



Jul./Aug. 2015  
Volume 52 No. 7

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# SANTA LUCIAN



Protecting and Preserving the Central Coast

The official newsletter of the Santa Lucia Chapter of the Sierra Club ~ San Luis Obispo County, California

## Tell Your Supervisor: Sanctuary Now!

In the near future, the County Board of Supervisors will agendaize a meeting on the proposed Chumash Heritage National Marine Sanctuary.

Here's what they need to hear: The May 19 Santa Barbara oil spill happened because offshore oil was pumped ashore, a pipe ruptured, and the oil went back into the ocean. It happened because oil drilling is permitted off Santa Barbara.

Plains All American Pipeline is being sued for damaging the livelihood of fishermen and other businesses along the Santa Barbara coast. How much sea life perished, we will never know. (Plains All American has apologized for the "inconvenience.")

A Chumash Heritage National Marine Sanctuary will prevent any new off-shore oil drilling within the sanctuary's boundaries. It will mean fishermen and coastal businesses here will never have to deal with what Santa Barbara is dealing with.

The supervisors need to grasp the economic benefit of avoiding here what happened last month off Goleta is priceless. Santa Barbara took a hit to its fishing economy, tourism economy, beaches, hotels, restaurants, surf shops, recreational fishing, etc. that we don't have to take. If there had been a national marine sanctuary off Goleta, those rigs never would have gone in.

If you have a marine sanctuary, you have the only protection against offshore drilling that could be called permanent. In 2008, the 27-year old federal offshore drilling moratorium was allowed to expire. Ever since then, outside of the areas encompassed by national marine sanctuaries, the fate of the California coast has been subject to political whims — who has the majority, which entity can spend the most money to pass or defeat a ballot initiative, or a bill in the current legislative session. Every other form of protection against offshore drilling is subject to those political winds of fate, except this one.

Last year, the State Assembly failed to pass a bill that would have perma-



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nently banned oil drilling in state waters off Santa Barbara. Senate Bill 1096 was killed by oil company lobbyists. After the vote, the *L.A. Times* reported that "Lawmakers who spoke in opposition said they saw no need to change current procedures."

Those lawmakers now have some explaining to do to their constituents as they try to answer the question: Why were you on the wrong side of that issue? Why did you cast a vote that made our coast more vulnerable to oil spills?

Remind our supervisors of their fundamental mandate to protect the environmental and economic well-being of the community. That means they need to support the Chumash Heritage National Marine Sanctuary.



No more Refugios Oil rigs are not allowed in marine sanctuaries.

### Chapter Submits Comments on Los Osos Basin Plan

The Los Osos Basin is one of the most endangered groundwater basins in the state. It is designated a "high priority" basin, and is facing a triple threat: The state's worst drought on record, major hydrological disruptions with unknown consequences when the Los Osos wastewater treatment project goes on line, and, most urgently, the rapid advance of seawater into the Basin due to forty years of overdraft.

The Basin Plan estimates that about 90% of the freshwater in the Basin is now below the level needed to hold back seawater intrusion.

On June 11, the Santa Lucia Chapter and the Los Osos Sustainability group sent a 15-page comment letter to the parties involved in the adjudication of the Los Osos Basin and the development of a Basin Plan — the County of San Luis Obispo, Los Osos Community Services District, Golden State

### TAKE ACTION

E-mail your Supervisor at [first initial] [last name].co.slo.ca.us, or call:

Debbie Arnold 781-4339

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Bruce Gibson 781-4338

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It's time for America to get smart about energy and be less dependent on dwindling oil reserves. We need to increase our use of clean, renewable energy sources like wind and solar power.

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Explore, enjoy and protect the planet

# Sierra Club General Meeting

7 p.m., Tuesday, July 7th, 7-9 p.m.

## Hiking Spain's Legendary Camino de Santiago

This year and last, outings leader Mike Sims, his brother Gary, and their friends Jacque Fondren, Jana Walker, and Dede Jansen walked the 12th-century pilgrimage trail in Spain trod by thousands over the centuries.

Come hear about their varied experiences in various terrains, encounters in hostels and other adventures, illustrated by dozens of their photos.

Meeting will begin with a brief update by SLO Land Conservancy leader Dylan Theobald on the trails of the new Pismo Preserve.



Steinberg Gallery, 1531 Monterey St., SLO. Info: Joe Morris, 549-0355.

# Twig-by-Twig Is Not Enough

by Judith Bernstein

Outside my window, a dove is building a nest in a pine tree. It brings one twig or leaf at a time. I have no doubt that within a few hours the nest will be finished. It's nice to think that we can deal with the coming disruptions of climate change the same way — as creative individuals and local groups tapping alternative sources of energy to overcome our dependence on fossil fuels. Twig by twig, can we build a nest like the dove's — an interlocking nest of clean energy to power our homes, cars, farms, transportation systems and industry?

If only it were that simple. The truth is that on the national and global level, the fossil fuel industry is bent on frustrating our efforts as long as it can.

How? By using environmentally harmful methods like fracking to extract fossil fuels and ramping up production of oil from deposits that used to be too hard to get at or too expensive to exploit, such as the oil tar sands of northern Canada and the Dakotas. The result is that oil prices stay low enough to discourage large-scale development of solar, wind and water power.

Fracking is increasingly getting hammered by critics and rightly so. In addition to contributing to climate change, the process uses millions of gallons of water at a time when many places in the West are suffering from extreme drought. As if that wasn't bad enough, there are serious risks to the health of people living near fracking operations and in regions with heavy oil and gas activity. A Natural Resources Defense Council (NRDC) survey reports such health impacts as respiratory problems, birth defects, blood disorders and cancer. And fracking releases methane gas whenever there are leaks from wells, pipelines, tanks or other equipment. Methane is far more dangerous than even carbon dioxide as a contributor to climate change.

Some states and localities, notably New York State, have banned fracking until its safety record is far better. I wish California had followed suit. Governor Brown was justified in calling for sharp reductions in water use, but he didn't call for a ban on fracking, which uses millions of gallons of water.

The war on coal has been successful due in part to the Sierra Club's Beyond Coal campaign (a Bloomberg Philanthropies analysis found that at least 40 percent of U.S. coal plant retirements could not have happened without

Beyond Coal's advocacy). Reduction of CO2 emissions will take major efforts on all fronts: "In the long run, combating global warming will depend on a multitude of factors, from electric vehicles to carbon releases from deforestation to methane releases from belching cows, but for the next decade, our climate progress depends mostly on reducing our reliance on the black stuff." (Politico.com, "Inside the War on Coal"). And indeed, at the present time, coal (in all forms) accounts for 60% of the CO2 emissions.

What worries me is what lies ahead. Although the use of alternative energy sources such as solar, wind and water power is increasing -- currently making up just 5 percent of U.S. power capacity -- at the same time the production of oil, especially crude, is also increasing. After declining in 2009, global crude oil production has now increased 4 years in a row, per Energy Trends Insider website, and will continue to do so as long as new methods of extracting formerly unreachable oil makes that possible. According to Wikipedia, the application of hydraulic fracturing and horizontal drilling technologies have caused a boom in Bakken production since 2000. By the end of 2010, oil production rates had reached 458,000 barrels (72,800 m3) per day and by 2015, there are industry estimates of about six

Stalling tar sands oil operations like the Keystone Pipeline, slated to bring 800,000 barrels of crude from Alberta, Canada, to refineries on the Gulf Coast, has been largely the result of tremendous public pressure on President Obama. But unfortunately, no bad idea goes away permanently. If we elect a Republican president and Congress in 2016, the Keystone Pipeline and other climate damaging propositions will undoubtedly be approved. In the meantime, President Obama wants to permit drilling in the Arctic, so one good deed (so far not approving the Keystone Pipeline) is countered by a bad deed, and so it seems to go at the federal level: one step forward, one step back.

The issue hits home locally where the proposed Phillips 66 rail spur on Nipomo Mesa allows for tar sands crude oil to arrive here for processing at its refinery. Such projects—and there are many of them—highlight the challenge faced by local communities

## Santa Lucian

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Greg McMillan  
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 TREASURERS

The **Executive Committee** meets the second Monday of every month at 5:30 p.m. The **Conservation Committee** meets the second Friday at 1p.m. at the chapter office, located at 974 Santa Rosa St., San Luis Obispo. All members are welcome to attend.

#### Committee Chairs

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## Sierra Club California Legislative Priority List 2015



Each year, Sierra Club California staff and volunteer leaders work together to analyze and determine Club positions on hundreds of bills at the legislature. From among those on which we take a position, a number rise to the top as priority bills that deserve special attention and that we encourage our members to bring to the attention of their legislators. Below is the Sierra Club California list of priority bills as of June 9, minus AB 356 (see “Katcho Voted No,” right). They are grouped by topic area and listed within those by house and number. Go to <http://california2.sierraclub.org> and click on “Activist Tools/Legislature” for current status.

### Transitioning to Clean Energy

**SB 32** (Pavley): California Global Warming Solutions Act of 2006 and its emissions limit. This bill ensures that the landmark AB 32 to reduce California’s climate pollution extends beyond 2020 and codifies executive orders setting target dates and pollution reduction levels.—Support (Passed in Senate; moves to Assembly).

**SB 185** (de Leon): Public Divestiture of Thermal Coal Companies Act. This bill requires that CalPERS and CalSTRS, the two large public employee retirement systems, end their investments in coal.—Support (Passed in Senate; moves to Assembly).

**SB 350** (de Leon): Clean Energy and Pollution Reduction Act of 2015. This bill would establish three important energy goals to be achieved by 2030 to ensure California continues to aggressively reduce climate change pollution. These goals are: a 50% renewable portfolio standard (RPS), a 50% reduction in oil use in the transportation sector, and a doubling of energy efficiency in buildings.—Support (Passed in Senate; moves to Assembly).

