



Sept 2011
Volume 48 No. 8



Inside

Congress in wonderland	2
Bioneers is back	4
Thank you, Peter Douglas	6
Morro Bay vs. others	7
Let's label GMOs	8
Classifieds	11
Outings	12

**Strike Down
Citizens United!**

**David Cobb
in person
Sept. 14**

see page 2



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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

A Day of Action

“Moving Planet” is September 24

On Saturday, September 24, the Sierra Club, 350.org and others are sponsoring Moving Planet, a global day of action to encourage our society to move beyond fossil fuels.

For too long, our leaders have denied and delayed, compromised and caved. That era must come to an end: it's time to get moving on the climate crisis.

Moving Planet will be a day to put our demands for climate action into motion—marching, biking, skating—calling for the world to move beyond fossil fuels.

World-wide events are being planned for a day of action under the theme of moving beyond fossil fuels. People around the world will take to the streets on bicycles, skateboards, foot, and more, coming together as a global community dedicated to moving our planet in a new and environmentally positive direction.

The Sierra Club is encouraging our members to get involved to help organize Moving Planet events that will help push forward local and national campaigns and build the movement. The global fossil fuel infrastructure is a threat to our future everywhere, polluting our oceans, our land, our air, our communities and our children's lungs. Looming largest is the continued burning of coal and oil, which will tip climate change into climate catastrophe.

and...

A North County Moving Planet Event in Atascadero: Green Wheels

For information, contact:
Ben Lovejoy
(805) 461-1893
benlovejoy@yahoo.com



www.moving-planet.org

The Empower Poly Coalition, SLO County Bicycle Coalition, Central Coast Clergy & Laity for Justice and the Santa Lucia Chapter of the Sierra Club invite you to a Bike Trivia Run, “Stretch Your mind - Power Your future,” to be held during the day at local businesses. Pick up your trivia run checkpoint card and for automatic entry in a raffle at Steynberg Gallery, 1531 Monterey Street, San Luis Obispo, any time after 12 p.m. Make your rounds via smart transit, bike or walk; come back in the evening for the raffle drawing, free appetizers and a screening of *Moving Beyond the Automobile* starting at 7 p.m. Come share your visions for a smarter society and see local efforts to change our disposable lifestyle. For more information contact empowerpolycoalition@gmail.com, call (805) 459-6752, or visit www.350.org/en/about/blogs/moving-planet/. Let's move!



Sharon Smith Has Five Simple Rules



Sharon Smith is a SLO native who grew up to become an organizer and trainer in the environmental, global justice, peace and human rights movements. This year, when her book, *The Young Activist's Guide to Building a Green Movement & Changing the World* was published, the Sierra Student Coalition invited her to speak at Cal Poly.

At that June meeting, she had some advice for young people who might want to go about doing the kind of thing she does but may feel inadequate to the task. She pointed out that “350.org began in 2007 when seven college students from Middlebury met for dinner over the course of a few weeks, brought the idea to Bill McKibben, and created an

RULES continued on page 7

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Explore, enjoy and protect the planet

Meeting: Move to Amend

Wednesday, September 14, 7-9 p.m.

www.movetoamend.org

On January 21, 2010, with its ruling in *Citizens United v. Federal Election Commission* — misguided in principle and wrong on the law — the Supreme Court ruled that corporations are persons entitled by the U.S. Constitution to buy elections and run our government. Join the movement to end corporate rule and amend the Constitution to reject the Court's ruling and establish that human beings, not corporations, are persons entitled to constitutional rights.



Attorney David Cobb of Democracy Unlimited serves as national spokesperson for Move To Amend, a coalition calling for a constitutional amendment to abolish "Corporate Personhood," the legal doctrine that allows corporations to overturn democratically enacted laws that seek to protect citizens from corporate harm.



Ludwick Community Center, 864 Santa Rosa St., SLO. For info, call 543-8717.

Nothing Costs More Than a Bad Idea

By Andrew Christie, Chapter Director

On August 5, the Bureau of Labor Statistics reported on the number of new jobs created in July, a number which did not significantly reduce the level of national unemployment. In response, House Energy and Commerce Committee Chairman Fred Upton (R-Mich) seized the occasion to expound on a favorite theme: the idea that protecting the environment kills jobs.

"Millions of American jobs are in jeopardy because of the costly rules proposed or under development by the EPA," he said, as reported in that day's edition of *The Hill*. "If this administration is serious about job creation and not just paying lip service, it should begin by putting the brakes on this regulatory train wreck."

What the nation needs, said Upton, eagerly seconded by Speaker of the House John Boehner, is "regulatory relief."

"Regulatory relief" is a beloved, deeply held conservative ideal, and will likely remain so no matter how many facts are produced for the edification of Representatives Upton and Boehner and their ideological colleagues demonstrating that they are simply wrong.

"Wrong" in this case does not mean slightly off the mark. The idea that "regulatory relief" is what the nation needs — that the economy is suffering under the yoke of environmental regulations and that it can't recover unless freed of such regulations — is part of a false paradigm, a model of thinking that is contrary to reality.

One might assume that the nearly \$100,000 in contributions that Rep. Upton received from the mining and electric power industries in the first six months of 2011 may have helped to model his thinking on this matter.

Had Rep. Upton attended the "Good Jobs Green Jobs" conference in Washington, D.C., last February as I did (www.greenjobsconference.org), he could have heard EPA Administrator Lisa Jackson tick off some interesting facts and figures, all of which probably would have ticked off Rep. Upton, as they are highly damaging to his false paradigm. Jackson took the podium to note that the Clean Air Act is one of the reasons for the dramatic growth in the environmental technologies industry. By 2007, the industry was generating approximately \$282 billion in revenues, producing \$40 billion in exports, and supporting 1.6 million jobs. EPA's new vehicle and fuel rules, when fully implemented in 2030, will produce \$186 billion in air quality and health benefits, with only \$11 billion in costs, a nearly 16-to-1 benefit/cost ratio. Other rules have been found to be even more cost effective, including EPA's Non-road Diesel Tier 4 rule, which boasts a 40-to-1 benefit ratio.

Ms. Jackson went on in that vein, aware that the freshman class of Congressional Republicans, just then settling in to their new offices down the street, were getting ready to use the EPA as a budget piñata.

I assume Rep. Upton has never read the 2010 EPA report Ms. Jackson was citing, or the 1995 report of the MIT Project on Environmental Politics & Policy, which found that "The money spent by complying firms represents sales and income to environmental product/service providers, who are private businesses. New demand spurs new products and new services." It concluded: "The all-out assault on federal and state environmental statutes now underway is unwarranted and unwise.... Gutting environmental statutes merely prolongs public subsidization of inefficient uncompetitive businesses."

The reason why we are hearing the call for "regulatory relief" at this particular moment is H.R. 2584, the 2012 Interior Appropriations bill, now before Congress. House Republicans have attached an unprecedented number of extreme anti-environmental riders to the bill — slashing funding for the critically important Land and Water Conservation Fund, putting uranium mines next to the Grand Canyon, and seeking in every way to keep the EPA from doing its job, including barring it from considering protection of human health and the environment when issuing permits for offshore oil drilling.

The 2012 Interior Appropriations bill dwells in a dark, drafty hall of history dedicated to The Power of Bad Ideas. Call the office of Rep. Kevin McCarthy, who is held fast in the grip of the false paradigm -- 461-1034 (North County) or 549-0390 (South County) -- and give him the good word: environmental protections are not what's killing the economy; they are what's keeping it alive.

UPDATE: After an avalanche of bad publicity, H.R. 2584 has been "tabled." A replacement funding measure is considered unlikely to resurface with the defunct bill's toxic load of amendments.

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Update: The Price of Solar in SLO

Last fall, the Sierra Club conducted a survey of the fees charged by SLO County and the incorporated cities for permits to install photovoltaic (PV) solar energy systems on commercial buildings (See “Let Solar Sell,” February). We determined that the maximum cost recovery limit municipalities should be charging in permit fees – the amount needed to cover the costs to the city for the review and inspection of a project — is \$2,540 for an average 131kW system. We found a wide variation among cities, with Pismo Beach (\$15,907), Grover Beach (\$9,509) and Morro Bay (\$31,548) clocking in with permit fees far in excess of the estimated maximum cost recovery limit, a clear disincentive for any local business to go solar.

We brought this to the attention of the municipalities and alerted the media. *The Tribune* editorialized on the “absurd” gap between the high and low end for commercial solar permit fees in the county (“Solar permit discrepancies must be fixed,” March 9, 2011). We have conducted follow-up interviews throughout the year, and are happy to report considerable progress in the three “problem” cities.

Morro Bay lowered its commercial PV solar permit fee in March.

