

Valley air district wants to regulate charbroilers

By Mark Grossi / The Fresno Bee

The Fresno Bee Wed., Aug. 19, 2009

Air officials are proposing a rule to curb tiny specks in charbroiler exhaust that threaten the health of those living near restaurants. But the measure misses most of the pollution.

The rule would apply to chain-driven charbroilers that cook meat on a conveyor with burners above and below. Those charbroilers, used by such restaurants as Carl's Jr. and Burger King, account for 25% of charbroiler exhaust.

The San Joaquin Valley Air Pollution Control District backed away from a much broader rule that would have regulated all charbroiler exhaust after restaurants complained in June.

The rule has been revised after the district staff concluded expensive pollution-control devices for some types of charbroilers might not work. It will come before the district board today for discussion.

Staffers now recommend a delay in regulating those charbroilers that produce most of the emissions. Called under-fire charbroilers, they cook with flame or heat from below the meat, similar to a home barbecue.

They are used in restaurants such as El Pollo Loco

Under-fire charbroilers won't come back for possible regulation until 2011, which worries air activists.

"We can't afford to delay this part of the rule," said Laura Fultz Stout of the Coalition for Clean Air in Fresno. "They say 75%? We think it's more like 80% or 90% of the emissions have been left out of this rule."

Air officials said there is not enough proof yet that control devices would be effective with under-fire charbroilers. And the devices -- complex particle-filtering systems -- could cost the industry up to \$60 million. The more limited rule would cost the industry \$7 million.

"When we looked closer at the numbers, the controls would have cost 20% to 30% of the net profit for some restaurants," said district executive director Seyed Sadredin. "We need more time to study the technology."

District staffers recommend offering grants to restaurants with under-fired charbroilers to help buy the control devices. Then, the district can research the effectiveness of the devices.

Industry officials say they supported the district's decision to delay action.

"The cost for requiring restaurants to install control emissions equipment for under-fired charbroilers would have been astronomical and devastating to businesses trying to stay above water in this economy," said Amalia Chamorro of the Sacramento-based California Restaurant Association.

A board vote on the revised rule can't take place until next month because the public needs time to comment on the changes. Activists said they will make comments.

If the rule is approved, 64 restaurants will be required to install the devices by Jan. 1, 2011. It would apply only to restaurants that each week charbroil more than 400 pounds of beef, lamb, poultry, pork and fish.

Officials said charbroilers are not among the largest contributors of particle pollution, amounting to about 1% of the Valley's PM-2.5 problem.

But a growing body of evidence suggests they are a health threat to people living in surrounding neighborhoods.

When grease from meat falls on coals or flames, various chemical specks are formed and sent into the air through the exhaust, which can later enter the lungs of people, according to the latest research.

"I think it might be a little deceptive to just look at the regional numbers for charbroiling," said Scott Nester, district planning director. "The effects are at the neighborhood level."

Visalia City Council: No more Measure R funds for rail \$3m committed for rail line right-of-way; new money restrictions set

By Valerie Gibbons

Visalia Times-Delta and Tulare Advance-Register, Thursday, Aug. 20, 2009

While the Visalia City Council will support the \$3 million purchase of the right-of-way for an east county short-haul rail line, it has a message for the overseers of Measure R spending: Don't come back asking for more.

Measure R's half-cent sales tax generates money for county transportation projects.

"I think the council agrees with the purchase of the right-of-way," said Bob Link, a Visalia city councilman. "But we don't want to commit any more money than has already been committed."

City councils around the county approved the addition of \$3 million in the Measure R spending plan last fall, allowing the Tulare County Association of Governments to move ahead with the purchase the right-of-way, association Executive Director Ted Smalley said. The association oversees the spending of Measure R money.

Expenditure amendment

The amendment to the expenditure plan was supported by city councils in Visalia, Lindsay and Tulare. Any further additions to the Measure R work plan which details how and when the tax money will be spent require the support of half of the cities that represent half of the population of the county.

Officials with the county's Rail Advisory Committee are asking for \$1 million in federal money to help study the rail corridor along the eastern side of the Valley and to help buy the line's right-of-way. They will need the support of local cities for the application.

