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GENERAL MEETING

Come learn about solar power!

April 22, 7:00 p.m.



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SAINTA Protecting and Preserving the Central Coast

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

Coastal Activist Network Launched

by Jack McCurdy

A new "Coastal Activist Network" envisioned as a statewide watchdog of volunteers who will monitor development plans along the California coast and then work together to defeat destructive projects through appeals to the Coastal Commission—was launched at a meeting in San Luis Obispo last month.

It could become the most significant organizing effort by environmentalists in many years and for the first time will provide a formal, multi-level structure for volunteers in all coastal counties to significantly increase their effectiveness in fighting unacceptable developments before the Coastal Commission.

Strategically, the Network will strengthen the public's role in the Coastal Commission process to bolster protection of coastal resources.

A range of volunteers in each county will monitor proposed developments, file appeals, meet with Coastal Commission staff members, lobby Commissioners, and organize efforts to show public concern at Commission hearings or meetings. As part of the Network, activists in counties where Commission hearings are scheduled can also help organize and appear on projects for those in distant counties, who may not be able to travel to the hearings.

Although the Network meeting here was the first, others were subsequently held in counties to the south and more are scheduled to the north in coming months. Attending the meeting were leaders and members of most of this county's environmental organizations, including several from the Santa Lucia chapter of the Sierra Club. A number of those in attendance quickly volunteered for positions in the Network.

The Network organizational positions consist of:

—"Development monitors" for all local counties, cities, or agencies with

authority over development, such as community services districts, in the coastal zone. They keep watch at the local level and may initiate appeals to the Coastal Commission in coordination with others in the Network (see below). Each county will have two and each coastal city one.

—"Coastal Commission staff liaisons," who will meet with Commission staff on development projects that raise public concern, Local Coastal Plan amendments or on appeals to the Commission. Each county will have two such liaisons.

—"Coastal Commission lobbyists," who will meet with Coastal Commissioners on projects and Local Coastal Plans that go to the Commission. Each county will have a minimum of three such lobbyists.

—"County organizers," who organize letter-writing, phone calls, and turnouts at hearings on individual appeals before the Commission in coordination with county organizers, lobbyists and others in the Network.

—"Statewide organizer," who will coordinate the Network.

Here is an example of how the Network would work: A development monitor identifies a development, or learns about it from other members of the community, that has been proposed to a city planning commission, which raises serious questions about its

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Getting Serious about the Local Coastal Plan

A possibly precedent-setting showdown on San Luis Obispo County's intransigence in refusing to implement 165 recommendations for updating its Local Coastal Plan (LCP) to better protect the coast is expected to take place before the California Commission at its meeting on May 6-9 in Monterey.

The Commission for the first time may, as authorized by the Coastal Act, "report to the Legislature and recommend legislative action necessary to assure effective implementation" of the Periodic Review of the LCP, which is the first such Review ever conducted by the Commission under the Coastal Act. Plans were being formulated to organize and encourage county activists and supporters of strong Commission action on the LCP to attend the meeting.

The staff is expected to present options for the Commission to consider, including sending the letter to the Legislature describing the county's refusal to adopt and implement the Commission's recommendations as required by the Coastal Act. Another option would be to include in the letter a request that the Legislature consider "putting teeth" in the Coastal Act by inserting a mechanism to enable the Commission to enact LCP amendments that are deemed essential for coastal protections.

The specific date of the Commission's hearing on the long-delayed Periodic Review of the county LCP, details of the

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Outings, events, and more!

Santa Lucia Chapter General Meeting

Want to help the environment and reduce your PG&E bill?

Find out how by attending a solar energy seminar at the Santa Lucia Chapter's General Meeting starting at 7 p.m. on Tuesday, April 22, at the Meadow Park Rec Center, on Meadow Street just off South Street.

A local solar electric system company will provide the latest information on solar installation in homes and businesses and answer questions. Other solar and alternative energy firms also have been invited along with PG&E, the main electricity provider in this area, to serve on a panel.