**SB 765** (Wolk): Energy efficiency market transformation. This bill would create a statewide independent entity, the California Market Transformation Administrator (CalMTA), with a mission to unlock deeper, cost effective energy savings that are necessary to reach Governor Brown’s climate goal of double energy efficiency in existing buildings by 2030.—Support (Passed in Senate; moves to Assembly).

**AB 645** (Williams): California Renewables Portfolio Standard. This bill requires that electric utilities increase the amount of renewable energy in their retail portfolios to 50% by 2030. (The current RPS requirement is 33% by 2020.)—Support. (Passed in Assembly; moves to Senate).

**AB 1288** (Atkins): Global Warming Solutions Act of 2006 and its regulations. This bill ensures that the landmark AB 32 to reduce California’s climate pollution extends beyond 2020.—Support (Passed in Assembly; moves to Senate).

### Cutting Environmental Damage from Cannabis Cultivation

**SB 165** (Monning): Production or cultivation of a controlled substance and civil penalties. This bill increases penalties for illegal or trespass cultivation of marijuana. A portion of those penalties are directed to restoration of forest lands harmed by such cultivation.—Support (Passed in Senate; moves to Assembly).

**AB 243** (Wood): Medical marijuana cultivation. This bill establishes new, and expands existing, regulations and programs to reduce environmental impacts of medical marijuana cultivation.—Support (Passed in Assembly; moves to Senate).

### Unhooking from Oil

**SB 248** (Pavley): Oil and gas. This bill seeks to spur reform at the Division of Oil Gas and Geothermal Resources, specifically within its oil and gas injection well program, in order to provide regulatory accountability and public transparency.—Support (Passed in Senate; moves to Assembly).

**SB 414** (Jackson): Oil spill response. This bill would speed up the initial oil spill response by incentivizing early oil recovery and having equipment ready at all times. It would also call for a moratorium on the use of dispersants until the US EPA finalizes its policies on dispersants and the Office of Spill Prevention and Response completes a Best Available Technology report proving that using dispersants is better for the environment than mechanical removal of oil.—Support (In Assembly).

**SB 454** (Allen, B): Oil and gas and exempt aquifers. This bill prevents the agency responsible for regulating the oil industry from allowing any oil drilling waste to be injected into an aquifer without the state agency responsible for protecting water quality from first making findings to ensure that drinking water quality will not be impacted.—Support (Failed on Senate floor vote; dead).

**SB 545** (Jackson): Oil and gas operations and the Division of Oil, Gas and Geothermal Resources. This bill attempts to reform the main state agency responsible for regulating the oil and gas industry.—Support (Held in Sen. Approps.; functionally dead).

**SB 778** (Allen, B.): Automotive oil waste reduction. This bill would require that all automotive oil sold in the state meet a standard of having a useful life of at least 10,000 miles.—Support (Held in Sen. Approps; functionally dead).

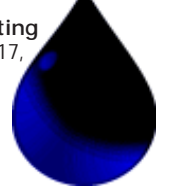
**SB 788** (McGuire): California Coastal Protection Act of 2015. This bill closes a

# Katcho Voted No

## Our well-oiled Assemblyman just let voters know who he’ll be working for if they send him to Washington



**Take a meeting**  
Starting July 17, you can ask Katcho in person to explain his vote on AB 356.



In February, California Assemblyman Das Williams introduced Assembly Bill 356 to address a serious problem. Oil and gas well operators must dispose of the wastewater their operation produce — loaded with salts, heavy metals, toxins like benzene and boron and radioactive materials — in a manner that does not threaten drinking water. Underground injection of the wastewater into disposal wells is a popular option. By law, an operator may not inject oil and gas drilling wastewater into an underground source of drinking water.

California’s Division of Oil Gas and Geothermal Resources (DOGGR) is supposed to make sure that doesn’t happen. The U.S. Environmental Protection Agency is supposed to make sure that DOGGR does its job. It was recently discovered that they both failed on an epic scale, and more than 2,500 injection wells around the state — including 11 in Price Canyon — have been permitted to pollute our aquifers. And DOGGR intends to permit many of them to go right on doing so until 2017. (See “Sierra Club Sues to Halt Oil Pollution Outrage,” page 6.)

Hence AB 356, which was designed to protect groundwater by creating a monitoring and reporting program for all underground injection wells used to dispose of waste water from oil and gas operations. It would have avoided the injection of the toxic stew produced by oil & gas wells into aquifers containing water suitable for drinking or irrigation.

“We cannot continue to jeopardize the quality of one of our most precious natural resources,” said Williams when he introduced the bill. “We cannot gamble the quality of safe drinking water, especially when the state is experiencing the worst drought in nearly four decades.”

As Clean Water Action put it, AB 356 “will ensure that injection of toxic

fluids into drinking water sources never happens again.”

It could have, but it won’t.

Big Oil worked the hallways in Sacramento, and on June 4, the bill died in the Assembly on a vote of 28 to 33.

Assemblyman Katcho Achadjian, longtime loyal servitor of the extractive industries, was among the 33 “nays.”

Based on our Assemblyman’s long record as a friend to fossil fuels and enemy of clean energy (see “Katcho’s Reality Problem,” *New Times*, June 25, 2014), this was not exactly a surprise. Nevertheless, it was a crude move (no pun intended) for a savvy politico who understands that in the circumstances pertaining to the vote on AB 356, a vote to abstain would have done the job, translating as a “no” vote. Had he gone for abstention, it would have been understood by his Big Oil patrons as their faithful servant delivering the goods while obscuring the back-handed slap in the face delivered to constituents, at least some of whom may not be hip to the parliamentary reality whereby abstain equals no.

For those who didn’t know better, Katcho could have spun an abstention the way he did two years ago when he abstained on AB 976, a bill that would have given the Coastal Commission the ability to impose fines on coastal developers who have been chronic violators, gaming the system and piling up unenforceable Coastal Act violations for decades. Katcho was part of a small contingent of clever abstainers

*KATCHO continued on page 9*

loophole that would allow some offshore oil drilling if the drilling site is located onshore.—Support (Passed in Senate; moves to Assembly).

### Public Utilities Commission Reform

**SB 660** (Leno and Hueso): Public Utilities Commission and **SB 48** (Hill): Public Utilities Commission. These bills would reform the Public Utilities Commission’s governance structure by more clearly outlining the roles and responsibilities of the commissioners and staff and would close loopholes that have allowed regulated utilities to influence the PUC commissioners without public engagement—Support. (Both passed in Senate; move to Assembly).

**AB 825** (Rendon): Public Utilities Commission accountability. This bill would attempt to change the culture of the PUC by setting internal commission practices to ensure transparency and accountability to consumers and the legislature.—Support (Passed in Assembly; moves to Senate).

**AB 1023** (Rendon): Public Utilities Commission and ex parte communications. This bill would improve transparency by requiring the PUC to establish and maintain a weekly communications log summarizing all oral or written ex parte communications and make each log available to the public on the commission’s Internet Web site.—Support (Passed in Assembly; moves to Senate).

### Improving Environmental Equity and Opportunity

**SB 398** (Leyva): Green assistance program. This bill would establish a green assistance program at CalEPA to provide technical assistance to small businesses, small nonprofits, and disadvantaged communities seeking public grant dollars to reduce greenhouse gas emissions.—Support (Passed in Senate; moves to Assembly).

As not seen in *The Tribune*

# California Teachers Take Stand Against Central Coast Oil Train Project

## Hazardous crude oil trains endanger California's schools and students

*The Tribune's* coverage of spreading opposition to the Phillips 66 Santa Maria Refinery oil-by-rail project started out oddly, and is now getting downright bizarre.

In February, when the City of SLO decided to ask the County to deny the permit, *The Tribune* reported the story as if it were just Mayor Jan Marx making the request, and the request itself was represented as a letter expressing "concerns."

The Trib omitted to state that the City's letter to the County actually sought denial of the project's permit.

On June 9, the Trib reported the news — two weeks late — that the Lucia Mar Teachers Association had voted to oppose the project. The story noted that Lucia Mar is "the first teachers union in San Luis Obispo County to take a position," but omitted the news that the entire California Teachers Association, representing 325,000 members, had voted to oppose the project on June 7 — two days before *The Tribune* reported the Lucia Mar story.

We made sure *The Tribune* got the news about the CTA vote the day after it happened. It was deliberately omitted from the Lucia Mar story.

The story said "county planners have received numerous comments from school districts and teachers associations in other parts of California," but did not report that those comments — from, at that point, 12 school boards, 13 city councils, 4 counties, a fire chief and a healthcare district — also specifically asked the County to deny the project.

Instead, the story reported the irrelevant detail that "Many of the letters were sent after the comment period on the project's revised environmental impact report had ended."

This wildly inadequate coverage is all the more strange in view of the real reporting the *Tribune* did in covering the story of the letters of support for the project that were cadged from Cuesta College officials by Phillips' PR agency, Barnett Cox.

Here's the story the Trib decided not to report: At its June 7 meeting, on behalf of 325,000 educators, the California Teachers Association voted to send a strong message in opposition to the proposed Phillips 66 project, which involves trains moving millions of gallons of hazardous crude oil through highly-populated areas of the state near hundreds of schools.

The CTA State Council of Education—comprised of 800 educators representing all areas of the state—took action requiring the CTA to send a letter to the San Luis Obispo County Board of Supervisors urging them to reject the project permit.

"Educators are very concerned about dangerous oil trains running past California schools," said CTA President Dean E. Vogel. "Hundreds of California schools are located near current and future oil train routes. Educators and parents can help stop these Phillips 66 oil trains by encouraging local officials in San Luis Obispo County to put student and community safety first and not issue Phillips 66 a permit for their oil train project."



The Phillips 66 facility would, if approved, bring mile-long oil trains carrying 2.5 million gallons of crude oil nearly every day through densely populated areas and near hundreds of schools throughout the state. A string of oil train derailments, fires and explosions have struck communities across North America. The county planning commission is expected to vote on the project in the next few months, with the certainty of an appeal to the Board of Supervisors.

Like the school boards and teachers unions that have publicly opposed the Phillips 66 project, the CTA cited high risk of train derailment and toxic diesel emissions, which are especially harmful to children.