The hope is that the councils will sign on, if need be, to any request for federal funding ' particularly stimulus funds for freight-rail projects.

Jovista to Strathmore

Officials are starting with the stretch between Jovista and Strathmore, but long-term plans call for a link with south county cities, including Porterville with Dinuba, and, eventually, Fresno.

A viable line would lure manufacturers to the area and reduce [air pollution](#), proponents say. Association representatives have flown to Washington, D.C., several times this year to seek the federal help needed to make the rail line attractive to a prospective buyer.

That's the option recommended by a group of business graduate students at California State University, Fresno. They said the segment between Jovista and Exeter is not economically viable on its own, but that a rail line between Jovista and Fresno could make a profit.

The price tag for such a line could be as much as \$20 million, according to the plan. The tracks have the lowest rating allowed by federal standards and have a top speed of 10 mph.

At that speed, the plan says, it would take hours for a railroad car to make it from Dinuba to Exeter.

Foundation offers \$589,000 in grant funds

Madera Tribune Wednesday, August 19, 2009

FRESNO - Deadlines are fast approaching for \$589,000 available during the Fresno Regional Foundation's 2009 Human Services Grant Cycle.

The Foundation will consider applications from existing organizations with new or ongoing programs that serve the central San Joaquin Valley in the areas of education, economy, environmental, social and health.

Applicants must submit an organizational profile by Sept. 4. Applications are due by Sept. 11. A bidders' meeting is scheduled for August 25 from 1 p.m. to 2 p.m. in the University of California, Merced, Fresno Center at 550 E. Shaw Ave., Suite 100 in Fresno.

Of the \$589,000 in grants available, there is \$200,000 earmarked for Teen Pregnancy Prevention, \$200,000 for the San Joaquin River, \$109,000 for [Air Quality](#) and \$80,000 for general Human Services.

Note: The above article has been shortened from its published form in The Madera Tribune newspaper.

Public hearing on Ralphs center set for Oct. 6

By Fred Swegles

The Orange County Register, Thursday, August 20, 2009

Oct. 6 is the expected date for a public hearing to decide the fate of a proposed 68,150-square-foot Ralphs shopping center spanning the 900 block of South El Camino Real in San Clemente.

On Tuesday night, Howard Harmatz, a partner in the project, rescinded an earlier request for the City Council to table the proposal indefinitely. Instead, he asked the council to hold a hearing Tuesday night and vote on the project.

Council members, not expecting the reversal, said they would need more information to proceed with the hearing. They set it for Oct. 6 to allow time for more information about a second access to the project, a verification of photo simulations, additional air-quality data and projections on property and sales tax.

Harmatz said controversy and threats of lawsuits had prompted his earlier request to put the project on hold. But after seeking outside counsel and examining the city attorney's analysis of points of contention, he said he was convinced that issues raised by opponents lacked foundation and evidence, and he wanted to proceed.

Village Courtyard, as the plan is known, proposes to demolish an existing Ralphs strip mall and replace it with a 40,000-square-foot Ralphs supermarket plus shops and restaurants integrated into a three-story parking garage.

Lodi may go solar near I-5

By Daniel Thigpen

Stockton Record, Thursday, Aug. 20, 2009

LODI - The view from Interstate 5 near Lodi - a landscape of farmland, sewage ponds and truck stops - could soon feature some new pieces of scenery: rows of shiny solar panels.

Lodi officials are proposing a large solar energy project for a roughly 2-acre strip of city-owned land that, if built, they hope will boost the city's image as a green-conscious community. The city's first major solar project would not generate electricity for any residential customers but would be

designed to put a small dent in the nearby sewer plant's dependence on the city-owned Electric Utility.

The proposal caught the eye of Rep. Jerry McNerney, D-Pleasanton, who was a wind energy consultant before entering Congress. He stopped by Lodi on Tuesday to offer supportive words.

"I think you're putting yourself ahead of the curve if you do this," he told city officials at the White Slough sewage treatment plant, which the project ultimately would serve. "Sounds like you're planning ahead very well."

There are few specifics so far, because Lodi would not be responsible for building and operating the proposed solar energy project.

Electric Utility Director George Morrow told City Council members that a yet-to-be-selected outside operator would install, run and provide upkeep to the energy system, although the city would have the option of purchasing it after five years.