Discover how you can help the environment by cutting back your reliance on finite and "dirty" energy sources like oil, coal and natural gas, reduce your electric bill and make a sensible financial investment, using current financial incentives that are available. A visual presentation on how solar power works will be part of the program.

Members and friends are invited. Refreshments will be served. Please support your Chapter's efforts to present programs of current interest.

Tuesday, April 22, 7:00 p.m. Meadow Park Rec Center San Luis Obispo

Save the date!!



Chapter Seeks Coordinator

Interested in working with the leading environmental organization in the nation? The Santa Lucia Chapter of the Sierra Club is hiring a chapter coordinator, a paid position that will include addressing critical local issues such as land use management, air/water quality, habitat preservation and endangered species protection.

It also provides an opportunity to collaborate with deeply committed volunteers and be responsible for ensuring implementation of the Chapter's conservation program objectives.

Responsibilities include:

- * Working closely with the Chapter's Executive Committee to develop and implement programs and activities in order to enhance member effectiveness and involvement.
- * Providing office management and administrative functions including the recruitment, training and supervision of volunteers and interns.
- * Acting as an information resource for chapter volunteers and the general public.
- Maintaining the Chapter's records, purchases, supplies and equipment and, in coordination with the treasurer, processing invoices for payment and monitoring the annual budget.

Qualifications include a BA or BS in environmental studies, political science or closely related fields, two to three years experience in the environmental field that includes research, organizing campaigns, press relations and public speaking.

Salary of the half-time position for a one-year duration is between \$22,000 and \$26,000 based upon experience and with growth potential. Compensation includes health insurance and other benefits.

To apply, fax cover letter, resume and relevant materials to (805) 543-8727. Deadline for applying is April 30, 2003.

SANTA LUCIAN

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The **Santa Lucian** is published 10 times a year. Articles, environmental information and letters to the editor are welcome. The deadline for each issue is the 15th of the month prior.

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The Executive Committee meets the first Wednesday of every month at 6:00 p.m. at the chapter office. All members are welcome to at-

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Our office and phones are staffed by vol-unteers, and there may be a delay of up to a week to return your call. Please contact the most appropriate chapter officer for matters requiring immediate attention.

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Coastal Comission Seeks Help for Plovers at Oceano Dunes

The California Coastal Commission has voted to ask the state Parks and Recreation Department to expand areas at Oceano Dunes where endangered Western Snowy Plovers would be protected from off-road vehicles that are permitted on the beach there. But the action fell far short of appeals by the Sierra Club and others for much stronger measures.

Tarren Collins, chair of the Santa Lucia Chapter of the Sierra Club, appealed to the Commission to urge State Parks not only to expand the protective areas for the Plovers but also to relocate camping, reduce the number of camping units allowed on the state beach, ban night driving, reduce the speed limit to 5 miles per hour, and restrict the number of vehicles on holiday weekends. She also requested the Coastal Commission to require State Parks to submit a plan to eliminate the vehicle crossing at Arroyo Grande Creek by next July.

These restrictions are urgently needed, she told the Commission, because "the Western Snowy Plover population has declined by one-third in the last five years and less than 1,000 individual birds are left. "She pointed out that the California Department of Resources and the state Parks and Recreation Department have recognized the fact that the birds are on the brink of extension by implementing a recovery program on all other state beaches.

Collins said that State Parks has "restricted access to people, their dogs on leashes and their horses on the beaches up and down the state of California during Plover nesting season. According to State Parks, these extreme measures are necessary to protect the threatened species. While the Sierra Club applauds these measures, it is ironic you can't walk your dog on Morro Strand State Beach just a few miles to the north or ride your horse there but you can put your dog in your car and your horse in your trailer and drive them along critical Snowy Plover habitat at the Oceano Dunes.

