to reprint commentaries in all formats, including on its Web page.