Until then, Lodi would simply provide the land and pay only for the electricity generated, Morrow said.

Prices for new solar energy systems vary but often range from 12 to 20 cents per kilowatt-hour, Morrow said.

The White Slough plant off I-5 uses about 7 million kilowatt-hours a year, officials said. The solar energy system may contribute only about 200,000 kilowatt-hours for the sewer plant.

Aside from reducing greenhouse gas emissions, city leaders say a prominently displayed project would allow the city to market itself as environmentally friendly to any "green" businesses looking to set up shop in town.

"If we do it, let's put it someplace that's visible," City Manager Blair King said.

City Council members will decide today whether to solicit project proposals. If it is built, officials would like to see the system operating by June 1.

Jobs in forefront as Merced planners consider Wal-Mart distribution center

By Scott Jason

Merced Sun-Star, Wednesday, Aug. 19, 2009

A stream of residents, many wearing pins emblazoned with the word "jobs," marched to the microphone Wednesday to urge the Merced Planning Commission to support the proposed Wal-Mart distribution center.

In a meeting that lasted five-and-a-half hours, more than 37 people spoke in support of the controversial project while 19 argued against it. About 300 residents packed into the second-floor council chambers at City Hall and into the Sam Pipes Room downstairs.

"We must look for ways to attract business and not turn them away," MERCO Credit Union CEO Mike Malone said. "Vote to approve the Wal-Mart distribution center. If not, will the last person in Merced please turn off the light?"

The seven-member commission didn't make a decision on whether to recommend approval to the City Council. The commission will meet again at 6 p.m. on Monday to continue the meeting. It will only hear from the 25 residents who signed up to speak but left before they were called.

The hearing is the first of the last few hurdles for a project that's been in the works for four years. The final vote by the City Council is on the horizon. If approved, it's likely that opponents will sue the city. Tom Lippe, a San Francisco attorney hired by Merced Alliance for Responsible Growth, criticized the environmental report, asserting that it fails to fully evaluate the impact of air pollution created by the diesel trucks that will drive up and down Highway 99. He called the project a Ponzi scheme. "The capital that's being wasted is people's health," Lippe said.

Wal-Mart's supporters pointed to Merced's 17 percent unemployment rate, low education level, dismal economy and general poverty as critical reasons for why the project must be built. Several said they were surprised Wal-Mart was patient enough to deal with all the legal obstacles to build the project.

Opponents, who wore stickers reading, "Protect our families: No to Wal-Mart," cited the added pollution to the air and water, and traffic congestion as concessions that aren't worth the added jobs. They also said approving the project would be a short-sighted decision in light of the growth and jobs UC Merced will continue to create.

Merced resident Sophia Curiel said she's not political or against Wal-Mart but worries about the health of the children at Pioneer Elementary School, which is near the distribution center site. Despite loving the area, she said she decided against living there because of the distribution center.

"I'm not against jobs. I have an unemployed son," she said. "I'm here for the people who have no voice."

The evening began with a presentation by Planning Manager Kim Espinosa, who detailed the project's basic outline and what will be done to reduce its impacts.

Wal-Mart wants to build a 1.1 million-square-foot distribution center on 230 acres in southeast Merced. After three years of operation, the center should employ up to 1,200 people. Nine hundred of those jobs will be full-time positions. The average full-time wage of people working at its other facilities is \$17.50.

City staff has recommended that the project be approved.

Kay Flanagan-Spinelli, a Merced real estate agent, said the project will help keep people's children from leaving the area in search of a job. "I don't want to see Merced dry up," she said.

Lee Boese Jr., a member of Citizens of the Betterment of Merced, toured Wal-Mart's Apple Valley distribution center and said he was impressed by its efficiency. No resident he spoke with said anything bad about it, Boese said.

He put on the overhead projector the front-page photo from Wednesday's Sun-Star that showed county employees reeling from the layoffs. Boese said he thinks people are against Wal-Mart as a company, not the project. "If you were going to substitute Microsoft for Wal-Mart, I don't think there'd be any opposition," he said.