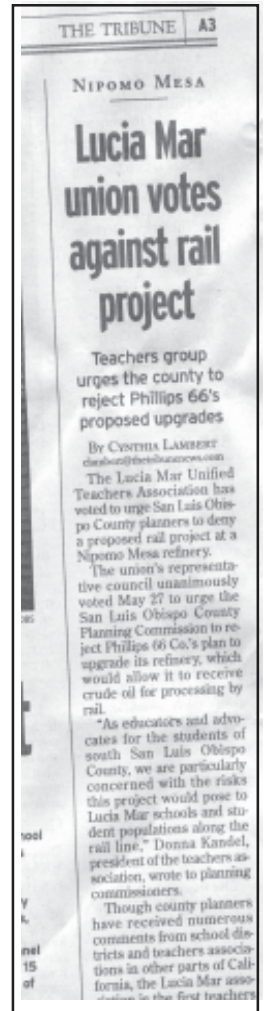
"Our county has 29 elementary, middle and high schools in the blast zone of an oil train explosion," said Kathleen Minck, a 30-year elementary school teacher and member of the Lucia Mar Unified Teachers Association. "Our children at these schools are in extreme risk if there is a major oil train accident. Also, increasing air pollution from the trains will affect all our children with asthma, even in the

absence of a major accident."

More than a dozen local governments along the rail route affected by the Santa Maria Phillips 66 project have also submitted letters or passed resolutions against the project, including San Jose, Berkeley, Davis and Ventura County. More than 23,000 people from across California have also voiced opposition to the project.

"The Phillips 66 oil train project would be a huge gamble with children's lives," said Valerie Love with the Center for Biological Diversity. "Hundreds of schools are located within the blast zone of an oil train fire or explosion. It's heartening to see teachers take a strong stand for the health and safety of their students."

The 325,000-member CTA is affiliated with the 3-million member National Education Association.



Points for consistency *The Tribune* flubbed similar stories the same way, deliberately omitting significant information, twice in four months.

# A Week of Action Against Oil Trains

## Join us in Mitchell Park on July 11

On Saturday, July 11, San Luis Obispo will participate in the North American Week of Action to Stop Oil Trains, July 6-12, with a rally in Mitchell Park and march through downtown SLO.

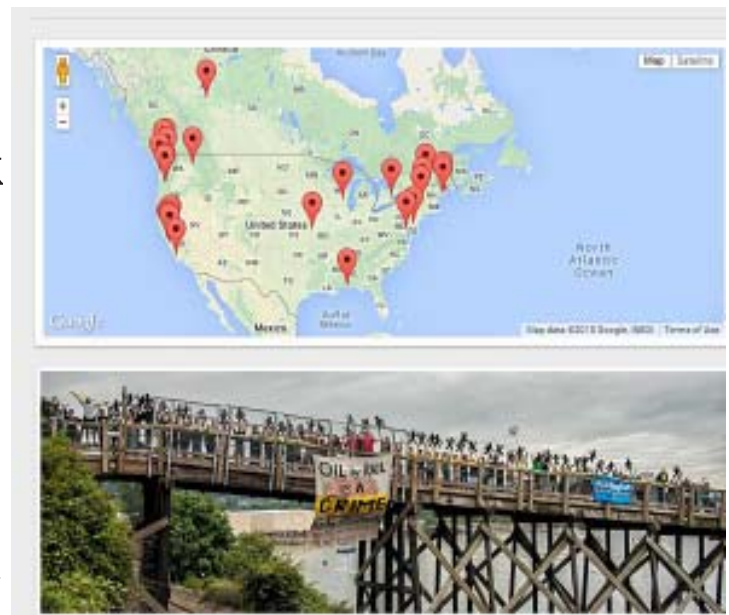
July 6 is the second anniversary of the Lac-Mégantic, Quebec, oil train catastrophe that killed 47 people. The Stop Oil Trains week of action will call attention to the growing threat of oil trains across North America.

There is **no** safe way to transport extreme tar sands and Bakken crude oil. Two years after Lac-Mégantic, oil trains keep exploding and carbon pollution keeps rising. Oil trains are a disaster for our health, our safety, and our climate.

Last year, thousands gathered at 63 events for the first Stop Oil Trains Week of Action. In 2015, this growing movement will demonstrate its growing power with more than 100 events organized across the US and Canada to demand an immediate ban on oil trains.



Join us for the Sierra Club's National Oil Train Webinar July 15th at 5 p.m. Pacific Time. Learn why Sierra Club is working to fight oil trains, what we're doing, and how we're doing it. Hear from leaders around the country who are fighting oil train facilities in their communities and how you can engage. To register, go to <https://goo.gl/E2u32a>. To tell President Obama to take oil trains off the rails, go to <http://content.sierraclub.org/beyondoil/crude-by-rail>.



Sign up here Go to [stopoiltrains.org](http://stopoiltrains.org) and RSVP for July 11 in SLO.

- 11 a.m. -- Make signs, hear acoustic music.**
- Noon -- Mayor Jan Marx and speakers.**
- 12:30 -- March.**

# They Didn't Need to Wait for the Final EIR



**Very concerned citizens** In a testament to just how motivating oil trains are, organizers got 47 RSVPs to a June 15 countywide oil-by-rail mobilization meeting at the SLO Library, and 75 people showed up! Organizing committees were created for North, Central and South San Luis Obispo County, with people working on flyers, door-to-door canvassing, public outreach and urging their city councils and school boards to oppose the project to ensure our communities are protected from the dangers of oil trains.

## And neither does your city council or school district

Statewide, 17 cities and counties, 12 school districts and the California Teachers Association are opposing the Phillips 66 oil-by-rail project. The project was essentially unchanged between its Draft Environmental Impact Report (EIR) and Revised Draft Environmental Impact Report (RDEIR), and will remain essentially unchanged in the Final EIR. (Major changes in the description or impacts of a project require a revised or supplemental EIR, they cannot simply be inserted between a draft and a final EIR). So “We need to wait for the Final EIR” is no excuse for your city, school board or advisory council to avoid opposing the project. Here’s why:

“The proposed project is of great concern, due in part to the volatility of Canadian tar sands, and the proximity of the proposed route to highly populated areas. An accident would have catastrophic consequences for my constituents as well as the sensitive environment of the Central Coast.... I strongly urge you to reject the Phillips proposal and appreciate your consideration of this important issue to our local community.”

**- Doreen Farr, Third District Supervisor, County of Santa Barbara**

“Even without the risk posed by the extreme proximity of rail lines to our residents and businesses, local emergency responders are not prepared for the scale of disaster represented by a major oil-train derailment, and current oil-by-rail safety standards have not kept pace with increased oil-train traffic.”

**- Norberto Duenas, City Manager, City of San Jose**

“The draft Environmental Impact Report (EIR) does not adequately assess the risks of an oil train disaster; the draft only evaluates rail-accident rates from 2003 to 2012 and spill rates between 2005 and 2009, omitting crucial data about accident frequency and magnitude in 2013 and 2014. This is troubling because we know that more crude spilled from trains in 2013 than during the past four decades combined.... The toxic air emissions that will accompany this project pose an unacceptable risk to public health. In its latest environmental review Phillips 66 admits that its proposed oil train facility will create ‘significant and unavoidable’ levels of air pollution along the rail route.... We urge the San Luis Obispo County Planning Commission and Board of Supervisors to soundly reject the Phillips 66 proposed oil train project. We strongly encourage you to act and advocate for the people expressing grave concerns about the impacts this project would have on our communities.”

**- Board of Education, Ventura Unified School District**

“Monterey County would like to add our County to the list of municipalities and organizations against the proposed Phillips 66 project due to the grave impacts an accident would have upon both human life and our sensitive habitat. The greater the number of miles a train travels the greater the risk of accidents, and Monterey County will bear among the greatest number of miles travelled along the route to the Nipomo facility in San Luis Obispo County - and therefore greater risk.... The significant amount of waterways over which the oil cars will travel greatly increases the severity of a spill radius because the oil will be spread over large distances and would be impossible to completely clean up.”

**- Simon Salinas, Chair, Monterey County Board of Supervisors**

“Whereas until such time that adequate and appropriate safety measures, mitigations, and protocols are in place to ensure the safe transport of petroleum by rail, the City must take all reasonable steps necessary to ensure the safety and security of the residents and visitors of the City of Davis, property, and our wildlife habitat areas... NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Davis hereby opposes using existing Union Pacific rail lines to transport hazardous crude oil through the City of Davis and adjacent habitat areas, and resolves to file comments in opposition on CEQA documents and any draft permit approvals....”

**- City Council, City of Davis**

“The Oakland City Council opposes using existing rail lines to transport hazardous crude oil, coal and petcoke along California waterways, natural habitats, through densely populated areas, through the East Bay and Oakland, through special districts and the Port of Oakland.... [The City shall] alert and communicate opposition to other cities along the transportation route, and support their efforts; work through the League of California Cities, California State Association of Counties, and other relevant organizations to articulate opposition; alert our State legislative representatives and our lobbyists in Sacramento and enlist their help; and lobby federal Senators and



Representatives to enlist their help to engage the appropriate regulatory authorities at the federal level.”

**- Oakland City Council Resolution No. 85054**

“An incident involving an oil unit train from this project could result in the closure of multiple crossings at the same time, affecting both emergency response and traffic. Homes, schools, parks, and businesses are located adjacent to the Union Pacific tracks as they traverse Moorpark. Although the EIR for this project identifies the risk of derailment resulting in a spill as small, the impacts could be devastating on adjacent land uses. For these reasons, we respectfully request the Commission to deny the proposed Phillips 66 Company Santa Maria Refinery Rail Spur Extension Project.”

