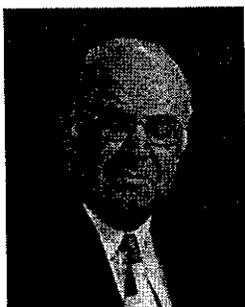


Profiles in discouragement

Insight on four San Joaquin Valley Air Pollution Control District Board members who have failed to protect the health of Valley residents

As the California Air Resources Board prepares to vote on a flawed, reckless plan to delay clean air attainment in the Valley until 2024, let's examine some of the Air Board members who voted to approve the plan on April 30. Should these advocates for polluting industry serve on the Board of a public health agency tasked with cleaning up the dirtiest air in the U.S.?



Leroy Ornellas – San Joaquin County Supervisor and Dairy Farmer

Since the 1930s, the Ornellas family have been dairy farmers in the Valley. In considering the 8-hour Ozone State Implementation Plan (SIP), Ornellas's stature as a leading dairy farmer is a direct conflict of interest. Ever since air pollution has emerged as a public health crisis for the Valley, the Air District has conceded that dairies are a leading source of emissions threatening the health of Valley residents. Allowing a leader in the dairy industry to direct Air Pollution Control policy is a direct slap in the lungs of Valley residents suffering from the health effects of poor air quality. Furthermore, on 11/7/2002, the Modesto Bee noted that "Ornellas said he is more pro-business...than the other board members and is less likely to throw money at social programs."

Tony Barba – King County Supervisor and Retired CHP Officer

When discussing Air Pollution Control Issues, Supervisor Barba is very open about his support for business over the health of his constituents. "How about the people who don't have any lung problems and who are just trying to earn money?" said Barba (Fresno Bee, 12/15/2002). Additionally, Barba is one of five Air District Board members that voted 'No' on raising the car tax \$2 when that item made its first appearance in 2004. Eventually, Barba voted for the tax when it came up a month later, but he got lucky. Had the tax not come back before the Board, Barba would have let \$17 million per year for clean air slip through the District's hands. Is this the leadership the Valley wants making crucial decisions on air quality?



Mike Nelson – Merced County Supervisor and Former Firefighter

Like Barba, Nelson is another one of the Board members that almost lost the District \$17 million in funds for cleaning the air. Furthermore, Nelson, a retired farm manager, felt that it was his prerogative to approve the Merced County Riverside Motorsports Park so he could "...leave a legacy" (of asthma) for the Valley. Nelson's legacy is in doubt, however, as the 1,200-acre RMP project has apparently crumbled amid revelations that the developer's CEO lied, filed for bankruptcy twice, and discharged board members. Also remember Nelson's stance on stealing from public coffers. Back in 2006 when Nelson was discussing former Merced County District Attorney Gordon Spencer's use of a County vehicle and cell phone costing Merced County thousands of dollars, Nelson said, "Maybe a little more latitude needs to be given in certain situations" (Merced Sun-Star 5/20/06). Apparently, pollution in the Valley is another area where Nelson feels there

needs to be more latitude.

J. Steven Worthley – Tulare County Supervisor and Attorney

A former Corporate Counsel for Sequoia Forest Industries, Supervisor Worthley has a long history of opposing the environment and public health. In May 2007, he voted for the profits of the Kaweah River Rock Company by endorsing the creation of the company's second sand and gravel mine after the first mine was depleted of all of its resources. In 2003, Worthley was a staunch advocate for logging his County's Giant Sequoia Forest. But most disturbing was how easily Worthley was convinced to oppose an EPA requirement to lower dust levels to reduce causes of respiratory illness. Once Building Industry Association Vice President Robert Keenan opposed the plan, Worthley made the following statement: "I'm persuaded by Mr. Keenan. If the government's gonna kill us, let them pull the trigger. Let's not kill ourselves by self-strangulation." (Fresno Bee 10/22/01)



Seyed's plan

Four misstatements, half-truths, and misrepresentations by the Valley Air District's Air Pollution Control Officer

Although Seyed notes that "Air quality in the San Joaquin Valley is better than it has ever been in recorded history," (Bakersfield Californian, 6/10/2007) he is the architect of the plan being considered by the CARB today that would delay clean air attainment by another 17 years. In the race to this delay, Seyed unfortunately has made some significant errors and misrepresentations about the plan in front of us.



1) Seyed: There is a "six-month transportation budget conformity clock already running and thus the district would be sanctioned if it did not immediately adopt the 2007 8-hour-ozone SIP



Clarification: There is no conformity "sanction clock" ticking for the District. In fact there is no such thing as a "transportation budget conformity clock." However, when governments seek state approval for new transportation projects they are required to use a new CALTRANs model to calculate the amount of emissions the project will add to the air and compare the emissions shown in that model to an emissions budget outlined in an SIP, this is called transportation conformity. Several new transportation projects in the San Joaquin Valley are unable to show that they will be in conformity using the new CALTRANs model and the previous emissions budget in the old 8-hour Ozone SIP. Furthermore, since 2006, when California voters approved new bond measures, the state has freed up monies to fund new transportation projects if a project can prove it meets transportation conformity. Since the old emissions budget prevented the projects from meeting conformity, Seyed and the District have taken it upon themselves to expand the amount of emissions allowed in the 2007 8-hour Ozone SIP in order for the Valley's new transportation projects can pass the conformity check. Since it is expected that those funds will be doled out within the next six months, the District is rushing to get their SIP passed so the Valley can compete for the State funds – even if it means more pollution and a longer time period for clean air attainment!



2) Seyed: Operational or episodic measures have been considered by the district and would ultimately shut down business in the Valley.



Clarification: The Clean Air Days proposal regarding episodic measures has consistently been rejected without analysis by the air district. As many have suggested to the district staff, there are many ways to design episodic measures to reward and encourage those who invest in cleaner equipment, without unnecessarily burdening the economy. Given the correct formula, there are many tons to be gained. For instance, staff continues to assume that an episodic measure involving agriculture means "no farming days." This is untrue. An episodic measure restricting use of dirty, older nonroad equipment on high ozone days, would allow farming operations to continue while discouraging optional activities.



3) Seyed: The district staff insisted that unless the proposed SIP was adopted, there would be no measures ready to develop to reduce ozone.



Clarification: There is nothing that prohibits the District from adopting all feasible measures to reduce air pollution. However, many of the measures in the proposed 8-hour ozone SIP are the same as those contained in the district's 1-hour ozone SIP. Necessary rulemaking for those measures could begin immediately and thus allow the district to avoid slowing the rulemaking process while extending the time to develop a better 8-hour ozone SIP.



4) Seyed: The district staff said that the district had satisfied the PM 2.5 requirements and would be in attainment for that pollutant.



Clarification: The Valley has not met either the new, more health protective PM-2.5 standard. On page L-15 of the Comments and Responses section of the 8-Hour Ozone Plan, the District admitted that the Valley has not attained the PM-2.5 standard and promised to remove all references to meeting that standard from the plan.