John Harrell, who worked for Merced County's environmental health department, said he's disappointed that so many projects are felled by environmental regulations.

"In America, we're pulling ourselves down by our bootstraps," Harrell said. "We can't build anything -- refineries, plants. This is just a warehouse."

Ron Ewing said the center would be a boon for the otherwise struggling city. "Merced is similar to a homeless person. We just found a lottery ticket on the side of the road," he said. "Are we going to tear it up?"

Still other residents felt the project was too much of a gamble. Some wanted Wal-Mart to pledge to hire a certain percentage of local workers as a condition of the project getting approved. Most of the proponents spoke during the first half of the meeting. More opponents lined up to speak toward the end of the evening. People were allowed to speak in the order that they signed up.

Residents said approving the project was an easy decision, which Merced Sierra Club Chairman Rod Webster said was incorrect.

If it was a simple decision, Webster said, Wal-Mart wouldn't have needed to spend three years studying the effects. "Are the environmental effects trivial?" he asked the commission. "Wal-Mart didn't think so."

The members of the Planning Commission didn't offer their thoughts on the project. They argued over whether more people should be allowed to speak at Monday's meeting. They decided only

the people who filled out request-to-comment cards but didn't go before the commission could speak at the coming meeting.

Arlington Sues to Stop HOT Lanes on I-395/95

County Cites Threat of Air Pollution

By Ashley Halsey III, Washington Post Staff Writer

Washington Post Thursday, August 20, 2009

Arlington County filed a federal lawsuit Wednesday asking for a more thorough environmental review of high-speed toll lanes intended to relieve traffic congestion in and out of Washington.

State officials said they could not comment on pending litigation.

Although construction of HOT lanes on the Capital Beltway is well underway, plans to link them to similar lanes on I-95 and I-395 have not been completed. The state announced Monday that it planned to delay the project, which would extend the lanes between Massaponex in Spotsylvania County and the Pentagon.

Although the cost of the north-south lanes has not been established, state officials said they feared that the bond market might not support it, and they said they also wanted the delay to address concerns expressed by Arlington and other jurisdictions through which the highways pass.

Shirley Highway, which begins in Washington as I-395 and becomes I-95 in Springfield, is one of the most congested in the region, with traffic moving at a crawl during rush hour and often slowing to less than 20 mph even during off-peak hours.

The current plan for I-395/95 HOT lanes is to add a third lane to a pair of carpool lanes. HOT lanes are free to carpools and buses, but drivers who don't meet high-occupancy vehicle requirements would pay tolls. Variable pricing is used to keep traffic flowing during peak hours, with toll rates increasing as the lanes become more congested. Drivers who don't want to pay can use the free non-HOT lanes.

The HOT lane projects for the Beltway and I-395/95 are a public-private partnership between the state and a consortium called Fluor-Transurban. Fluor is an international construction company, and the Transurban Group operates toll roads in Australia.

The county contends that plans for high-occupancy toll (HOT) lanes on interstates 95 and 395 have proceeded without regard to the additional air pollution generated by increased traffic.

"They don't really know what the true impact will be," said Stephen MacIsaac, the county attorney. "We think there will be a lot of air quality effects. We're saying: 'Wait a minute. Slow down. Let's do this all properly.' "

The suit, filed in U.S. District Court in Washington, specifically challenges a Federal Highway Administration decision to exempt the HOT lanes project from normal environmental scrutiny, an exemption based on the premise that it would have no significant impact on air quality.

Naming federal and state officials, the suit also says that improper designs in two locations -- the Shirlington off-ramp and the Eads Street terminus -- would cause traffic congestion on local streets.

"There are a lot of problems that haven't been addressed, and I'm worried that Arlington is going to be left to fix them," MacIsaac said.

The Green Lantern

We've Come a Long Way Toward Curbing Acid Rain, but It's Still Around

By Nina Shen Rastogi

Thursday, August 20, 2009

Why do we never hear about acid rain anymore? Did it just go away?

Back in the 1980s, acid rain was the environmental scourge of the day. Canada's environmental minister proclaimed it an "insidious malaria of the biosphere"; it menaced the Transformers; it turned Kimberly's hair bright green in an episode of "Diff'rent Strokes."