**- Janice S. Parvin, Mayor, City of Moorpark**

“As Mayor of the City of Oxnard, I write on behalf of the Oxnard City Council, to respectfully request that the San Luis Obispo County Planning Commission deny the proposed Phillips 66 Company Santa Maria Refinery Rail Spur Extension Project, due to unmitigated significant hazardous impacts associated with the transport of crude oil by rail that would result, as identified in the Recirculated Draft Environmental Impact Report (EIR)... Oxnard has seven at-grade signalized public crossings of the UPRR tracks that go through the heart of Oxnard, and cross Rice Avenue (State Highway 1) which carries a significant amount of heavy Port Hueneme truck traffic and is a designated U.S. Navy mobilization corridor from Naval Base Ventura County. An incident involving an oil train could result in the closure of multiple crossings at the same time, cutting off most of the City from our only hospital emergency room.... Thank you for your consideration of our comments on this project.”

**- Tim Flynn, Mayor, City of Oxnard**

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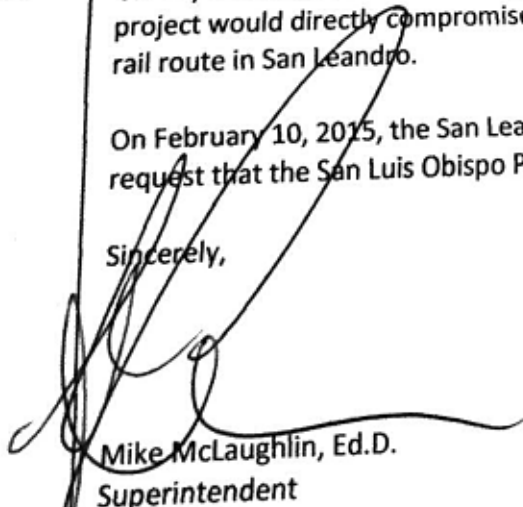
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The RDEIR also did not evaluate the relative air quality or greenhouse gas emissions for the entire project area, which includes oil transport through San Leandro from Canada to the San Luis Obispo County facility. The diesel emissions from operational activities of trains along the route would generate toxic pollutant emissions that exceed thresholds, increasing the risk of cancer, heart disease, and respiratory disease, especially in the very young. There is already a high incidence of childhood asthma in San Leandro - asthma hospitalization rate in Alameda County has twice the state average and is the third-highest in California. Therefore, this project would directly compromise the health and safety our school communities along the rail route in San Leandro.

On February 10, 2015, the San Leandro Unified School District Board voted to respectfully request that the San Luis Obispo Planning Commission vote to deny the project.

Sincerely,



**Mike McLaughlin, Ed.D.**  
Superintendent

## Sierra Club California Meets at Rancho El Chorro

Over the weekend of May 30, delegates from every Sierra Club California chapter and the California/Nevada Regional Conservation Committee met at Rancho El Chorro to discuss conservation campaigns, vote on resolutions and elect members to Sierra Club California's Executive Committee.

Delegates passed a resolution encouraging local governments to structure charges such as taxes or fees on electricity and natural gas bills in a manner that supports environmental policy goals, such as promoting local energy conservation, renewable energy, and reducing greenhouse gas pollution. Low income customers, such as those enrolled in the CARE program, should

be exempt from these charges.

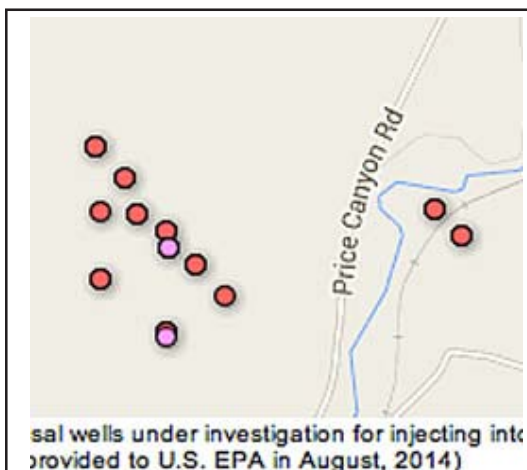
Also adopted was a resolution urging the state of California and regional, city and county governments and agencies to approve only plans and projects that are consistent with current, science-based greenhouse gas emission data and climate-stabilizing targets. Plans must include effective, enforceable measures for relevant emissions sources, including cars and trucks, buildings, electrical generation and agriculture.

A resolution by the Santa Lucia Chapter to require that national Sierra Club campaigns consistently uphold environmental laws when responding to proposed projects was tabled for a vote at a future meeting.



This involves all of you California Nurses Association volunteer organizer Beth Kean addressed the Sierra Club California plenary session on May 30 on the Phillips 66 oil-by-rail project, planned for the Nipomo Mesa but affecting Club members statewide.

## Sierra Club Sues to Halt Oil Pollution Outrage



A lawsuit filed on May 7 by Earthjustice in Alameda County Superior Court on behalf of the Center for Biological Diversity and Sierra Club seeks to halt illegal oil industry operations that are dumping millions of gallons of toxic oil waste a day into California's dwindling underground water supplies. A dozen of the wells doing the dumping are located in the Price Canyon oil field. (See "Katcho Voted No," page 3, and "Oil in Your Water," March.)

The lawsuit challenges new "underground injection control" regulations from California's Division of Oil, Gas and Geothermal Resources (DOGGR) that allow oil companies to continue injecting oil wastewater and other fluids into protected aquifers until February 2017, in violation of state and federal law and despite a water crisis caused by the worst drought on record. DOGGR pushed the rules through in just a few days, characterizing inconvenience to the oil industry from interrupting its illegal injections as a public "emergency."

The lawsuit asks the court to declare the new regulations illegal and force California officials to halt illegal oil industry injection operations in the state. DOGGR has admitted allowing thousands of oil industry wells to inject fluids, including wastewater, directly into protected aquifers, in clear violation of the law. These illegal injections are contaminating underground water in scores of aquifers across the state, from Monterey to Kern and Los Angeles counties.

Oil regulators issued emergency regulations to try to dodge obligations to protect California's water from illegal contamination by oil waste. "These rules turn the definition and purpose of a public emergency upside down by employing [California's] regulatory emergency powers to allow the continuance of admittedly illegal injection of oil industry wastewater into underground sources of drinking water," the legal complaint states.

"Instead of halting the operations of these underground injection wells, these regulations allow DOGGR to delay shutting down illegal operations for nearly two more years," said Earthjustice Staff Attorney Will Rostov. "This is DOGGR outrageously re-writing the law to allow needless and unlawful contamination of drinking water during a severe drought for the benefit of the oil industry."

Oil wastewater in California typically contains high levels of carcinogenic benzene, according to testing done by DOGGR and oil companies. Wastewater can also include fracking fluid, which often contains chemicals that are linked to serious human health problems, including cancer and birth defects.

"Existing state and federal laws rightly recognize that groundwater is a precious commodity, and for decades, the law has protected both the aquifers already in use as well as those that might come into future use," said Nathan Matthews of Sierra Club. "DOGGR's emergency rule gives the oil and gas industry free rein to contaminate California's aquifers prior to determining whether the ground water will be needed in the future."

DOGGR admits it has failed to adequately safeguard protected aquifers from oil industry pollution for years. But oil regulators have shut down just 23 of about 2,500 injection wells identified as operating illegally in protected aquifers. In proposing the emergency regulations, DOGGR argued that "the oil industry's long-term business plans might be affected if required to comply with existing state and federal law."

On June 13, *Blue Water News* reported that a suit has been filed by Kern County farmers charging collusion between state officials and "oil companies operating in the San Joaquin Valley to oust the state's oil regulator and replace her with an official who would be more lenient in approving wastewater-disposal permits."

The lawsuit alleges that under Mark Nechodom, the official installed to oversee DOGGR in 2011, permits for new injection wells went from an average of fifty per year to 1,575 in 2012 alone. Nechodom resigned two days after the suit was filed on June 3.

## Talking with Kalila Volkov



by Mary Parker Malotte

Writer, singer, organic gardener, hiker and Sierra Club member, Kalila Volkov has written a new book inspired from her time spent as a trail host at Point Buchon. She discusses this new project and her views of the natural world.

*What has been your journey with writing?*

I've kept a diary since I was ten. My first book was a memoir, a compilation of 22 diaries. I felt like it was an interesting story. I enjoy writing nature poems and holiday stories. I'm hoping this new book will be popular.

*How did you come to the idea for Hiking Trail, Treasure Land?*

Let me backtrack to give you the story. Five years ago, I was in between jobs and I was scanning the want ads and I saw this ad that said "Trail Host at Buchon Trail." And I heard this voice say, "Go now." It was very clear. I took my resume, met with the people, got the job. The trail is so popular and a lot of people wanted that job, so I felt very lucky.

*It sounds like the impetus for your book came from following a strong impulse.*

Yes. I worked at Point Buchon for four years. About two years into the job, I was doing early morning rounds and, all of a sudden, I felt like I got guidance. I felt that I was coached—"you love this special land, you take a lot of pictures here, why not put them in a book." I felt like it really wasn't my idea, like it was a spirit guide, or an elder, and I felt that it was Chumash, because that land is so rich with that ancestry. So I followed that idea.

*Tell me about the book.*

It's geared for young readers, and it's color photographs that I took there on the site. After awhile, I had quite a collection. It's not a story; it has captions. It's more "come explore the trail, get out, put your phones away, get away from your computers and just go play outdoors."

*So your intention is an invitation?*

Yes, I like that. It's so important to reconnect with nature. The goal is to inspire kids and families to do something together. I hope that people will think back to when they went out on a field trip— or to the pumpkin patch or the petting zoo or a farm— and afterwards, they think "wow, that was so refreshing." I just want people to have that same sense of "oh, that felt good!"

*What is your general thinking about the natural world?*

I do think people need to spend time being quiet outdoors. For me, that's where I feel soothed and healed. I grew up with a Boy Scout leader back in Connecticut and we hiked a lot. Hiking is my favorite outdoor activity. I love flowers. I loved telling people about flowers on the trail at Point Buchon, that was such a great part of the job. And while watching whales breaching!