"Keeping Oceano Beach open to vehicles during nesting season negatively impacts public access on all other nesting beaches in the state." Collins reminded the Commission that it was firm in not allowing driving on nesting Plover habitat and on Environmentally Sensitive Habitat Areas on beaches in Humboldt County at two recent hearings. She asked the Commission to be consistent with those actions and with its 2001 decision on Oceano Dunes, which closed one-third more of the beach during nesting season and established an independent scientific team to report directly to the Commission on the status of the Plovers.

That year, State Parks claimed a successful nesting season, but 70 of the 72 Plover chicks died, mostly from predators. Last year, State Parks and some of the scientists opposed expansion of protective fencing, claiming that if more birds hatched at the dunes, more birds would die due to predators, even though a larger area for the Plovers would provide more protection from predators. Collins pointed out that State Parks now claims to have the predators under control, leaving absolutely no excuse not to expand the fenced protected area immediately.

Collins also reminded the Commission that "parks management is in violation of the Endangered Species Act with every harassment of plover habitat and death of a Plover caused directly by a vehicle, and also when the vehicles harass the Plovers." She urged the Commission "to use your extensive power of persuasion if that's all you feel you can do to convince parks to comply with the Endangered Species Act."

The Commission's 7-1 vote (Commissioner Greg Hart of Santa Barbara was the lone no vote) came after the Commission staff recommended that it do nothing more than renew the coastal permits for operation of the Dunes, which is formally known as the Oceano Dunes State Vehicular Recreation Area. In addition, Atty. Gen. Bill Lockyer's office had warned against any action that might adversely impact the Recreation Area.

The staff did acknowledge to the Commission that predator management and expanded plover protection areas do help the Plovers survive. Yet State Parks told the Commission it would not expand the Plover protection areas.

Commissioner Sara Wan made the motion that the Commission "ask" state parks to increase the protective area by modifying its seasonal exclosure to mile marker 6, as was advised by the scientific review team. "We have waited years for this, and it really is beneficial for these birds to have more room," Wan said. "One of the reasons you have predator problems at Oceano is because you have limited the area available for plovers to hide. We have turned the natural system on its head."

Off-road vehicle enthusiasts, including the "Friends of Oceano Dunes" organization, urged the Commission to take no action to protect plovers. They argued that family values are derived from driving on the beach, and that any restrictions on beach driving will inexorably lead to closed beaches and broken families.

But others disagreed. Pam Marshall Heatherington, executive director of the Environmental Center of San Luis Obispo County, pleaded with the Commission to expand protected areas for Plovers, restrict the hours for use of the dunes and beach by vehicles, require seat belts for vehicle drivers and passengers, ban driving by children and require protection of Arroyo Grande Creek. "Allowing vehicles on sensitive, dwindling natural resources night and day will never allow natural environments to survive," she said.

Community Asks NRC for Tighter Controls at Diablo Canyon

Voicing fears for the safety of the community, their families and themselves, more than 100 county residents made strong and sometimes stirring appeals for greater protections from terrorist attacks at the Diablo Canyon Nuclear Plant and for more public hearings on proposed spent fuel storage casks before a federal panel here last month.

Nearly 200 people either spoke or attended the two-day session of the three-member Atomic Safety and Licensing Board, an arm of the Nuclear Regulatory Commission (NRC), which has regulatory authority over the plant and PG&E's proposal to build the storage facility to cover open pools of high-level radioactive nuclear waste. It was held at the Embassy Suites Hotel.

Although they were only allowed to speak as individuals, many are members of the Santa Lucia Chapter of the Sierra Club, Mothers for Peace and other groups that are intervenors in the NRC review of PG&E's highly controversial plan to build the casks on the site.

Peter Wagner, chair of the Chapter's Conservation Committee, said his biggest worry is over establishing who is responsible for protections against terrorist attacks on the plant and what is being done to gauge the risk and take appropriate action. "San Luis Obispo County has declined to do it in its environmental impact study, citing preemption by higher authority," he told the panel. "But the 'higher authority' represented by this Board and its parent (NRC) have also denied responsibility, based on an interpretation of the law that frankly borders on the absurd. If the legal opinion holds up, it will be a classic case of laws that blatantly contradict common sense."