Toxic precipitation fell off the radar in 1990, when Congress passed amendments to the Clean Air Act calling for major reductions in the types of emissions that lead to acid rain. Emissions have dropped significantly since then, but the problem is far from gone.

Acid rain occurs when sulfur dioxide and nitrogen oxides, gases released by the burning of fossil fuel, form acidic compounds in the atmosphere. These fall back to Earth in rain, snow or sleet, or as dry particles or gases. (At high altitudes and along coastlines, bits of acid suspended in clouds or fog pose an additional threat.)

Back in acid rain's heyday as a public menace, scientists focused on how it wrecked lakes and streams, making the water toxic to fish and other organisms and threatening sensitive tree populations such as the red spruce in the Northeast mountains. In later years, they began to understand how acidification can also cause imbalances in soil chemistry, exacerbating problems for watersheds and plant life.

To prevent all this, the Clean Air Act amendments required that power plants make significant cuts in sulfur dioxide and nitrogen oxides emissions, which they did by installing "scrubbers" in their smokestacks and switching to low-sulfur coal. Cap-and-trade programs, like the ones that we may soon institute for carbon, came online in 1995 for sulfur dioxide and in 2003 for nitrogen oxides. Vehicles, which emit large amounts of nitrogen oxides, were also becoming cleaner thanks to the introduction of catalytic converters in the mid-1970s.

The results of these efforts were dramatic: According to the National Emissions Inventory, sulfur dioxide emissions from all sources fell from nearly 26 million tons in 1980 to 11.4 million tons in 2008. Nitrogen oxides decreased from 27 million tons to 16.3 million tons in the same time frame.

Problem solved, right? Not so fast. Rain in the eastern United States is still relatively acidic. In 2007, most rainwater in the region had a pH level between 4.3 and 4.8. (In the late 1970s and early 1980s, annual averages in the East were closer to 4.0.) According to Gary Lovett of the Cary Institute of Ecosystem Studies, the natural pH for rainwater in the region is around 5.2. That might not seem like a big difference, but remember that pH is a logarithmic scale, not a linear one, so something with a pH of 4 is 10 times as acidic as something with a pH of 5.

In short, much of the rainwater in the East is 2.5 to eight times as acidic as it should be.

Meanwhile, surface waters are showing slow signs of recovery, but not in all areas. In the Adirondacks and northern Appalachians, one-third of the bodies of water deemed acidic in the early 1990s can now be taken off that list, according to a 2004 report funded by the Environmental Protection Agency. There are now 70 percent fewer acidic lakes and streams in

Wisconsin and Michigan than there were in 1984. However, the report found no changes in New England or in two geologic provinces of Virginia, Valley and Ridge and Blue Ridge, areas with a history of acid-rain damage.

Decades of industrial pollution have also compromised the soil in some areas, which might otherwise buffer trees, lakes and streams from the harmful effects of acid rain. (Healthy soil provides alkaline components, primarily calcium, which neutralize the acid.)

Interest in acid rain seems to have grown in the past few years. The EPA issued the Clean Air Interstate Rule in 2005, which set even lower emissions caps for power plants in the eastern United States. (The rule was tossed out by a federal appeals court last summer but has been temporarily reinstated until the EPA can draft a replacement.) The EPA is also reviewing its secondary air-quality standards for sulfur dioxide and nitrogen oxides, i.e., those that address "public welfare," including ecological damage, as opposed to the ones pertaining directly to human health. And in Congress, Sens. Tom Carper (D-Del.) and Lamar Alexander (R-Tenn.) have teamed up to present a bill that would call for even further reductions of sulfur dioxide and nitrogen oxides, as well as mercury, from coal-fired power plants.

A recent joint report from the Nature Conservancy and the Cary Institute also stressed the importance of setting and implementing critical loads for sulfur dioxide and nitrogen oxides, as well as establishing more comprehensive, integrated air pollution monitoring systems.

Still, efforts to reduce emissions of acid rain precursors in the United States don't do much to solve the problem in countries on the other side of the globe. In 2005, China was the biggest emitter of sulfur dioxide in the world, sending up about 25.5 million tons. Beijing recently announced that by next year the country would reduce SO₂ emissions by 10 percent from those 2005 levels. Two and a half million tons is more than an acid raindrop in the bucket, so at least that's a step in the right direction.