# More Writing on the Wall for Diablo Canyon

## Federal ruling spells trouble for troubled nuclear plant

The Nuclear Regulatory Commission has directed an Atomic Safety Licensing Board to decide whether Pacific Gas & Electric Co. illegally altered Diablo Canyon's license conditions in an attempt to hide the risk of powerful earthquake faults discovered since the plant was designed and built.

The Commission's referral of the issue to the licensing board parallels a move that preceded the shutdown of Southern California Edison's San Onofre nuclear plant two years ago.

"This is a major victory that could be the turning point for a nuclear-free future for California," said Damon Moglen of Friends of the Earth, which had petitioned the NRC saying that the secret amendment of the plant's license was an illegal maneuver designed to avoid a public hearing on the issue as required by federal law. "PG&E now knows that it is on the same path that forced Southern California Edison to pull the plug on San Onofre."

In a 3-1 ruling released on May 21, commissioners ruled that Friends of the Earth's petition will be considered by an expert panel of the licensing board. Friends of the Earth had alleged that PG&E is operating the 1960s-era nuclear reactors at Diablo Canyon in violation of their license and called for the reactors to be closed immediately pending public hearings to prove it is safe.

The Commission ruled that the safety issues should be considered by the Commission's executive director for operations.

In November 2012, in response to a similar petition regarding the damaged nuclear reactors at San Onofre, the licensing board ruled that public hearings should be held as part of a formal license amendment proceeding to assess the safety of San Onofre. Edison announced the closure of San Onofre a few weeks later.

"This decision is indeed the beginning of the end for Diablo Canyon," said Dave Freeman, former head of the federal Tennessee Valley Authority, the Los Angeles Department of Water and Power and the Sacramento Municipal Utility District. "PG&E is not going to get away with running Diablo Canyon when the plant cannot withstand the ground motion from the earthquake faults we now know surround these reactors."

The ruling came days after the NRC sent PG&E a letter requiring the utility to conduct further studies to show whether Diablo Canyon, California's last nuclear plant, is operating within the bounds of its license. Diablo Canyon was one of only two U.S. reactors required to conduct further seismic risk evaluation because its license does not account for newly discovered hazards.



# New Report: It's Time for Nukes to Go

## Policymakers postponing demise at ratepayers' expense

On June 17, Dr. Mark Cooper, senior fellow for economic analysis at Vermont Law School's Institute for Energy and the Environment, released the report *Power Shift: The Deployment of a 21st Century Electricity Sector and the Nuclear War to Stop It*. The report finds that the 20th Century model of large baseload electricity generation, including nuclear reactors, is in an irreversible decline in the face of the emerging 21st-century decentralized power model relying on renewables, energy efficiency, and technology-based demand management.

For policymakers and ratepayers, Cooper's stark conclusion means that last-ditch efforts to prop up nuclear power with amendments to the EPA Clean Power Plan, preferential rate-setting and attacks on renewable energy standards in places like Indiana, Ohio, Nevada, North Carolina and other states are costly detours on the

road to a much more consumer friendly, reliable and sustainable low-carbon electricity sector.

"Nuclear reactors old and new are far from a necessary part of a low-carbon solution," said Dr. Cooper. "Nuclear power, with its war against the transformation of the electricity system, is part of the problem, not the solution. Following a path toward a 21st century electricity system poses no serious threat to reliability up to a 30-40 percent level. Beyond that, we already know the specific actions that can carry the system to much higher levels of reliance on renewables. Combining these measures which allow the system to operate at high levels of penetration with the implementation of aggressive efficiency measures meets 80 percent of 'business as usual' or base case demand. It is no longer a question of if

SOLAR continued on page 8

## For the pelicans

# Port San Luis Agrees to Fish Station Committee

Pelicans, which normally eat small, soft-boned fish such as sardines and anchovies, can be injured attempting to swallow large, bony carcasses. The discharge of fish waste also results in the contamination of birds with fish oils. Such contamination has the same effect on waterfowl as an oil slick, destroying the insulation of their feathers, leaving them vulnerable to hypothermia and starvation.



The wrong way The Harford Pier fish cleaning station in doing no favors for wildlife.

These are chronic problems at the Morro Bay and Port San Luis fish cleaning stations. That's why the Port San Luis Harbor Commission has created a task force including representatives of Pacific Wildlife Care, Sierra Club and Morro Coast Audubon.

The commissioners agreed to delegate staff and two commissioners to the task of developing ideas to seek solutions to the problem of the Harford Pier fish cleaning station (see "One for the Pelicans," April).

Initially, this was not a easy process. Most of the commissioners refused to acknowledge their waste disposal practices are hazardous to wildlife or harmful to the environment. We hope we can convince them to make necessary changes.

The California Department of Fish and Game and California EPA require fish waste from marinas to be treated as wastewater or sewage, not discharged into State waters. We are asking the Coastal Commission to make the redesign and enclosure of the fish cleaning station a condition of the Harbor Terrace project's Coastal Development Permit.

More progress has been made with the Morro Bay Harbor Department on the Tidelands Park fish cleaning station, which has similar problems. The Harbor Director has been receptive to suggestions and has made a few changes already to minimize the access of brown pelicans to the discarded fish carcasses. They hope to receive a grant next year which will include a completely enclosed wildlife-safe fish cleaning station. PWC, Sierra Club and Morro Coast Audubon have submitted letters of support in their grant application. In the meantime we continue to work on temporary solutions for the Tidelands Park station.

# Pope Francis Makes History



On June 18, Pope Francis issued an Encyclical addressed to "all people of goodwill" regardless of background, nationality or faith, declaring the moral imperative for humanity to act on climate.

The Pope's clarion call draws attention to the idea that tackling climate disruption is about protecting our kids and grandkids. If we want future generations to thrive on earth -- and an earth they can thrive on -- we must act as responsible stewards of creation. And though all of us experience the effects of climate disruption, including its role in worsening the impacts of California's drought, the poor, the vulnerable, and the most disadvantaged communities are those who will be most seriously affected.

The Pope's action builds further momentum for upcoming international

climate negotiations in Paris this year, and comes on the heels of other major global initiatives including an unprecedented agreement between the U.S. and China to cut carbon pollution dramatically, and a strong commitment by the world's largest economies to completely eliminate fossil fuels over the course of this century.

Overall, the Pope's Encyclical offers moral guidance to the world on addressing climate disruption in light of the Church's core moral teachings. But how solutions to the crisis are made real is a question for our political leaders, who are ultimately responsible for implementing solutions. It is critical that our leaders -- in Washington, Sacramento and San Luis Obispo County -- take meaningful climate action to protect our planet for generations to come.

## Basin

continued from page 1

Water Company and S & T Mutual Water Co. — detailing the need for improvements in the draft Basin Plan's seawater intrusion mitigation programs and conservation measures.

In our comments, submitted along with more than 90 pages of supporting documentation and reports by hydrogeologists and regulatory agencies, we pointed out that the Basin Plan does not fully develop the benefits of proposed conservation, recycled water use and infrastructure programs, or comply with government mandates, address

major adverse impacts and uncertainties, consider expert opinions, provide enforceable objectives to ensure quick implementation, provide adequate adaptive measures, or use sufficiently prudent management strategies and tools to preserve the Basin.

Our suggested improvements to the Basin Plan would allow it to comply with state mandates and preserve the Basin and the environmental and economic resources that depend on it. Our comments are posted at [sierraclub.org/santa-lucia/news](http://sierraclub.org/santa-lucia/news).

The parties are scheduled to submit the Basin Plan to the court in August.

# Let's All be Foam Free!

by Janine Rands, Chair, SLO Foam Free

On June 2, SLO's City Council unanimously voted for an ordinance to ban polystyrene across the board -- restaurants, businesses and all retail.

This doesn't happen as quickly as all of us would like (I would like it all to go away tomorrow), but the public pressure is now there. This stuff is exciting!

Now we need to reach out to others who are living in some of the cities that we can count on to change the tide countywide.

We have the momentum, the news is ripe, the time is ripe. I believe that most of the City Councils are just waiting for *you*, their constituents, to come and ask them to get on board and accept the Ordinance from San Luis Obispo.

Let's get at least the four crucial cities, those along the beach: Morro Bay, Pismo Beach, Grover Beach and Arroyo Grande. They all have done the beach and creek cleanups; they know the problems from this plastic trash! North County friends: don't be afraid of your Council. They are counting on your votes!

Each Council needs to hear from

their own constituents. It shouldn't be folks from San Luis Obispo coming to talk.

Find out when your next City Council meeting is and just go with three or more people prepared to give a less than three-minute speech about why your city needs to copy San Luis Obispo's Ordinance "Regulating Expanded Polystyrene Food Containers and Products."

SLO Foam Free and the City of San Luis Obispo have done the homework with a very thorough ordinance. You have very clear directions to get started.

E-mail me - j9rands@gmail.com. I am waiting and willing to give you any help, or e-mail a copy of our speeches if you need a little boost to get going.

Don't hesitate! Just think, if we act now, in a year, SLO County can be FOAM FREE. If nothing else, do it for the birds.

Also, if you are on Facebook, please like our SLO Foam Free page!



## SLO Does Right by Bishop Peak

A lot has changed regarding the protection of the City of San Luis Obispo's natural open spaces this year -- starting with the City Council's vote to make the protection and maintenance of open space a Major City Goal.

Encouraging signs of follow-through have mounted as both the City Planning Commission and Parks & Recreation Commission strongly recommended hiring additional ranger staff to implement the Council's Major City Goal.

Natural Resources Manager Bob Hill



has indicated that Bishop Peak receives about 80 percent of the city's open space hiking traffic, with estimated usage potentially as high as 300,000 users per year.

The Bishop Peak trailhead neighborhoods have come out strongly for more rangers to enforce the wildlife protective requirements of the City's Open Space Ordinance. These requirements include "no night use," as wildlife moves about the City's Open Spaces/Natural Reserves at night; "stay on trails," which protects both the wildlife & their

BISHOP continued on page 10

## Twig

continued from page 2

and countries around the world as they struggle to prevent catastrophic climate change.