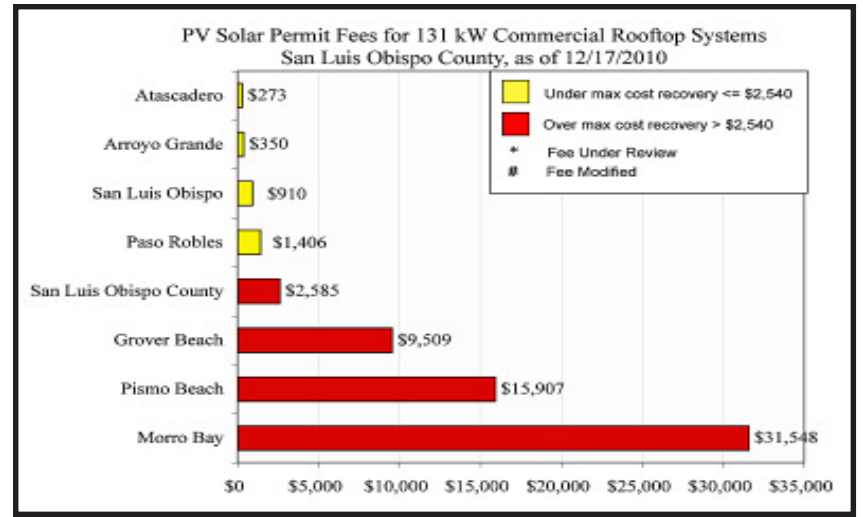
Pismo Beach lowered its commercial PV permit fee to \$5,062.75 on April 5.

Grover Beach is working on master fee schedule changes for both residential and commercial PV, and should have a new schedule of fees in place later this year.

“We strongly suggest that cities stop computing PV permit fees based on valuations and go to a more appropriate methodology such as what we’ve documented in the report and recommendations,” said Kurt Newick, chair of the Global Warming and Energy Committee for the Sierra Club’s Loma Prieta chapter.

Over the last five years, solar PV fee surveys by Sierra Club California chapters resulted in more than 70 cities significantly lowering their fees for residential solar photovoltaic projects. We’re very pleased to see similar results from the newest round of reports focusing on commercial PV projects.

The most current version of the Sierra Club’s San Luis Obispo County commercial PV permit fee report is available at www.solarpermitfees.org/sanluisobispo.html/.



Capps Marks Completion of Nation’s Largest Public Housing Solar Project

On August 18, Congresswoman Lois Capps, the Housing Authority of the County of Santa Barbara (HACSB), solar energy companies and others announced the installation of new solar panels on the low-income housing units throughout the County.



The Housing Authority has installed more than 7,200 solar panels on 863 low-income housing units at 21 sites throughout Santa Barbara County. The project represents the largest installation of solar panels by any public housing authority in the United States, of which there are approximately 3,200, and will generate 1.7 megawatts of solar energy. About fifty percent of the funding to complete the project was generated from federal sources.

Capps praised the HACSB and solar energy companies for their work to complete these projects and the contribution of federal funding and other efforts to transition to cleaner energy sources, including incentives to make homes and businesses more energy efficient to lower energy bills and create jobs.

“The installation of over 7,200 solar panels on affordable housing units across the County shows how federal investments in clean energy are paying off right here on the Central Coast. The installation of these new solar panels created good paying jobs, and will result in lower energy bills for families throughout Santa Barbara County for years to come. I commend the tremendous work the Housing Authority of the County of Santa Barbara that serves our local communities each and every day,” said Capps.

“Due to its size and complexity, encompassing 863 housing units at 21 properties, involving more than 7,200 solar panels and three utility districts at a cost of \$12.25 million, our Solar Photovoltaic Project arguably represents the most significant and challenging undertaking in the entire 70 year history of the HACSB,” said Frederick Lamont, Executive Director of the Santa Barbara County Housing Authority. “To the best of our knowledge this represents the largest solar installation for any housing authority in the United States and we are pleased that this project will result in a substantial reduction in both our low income tenant’s electricity costs as well as the HACSB carbon footprint.”

Of the \$12.25 million needed to complete the project, over \$6 million came from federal sources, including \$1.2 million from a competitive American Recovery And Reinvestment Act grant, \$1.2 million from HACSB’s energy performance contract with the Department of Housing and Urban Development, and \$3.67 million from a Department of the Treasury 1603 rebate, specifically developed for solar initiatives.

A Solar Settlement

On August 8, Defenders of Wildlife, the Center for Biological Diversity and the Sierra Club reached an agreement with SunPower Corp. and Topaz Solar Farms, a subsidiary of First Solar, Inc., to provide additional conservation protections for the Carrizo Plain, where SunPower’s 250-megawatt California Valley Solar Ranch and First Solar’s 550-megawatt Topaz Solar Farm are planned for the generation of solar power for delivery to the state grid.

The Carrizo Plain, a core recovery area for the endangered San Joaquin kit fox and giant kangaroo rat, is home to the largest variety of threatened and endangered plant and animal species in California.

Supplementary to permit conditions requiring protections for wildlife and habitat based on environmental reviews by federal, state and county agencies, SunPower and Topaz have agreed to additional conservation measures. More than 9,000 acres added to the 17,000 acres of land required to be permanently protected and preserved under the permit conditions, resulting in a total of approximately 26,000 acres -- about 40 square miles -- of the Carrizo Plain. Thirty miles of fencing removed from the area, allowing for greater wildlife movement around the projects. Additional enhancements will be made to the wildlife-friendly fencing around the solar system arrays. No rodenticides are to be used in the construction or operations of the projects, and the solar companies will help fund efforts to eliminate rodenticides on the Carrizo Plain and in other San Joaquin kit fox conservation areas. Topaz and SunPower will make additional financial contributions to San Luis Obispo County to help acquire a largely undeveloped subdivision in the Carrizo Plain to restore for wildlife conservation.

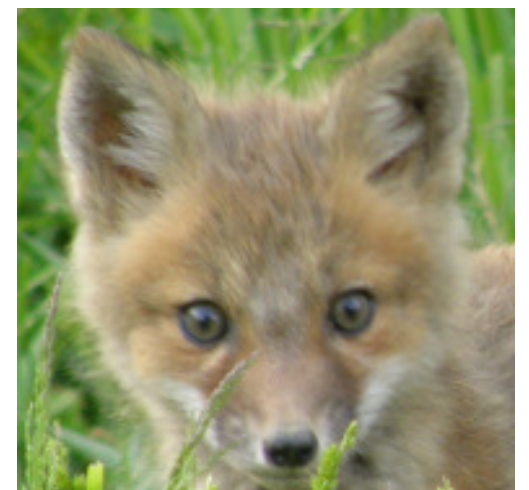
One of most unfortunate side-effects of the initial rush by solar companies to claim sites throughout the southwestern U.S. and California without first considering the issues of threatened species and habitat has been what we can only call an epidemic of endangered species bashing. Locally, as the California Valley Solar Ranch and Topaz projects made their way through the permitting process, some project proponents claimed there was an “environmentalist split” — wildlife advocates vs. clean energy advocates. This division has everywhere been the result of poor site selection. This split has been promoted by

the media as a handy hook for stories covering opposition to the location of such projects, stories that invariably scold environmentalists as hypocrites for opposing a particular project. Those stories about site-specific concerns raised by a specific project routinely tend to slide into the conclusion that such concerns translate into opposition to solar power and all renewable energy projects everywhere.

It is essential that renewable energy projects be located and designed in the most sustainable manner possible. Siting projects on sensitive lands creates unnecessary conflict between developers and Californians who wish to preserve our state’s native wildlife and natural landscapes. There are good places to put renewable energy projects. The Carrizo Plain, as core habitat for threatened species, is not one of them. The development of renewable energy in California to reduce carbon emissions and transition away from fossil fuels can be facilitated appropriately on ample disturbed and/or degraded sites (such as brownfields, former industrial sites, defunct mines and abandoned agricultural lands) available throughout the state.

The Santa Lucia Chapter did not endorse the agreement with the solar companies. We can only hope that the additional money and time the companies had to expend to achieve a settlement of the issues that arose from the selection of their project sites will serve to give pause to future energy companies eager to enter into power purchase agreements with utilities without first determining what else is on a proposed site besides copious sunshine and a transmission line.

We hope the additional mitigations negotiated might give the species of the Carrizo a fighting chance for survival despite the choice to locate these facilities there.



Concerned local resident Pray for the kit fox.



Bioneers, a popular annual conference held for 21 years in Marin County, will be represented on the central coast at the second annual Central Coast Bioneers conference in San Luis Obispo, October 14-16. Central Coast Bioneers is a project of Ecologistics, Inc., a local non-profit agency dedicated to finding breakthrough solutions for people and the planet.

Registration is now open for the conference, held at the San Luis Obispo Vet's Hall. Attendees can choose to attend all offerings over the 3-day event, or select from weekend, single day, select field trips and events or "sampler pass" options. Student pricing is also available.

Bioneers is a gathering of scientific and social innovators who have demonstrated visionary and practical models for restoring the Earth and communities. The San Rafael conference regularly draws thousands of attendees. Central Coast Bioneers is a licensed Bioneers beaming site, which means the presentations of leading social and scientific innovators speaking at the Bioneers conference in San Rafael will be transmitted live to Central Coast attendees.

Sixteen of the world's brightest social entrepreneurs, scientists, NGO leaders, women leaders, educators, indigenous leaders and others will present cutting-edge ideas for making communities strong and resilient.