Seattle votes down fee on plastic, paper bags

By Phuong Le, Associated Press Writer

In the Modesto Bee and Merced Sun-Star, Wednesday, Aug. 19, 2009

SEATTLE -- Seattle voters' rejection of a 20-cent fee on plastic and paper bags represents a sound defeat for other efforts in U.S. cities to limit the use of the throwaway bags, plastics industry officials said Wednesday.

A referendum on an ordinance to charge the bag fee at grocery, drug and convenience stores was easily defeated in Tuesday's primary in this liberal city - whose voters are known for taxing themselves to pay for parks, libraries, affordable housing and other causes.

"If they can't do it there, they can't do anywhere," said Stephen Joseph, a San Francisco attorney with SavethePlasticBag.com, who has challenged several plastic bag bans in California.

The ordinance approved by city leaders was to start in January, but the plastics industry bankrolled a referendum to put the question to voters.

The Progressive Bag Affiliates, an arm of the American Chemistry Council, spent \$1.4 million to overturn the ordinance, the largest contribution to a local ballot measure in recent history. Supporters raised about \$93,000.

Heather Trim, a spokeswoman for the Seattle Green Bag campaign, said other cities will surely look to Seattle's outcome for cues on how to proceed.

"They're going to think twice because they know that the ACC is willing to spend as much as needed to defeat it," said Trim, toxics program manager for People for Puget Sound.

But communities and citizens will also become better aware of the industry's influence and arm themselves appropriately, she said.

Supporters argued the fee would encourage more reusable bags, cut down on pollution and waste, and reduce greenhouse gas emissions.

The ubiquitous thin, cheap plastic bags have been blamed for littering streets, polluting oceans and harming marine life. The city's ordinance targeted both paper and plastic sacks after city officials determined that paper bags were worse for the environment.

Adam Parmer, a spokesman for the Coalition to Stop the Seattle Bag Tax, said Seattle voters rejected the bag fee because it was unnecessary, costly and the wrong approach to changing behavior.

"In the middle of a recession, a tax to change people's behavior isn't the right approach. That's the message that was clearly sent," Parmer said.

Steve Russell, vice president of plastics for the ACC, said in a statement, "Like other cities that have looked at this issue, Seattle has chosen to continue to reuse plastic bags and expand recycling opportunities as the best way to fight litter and to protect the environment."

Supporters here are now considering an outright ban, Brady Montz, Seattle chairman for the Sierra Club and a spokesman for the pro-fee group, said Wednesday. He noted that San Francisco considered a fee before becoming the first city in the nation to ban plastic bags in 2007.

"We'll see far more cities going for a ban," he said. "That's probably the way the battle is going to shift."

Despite strong industry opposition, some smaller communities such as Edmonds, Wash., north of Seattle, and Palo Alto, Calif., have succeeded in passing bans on plastic bags at retail stores in recent months.

David Lewis, executive director of Save the Bay, an Oakland, Calif., said many cities haven't been deterred by aggressive lobbying by plastic bag makers.

"Even if a proposal like this fails, the problem continues to grow," Lewis said. "That's why I think, ultimately, the efforts to restrict and reduce bag use will be successful."

But Joseph said other politicians, such as California lawmakers who are considering a 25-cent fee on plastic bags, should take note of the Seattle vote.

"It's time they got the message that on this issue of plastic bags, the public simply doesn't agree," he said.

Cooling temperatures heat up global warming debate

By Robert S. Boyd

Sacramento Bee, Thursday, Aug. 20, 2009

WASHINGTON – Has Earth's fever broken? Official government measurements show that the world's temperature has cooled a bit since reaching its most recent peak in 1998.

That's given global warming skeptics new ammunition to attack the prevailing theory of climate change. The skeptics argue that the current stretch of slightly cooler temperatures means that costly measures to limit carbon dioxide emissions are ill-founded and unnecessary.

Proposals to combat global warming are "crazy" and will "destroy more than a million good American jobs and increase the average family's annual energy bill by at least \$1,500 a year," the Heartland Institute, a conservative research organization based in Chicago, declared in full-page newspaper ads earlier this summer. "High levels of carbon dioxide actually benefit wildlife and human health," the ads asserted.