More oil and gas production is a

## Not So, Politico

As quoted in the above article, Politico was doubtless well intentioned in stating the belief that our battle with climate change must focus on "reducing our reliance on the black stuff," and everything else can wait.

But that belief is wrong-headed. Resolving to focus on the reduction of fossil fuel sources of CO2 and postponing the need to curb other sources of global warming gasses would doom the planet, for one reason: Methane.

Ms. Bernstein is correct. Methane from livestock should be included as part of "a consistent, national effort to reduce all greenhouse gases." If, as Politico puts it, the billion "belching cows" that inhabit Confined Animal Feeding Operations (CAFOs) and industrial feed-lots are simply ignored by climate advocates and allowed to proliferate -- along with an unchecked projected rise in global meat consumption -- nothing we do in the realm of

major blow to advances in alternative energy. President Obama is wrong when he says that we need to exploit all forms of energy: so-called "clean" fossil fuels, nuclear and alternative. That combination will not get us where we need to go in the next few decades. Former Goddard Institute Director James Hansen puts it bluntly:

"If humanity wishes to preserve a planet similar to that on which civilization developed and to which life on Earth is adapted, paleoclimate evidence and ongoing climate change

conservation, electric cars, wind turbines and solar panels is going to matter much.

That's because those cows emit methane -- a gas with 100 times the heat-trapping ability of CO2.

Radiative forcing is the heating effect caused by greenhouse gases in the atmosphere. Per the journal *Nature Climate Change*, "only with large, simultaneous reductions in CO2 and non-CO2 emissions will direct radiative forcing be reduced during this century.... Because [methane] has a much shorter atmospheric lifetime (~9 years) than CO2, it holds the potential for more rapid reductions in radiative forcing than would be possible by controlling emissions of CO2 alone."

## Volkov

continued from page 6

*Favorite flower?*

The fairy lanterns are so exquisite.

*What has been your involvement with the Sierra Club, other environmental groups or campaigns?*

I like being a guardian. I support the local and national Sierra Club to feel like I'm contributing, and because it seems like their philosophy is pretty right on. I like being in California where people are a little more aware. There are so many activists here. I spent time working on Prop 37. That campaign was so close.

*What concerns you?*

There's a lot of plastic out there and it's just abominable. My Dad lives in Kentucky and they still don't have curbside recycling. Fracking and climate change.

*What qualities do you think are important for activists to have?*

Patience. Humility. I'd like to say non-judgment but that seems like a lofty goal. It's so easy to judge people who are contaminating the world. We need non-judgment as a species. Personally, I feel we are not evolving as quickly as we should be. We need to be caretakers, stewards of this planet.

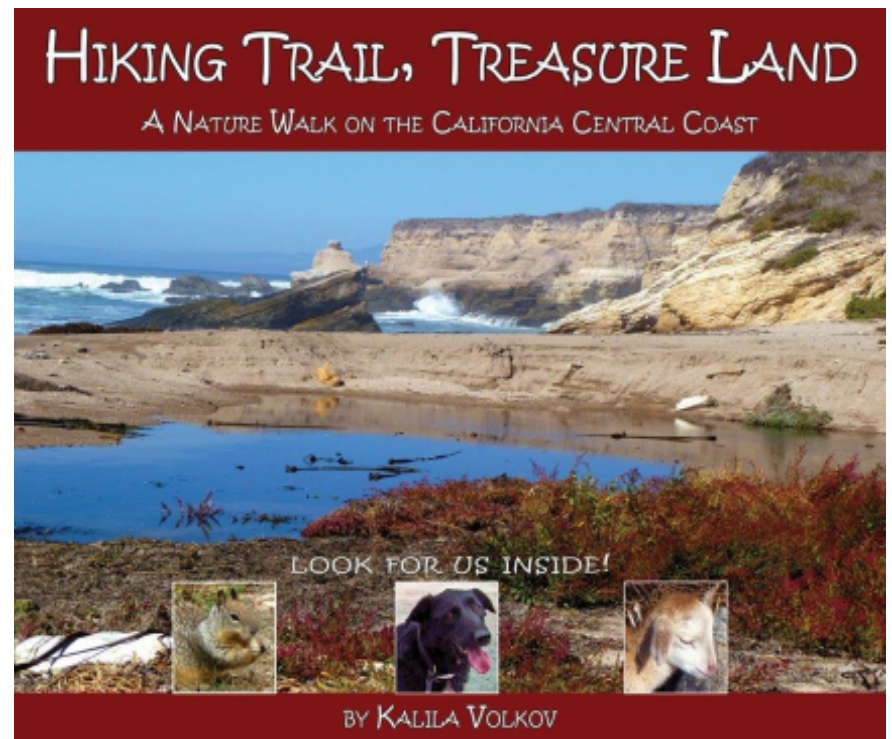
*Ideally, what else would you like to be doing in the next ten years?*

More travel would be divine. I'm a singer and I'd like to get into musical theater. More yoga. I do have a bucket list. I want to go to Glacier, and I still haven't gotten to Alaska.

*Personal motto?*

Nature is my church. Kindness is my religion.

*Hiking Trail, Treasure Land* will be available in local bookstores, libraries and places of interest this summer. You can also purchase through the author's website, [kalilavolkov.com](http://kalilavolkov.com). If you're interested in the Buchon Trail, go to [pge.modwest.com](http://pge.modwest.com).



suggest that CO2 will need to be reduced from [current levels] to at most 350 ppm."

That just isn't happening. Every advance in producing clean energy is countered by increased oil and gas production, although not all CO2 is generated by this production. With an obstructionist Congress, there has not been sufficient national effort to make a major change in our energy system. Instead, our alternative energy nest is being built state by state, city by city, twig by twig. Although that's com-

mendable, what is urgently required—now, not in two or three decades—is a consistent, national effort to reduce all greenhouse gases, including methane from livestock, in order to avoid the worst-case-scenarios of climate change.

My hope is that the Sierra Club's success with Beyond Coal will lead both the national and local clubs to further actions on other fronts.

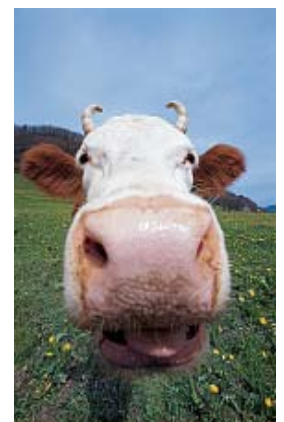


("Ruminants, climate change and climate policy," W. J. Ripple, P. Smith, H. Haberl, S.A. Montzka, C. McAlpine, D.H. Boucher, *Nature Climate Change*, Vol. 4, January 2014.)

Last February, Sierra Club adopted a policy on Climate Change and Agriculture which recognizes that "Industrial agricultural and food system practices are a significant contributor to climate change, [and] livestock are the major source of greenhouse gases from agriculture, so minimizing the production and consumption of domestic animals that produce the most methane is one critical way to reduce greenhouse gas production."

While a single-minded, laser-like focus on "the black stuff" may sound

like the best and most effective way to go, it actually won't work. We need to address the entire problem -- including those belching cows, primary source of significant methane emissions from industrial agriculture -- if we are still going to have a livable planet by the end of the century.





# Chipotle Makes a Sound Business Decision

by Ronnie Cummins, Director, Organic Consumers Association  
www.organicconsumers.org

Since when does the mainstream media, in a country that worships at the altar of capitalism and the free market, launch a coordinated attack against a company for selling a product consumers want?

When that company dares to cross the powerful biotech industry. How else to explain the unprecedented negative coverage aimed at Chipotle's, merely because the successful restaurant chain will eliminate GMO foods from its menu?



The biotech industry has a long history of discrediting scientists who challenge the safety of GMOs. That intimidation campaign worked well, until consumers themselves connected the dots between GMO foods (and the toxic chemicals used to grow them), and health concerns. Once consumers demanded labels on GMO foods, the biotech industry responded with a multi-million dollar PR campaign. Yet despite spending millions to influence the media, and millions more to prevent laws requiring labels on products the industry claims are safe, Monsanto has lost the hearts and minds of consumers. Latest polls show that 93 percent of Americans support mandatory labeling of GMO foods.

Chipotle has made a sound business decision. That decision has forced the biotech industry to stoop to a new low: vilifying businesses. Sadly, the mainstream media appears all too happy (manipulated?) to go along with the attack. Only in the U.S. does the biotech industry wield such power. That power is arguably having a negative effect on the free market here. Take McDonalds. In the U.S., the fast-food chain is in trouble. Yet in the UK (and other countries,) where McDonald's is GMO-free, the chain is profitable.

In March, World Health Organization cancer researchers concluded that glyphosate, the key ingredient in Monsanto's Roundup, is a "probable" carcinogen. In 1985, EPA scientists drew the same conclusion. According to hundreds of scientists worldwide, there is no consensus on the safety of GMO foods.

A growing number of consumers don't want GMO foods. Chipotle is responding to that demand. Biotech's attack on Chipotle is an act of desperation. Mainstream media's complicity is a failure of the institution of journalism.

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[Editor's note: This article was written at the request of USA Today, which published it as an "opposing view" on May 17, 2015. USA Today took the same position as most of the rest of the corporate media, which is that by providing a product that consumers want, the restaurant chain is "pandering to ignorance."]

# Happy Birthday, Dear Bill

## Community celebrates eco-hooligan #1

The community turned out in a big way to honor Bill Denneen on the occasion of his 90th birthday at a party in Nipomo on June 7. The Dana Adobe was probably the only place in the country that day where you could hear bagpipers, see a Marine color guard, and participate in a protest march ("Hey hey, ho ho, oil trains have got to go!")

Many happy returns, Elder Bill. You are the heart and soul of the conservation ethic and environmental activism in SLO County.