The "beamed" content is just the beginning. Central Coast Bioneers will also present live, on-site speakers, hands-on workshops and local field trips designed to address regional interests.

Best-selling author Gail Sheehy and Jason McClellan, international thought-leader in the green architecture movement, will be in San Luis Obispo for lectures and book signings.

Twenty-five speakers and panelists will share their expertise at local afternoon workshops and presentations. Topics include green gardening, the

dangers of water privatization, keeping our food supply local and sustainable, lessons to help consumers & green business owners avoid "greenwashing," conservation of the Salinas River corridor, and many more.

There will be demonstration projects and field trips related to aquaculture, green building and storm water conservation. There will also be yoga and a seed exchange. Live beamed presentations will feature Philippe Cousteau, Gloria Steinem, Award-winning Chinese filmmaker John Liu, and Amory Lovins, Chairman and Chief Scientist of the Rocky Mountain Institute.

The founders of Ecologistics, Inc., the presenters of Central Coast Bioneers, were inspired by the people and messages at Bioneers conferences they attended in Marin County. As Central Coast residents, they knew people in the counties of Monterey, San Luis Obispo and Santa Barbara would enjoy sharing this kind of energy and inspiration with members of their own region.

Registration and more information about Central Coast Bioneers, speakers and topics is available at their website, www.ecologistics.org/centralcoastbioneers/ or by calling (805) 548-0597.

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Pismo's Thirst

The City is lusting after two huge, unsustainable development projects

by Laura Sprague

Price Canyon: just a little bit pregnant

On July 21, the Local Agency Formation Commission took a field trip to tour Price Canyon, where the Commission is pondering future annexation to Pismo Beach to facilitate a proposed development that would expand the size of the city by a third, covering more than 1,100 acres with 650 homes, 160 hotel units and a golf course.

When the LAFCO tour bus came to Vetter Lane to view the Godfrey Property, the site of four wells much coveted by prospective developers, they found the community had turned out in a major way. At least 40 people were waiting to greet them at the end of the road, with several more in cars following the bus.

I was on the bus, along with Sheila Blake, as LAFCO had graciously made a few seats available to the public. At each stop, LAFCO executive officer David Church pointed out landmarks to orient the observers. He informed them as to the status of each parcel, whether it was already in the Sphere of Influence (SOI) of Pismo, and its status relative to the Memorandum of Agreement (MOA) between Pismo and the County (i.e., whether the Board of Supervisors

PRICE CYN continued on page 9

Los Robles del Mar: who's got the water?

On July 19, the Pismo Beach City Council had a Public Hearing on "An Ordinance Approving Amendment Number 1 to the Development Agreement No. 2004-001 Between the City of Pismo Beach and Pacific Harbor Homes, LLC" – in other words, Bringing Back the Los Robles del Mar Development From the Dead. (See "A Watershed Win," Feb. 2008).

The staff report was prepared by City Attorney David Fleishman. In summary, it said that the LRDM developer had obtained rights to state water from Pismo-98 LLC, and that the transfer of that water entitlement was recently approved by the City Council. The amendment to the agreement was advertised as a simple substitution of State Water for the groundwater resources, relieving any requirement of the developer to develop the on-site wells or hook them into the city's municipal water supply.

Fleishman said that "Staff has not identified any additional or different

LRDM continued on page 9

Marcia Carter



Waiting for LAFCO Concerned South County residents converged on Local Agency Formation Commissioners at the Vetter Lane stop on their tour of Price Canyon.

If SLOCOG Calls...

by Eric Greening

You may be getting a call from consultants working for the San Luis Obispo Council of Governments. They will ask for 20 to 25 minutes of your time to discuss transportation issues and to hear your opinion on willingness to support a revenue measure for transportation.

I hope, if this happens, that you will have the time, and take the time, to give them your own honest opinions, whatever those are. Here are a few things you might be thinking about as you prepare for the possibility of being called:

1. Are there any younger cell-phone users in your household? If such a person is willing to trundle over to your land line connection to talk to the pollster, it could help provide a better demographic sample. They are *only* calling land lines, but promise to produce a result that balances the demographic categories. Since land line owners with time to talk will tend to be retired, everyone else could be undersampled, leading to extrapolation from small samples. There is a risk that, if they find *one* African American woman in her twenties on a land line with time to talk, she will have to stand in for *all* African American women in their twenties, despite the diversity of opinions to be found in any segment that could result from slicing and dicing the population into categories.

2. The consultants are operating from a belief system (based on past experience elsewhere) that raising sales taxes is more acceptable than raising gasoline taxes or vehicle license fees. Now that most of us have seen the urgency of containing damage to the climate and reducing

vehicle miles traveled, shouldn't we be expecting road users to pay their way rather than be subsidized? To the extent that any transportation measure would likely be dominated by road spending, doesn't it make sense that the true cost of the roads should confront a driver when registering a car or stopping at the pumps? Sales taxes equally affect drivers and non-drivers, thus road spending derived therefrom constitutes a subsidy of drivers by non-drivers, and insulates drivers, as a protected class, against the true cost of their habit. This issue could be mentioned to the poll-takers, whether such an opinion is solicited or not. Their format will allow for those polled to raise issues of their own.

3. If the source of "revenue enhancement" is to be raising the sales tax, shouldn't people concerned with climate, congestion, and pollution insist that the resulting funds be spent to promote true multimodality, not primarily road work, especially if the latter means expansion? Non-motorized options, public transit—including operating support, which has been declining nationwide, even during the era of "stimulus" -- and incentives for ridesharing should dominate, *not* spending that allows the continued dominance of the single-occupant vehicle.

4. To the extent that road work is funded by such a measure, there needs to be clarity that if the condition of the roads is used to promote a measure, the money should be used to improve the condition, not to expand the system. We saw this happen with Proposition 1-B, in



which voters were told the roads were falling apart (mentioning that gas taxes were falling short, not mentioning that vehicle license fees had been drastically cut when Schwarzenegger took office), and that the "responsible" thing to do was to support bonds to take care of them. The result was a measure that has to be repaid with interest over 30 years from the state's General Fund, costing double what paying up front (which could have been completed by now simply by leaving the Vehicle License Fees alone) would have cost, and extracting \$1.3 billion from each year's budget. The upshot is that this road work is being paid for not at the pump, but by elders losing their in-home care and by kids losing their music and art teachers. What is most galling here is that the bulk of the money is going not into road maintenance, but into huge expansion projects like the billion dollar one on the 405, creating even more pavement we can fall short in taking care of.

Those who have the opportunity to talk to poll takers need to insist in truth in labeling in the creation and marketing of any transportation revenue measure.

5. To the extent that the poll takers talk to adults (and likely more to older adults), remember the needs of kids in the household, and of kids you know—those too young to drive, whose safety *from* cars must be a priority if they are to have any access to their community short of being hauled around by drivers. People not yet of voting age will not be invited into the conversation, but they will grow into paying the tax if it is voted in, and deserve representation now, as they are part of the community now.

6. Given the constrained times we are in, and the many who are hurting economically, you may be willing to support a modest tax increase to keep things going, but not a large increase to support an ambitious list of projects. If that is the case, you should clearly let it be known.

7. Although this poll is about transportation, due to the fact that our regional transportation agency is paying for it, it should not be assumed that transportation is *your* highest priority for a new tax, if you support one. If you would rather some other public interest benefit from the first trip to the tax well before it might run dry, there is nothing wrong with saying so.

One issue that may benefit from a transportation tax could be open space acquisition. The current "Environmental Enhancement and Mitigation" fund, overseen by SLOCOG, has helped with the acquisition of such places as the Elfin Forest and Atascadero's Stadium Park, so it is possible that a transportation measure could be structured to include such a fund. It is, however, unlikely to stretch to include schools, or libraries or other public services or facilities.

Nuclear Unknowns in California's Energy Future

Representing ratepayers at the Energy Commission workshop on nuclear power

by the Alliance for Nuclear Responsibility

Appearing before the July 26 California Energy Commission (CEC) workshop on the future of nuclear power in California, The Alliance for Nuclear Responsibility (A4NR) presented the CEC with five recommendations to guide the future of nuclear power in California.

"In the wake of the Fukushima nuclear disaster, the economic impacts and loss of grid reliability from nuclear plants located in seismic zones must be scrutinized," said A4NR executive director Rochelle Becker. "These are all concerns solely within state jurisdiction, and the CEC is the right agency to hear the public's questions."

Both the Diablo Canyon reactors of PG&E and the San Onofre (SONGS) facility of Southern California Edison (SCE) were discussed. A4NR recommendations include requiring the nuclear utilities to undertake planning to replace their nuclear megawatts in the event of a Fukushima-type outage; asking the federal government to explain how California can afford to host radioactive waste into an undefined future; requiring an examination of the inadequacy of the \$12.6 billion liability insurance cap in the event of a radioactive release; evaluating the costs of expanding the

evacuation zones around reactors from 20 to 50 miles as the Japanese did; and considering the validity of the current state CPUC permits that allow the two nuclear plants to operate. The full A4NR recommendations can be downloaded at <http://a4nr.org/?p=1543/>.