Many scientists agree, however, that hotter times are ahead. A decade of level or slightly lower temperatures is only a temporary dip to be expected as a result of natural, short-term variations in the enormously complex climate system, they say.

"The preponderance of evidence is that global warming will resume," Nicholas Bond, a meteorologist at the National Oceanic and Atmospheric Administration's Pacific Marine Environmental Laboratory in Seattle, said in an e-mail.

"Natural variability can account for the slowing of the global mean temperature rise we have seen," said Jeff Knight, a climate expert at the Hadley Centre for Climate Prediction and Research in Exeter, England.

According to data from the National Space Science and Technology Center in Huntsville, Ala., the global high temperature in 1998 was 0.76 degrees Celsius (1.37 degrees Fahrenheit) above the average for the previous 20 years.

So far this year, the high has been 0.42 degrees Celsius (0.76 degrees Fahrenheit), above the 20-year average, clearly cooler than before.

However, scientists say the skeptics' argument is misleading.

"It's entirely possible to have a period as long as a decade or two of cooling superimposed on the long-term warming trend," said David Easterling, chief of scientific services at NOAA's National Climatic Data Center in Asheville, N.C.

"These short-term fluctuations are statistically insignificant (and) entirely due to natural internal variability," Easterling said in an essay published in the journal *Geophysical Research Letters* in April. "It's easy to 'cherry-pick' a period to reinforce a point of view."

Climate experts say the 1998 record was partly caused by El Niño, a periodic warming of tropical Pacific Ocean waters that affects the climate worldwide.

"The temperature peak in 1998 to a large extent can be attributed to the very strong El Niño event of 1997-98," Bond said. "Temperatures for the globe as a whole tend to be higher during El Niño."

El Niño is returning this summer after a four-year absence and is expected to hang around until late next year.

"If El Niño continues to strengthen as projected, expect more (high temperature) records to fall," said Thomas Karl, director of the National Climatic Data Center.

"At least half of the years after 2009 will be warmer than 1998, the warmest year currently on record," predicted Jeff Knight, a climate variability expert at the Hadley Centre in England.

John Christy, director of the Earth System Science Center at the University of Alabama in Huntsville, who often sides with the skeptics, agreed that the recent cooling won't last.

"The atmosphere is just now feeling the bump in tropical Pacific temperatures related to El Niño," Christy said in an e-mail. As a result, July experienced "the largest one-month jump in our 31-year record of global satellite temperatures. We should see a warmer 2009-2010 due to El Niño."

Lead Sickens 1,300 Children in China

By Michael Wines, staff writer

N.Y. Times, Thursday, Aug. 20, 2009

BEIJING — Lead pollution from a newly opened and unlicensed manganese smelter has poisoned more than 1,300 children in southeastern China's Hunan Province, state-run media said on Thursday, the second incident of mass lead poisoning in the past month.

Officials in Wenping, 970 miles south of Beijing, shut down the smelter, the Wugang Fine-Processed Manganese Smelting Factory, last week and detained two of its owners after about a

thousand local residents protested the poisoning, the English-language state newspaper China Daily reported. The plant's general manager remains at large.

Tests since then have found elevated levels of lead in the blood of 1,354 children, or about 7 in 10 children who were examined, the official news agency, Xinhua, reported. The severity of the poisoning cannot be measured without further testing; 17 of the 83 children who received those tests have been hospitalized.

Lead poisoning damages the nervous and reproductive systems and can permanently cripple children's growth and intellectual development.

The report of poisoning in Wugang followed a similar incident in Shaanxi province, in north-central China, where state news reports say 851 children living near the nation's fourth-largest smelter have tested positive for lead poisoning since early August. More than 170 have since been hospitalized.

Angry residents of two Shaanxi villages were reported on Monday to have marched on the smelter, tearing down fences and attacking trucks before police officers restored order. Local officials have promised that the smelter, which produces lead and zinc, will not reopen until it meets pollution standards.

On Wednesday, The Associated Press reported that the Shaanxi smelter, in Changqing town, was under heavy guard by police and plainclothes officers. The officers sought to interrupt journalists' interviews with local residents.