Clockwise, from right: Bill in the *Telegram-Tribune* in the summer of '67; well-wishers packing the Dana Adobe; Bill Denneen Award Winner Karl Kempton is recognized for his work on the Chumash Heritage National Marine Sanctuary; Nipomo Creek Dogs Daniel Diaz and Ralph Bishop take a load off at the Sierra



Bill Denneen poses for candid shot in the Everglades.

Club table; Santa Barbara County

Supervisor Salud Carbajal and Congresswoman Lois Capps pay their respects and present Bill with a flag that flew over the Capitol.



## Katcho

continued from page 3

who sank the bill, meaning the Coastal Commission would just have to keep adding to a backlog of 1,800 enforcement cases and developers could continue to thumb their noses at state law. But not voting "no" meant Katcho avoided the appearance of voting against the extremely popular cause of coastal protection. It also allowed him to tell angry constituents that "to demonstrate my commitment to working with [the bill's author] to find an appropriate way to clear the backlog of pending enforcement actions, I abstained rather than voting in opposition to her measure."

Anyone who remembers Katcho's career on the SLO County Board of Supervisors knows that when it comes to development, Katcho's commitment is to developers. And as Common Cause pointed out in their 2014 report "Flooding the Capitol: How California's Oil Companies Funnel Funds Into the Legislature" (at commoncause.org), when it comes to commitment, "over the past 15 years, the oil and gas industry has funneled \$143.3 million into California candidates, campaigns, and elected officials. That total of nearly \$10 million per year for the past 15 years shows the commitment Big Oil has to influencing our elected officials."

Katcho has been one of the legislature's top recipients of that cash.

Katcho's vote to allow oil companies to continue to pollute our groundwater may not be the most egregious vote he's ever cast -- there's a lot of competition for that title -- but it's in the top ten. Why he did it is a question that should be asked of him throughout his campaign for election to Congress.

## TAKE ACTION

The legislature will be in recess from July 17 to August 17, during which time legislators will be in their districts. Now would be a good time to call Katcho's SLO office — (805) 549-3381 — and make an appointment to meet with your Assemblymember to ask him why he voted "no" on AB 356. (While you're on the subject, you could also ask him why, in 2011, he voted "no" on AB 685, the Human Right to Water bill, which would have established a policy that all residents of the state have a right to clean, affordable and accessible water.)

These would be especially pertinent questions for residents of Pismo Beach and Arroyo Grande, who can drive up Price Canyon Road and gaze upon the Freeport McMoRan oil wells that are injecting oil wastewater into their aquifer in the midst of an epic drought.

If Katcho tells you the kind of thing he tried to tell everyone when he voted to abstain on AB 976 -- that he's deeply concerned about protecting your drinking water...there were flaws in the bill...he's going to work to find some other way to make oil companies stop polluting protected aquifers, etc. -- you should feel free to politely inform the Assemblyman that he's blowing smoke.



Come on down! Katcho's waiting at 1150 Osos Street in SLO to tell you why he placed the convenience of oil companies over the safety of your drinking water.



## No nukes

continued from page 6

this will happen, only when it will happen.”

Stephen Thomas, professor of Energy Policy, Public Services International Research Unit, Business School, University of Greenwich (UK), said “Renewables and energy efficiency are options that are on a downward cost-curve, and when given the chance, prove themselves highly cost-effective. The major barrier to the take-up of these is the credulity of policy-makers to new, ever more unrealistic claims for new nuclear technologies and the self-interest of large utilities of promoting large technologies because they insulate them from competition from new dynamic companies. Mark Cooper’s timely report sets out the evidence of the failure of the old technologies and the huge strides small decentralized solutions are making.”

Key conclusions in the report include the finding that even with tinkering, the EPA Clean Power Plan will not save nuclear power. “After decades of claiming to be a low-cost source of power because of low operating costs, aging reactors are no longer cost competitive even in that narrow view of operating cost. Not even the full implementation of the EPA Clean Power Rule would save aging reactors from early retirement, so the owners of those reactors have launched a major campaign to increase revenues with direct subsidies from state and federal policymakers and secure jerry-rigged market pricing rules that undermine alternatives.”

The report found that more renewables are feasible without creating reliability issues. “In the mid-term, expansion of renewables to the 30–40 percent range can be easily accommodated with the existing physical assets and management tools with no negative impact on reliability. The electricity system only needs to be operated with policies that allow the renewables to enter. In the long-term, a wide range of measures to support the penetration of alternatives to much higher levels



(80 percent or more) has been identified. Building an electricity system on principles of dynamic flexibility requires an institutional transformation and the deployment of supporting physical infrastructure. Given the need to respond to climate change and the cost of the alternatives, the 21st century model for the electricity system is the least-cost approach by a wide margin”.

Efforts to block solar energy in state legislatures will only delay the inevitable. “[T]he Rocky Mountain Institute ... presents an analysis that concludes that solar with battery storage will trigger a large wave of ‘grid defection’ in 5 to 10 years. It shows that resistance to this trend by refusing to offer net metering could delay the impact by about a decade, but it will arrive in any event.”

The report concludes that the orderly exit of nuclear power is achievable and necessary. “Given the powerful economic trends operating against nuclear power, the retirement of uneconomic aging reactors and the abandonment of ongoing new reactor construction can be a non-event. An orderly exit from nuclear power is not only possible but crucial to ensure a least-cost, low-carbon future that is economically more beneficial, environmentally more responsible and kinder to consumers and the nation.”

Dr. Cooper is serving as an expert witness for San Luis Obispo Mothers for Peace in a challenge to PG&E’s application to renew the operating license for Diablo Canyon.

Oral arguments before an Atomic Safety and Licensing Board will take place July 9 at the Nuclear Regulatory Commission’s Headquarters near Washington, D.C. Cooper will testify that PG&E has skewed a new analysis of energy alternatives to ignore or reject a wide range of renewable energy options available to replace the power generated by Diablo Canyon.

*Power Shift: The Deployment of a 21st Century Electricity Sector and the Nuclear War to Stop It*, is available online at [http://www.assets.vermontlaw.edu/Assets/iee/Power\\_Shift\\_Mark\\_Cooper\\_June\\_2015.PDF](http://www.assets.vermontlaw.edu/Assets/iee/Power_Shift_Mark_Cooper_June_2015.PDF).

# Win an Ocean Getaway

## 2015 California Ocean and Coastal Amateur Photography Contest

Amateur photographers are invited to upload up to five photos depicting the scenic coast and Pacific Ocean off California, native ocean and coastal wildlife, or people and the California coast. Once you’re done, you can encourage your friends to vote.

Online voters will pick a “viewers’ choice” winner. Separate “judges’ choice” winners will be selected for first, second, and third place.

Winners will select from the following donated prizes:

A two-night stay in Sonoma County and complimentary bottle of wine, courtesy of the Fairmont Sonoma Mission Inn & Spa.

A two-night stay in Orange County, including valet parking, courtesy of the Fairmont Newport Beach hotel.

An overnight stay in San Jose and complimentary brunch for two, courtesy of the Fairmont San Jose hotel.

A complimentary dinner and cocktails for two at the Tonga Room, courtesy of the Fairmont San Francisco, plus two tickets to a show, courtesy of Steve Silver’s Beach Blanket Babylon.

Deadline to enter is July 17, 2015. Deadline to vote is July 31, 2015.

Entry is free. To read the full guidelines, enter your photos, or vote for others, visit [mycoastalphoto.com](http://mycoastalphoto.com).

Sponsored by the California Coastal Commission, Thank You Ocean Campaign, and Fairmont Hotels & Resorts of California.



## Bishop

continued from page 8

habitat; and “dogs on leashes” so that dogs do not run down or kill wildlife in the City’s open spaces and natural reserves.

Speaking before the meeting of the Parks and Recreation Commission on June 3, a City ranger declared that there is inadequate staff to enforce the City’s open space regulations.

To its eternal credit, at its June 9 budget workshop the City Council overrode staff’s recommendation against approval of two additional ranger positions -- city staff recommended just one ranger in their proposed work programs -- and went with the recommendation of their advisory commissions.

## Love Nature? Live in Nature!

Custom built, lovingly cared for home in Lopez Canyon. Rustic redwood exterior, elegant interior with lots of mahogany cabinetry and trim. 32 acres of California as it was with towering sycamores, magnificent oaks, lots of spring wildflowers, and lovely garden. Seasonal spring and stream. Plentiful private well-water. Backs into National Forest with Santa Lucia Wilderness and Lopez Lake nearby. Animals and birds galore. Hiking and riding trails abound. Nearest neighbors a quarter mile away. Yet only 25 minutes from downtown San Luis Obispo, Arroyo Grande, French Hospital, and the SLO airport. Contact Byron Grant at Century 21 Hometown Realty. (805) 481-4297.

## Legislation

continued from page 3

**SB 760** (Mendoza): Disadvantaged Community Enhancement Act of 2015. This bill would establish the Disadvantaged Community Enhancement Program (DCEP) to provide grants for projects that create recreational space and that provide multiple environmental benefits to disadvantaged communities.—Support (Held in Sen. Approps; functionally dead).

**AB 156** (Perea): Greenhouse Gas Reduction Fund and technical assistance. This bill would increase access for disadvantaged communities (DAC) to cap-and-trade revenues by providing technical assistance grants to non-profits and regional agencies to help DACs navigate the pre-planning and application process.—Support (Passed in Assembly; moves to Senate).

**AB 1071** (Atkins): Supplemental Environmental Projects. This bill would further environmental justice by helping to close gaps in existing programs, policies, or activities within the California Environmental Protection Agency that may prevent its achievement.—Support (Passed in Assembly; moves to Senate).

## Protecting Wildlife and Habitat

**AB 96** (Atkins): Ban on the sale of ivory and rhinoceros horn. This bill would close a loophole in the state’s current ivory ban that has made it impossible for the California Dept. of Fish and Wildlife to enforce the law. It will also extend the ban to protect the rhinoceros.— Support (Passed in Assembly; moves to Senate).

**AB 1325** (Salas): Delta smelt. This bill would further imperil the Delta smelt while encouraging unsustainable water exports from the Delta— Oppose (Failed in Water, Parks & Wildlife Committee; bill may return next year.)