The NRC has ruled that a study of potential terrorism against the plant, especially the spent fuel storage facility, is not required by its rules and therefore unnecessary because such an attack is "speculative."

Wagner said he has been told that "the Defense Department or the new Homefront Security Department is the proper agent for such a study, but there is no evidence that they are doing it. And isn't it self evident that the job rests squarely with the NRC?

"Even if the law does permit you to escape doing your job, does the law actually proscribe such a study or merely permit you not to do it? I cannot believe that the NRC is barred from acting on its own initiative to create a panel of experts charged with examining acts of malice at the plant. There is ample precedent, for example in the NASA panels that analyzed the

Challenger and recent space shuttle disasters. Please do this for the benefit of the people."

Wagner emphasized that "the spent fuel pools must immediately be hardened against overhead attack. I implore you to require this action irrespective of whether the (storage facility) is ever built. The consequences of a successful bomb, missile, or suicide airplane attack are simply too horrible to contemplate."

He also urged the NRC "to place a moratorium on generation at the plant as soon as the existing storage capacity is used up, presumably by 2006, unless the generic problem of long-term storage has been solved by then. Shutdown need not be disruptive, nor is it as far fetched as it might seem. Conservation alone can readily obviate the demand for Diablo's baseload generating capacity."

Rochelle Becker of Mothers for Peace told the panel that of the many alarming issues surrounding the storage facility proposal, "terrorism and/or acts of malice and insanity are without a doubt the most frightening."

"We all watched the Twin Towers fall on September 11, 2001, we have all read that nuclear facilities have been at heightened alert at various times (including today) since that fateful day (including today). And yet this Board and the Nuclear Regulatory Commissioners ruled that terrorism and/or acts of malice and insanity do not need to be addressed. This denial is incomprehensible to those of us who live in the shadow of a proposed nuclear waste dump on our coastal bluffs."

She asked the NRC and board to "please take your collective heads out of the sand and live up to your responsibility to protect the public from radioactive releases. Please reconsider your denial of full hearings on this issue."

The community intervenors have provided concrete recommendations to make the Diablo Canyon nuclear facility safer "and yet this Licensing Board and the NRC have callously chosen to ignore those recommendations," she said. "I would like to think that in your refusal to hold full public hearings on issues of terrorism and acts of malice and insanity that you to do so only at your peril. Unfortunately, it is our community, our children, our homes and our businesses that are at risk."

Among the others who spoke was Fred Frank, former county fire chief responsible for fire rescue response and a member of the county committee on high-level nuclear waste

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Local Coastal Plan

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staff recommendations, and arrangements for coordinating travel to the Commission meeting were not available at press time. The date and time of the hearing will be posted on the Commission web site at http://www.coastal.ca.gov/index.html, and the staff report is scheduled to be available and posted about April 16. In addition, up-to-date information on coordination of travel plans to Monterey will be available on the web site of the Santa Lucia chapter at http://santalucia.sierraclub.org/index/index.html.

The LCP is one of the most important issues to face the county because, as the key planning law, it controls coastal development for the foreseeable future and embodies protections of the area's beaches, habitat, sensitive viewsheds, cultural resources, agriculture lands and other coastal assets.

At its March meeting at the Embassy Suites Hotel here, where a turnout of more than 200 called for the county to comply with the recommendations, the Commission asked the staff to provide options for dealing with the county, which, a staff report said, has made "few actual substantive changes to the LCP" since the recommendations were forwarded to the county in November, 2001

Tarren Collins, chair of the Santa Lucia Chapter of the Sierra Club, told the Commission that the county's failure to implement the 165 recommendations "is inexcusable. The County of San Luis Obispo is the 'poster child' for why we need legislation to provide the Commission with the authority to force the county to come into compliance with the Coastal Act by adopting Periodic Review recommendations."