Pollution is a serious problem across China, where breakneck industrial development has fouled both air and water to sometimes extraordinary degrees. Although the national government has committed to cleanup measures, the World Bank says 59 percent of the water in China's seven major rivers is unfit to drink, and the government says that the air in about a quarter of cities is unhealthy.

The Wugang manganese smelter is located in one of China's major iron-and-steel centers. Manganese is often added to steel to increase its tensile strength. According to Xinhua, seven other smelters also operate in Wugang City, an area of about 700,000 residents that includes Wenping town.

Wugang City's deputy environment chief, Huang Wenbin, was quoted by Xinhua as saying that the smelter opened in May 2008 without required environmental permits. Other news reports stated that it began producing manganese about a year ago.

A kindergarten and a primary and middle school are located within 1,700 feet of the smelter, Xinhua said.

Residents were reported to have raised questions about the smelter in July after their children began falling ill and refusing to eat. On Aug. 8, about a thousand residents blocked a road leading to the plant, leading to a confrontation with 200 officials and police officers.

The protesters overturned a police car before calm was restored, China Daily reported. The plant was ordered closed on Aug. 13.

[MediaNews editorial, Thursday, Aug. 20, 2009:](#)

The ball is in Chevron's court concerning the Richmond refinery

The impasse between Chevron and environmentalists over renovations at the Richmond refinery is indeed puzzling.

Environmental groups won a lawsuit challenging the oil company's environmental impact report regarding the refinery's ability and intent to process heavy crude oil, which would increase air pollution, after extensive retrofit work is completed.

Chevron says the changes to the refinery will result in less pollution and that it has no plans to refine heavy crude oil.

If that is the case, why won't Chevron agree to a cap that would guarantee that the refinery would not start processing the heavy, dirtier crude?

Chevron's answer is unsatisfactory. Spokesman Brent Tippen said the refinery's work is already heavily regulated. That is true but beside the point.

Tippen added that the refinery lacks the equipment to refine heavier crude and permits already prevent Chevron from doing so.

The question remains: Why not agree to a crude cap?

Tippen responded that a crude cap barring the processing of heavy oil would not add to environmental protection.

A divided City Council sided with Chevron and approved the renovation project with a cap on the type of oil running through a solvent deasphalting unit.

However, environmentalists were not satisfied because there was no cap on a second stream of crude that enters the refinery and bypasses the solvent deasphalting unit.

Superior Court Judge Barbara Zuniga agreed that Chevron's EIR was vague and inconsistent on whether heavier crude would be processed.

The deadlock over the refinery project is more than an esoteric debate over which type of crude is going to be processed. It has resulted in the stoppage of a major construction project that has put 1,000 people out of work in the middle of a recession.

If Chevron refuses to accept some kind of cap on heavy crude, perhaps one that would be reviewed at a later date, one has to wonder just what Chevron's true intentions are.

The ball is in the oil company's court. It's past time for some clear answers that could lead to a quick settlement to a dispute that is costly to 1,000 workers, the city of Richmond and to Chevron itself.

[Letter to the Tri-Valley Herald and Contra Costa Times, Thursday, August 20, 2009:](#)

Curb car idling

A new study reported in the journal *Pediatrics* links the exposure of mothers during pregnancy to polycyclic aromatic hydrocarbons (PAHs), prevalent in areas of heavy car traffic and idling to lower IQs in their children by age 5.

Since auto emissions are already bad for the planet and our lungs, why won't Walnut Creek enact an anti-idling ordinance as New York City has, where anyone idling a parked car more than three minutes (delivery trucks exempt) is fined \$360 first offense, no ifs, ands, or buts?

The results are improved Big Apple air quality, and the fines fund schools, parks, libraries.

For that matter, why doesn't Walnut Creek ban leaf blowers, as Moraga and Los Angeles have? According to *Time* magazine, a single leaf blower in one hour produces as much pollution as a mid-sized automobile driven from New York to Washington, D.C.

Why won't "green" Walnut Creek enact an ordinance fining shops, stores, boutiques persisting in blocking open their doors with their air conditioning on?

Michael Scott, Walnut Creek