It was in the CEC nuclear workshop process of 2005 that the impetus arose to study the costs, risks and benefits of relying on nuclear power. An outcome of that workshop was AB 1632 (Blakeslee) which mandated that the CEC to do the study, and from that came the recommendations for advanced seismic work. The need for seismic studies—championed by geophysicist Senator Blakeslee and supported by A4NR—are at the heart of the nuclear license renewal debate in California.

The CEC began assessing the risks of nuclear power before a 2007 Japanese earthquake idled the Kashiwazaki nuclear plant at a cost of more than \$12 billion in repairs and replacement power, and well before Fukushima. PG&E failed to heed the recommendations of the CEC and applied for Nuclear Regulatory Commission relicensing before completing the studies, drawing a public rebuke from CEC Commis-

sioner James Boyd in 2009. It was only after the tragedy of Fukushima that PG&E began the studies in earnest, and the NRC has belatedly admitted they even need to reevaluate seismic and other threats to nuclear power plants. "Our state CEC was asking all the right questions in advance of the disaster, and deserves praise for their farsightedness," said Becker.

A4NR carefully reviewed PG&E and SCE's responses to data requests made by the CEC and found numerous contradictions, omissions and inadequacies. "In order to make responsible planning decisions, our regulatory agencies need accurate and current data, and we found the utility's answers flawed," she said.

Presentations submitted to the 2011 CEC workshop by the U.S. Geological Survey (USGS) are at odds with the assertions of PG&E. With regards to the Shoreline fault, 1800 feet from Diablo Canyon, PG&E's written response to the CEC states, "Currently our logic tree does not connect the Shoreline to the Hosgri fault, because we believe this is an unrealistic scenario based on two recent studies...." In the USGS presentation, however, the agency concludes that the "Northwest end of

Shoreline Fault extends to the mapped trace of the Hosgri Fault, indicating that there is no gap between these faults at seismic depths."

Becker adds, "It is to be hoped that the new 3-D seismic studies will help clarify any uncertainty regarding the 'unknown' hazards threatening the Diablo Canyon site. PG&E's claims and research must be subject to independent peer review by state regulators. It was this lack of objective oversight that led to the devastating seismic cost overruns 30 years ago."

Southern California Edison is decades behind PG&E in updating their seismic and tsunami research at the San Onofre reactors, which is of concern because over 7 million people live within 50 miles of SONGS. The unfunded mandate of storing radioactive waste at that geographically constrained location—and the need to plan for revised evacuations—are all potentially costly state burdens.

Becker told the Energy Commission "The CEC is taking on the role they should—safeguarding a reliable and affordable supply of power for California. This isn't about being for or against nuclear power, it is about responsible planning."

Thank You, Peter Douglas

We can't improve on the observation in the Associated Press report that broke the news of the retirement of Peter Douglas after 26 years as Executive Director of the California Coastal Commission: "They might not know his name but the millions of visitors annually lured to California's 1,100 miles of coastline are no doubt familiar with his work."

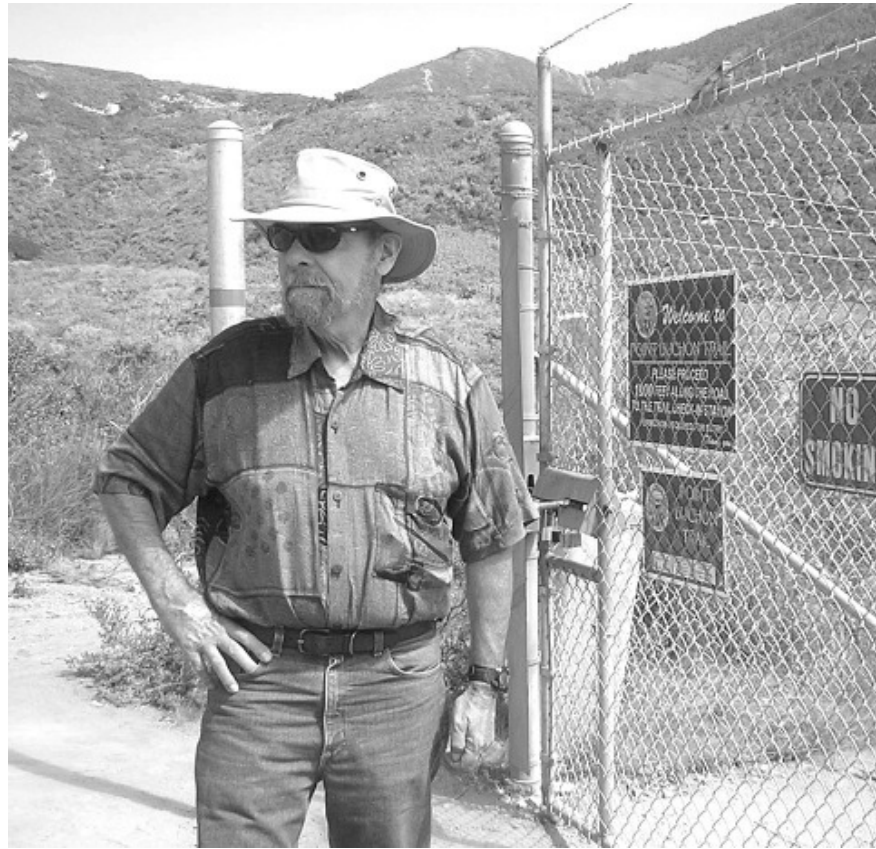
Meaning that Douglas is largely the reason why long stretches of unspoiled coast have stayed that way, despite enormous pressure to render them otherwise.

The notion now being eagerly lobbied by the Pacific Legal Foundation, long-time dire foe of the Coastal Commission and the Coastal Act, is that his replacement should be chosen with an eye toward the selection of someone more moderate, more pragmatic, more balanced in his approach; specifically, someone more inclined than he was to give additional weight to the wishes of developers so that the scales might be allowed to tip in that direction more often, and less often toward the mandates of public access and resource protection.

That notion sounds reasonable and pragmatic and balanced. It seems perfectly sound.

And those inclined to believe that it actually is all those things are like unto the oysters trotting along the beach as the walrus and the carpenter suggest they talk of many things — of shoes and ships and sealing-wax, of cabbages and kings — while laying out bowls of garlic butter and tucking in their bibs.

The only thing one need consider



Open up Peter Douglas on July 13, 2007, awaiting the opening of the northern Pecho Coast trail at Montana de Oro, above Diablo Canyon. The Coastal Commission required PG&E to open the trail and provide expanded public access to the area as a condition of its permit to store nuclear waste.

about this notion is its source: the aforementioned dire foes of the Coastal Commission and the Coastal Act. It is a roadmap to the realization of an ill-concealed agenda, and it has nothing to do with the reality of California coastal politics. It assumes

the tilt in the playing field between the public and private sectors is the opposite of what it is. When it comes to coastal development, regulators and public interest advocates are as out-funded, out-lobbied and out-muscled by private interests as

routinely as they are in every other arena of our society. That is the reality, and in that reality the public interest is not served by practitioners of the kind of compromise that slowly, steadily allows our natural treasures to slip through our fingers. The public interest is served only by people who are willing to fight for it.

That's why the Commission needs another tough, passionate, full-throated advocate who knows coastal law and coastal politics backward and forward and who sees our relationship to the natural world as Aldo Leopold, Stewart Udall and David Brower saw it, not as the Irvine Company sees it. What we all need is someone who knows exactly how Leopold felt one afternoon in New Mexico in 1909, when, in the course of seeking to assure sufficient supplies of deer for hunters, he shot a wolf. He approached her body just in time to see "a fierce green fire dying in her eyes," a sight that haunted him for the rest of his life. He came to realize the value of wolves and wildness, and that it was a value beyond economic calculation.

The testament and summation of Aldo Leopold's land ethic is *A Sand County Almanac*. For Peter Douglas, the testament and summation of his land ethic is the California Coastal Act.

The replacement for the Commission's first executive director needs to embody those qualities to the maximum extent practicable. If we get someone who is anything less than that — more moderate and pragmatic than that — then we will live to see the end of California's wild coast.

Our National Ocean Policy

By Judith Bernstein

With a clear National Policy and a revitalized, empowered, unified, and comprehensive framework to coordinate efforts, we can achieve an America whose stewardship ensures that the ocean, our coasts, and the Great Lakes are healthy and resilient, safe and productive, and understood and treasured so as to promote the well-being, prosperity, and security of present and future generations (Final Report of the Inter-Agency Ocean Policy Task Force)

Who knew we even had a National Ocean Policy? Certainly not me, until I received the agenda for the Blue Vision Conference, held in Washington, DC, last month that included lobbying on Capitol Hill for funding to implement it (see "Sierra Club Takes to the Sea," July/August).