Doug Buckmaster of the SLO Coast Alliance and Friends of the RanchLand told the Commission in March that the county has agreed to only 87 of the 165 recommendations and refuses to discuss the other 78. Of the 87, only 33 have been processed, he said, and even those have been watered down.

Probably the most significant issue among the 165 recommendations involves the identification and protection of Environmentally Sensitive Habitat Area (ESHA), which the Commission wanted strengthened by identifying such areas when developments are proposed, regardless of whether they are shown on planning maps. This is particularly important on the Hearst Ranch, which contains critical habitat for several endangered species. The county has ignored the Commission's recommendation on ESHA, a staff report said.

A bill authored by Assembly member Hannah-Beth Jackson of Santa Barbara that would have given the Commission authority to enact Periodic Review recommendations when cities or counties refuse to approve them in order to provide needed coastal protections was not successful last year, even though the Commission supported it. The San Luis Obispo County Board of Supervisors unanimously opposed the bill.

As another option, if the recommendations or significant numbers of them are not approved by the county by next month, the Commission could refuse to accept any LCP amendments from the county except those that conform to the recommendations. However, the Commission may not have the legal authority to do that now.

The Commission also could decide as a practice to evaluate appeals from county decisions on projects on the basis of whether they were consistent with the LCP recommendations. Whether the Commission has the authority to take these actions also is open to question. Staff members said the county is still seeking to approve a first phase of its responses to the Commission's recommendations but whether any significant progress will be made by the May meeting is uncertain.



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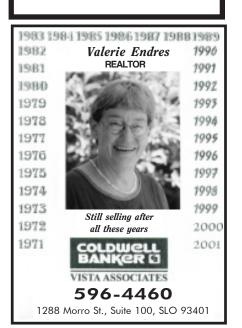
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CERTIFIED PUBLIC ACCOUNTANT

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Conservation Committee Report

by Pete Wagner, Chair, Conservation Committee

March was a busy month for Conservation Committee members. On March 10, I and others spoke at a Morro Bay City Council hearing on a State Parks and Recreation Department proposal to drastically reshape Morro Bay State Park Campground. It calls for paving turnoffs or "spurs," replacing shrubs and as many as 96 tall, mature trees, including eucalyptus where Monarch butterflies roost, with native plants, and adding a new long, paved entrance road to keep vehicles waiting to register at the campground kiosk off the main road through the park area.

Together with a very large turnout of individual protesters, we opposed the proposal as it was presented by the planners and won the unanimous support of the Council. While the plan does offer advantages that include habitat restoration, public safety, and diseased-tree removal, it appeared from the presentation that the unique ambiance created by the existing tree canopy at the campground might be irreversibly destroyed.

The next step is an appeal by the parks department to the Coastal Commission. No date has been set for hearing that appeal. Meanwhile, we will continue to support a revised plan that contains the beneficial elements but preserves the essential character of the campground. We have urged the department to discuss such a compromise with city officials.

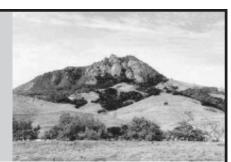
On March 21, the Regional Water Quality Control Board heard a staff recommendation to approve a Grant of Conservation Easement and a Consent Judgment that would permit PG&E's Diablo Canyon Power Plant to continue using ocean water for cooling indefinitely, in exchange for a conservation easement on 5.7 miles of coastline north of the plant and a payment of \$6 million by PG&E to be used for various projects.

PG&E presently is in violation of the water discharge (NPDES) permit, which it needs to operate the plant, because of the substantial number of fish and other marine life—called entrainment mortality—that are killed when the plant withdraws water from the ocean for cooling, as well as habitat destruction at and near where the heated water from the plant is discharged into the ocean at the site. Both damaging impacts would contin unabated under the agreement.