**AB 395** (Gallagher): Non-lead ammunition and hunting. This bill would repeal the law requiring the phase out of lead ammunition for fire arms when hunting all wildlife in this state. It will also stop the regulatory process from ultimately banning lead ammunition for wildlife hunting in California.— Oppose (Failed in Water, Parks & Wildlife Committee; bill may return next year).

## Reducing Exposure to Toxics

**SB 47** (Hill): Tire-based synthetic turf moratorium. This bill requires the Office of Environmental Health Hazard Assessment (OEHHA) to conduct a study by July 1, 2017, analyzing potential adverse health impacts from synthetic turf made from waste tires. It would also prohibit the awarding of grants or other public funding assistance for the manufacturing or installation of synthetic turf made from waste tires.—Support (Held in Sen. Approps; functionally dead).

**AB 888** (Bloom): Plastic microbeads prohibition. This bill will greatly reduce plastic microbead pollution in our oceans, as well as the environmental and health hazards associated with it by prohibiting all plastic microbeads in personal care products and favor environmentally sound alternatives.—Support (Passed in Asm.; moves to Senate).

**AB 708** (Jones-Sawyer): Cleaning products content information. This bill requires manufacturers of cleaning products to disclose the ingredients in their products to consumers.—Support (Converted to two-year bill; will come to Assembly floor in early 2016).

## Managing Groundwater

**SB 20** (Pavley): Groundwater well reports. This bill allows members of the public to access existing well logs with a filing with DWR.—Support (Passed in Senate; moves to Assembly).

**SB 226** (Pavley): Groundwater rights. This bill streamlines groundwater adjudications under the Sustainable Groundwater Management Act. State agencies could intervene in a groundwater adjudication to ensure environmental concerns are addressed.— Support (Passed in Senate; moves to Assembly).

## Enhancing Parks and Recreation

**SB 317** (de Leon) Parks bond. This bill would place on the November 2016 ballot a multi-billion dollar bond measure to support local, regional and state parks projects.—Support (Passed out of Sen. Approps; moves to Sen. floor).

**AB 988** (Stone, M.) Outdoor education. This bill would establish an outdoor environmental education and recreation grants program within the state Department of Parks and Recreation.—Support (Passed in Assembly; moves to Senate).

For the latest on a bill’s status, go to [leginfo.ca.gov](http://leginfo.ca.gov) and type in the bill number. You’ll find the latest amendments, bill history, bill status and committee analyses.

# Classifieds

Next issue deadline is **August 15**. To get a rate sheet or submit your ad and payment, contact:  
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# Outings and Activities Calendar

Seller of travel registration information: CST 2087766-40. Registration as a seller of travel does not constitute approval by the State of California.

All our hikes and activities are open to all Club members and the general public. Please bring drinking water to all outings and optionally a lunch. Sturdy footwear is recommended. All phone numbers listed are within area code 805 unless otherwise noted. Pets are generally not allowed. A parent or responsible adult must accompany children under the age of 18. If you have any suggestions for hikes or outdoor activities, questions about the Chapter's outing policies, or would like to be an outings leader, call Outings Chair Joe Morris, 549-0355. For information on a specific outing, please call the listed outing leader.

**Tues., July 7th, 7-9 p.m. Bimonthly Meeting: "Hiking the Legendary Camino de Santiago: Five Locals Who Did It!"** This year and last, outings leader Mike Sims, his brother Gary, and three friends, Jacque Fondren, Jana Walker, and Dede Jansen, walked the 12th-century pilgrimage trail in Spain trod by many thousands over the centuries. Come and listen to tales of their experiences in varied terrains, encounters in hostels, and other adventures, illustrated with dozens of their personal photos. Meeting will begin with a special update by SLO Land Conservancy leader Dylan Theobald on **the trails in the new Pismo Preserve**. Meets at Steynberg Gallery, 1531 Monterey St., SLO Info: Joe Morris, 549-0355.

**Fri.-Sun., July 10th-13th, Nevada Wilderness Service Trip.** Savor summer in eastern Nevada's scenic Highland Ridge Wilderness, just south of Great Basin National Park, partnering with Ely BLM wilderness staff for service in a fine mountain wilderness. Details on specific work later, central commissary offered. Contact Vicky Hoover, 415-977-5527 or vicky.hoover@sierraclub.org. CNRCC Wilderness Committee.

**Sun., July 19th, 2 p.m. Mission-Era Emigrants and Gold-Rush Renegades.** Easy, guided stroll past Mission courtyard, two adobes, the old stagecoach stop, and other landmarks to hear stories of the early days of old San Luis Obispo, the Chumash natives, and Gold-Rush fever. Meet under the clock at the corner of Monterey and Osos Sts. Leader: Joe Morris, 549-0355.

**Fri.-Sun, July 24th-26th, Bristlecone Pine Forest Campout.** Escape summer heat to the beautiful White Mountains to camp, hike, or just relax. Saturday, we visit the Ancient Bristlecone Pine Forest, home to oldest living trees on earth, for 5-mile interpretive hike with potluck lunch. Then happy hour, potluck, and campfire; head home on Sunday. Send \$8 per person check made out to Lygeia Gerard, home and work phones, email address, and ride preferences, to Leader: Lygeia Gerard, P.O. Box 721039, Pinon Hills, CA 92372, phone: 760-868-2179. Mojave Group, CNRCC Desert Committee.

**Wed., July 29th, 10 a.m. Montano de Oro Dune Hike.** Enjoy great ocean views on a two-mile, 200 ft. gain, walk over dunes and beach in state park. Meet at Hazard Canyon parking area 1.6 miles from entrance. Leader: Vicki Marchenko, 528-5567 or vmarchenko57@gmail.com.

**Sun., Aug. 2nd, 10 a.m. Islay Hill Trekking-Pole Hike.** Two-mile hike to demonstrate advantages and techniques for using trekking poles effectively. Join us at Islay Hill Open Space to enjoy spectacular views of Edna Valley to the south and morros to the north. From Broad St., drive east on Tank Farm Rd, turning right on

Wavertree, left on Spanish Oaks, then right on Sweetbay, parking near the cul-de-sac. Leader: David Georgi, 458-5575 or hikingpoles@gmail.com for future activities.

**Fri.-Sun., Aug. 14th-16th, Perseid Meteor Shower Campout, Black Rock Desert.** New Moon means great night views. Camp mid-Playa, 102 miles north of Reno, with portable toilets. Visit hot springs and Emigrant trail. Bring radio to join Hams, if wish. Bring all camping gear needed, food, and plenty of water. Info and location at [www.blackrockdesert.org](http://www.blackrockdesert.org). Leader: David Book, 775-843-6443. Great Basin/CNRCC Desert Committee.

**Wed., Aug. 19th, 10 a.m. Islay Creek Loop Hike.** Join us in Montana de Oro State Park for 2-mile hike, 250 ft. elevation gain. Scenic views of mountains, valley, creeks, and ocean. Meet near Spooner Ranch House, 2.5 miles past park entrance. Leader: Vicki Marchenko, 528-5567 or vmarchenko57@gmail.com.

## Activities sponsored by other organizations

**Sat., July 11, 9:30 a.m. Citizens' Climate Lobby** meets at the Unitarian Universalist Fellowship, 2201 Lawton Ave, SLO. Join us and learn what you can do to slow climate change and make a difference in our community. Become a climate activist and part of the solution to the most pressing issue of our time. For more information email: [citizensclimatelobbyslo@gmail.com](mailto:citizensclimatelobbyslo@gmail.com).

**Sat., Aug. 22nd, 8:30 a.m. Valencia and Oats Peaks Loop.** Strenuous, 11-mile hike in Montana de Oro State Park, with 2500 elevation gain to climb peaks and enjoy backcountry, lunch in a cypress grove, and return on ocean bluffs trail. Bring plenty of water, lunch, and dress for weather. Possibility of poison oaks and ticks. Meet at Valencia Peak trailhead, just past visitor center on main road. Extreme heat cancels. Leader: Chuck Tribbey, 441-7597.


**Sat., Aug. 29th, 9:30 a.m. Guadalupe/Mussel Rock Hike.** Moderate, 6-mile hike along pristine beach to Mussel Rock and beyond. Duration about 5-6 hours. Bring water, lunch, windbreaker, hat, and dress in layers for varying weather. Lunch afterwards for those interested. From Hwy 101 in Santa Maria, take Main St./Hwy 166 to end at Guadalupe Beach. Meet near the interpretive signs and picnic tables. Rain cancels. Leader: Andrea Ortiz, 934-2792 or kenya683@msn.com.




**Go, Willie!** Willie Amarillas of Nipomo is hiking the Pacific Crest Trail. As we went to press, he had arrived at Lake Tahoe, having hiked 1,090 miles. If he goes all the way, at age 69, Willie may be the second oldest person to finish the PCT.



This is a partial listing of Outings offered by our chapter. Please check the web page [www.santalucia.sierraclub.org](http://www.santalucia.sierraclub.org) for the most up-to-date listing of activities.




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John Maki, founder of the Sierra Club in Yosemite

For further information contact:  
 Joe Morris, Outings Chair  
 Sierra Club, Santa Lucia Chapter  
 (805) 778-1873  
[dj1942@earthlink.net](mailto:dj1942@earthlink.net)

**August 14 – 16, Clair Tappaan Lodge 11th Annual Summer Fundraiser.** Come for a weekend of hikes in the beautiful Donner Summit area, plus silent auction, raffle, wine & cheese, speakers, and delicious food served throughout the weekend. The Lodge provides recreational opportunities, fosters a sense of community, and increases the spirit of volunteerism. Donations contribute to the Lodge's expenses and support the CTL Environmental Education Scholarship fund for school groups and inner city outings. Sierra Club Clair Tappaan Lodge, 19940 Donner Pass Road, Norden, CA 95724, 530-426-3632. [www.clairtappaanlodge.com](http://www.clairtappaanlodge.com).