While preparing for the Hill visits, I discovered that the creation of our ocean policy was a long time in the making. In June 2006, the Joint Ocean Commission released a national ocean policy action plan for Congress, "From Sea to Shining Sea: Priorities for Ocean Policy Reform." The plan was created at the request of ten prominent senators to provide a guide for legislative and funding priorities. It outlined the steps Congress should take to address the most pressing challenges, highest funding priorities, and most important changes to federal laws and the budget process necessary to establish a more effective and integrated ocean policy. Four years later, President

Obama issued an Executive Order in July 2010 recognizing that:

"The ocean, our coasts, and the Great Lakes provide jobs, food, energy resources, ecological services, recreation, and tourism opportunities, and play critical roles in our Nation's transportation, economy, and trade, as well as the global mobility of our Armed Forces and the maintenance of international peace and security. The Deepwater Horizon oil spill in the Gulf of Mexico and resulting environmental crisis is a stark reminder of how vulnerable our marine environments are, and how much communities and the Nation rely on healthy and resilient ocean and coastal ecosystems."

The Executive Order lists ten policy objectives in furtherance of the goals of protecting, maintaining and restoring the health and biological diversity of ocean, coastal, and Great Lakes ecosystems and resources; increasing scientific understanding of ocean, coastal, and Great Lakes ecosystems as part of the global interconnected systems of air, land, ice, and water, including their relationships to humans and their activities; and improving our understanding and awareness of changing environmental conditions, trends, and their causes, and of human activities taking place in ocean, coastal, and Great Lakes waters; and to foster a public under-



9/17 is Coastal and Creek Clean-up Day

Join 80,000 of your friends and neighbors and help protect our coast & shorelines

Be part of the solution to marine pollution! Marking its 27th year, the California Coastal Commission's Coastal Cleanup Day is the state's largest volunteer event. In 2010, over 82,500 volunteers removed more than 1.2 million pounds of trash and recyclables from our beaches, lakes, and waterways.

California's coast and waterways have historically been collecting spots for annual accumulations of trash and debris. This debris, if not removed, can be harmful and even fatal to marine wildlife, can damage our state's economy, and can even become a human health hazard.

Combined with the International Coastal Cleanup — organized by the Ocean Conservancy and taking place on the same day — California Coastal Cleanup Day is part of one of the largest volunteer events in the world.

And this year, both events are being held simultaneously with San Luis Obispo County Creek Day. September is the best time to clean up our creeks, before rain from winter storms arrive and wash debris into our oceans. SLO County Creek Day offers an opportunity to take action to remove harmful trash and debris at nine inland clean-up sites.

Go to www.creekday.org or call (805) 544-9096 for Creek Day information. For Coastal Cleanup locations, go to www.coastal.ca.gov. If you are unable to find a Creek or Coastal cleanup site near you, contact ECOSLO at (805) 544-1777 or ccd@ecoslo.org.

The Coastal Commission is committed to eliminating the waste created at Coastal Cleanup Day and asks that you please bring your own reusable supplies to the Cleanup.

Rules

continued from page 1

international phenomenon over a period of four years.”

A 14-year-old in Rhode Island set up computer recycling centers and wound up advising the state legislature on how to do it.

Those kind of things can happen if you remember five simple rules:

- Focus -- pick one issue and push.
- You and a small group of friends, no more than half a dozen people, can do amazing things
- Surround yourself with other people who work on these issues. Find a network of people passionate about what you're doing
- Get a mentor
- Get recognized and get funded.

Smith experienced her first awakening of raised environmental consciousness – the prelude to activism – when the Unocal oil spill decimated Avila Beach.

“Unocal didn't agree to clean it up out of the goodness of their hearts or because it was the right thing to do,” she recalled. “They did it because they lost a lawsuit.”

Today, Smith spends a good deal of her time bird-dogging Chevron for the oil disaster they created in the Ecuadorian rainforest and their flight from responsibility.

She is optimistic about the genera-

tion coming up. A 1999 eco-conference in Philadelphia she attended was billed as the largest youth-oriented environmental event in the country because 1,000 people showed up. Eight years later, PowerShift 2007 saw 12,000 high school and college-age participants.

So how much difference can a few

people make?

“Remember Captain Climate?,” asked Smith. “He was my buddy; we were both 22, just out of college, and he dressed up in this ridiculous costumes with his pal Climate Lad and they bird-dogged John McCain at every stop in his 2000 campaign; his friends would hold signs saying

‘What's the Plan?,’ wearing ski outfits and shouting that they couldn't ski because all the snow had melted off the mountain. Finally McCain called him up on stage at an event and said ‘Tell me about this.’”

John McCain then became a major advocate for climate action in the Senate... for a few years.



She rules Sharon Smith at Cal Poly.

Morro Bay to Otters: Drop Dead

Mayor Yates secures a special rep for his city

In June 2010, a female sea otter pup was found dead on the beach north of the Morro Strand campground. She had been shot in the head.

In August 2011, Mayor Bill Yates and a compliant city council majority made it official: Morro Bay dislikes sea otters. Specifically, the Morro Bay City Council, by command of the Morro Bay Commercial Fishermen's Association, officially dislikes sea otters on behalf of all citizens of Morro Bay.

Yates has declined to bring a ceremonial proclamation of Sea Otter Awareness Week before the city council, a resolution passed every year for the last six years by Morro Bay and dozens of other California coastal communities. The purpose of the annual proclamation as requested by Defenders of Wildlife is to teach people about the integral role that sea otters play in the nearshore marine ecosystem and to promote research and conservation programs.

Cities and counties that have passed resolutions honoring Sea Otter Awareness Week (September 25 - October 1) this year include Los Angeles, Santa Barbara, Cupertino, Salinas and Monterey.

Mayor Yates said the Morro Bay Commercial Fishermen's Association would be upset if Morro Bay followed suit this year.

In reporting the banishment of Sea Otter Awareness Week in its August 11 issue, *New Times* should have used the word “allegedly” in reference to the fishermen and what they said to the mayor, as their representatives became unavailable for comment, leaving the mayor all alone to take responsibility for his action. The city council soon joined him in complicity, when a requisite two votes could not be found to compel the mayor to put the item on a meeting agenda.

Which brings up the interesting

question: Who's running Morro Bay?

Mayor Yates has now proven to be as supine before economic special interests as he has been before city staff when a defective plan for a \$35 million sewer project came before the city council and should have been sent back to the drawing board. Instead of heeding his own planning commission and the specific critiques of the Sierra Club, Surfrider and Morro Bay residents who pointed out the glaring flaws in the plan, Yates and the council approved it (and tried

to fire the planning commission for being “disrespectful” to staff) and sent it on to the California Coastal Commission, where it was immediately shot down for the reasons the public had cited. Yates & Co. then authorized the expenditure of \$350,000 on consultants to tell the city how to get approval from the Coastal Commission -- something the public had already told the city for free.

Thus, the disappearance of Sea Otter Awareness Week seems symptomatic. It appears that Morro Bay in

2010 voted in a peculiar brand of clueless government-by-crony.

UPDATE:

After *New Times* broke this story and the flyer reproduced above started circulating around town, a generic proclamation suddenly showed up at the August 23 meeting of the Morro Bay City Council, proclaiming September 25 – October 1 to be “Wildlife Awareness Week” in Morro Bay.

The “O” word did not appear.



TOURIST ADVISORY: See no otters

This is NOT Sea Otter Awareness Week in Morro Bay.

By order of the Mayor and some of his friends, we will NOT be:

- **proclaiming the sea otter to be a symbol of wilderness and an integral part of California's natural ecosystem**
- **acknowledging that a growing awareness of maintaining the health of the nearshore marine ecosystem has raised public interest in the sea otter**
- **noting that the survival of the sea otter in California is dependent on continued public support and increased understanding of the essential role sea otters play in nature, etc.**

Those of you who may have been Aware of sea otters during observations of Sea Otter Awareness Week in Morro Bay in years past, please be aware that Morro Bay is no longer Aware of Sea Otters. Please refrain from expressing such Awareness of sea otters during your stay in Morro Bay. Should you wish to engage in such Awareness, please visit a different California coastal community. We don't need your kind or your business here. Thank you for your cooperation.

For more information, contact:

**Mayor Bill Yates: 805-772-2341
Chamber of Commerce: 805-772-4467**



The writing on the wall The message above started popping up around Morro Bay in August, letting the mayor (top right) know what residents thought of his decision to cancel Sea Otter Awareness Week. Public pressure (right) had an effect.

JOBS21! Good Jobs for the 21st Century

Tell Congress & President Obama: Let's Solve the Jobs Deficit

A Nationwide, Grassroots Campaign for Good Jobs in the 21st Century

America's jobs crisis is an emergency. What we need is a bold, national jobs plan that maintains and creates the good jobs America needs to move us back to prosperity. And we need a plan that will lay the foundation for our children and grandchildren to lead the world in the 21st century clean energy economy.

Send a letter to President Obama and Congress today to ask them to adopt the Jobs21!, a plan that focuses on growing industries like renewable energy, energy efficiency, manufacturing in clean energy and advanced auto technologies, broadband Internet, a smart electrical grid, green chemistry, and recycling.

These are the industries that will make America a cleaner, more energy efficient economy, and these are the industries that secure our existing jobs and create new jobs for millions of Americans across the country.