We opposed the staff recommendation on grounds that the mitigation—the conservation easement and \$6 million payment—does not address the environmental destruction caused by the cooling system but, instead, trades the ongoing damage for Water Board mitigation objectives that are really unrelated to the impacts. After extensi public comment and doubts expressed by some board members about the mitigation measures, however, the Board approved them by a 5 to 2 vote.

Those measures are prerequisites for the NPDES permit renewal, on which the Wat Board is scheduled to vote on May 16 at its next meeting at the Watsonville City Counci Chambers, 250 Main, Watsonville. We urge members to attend and express their opposition to this misguided proposal. This may be our last chance to convince the Wa Board that the mitigation plan for the NPDES permit is inadequate and that other alternatives that eliminate or minimize environmental harm from the plant's cooling system should be considered.

Yes, I would like to help the Santa Lucia Chapter of the Sierra Club preserve precious lands on the Central Coast



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Coastal Activist Network

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consistency with Coastal Act provisions. If the project is approved and there is still concern among environmental groups and others, it is appealed to the Coastal Commission.

The staff liaison meets with the Coastal Commission staff prior to the staff issuing its report to explain the project's inconsistency with the Coastal Act. Whatever the recommendation but prior to a hearing, the Commission lobbyist meets with Commissioners to review the issue. The county organizer undertakes plans for getting attendance at the Commission hearing as well as coordinating with county organizers in other counties. If needed, the county organizer will request that Commission lobbyists in other counties help lobby Commissioners, too.

"This is what is needed to make the coastal protection movement more effective with respect to the Coastal Commission," said Sara Wan, who attended the meeting representing Vote

Coast, a political action committee cated to helping the election of tal-friendly candidates. Vote the st, which called the meeting, will I the statewide organizer position. Activists are good at it occasionally, it is spotty," said Wan, who also is a missioner. One major mistake they e is not meeting and discussing caled developments with mission staff members before they

recommendations to the Commission, she said. Project applicants always meet with the staff to convey their positions and so should the public, she added. Staff recommendations are crucial to the outcome of the Commission's decisions, Wan emphasized.

The proponents usually lobby Commissioners well in advance of a hearing, but activists often don't talk to Commissioners until the day of a hearing. The activists should meet with Commissioners in a more relaxed atmosphere early on, allowing more time to explain their positions and to develop a personal relationship. "Talking to Commissioners prior to a hearing is the most important," she said. "The number of people in an audience is second."

For some 20 years, Wan said she has watched activists be very ineffective in dealing with the Commission and "it's because they are not trained in putting their concerns in terms of the Coastal Act. Also, the Commissioners don't know them. You're going to listen to someone you know."

It was agreed that training on lobbying is needed, and plans already are under way to make it available to Network participants. Unlike developers, activists don't have the money to pay for lobbyists and others who attend hearings on their behalf, but activists have strength in numbers, she said. And only a few in each county are needed to make the Network

Mark Massara, coastal program director of the Sierra Club, who was at the meeting, and others pointed out that the Commission staff is eager to enforce the Coastal Act, but they are "overworked and underpaid." So it is important not to be critical of them because they can be very helpful if they are shown respect once they get to know you.

Wan cautioned Network volunteers not to "be disgruntled if you are not effective at first." It takes time to learn the ropes, and having an organized system to protect the coast is extremely important because "regardless of who is on the Commission, that's how you achieve maximum effectiveness."

Marine Interest Group Announces Workshop

A public workshop on fisheries and how they may be affected by efforts to provide greater protection of marine resources along the San Luis Obispo County coastline, including possible formation of a marine sanctuary, is scheduled to be held by the Marine Interest Group Working Committee from 6 to 9 p.m. on Wednesday, April 16, at the Inn at Morro Bay.

The workshop is expected to touch upon concerns of commercial fishers that new federal controls over activities in these coastal waters, whether in the form of an expanded Monterey Bay National Marine Sanctuary or some other conservation program, would harm their industry.