Jobs21! is a nationwide grassroots campaign, coordinated by the BlueGreen Alliance. Launched in 2006 by the United Steelworkers and the Sierra Club, the BlueGreen Alliance is a unique national strategic partnership between labor unions and environmental organizations dedicated to expanding the number and quality of jobs in the



green economy. The Alliance unites more than 14 million members and supporters in pursuit

of good jobs, a clean environment and a green economy.

We have an opportunity to close the jobs gap and put people back to work with a plan to maintain our current jobs and create new ones by making the U.S. more competitive in the 21st century economy.

Jobs21! consists of six key job-creating areas: growing clean energy; making buildings more energy efficient; revitalizing American manufacturing; moving power and connecting the country; rebuilding roads and railways and driving 21st-century vehicles; and improving job quality, the health of our communities and the environment we share.

Creating jobs and putting middle-class Americans to work building a 21st-century economy will resolve the American jobs crisis and protect the environment. Go to www.bluegreenalliance.org to read the Jobs21! plan and sign the pledge.

It's Time to Label Genetically Engineered Food

For Pamm Larry, it's perfectly clear: Food that's been genetically engineered needs to be labeled, because we're eating it now, don't know we are, and therefore have no choice.

When she came to that realization last January, she decided not to feel helpless and overwhelmed by these facts and instead began an odyssey that became a state ballot initiative, a website (www.labelgmos.org), and a grassroots movement.

It has also meant a new regimen of constant travel from Larry's home in Chico, traversing the length of the state meeting with curious and/or like-minded people willing to get together and prepare for the signature drive to get the initiative on the ballot in 2012. Larry held three such "seed meetings" in Morro Bay, SLO and Nipomo over the weekend of August 20-21. The initiative is now undergoing final draft and review; the signature drive is expected to begin in October.

Worldwide, because their citizens demanded it, more than thirty countries require labeling of Genetically Engineered (GE) food, also known as Genetically Modified Organisms (GMOs). American citizens can do the same, starting in California.



It's a start In 2007, working with John DiVincenzo, the Sierra Club brought about the labeling of genetically engineered corn at the Avila Valley Barn, the first known voluntary labeling of GE food in the U.S.

In recent years, multiple genetically engineered food crops have been developed and are being pushed on local populations in places like Africa and India. In Haiti, earthquake victims burned their "gift" of GE seeds. While the majority of genetically engineered food — corn and soy — is fed to animals, we're now eating it directly more often, and more crops are being approved for cultivation every year, all without independent long-term safety studies.

"The studies done are in the nature of 30-day testing done on a rat," said Larry, "but you don't keel over from cancer the first time you light up a cigarette. Without long-term testing, no one can say what the health effects of these foods are." Nevertheless, enough independent data has been amassed over the last twenty years pointing to potential health risks that it is clear the FDA and USDA have been worse than lax in failing to require labeling. No legislative relief is in sight in California and 14 other states, where GMO labeling laws have been introduced in legislatures only to die in committee.

In 2004, a major ballot push resulted in five California counties moving to protect their agriculture by passing laws against growing Genetically Engineered crops within their jurisdiction. The bid to do the same in San Luis Obispo, known as Measure Q, was defeated by aggressive campaigning by Big Ag and its supporters in the chemical and biotech industries, primarily Monsanto, which holds the lion's share of GMO patents. See ("Will We be GE Free?," Oct. 2004.)

This is not that. "Farmers can grow anything they want," said Larry, "this is just about our right to know what's in our food. I know labeling is doable and it can protect us. It's made an impact in Europe and I believe it can here. Citizens of this country have the right to informed choice, and I think that's more important than the right to a non-transparent profit."



The Instigator Pamm Larry came to SLO on August 20 to lay out the plan to get GMO labeling on the state ballot.

A pledge to gather signatures for the ballot initiative campaign is available on line, along with opportunities to donate, spread the word in schools and on college campuses, and see informative videos on the work being done to challenge the force-feeding of GMOs to captive populations worldwide. Go to www.labelgmos.org/.

"This movement requires *everyone* to get involved, because most Americans don't even know what GE food is and that they're eating it," states one of the fact sheets Larry handed out on her August swing through SLO. "We must attempt to educate every Californian on a personal basis and warn them of the billions of dollars that Monsanto will spend to try to convince each and every one of us that we don't want to label GE foods."

Six Copies Left!

A Californian's Guide to the TREES AMONG US



MATT RITTER Foreword by Peter H. Raven

While supplies last, you can receive an autographed copy of the *Guide* as a gift for your donation of \$50 or more to the Santa Lucia Chapter. Write "TREES" in the memo section of your check and mail to Sierra Club, P.O. Box 15755, San Luis Obispo 93406.

Price Cyn

continued from page 4

endorsed including a particular parcel in the SOI of Pismo.) The recent MOA recommended including the Godfrey parcel in Pismo's SOI.

Mike Winn, chairman of Water Resources Advisory Committee, answered many questions I had about SLO county's state water entitlement (25,000 AFY, but they only take about 8,000 AFY due to limitations in pipeline capacity), the Polonio pass, pipeline capacity, and the method used to determine a community's water need. I learned that SLO County's proportionately small draw from the Central Coast Water Authority (CCWA) -- 10% of CCWA's total capacity compared to 55% for City of Santa Maria -- renders SLO minimally influential in decisions and share of any excess water in the future. I got the impression that the outlook for Price Canyon developers to obtain the amount of water needed (for current plans) from state water entitlements is very poor. Regarding the pipeline capacity, Eric Greening notes "the line was sized for the subscriptions at the time of approval, not for the full entitlement, and it contains no seasonal peaking capacity -- demand rises in the summer -- nor significant storage capacity. That is why it is usually considered a 'supplemental' rather than 'primary' source for subscribers, who need to use a well field or surface sources to balance supply and demand. It is hard to see how such a supplemental source, even if obtained, and even if reliable, would meet the needs of developers in the Price Canyon area."

Then the bus got to Vetter Lane. Everyone was stunned. The chatter stopped as those on the bus gazed out at the cars lining both sides of the street and the large crowd of people gathered at the end of the road. Sheila Blake assured them "They're harmless, they won't hurt you." Not everyone laughed.

When the Commissioners disembarked, David Scheef asked "Why is the Godfrey property necessary for Price Canyon development?" and "What would it take to exclude the Godfrey parcel from Pismo's SOI?" Marilyn Morse asked "What can we do to protect Vetter Lane?" Mr. Church briefly addressed them and invited people to e-mail him to discuss these issues further.

The tour was terminated after the Vetter lane stop due to lack of time.

As far as I could tell, there was no discussion among the official attendees of any of the major issues attached to Price Canyon development (water, traffic, Mr. Mankins' ranch/eminent domain.)



Marcia Carter

Just a few questions LAFCO executive officer David Church (facing the crowd, left) explains the Commission's Price Canyon process.

Mr. Church announced that LAFCO will discuss and decide on whether the Godfrey parcel should be included in Pismo's sphere of influence at their meeting on September 21. This is a very important meeting.

The City is fond of stating that annexation of the Godfrey Parcel and its vital wells does not necessarily mean the Price Canyon development will go forward. This is a lot like a woman claiming to be just a little bit pregnant.

Solidarity is the key to prevailing in the battle over excessive/needless development. City residents of Arroyo Grande and Pismo Beach, along with residents in the rural unincorporated areas surrounding Price Canyon, share a common concern about threats to our environment and quality of life. Several months ago, a member of the Pismo City Council was overheard dismissing us as "just a group of five people." County Supervisor Jim Patterson, a LAFCO commissioner, lectured a group of us that met with him a few months ago about being "NIMBYs." Many view us as obstructionists.

Well, this is our home. County and city government is supposed to represent us, not Mr. King and out-of-town developers.

LRDM

continued from page 4

environmental impacts as a result of this substitution of project water sources that were not already examined in the applicable environmental studies for this project." He also said that approval of this ordinance will not result in direct fiscal impacts to the City.

It seems that Pismo city council and staff expected this to be a quick slam dunk. They underestimated the intelligence and intensity of the public. By the time public comments were through, the council members appeared frustrated and confused. Council members' questions to city staff (the city attorney, city engineer, and city manager) highlighted the council's lack of knowledge about what they were voting on. Vague answers by Pismo staff suggested poor preparation and communication among the various city agencies. Some of the staff comments appeared outright evasive.

There were approximately twenty concerned residents in attendance, nine of whom brought the following specific concerns to the council:

1. The amount of water in the State Water Allocation (100 AF) may not be adequate to support the development as currently planned. We are not convinced that the manner in which the lesser amount of water was calculated was based on proven methods, as opposed to assumptions and conjecture.

2. The schedule of City Council actions is glaringly out of sequence. Information essential to an informed vote is contained in the "Addendum to the EIR" for LRDM which (according to a classified ad placed in the SLO Tribune) was not scheduled to come before the City Council until two weeks hence. Whether intentional or not, putting the amendment up for council action before review of the EIR Addendum granted the Council a license to act in ignorance and created a disconnect between the Council's poorly informed decision and future ramifications of the amended agreement. (Appendix C of the EIR addendum contains critical

information about water conservation. Ironically, Pismo put it in the EIR Addendum to support the substitution of the 100 AF State Water Allocation for on-site well development in LRDM. Careful review of the calculations and assumptions reveals that the consultant's report actually undermines the tenet of the State Water substitution, which holds that reasonably achievable levels of conservation will yield the degree of water economy necessary to sustain expanded development. The consultant's numbers don't support this assumption.

3. The city attorney's staff report grossly oversimplified the critically important water element of the development agreement. Potential impacts that could be highly significant were summarily dismissed with the statement that "Staff has not identified any additional or different environmental impacts..." Fleishman essentially recommended that an ignorant City Council blindly assume that substituting unlimited well water with a potentially inadequate state water allocation would not create any problems.

4. What will the specific ultimate disposition be for the existing wells on LRDM? The Amendment states there will be a simple substitution of state water for well water, but nothing is mentioned about the potential future use of these wells. While they may not be hooked into the city's municipal water system, there is nothing saying that they will not be tapped for other purposes and to what degree. The public is entitled to a full disclosure of the potential future uses of LRDM wells after annexation, including those that fall under appropriative water rights.

5. Recalculating water demand so that the numbers fit within a pre-defined limited supply sets a dangerous precedent for future development, especially large projects like Price Canyon.

6. An important point was made that many of the residential parcels within the LRDM project have the potential to *add a second unit*. To date, calculations of the amount of

Familiar Problem Facing Carrizo Ecological Reserve

Commercial livestock authorized on overgrazed Reserve

by Los Padres ForestWatch

In a surprising move, the California Department of Fish and Game is once again trying to authorize a commercial livestock grazing operation on the Carrizo Plain Ecological Reserve in southeastern San Luis Obispo County. (See "Lawsuit Halts Grazing in Carrizo Reserve," Feb.) Worse, they are proposing to issue the grazing permit to the very same cattle operation that has a track record of poor grazing management on the Reserve, and without the benefit of first preparing an Environmental Impact Report (EIR).

ForestWatch has submitted a detailed 26-page letter to the Department, demanding that the agency prepare a full EIR that evaluates impacts from the

Cows

continued from page 9

entire livestock operation, which includes not only the Reserve but also neighboring lands in the Los Padres National Forest and the Carrizo Plain National Monument.

Our letter also demanded a strict monitoring program and more surveys and protective measures to ensure that any grazing -- if it does occur on the Reserve -- is done for the right reasons, and with the least amount of impact.

Stay tuned!



Immoovable A lawsuit filed by Los Padres ForestWatch and Sierra Club last year forced Fish & Game to remove cattle from the Carrizo Ecological Reserve. Then they came right back.

LRDM

continued from page 9

water required to support LRDM have neglected to take this into consideration.

7. The city has a history of expanding commercial development potential within existing city limits through rezoning and variances, and commercial development uses significantly more water than residential. (Example: On 9/20/2005, the City Council voted to rezone 110 Oak Park Boulevard from open space to general commercial and to approve further subdivision into 25 lots.) Actions like this will affect future water needs but this has not been formally addressed.

8. It was suggested that an official study be undertaken to document the efficacy of specific interventions to conserve water in this particular community. The same recommendation was made five years ago by Pismo's own consultant, RRM group. They recommended that the degree of water savings achievable through conservation efforts (e.g. low flow toilets, front loading washing machines) be formally studied and substantiated in real world circumstances. (Appendix C to the EIR Addendum) This study was never done.

9. Concern was voiced that existing residents will shoulder the responsibility and bear the cost to accommodate more development through city-imposed rationing and requirements to retrofit their homes with low flow fixtures. Even if the city employs incentives and subsidies for retrofitting, the city taxpayer ultimately foots the bill. Also, established landowners in the city are more likely to have building permits denied (in times of drought) if an inadequate water supply for LRDM creates a relative shortage for the entire community.

10. Pismo does not need LRDM for residential growth. LRDM will increase the inventory of vacant homes, which will devalue existing homes even further. The City is not serving the interests of its residents by pushing forward with this project. Razing the hillside and replacing pristine natural surroundings with rows of tract homes will erase the small-town character that visitors find so appealing. This will ultimately undermine the established tourism industry here.

11. The existing development agreement between Pismo Beach and Pacific Harbor Homes was drafted many years ago and is now outdated. The economic downturn created new concerns and issues for development.

The entire agreement should be reviewed and updated.

12. The State Water Allocation transfer from Pismo-98LLC and PHH seems vaporous and mysterious. The public only has the word of city staff that the transfer has taken place. Where is the documentation? The contract? Also, Mr. Wilde/Pismo-98LLC is in debt to the city for over \$170,000 due to unpaid water fees related to his State Water Allocation.. Who is going to cover the cost of that debt? The "Preserve" property is in foreclosure. How might this influence the City's actions? Could this be a reason to rush through the Amendment?

13. Water runoff from the development (rain, landscape irrigation) will carry contaminants into the aquifer. The water quality in the aquifer has changed from when the original EIR was prepared. We also have a better understanding of hydrology. An updated EIR is indicated to incorporate this new information and address issues of storm water runoff that were not appreciated back then.

14. It is irresponsible to push forward if resources can't support the amount of development planned. Serious consideration needs to be given to scaling back the size of the project.

By the end of all the comments and discussion, City Council members were clearly confused about what decision they were being asked to make, and what the implications of that decision might be. They openly admitted ignorance about appendix C from the EIR addendum. Ultimately, as expected, they all voted in favor of the Amendment.

In discussion after the meeting, a concerned citizen pointed out that some degree of conflict exists between the real estate business interests of Pismo's Mayor and decisions about future development, because development fuels the real estate industry. Indeed, this could be said of all members of city/county government who are involved in the building, development, and/or real estate industry.

There is certainly more than a suggestion of impropriety and ethical compromise here. We also discussed the grand jury as an avenue to bring attention to local governments' failure to act in the best interests of their constituents, as well as their failure to follow the County General Plan and SLOCOG's 2050 Sustainable Communities Program.

Ocean

continued from page 7

standing of the value of the ocean, our coasts, and the Great Lakes to build a foundation for improved stewardship.

The order also promises to "strengthen ocean governance, to establish guiding principles for ocean management, and to adopt a flexible framework for effective coastal and marine spatial planning to address conservation, economic activity, user conflict, and sustainable use of the ocean, our coasts and the Great Lakes."

News of the Executive Order was greeted with excitement by the "oceans community." The Ocean Doctor, Dr. David Guggenheim who is a marine biologist with a helpful website/blog (oceandocto.org) said "For the first time since 1969, we took a comprehensive look at ocean policy and the need to manage and set overarching principles.... This is truly a moment we've dreamed of."

As part of the Order, the President established a National Ocean Policy Council composed of top staff of 24 government agencies whose scope of authority includes the ability to take action that can improve the health of (and prevent further damage to) our coastal areas and the Great Lakes.

The Council is asked to do several things: review federal laws (there are about 144 at present) that impact the oceans/lakes to see if there are conflicts, and to divide the country into nine regions for planning purposes, creating a Strategic Plan with the following objectives:

- 1) improved understanding of ecosystems to inform resource management and decisions;
- 2) recovered and healthy marine and coastal species;
- 3) assessments of current and future states of the climate system that identify potential impacts and inform decisions;
- 4) mitigation and adaptation choices supported by sustained, reliable and timely coastal and marine spatial planning;
- 5) improved scientific understanding of the changing climate system and its impact;
- 6) A climate-literate public... that makes informed decisions;
- 7) reduced loss of life, property and disruption from high impact events;
- 8) improved freshwater resource management;
- 9) improved transportation efficiency and safety; and
- 10) a more productive and efficient economy through environmental information relevant to key sectors of the U.S. economy.

(Each objective has a short, medium or long-term goal, plus indications of what will be evidence toward progress).

Regional hearings on the draft Plan were held this summer, with the one in San Francisco well attended by marine activists (including the writer) and environmental groups who were invited to a briefing and lunch at the Sierra Club's HQ. We then marched en masse from the Club to the Hilton where the hearings were held, holding up traffic and creating some interest among bemused bystanders. We divided up according to which objective we wanted to comment on. The comments have been summarized by Roxy Carter, Sierra Club Marine activist extraordinaire, on the Club's Activist Network website at connect.sierraclub.org/. (Go to the



Marine Team link.)

In spite of other hearings in past years on similar objectives and this summer's testimony, the Ocean Policy has yet to be fully implemented. Only a pittance of funding has been allocated to carry out the policy, specifically to conduct the study of conflicting regulations, set up regional planning areas and begin spatial planning in earnest. Instead, following the first round of hearings, the plan will be revised and more hearings held this fall.

Meanwhile, the slash-and-burn Congressmembers are adding NOAA's modest budget request (around \$27 million for FY 2012) to their "must go" list.

Before Congress left for its August recess, a freshman Republican from Texas floated an amendment to the Dept. of Interior Appropriation Bill that would prevent the federal government from implementing the National Ocean Policy. According to New England's Conservation Law Foundation, "If this amendment were to make it through the legislative process it would be a major setback for our efforts to restore (New England's) ocean ecosystems and fisheries, reduce pollution from land based sources, promote responsibly sited offshore renewable energy and threaten our efforts to improve ocean management and ensure all ocean users have a voice in the future of our ocean use."

On the brighter side, regardless of how much money is allocated, federal agencies will proceed with implementing the NOP as best they can with existing resources. And NGOs such as the Sierra Club will be pushing for NOAA's proposed funding. There is continued input from marine activists (such as those at the Blue Vision Conference) about the many projects already underway involving water quality, wind energy, expansion of marine protected areas, and promotion of ecosystem resilience in the face of climate change. The Club's Marine Action Team states, "Our communications will be two-way; one set of communications will be to raise awareness among grassroots activists of potential benefits from NOP implementation; the other will be to raise awareness within the National Ocean Council of current projects already underway within regions, so that these projects can be incorporated into Strategic Action Plans as appropriate."

Luckily for us, both our Senators and Congressional Representative Lois Capps stand staunchly behind implementation of the National Ocean Policy. But other legislators need to hear from constituents that the health of our oceans is important to all states, and that the nation needs to address the impacts of climate change on the oceans and other vital ecosystems. Let's let them know how we feel.

Constituents of Rep. Kevin McCarthy can call his Atascadero office at 461-1034 (North County) or 549-0390 (South County).

Classifieds

Next issue deadline is **September 13**.
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, 772-1875. For information on a specific outing, please call the listed outing leader.

Sat.-Mon., Sept. 3-5, Tamarisk Bash in Happy Canyon - Service Trip & Hike. Help restore a desert riparian area in Death Valley National Park by removing invasive tamarisk from Happy Canyon in the Panamint Mts. A year-round stream will let us soak and cool if it gets too warm. Saturday, we will work with Marty Dickes from BLM. Sunday, a hike to nearby Manley Peak. Monday is an optional tour through Striped Butte Valley and Warm Springs Canyon. Enjoy carcamping, potluck dinner Saturday, and campfire stories. Contact leader Craig Deutsche, craig.deutsche@gmail.com, (310-477-6670) CNRCC Desert Committee.

Sun., Sept. 4, 1 p.m. City Walk of Victorian-Age San Luis Obispo. Easy guided stroll past 18 lovely century-old homes and churches in the Old Town Historic District of downtown SLO. See the homes of mayors, the newspaper editor, and the founder of Cal Poly, and learn about the lives of the newly wealthy who transformed

the city in the early 1900s. Duration about 1 1/2 hrs. Meet in front of Jack House, 536 Marsh St, SLO. Information: Joe Morris, 772-1875.

Sat., Sept. 10, 8:30 a.m. Southern Big Sur Traverse. This hike will include a car shuttle. We will start the hike at the Cruikshank trailhead and ascend to Upper Cruikshank Camp. We will then head south over the ridge between Villa and Redwood Creeks to Buckeye Camp for lunch. After lunch, we will hike to the junction of the Soda Springs Trail and follow that trail back to the highway. The hike is of moderate difficulty, about 9 miles rt, 2000 ft. elevation gain. There is a possibility of ticks and poison oak. Bring water, lunch, snacks, and dress for the weather. Meet at the Washburn day use area of San Simeon State Park. For the day use area, make the first right turn past Hamlet Restaurant as you leave Cambria going north. There is a good probability of stopping for eats after the hike. For info call Chuck at 441-

7597. For people in San Luis and South County who wish to carpool, meet at Santa Rosa Park in San Luis at 7:45.

Sat., Sept. 10, 9 a.m. Felsman Loop to top of Bishop Peak. The trail is 5.5 miles and will take 2.5 – 3 hours. There are rough areas on the trail and appropriate hiking footwear is recommended. We will go at a moderate pace and while there is significant elevation change, the trail inclines are mostly gentle. Enjoy views of most of SLO. Meet at Patricia Drive trailhead. Information: Mike Sims at 459-1701 or email msims@slonet.org.

Sun., Sept. 11. Gaviota Peak. Walk past hot springs, then up to a 2,400 foot peak for lunch and sweeping coastal view. We'll return via the Trespass trail. Long drive. Strenuous hike, 6 miles rt. Bring lunch and water. Meet behind B of A on upper State St. at Hope Ave. at 9am. Info: Diane, 455-6818 (Santa Barbara Cdshap.), SLO County Residents call to find a meeting place.

Sat.-Sun., Sept. 24-25, Carrizo Plain National Monument Work Party. Here's another chance to knock down barbed wire fences and clear the Carrizo of these relics of the past: pronghorn antelope need wide-open spaces for survival. We will again work with Alice Kock, pronghorn specialist from CA Dept of Fish and Game. Work all day Saturday, happy hour, potluck dinner, and campfire Sat. night. Sunday we may work, or take



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

the day to enjoy the Monument. Participants need to bring heavy work gloves and everything needed for the weekend; there are no stores or gas stations on the Carrizo. Information: Cal and Letty French, lettyfrench@gmail.com, 805-239-7338. CNRCC Desert Com/Santa Lucia Chapter.

Outings Sponsored by other organizations

Sat.-Mon., Sept. 3-5, Puerto Suello Trail Work Trip. Puerto Suello Trail is a vital link that connects the Ventana Double Cone trail down to the Carmel River, providing hiking/backpacking access to Hiding Canyon camp, Pine Valley, and beyond to Pine Ridge. This will be a challenging, 3-day / 2-night work trip with plenty of brushing & clearing work to be done. Our route will take us through the enchanted Carmel River drainage on our way to Hiding Camp, serving as our home base to clear lower reaches of the Puerto Suello Trail. Along the way, we will cross the Carmel River no less than 30 times as trail meanders through moss-covered boulders below coast live oaks and bay laurels. Experienced volunteers are encouraged. If you have never been on a VWA trip, this one might not be for you due to 10-mile hike in, difficult terrain, and numerous river crossings. Participants will need to be self-sufficient, with supplies for 3 days and 2 nights, shelter, and clothing. The VWA provides tools and training. Come out and join us to make a difference in keeping our beautiful wilderness trails alive & healthy for all to enjoy. Information: Robert Barringer at rob.barringer@gmail.com.

Sat.-Sun., Sept. 10-11, 1-3 p.m., SLO Botanical Garden. A Sensuous Native Garden. Indulge Your Senses in the Native Garden on Saturday with Carol Bornstein, acclaimed author and horticultural expert from Santa Barbara, where she served as Director of Horticulture at the Santa Barbara Botanic Garden. Then on Sunday, learn How to Attract Wildlife with California Natives from Penny (Wilson) Nyunt of Las Pilitas Nursery in Santa Margarita. She has written for various gardening publications and websites and believes that instead of changing your environment to suit your plants, it is easier and more environmentally friendly to choose plants that grow in your environment. Both presentations will begin at 1 p.m. in the Glen Oak Pavilion in El Chorro Regional Park. Parking \$3. Admission to the presentation is \$5 for members; \$10 non-members. There will be a docent-led tour of the Garden from 2-3pm.

Sat., Sept. 24, 9 a.m. to 1 p.m., Sweet Springs Nature Preserve. Join us for this important milestone marking the beginning of restoration efforts on the new addition to the Sweet Springs Preserve in Los Osos. Be among the first to help rescue this imperiled habitat from invasive weeds, so that our native flora and fauna can thrive once again, and our children and grandchildren will have a healthy, coastal refuge to enjoy long into the future. Savor the outstanding views of Morro Bay, Morro Rock and the windswept dunes along the sand spit. Enjoy speakers, raffle, food, drinks & plenty of camaraderie. Bring gloves, trowels and shovels if you can. Wear layers, sturdy shoes, hat & sunscreen. RSVP: 239-3928 or mcas@morrocoastaudubon.org. Information at www.morrocoastaudubon.org.

Ventana Wilderness Alliance Trail Crew Opportunities

Trail Crew Volunteers are needed for work in the Ventana and Silverpeak Wilderness Areas. If interested or to get more information contact Dave Knapp, Trail Crew Leader at e-mail daveknapp@ventanawild.org.

Island Hopping in Channel Islands National Park

Reserve early!

September 11-13; October 16-18.

California's Channel Islands are Galapagos USA! Marvel at the sight of whales, seals, sea lions, rare birds & blazing wildflowers. Hike the wild, wind-swept trails. Kayak the rugged coastline. Snorkel in pristine waters. Discover remnants of the Chumash people who lived on these islands for thousands of years. Or just relax at sea. These fundraisers benefit Sierra Club political programs in California. Cruises depart from Santa Barbara aboard the 68' *Truth*. The fee (\$590 for May and Sept & Oct.; \$785 for July & August) includes an assigned bunk, all meals, snacks & beverages, plus the services of a ranger/naturalist who will travel with us to lead hikes on each island and point out interesting features. To make a reservation mail a \$100 check payable to Sierra Club to leaders: Joan Jones Holtz & Don Holtz, 11826 The Wye St, El Monte, CA 91732. Contact leaders for more information (626-443-0706; jholtzhln@aol.com).