Plans call for academic, research, fishing and regulatory interests to come together and exchange views and information on how commercial and sport fishing might be impacted, among other issues. Opposition of commercial fishers to expansion of the Monterey Bay sanctuary to cover the San Luis Obispo County coast is widely considered a primary obstacle to that option for protecting marine resources.

The Marine Interest Group (MIG) is the body that has been formed to study the various protection options, including expansion of the Monterey Bay sanctuary. It grew out of a vote of the Monterey Bay sanctuary's Advisory Council last year to give priority status to consideration of expansion of that sanctuary to include this county's coast.

The MIG's 23 members include environmentalists, citizens, fishers, elected officials from this area and their representatives and others. Leslie Krinsk represents the Santa Lucia Chapter of the Sierra Club.

Coastal Oil Drilling Dead

Exploring or drilling for oil off the Central Coast, which poses a tremendous risk to the environment, as evidenced by the disastrous Santa Barbara oil spills in 1969 that blackened 30 miles of coastline, appears virtually dead after the Bush Administration gave up a legal fight over state control of offshore exploration.

"I am absolutely thrilled that the Interior Department finally gave up this fight," Gov. Gray Davis said, according to the San Francisco Chronicle. "The future of California's beaches is now where it should be — in the hands of Californians." The Sierra Club has strongly supported Davis' lawsuit against permitting any drilling without state review.

On March 31, the Bush Administration announced it would not appeal to the U.S. Supreme Court a decision upholding California's authority to review oil production from federal offshore leases, which goes a long way in establishing the state's right to control oil drilling along the California coast. Leases owned by oil companies are located off the San Luis Obispo County coast west of Morro Bay as well as along the coast of Ventura and Santa Barbara counties, all of which could have become sites for oil wells that almost certainly would have been highly visible from the shore.

Two years ago, a federal judge in Oakland ruled that the Coastal Commission has the right to review the extension of oil leases along the coast, even in federal waters, and to evaluate the potential impact of any drilling plans on air and water quality, marine life and scenic views. A three-judge panel of the Ninth Circuit affirmed that ruling on appeal by the Bush Administration, saying that renewing the leases could have a major environmental impact simply by leaving open the possibility of future drilling.

"These lease (renewals) represent a significant decision to extend the life of oil exploration and production off of California's coast, with all of the farreaching effects and perils that go along with offshore oil production," the circuit court said.

The legal dispute erupted in 1999 when the Coastal Commission asserted its right to review oil company requests for lease extensions to make sure they comply with California's federally-approved coastal protection plans. When the Interior Department's Minerals Management Service refused to grant that right, Davis and the state sued the federal government.

Federal officials said they now hope to buy back the leases off the California coast from oil companies, as it did in the case of Florida, which California has been advocating for some time.

Explaining the decision to drop its defense of the suit over the leases, Interior Secretary Gale Norton said the Bush Administration "strongly supports environmental protection and understands the importance of this issue to the people of California." Last June in rejecting Davis' suit, however, she had said that the leases should go forward because California does not oppose offshore oil drilling, in contrast to Florida, a statement which infuriated Davis, other state officials and environmentalists, who rejected it as patently false.

NRC Hearings

continued from page 3

management, who said the plant "is vulnerable to terrorist attack." He said "it could have devastating effect on people in San Luis Obispo County. My family is worried and feels threatened by a lack of security at the plant."

Sheila Baker said the plant "presents an overriding risk to the health and well being and the very life" of the county. And "more waste, creates more risk," she added.

Constance Dunbar deplored the state of planning for an emergency at the plant, which she said is only based on a very limited radiation release. "We are at risk of a much larger and more immediate release of radiation from an accident or terrorist attack on these pools. It would result in a catastrophic event."

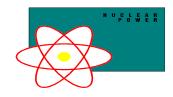
Jane Swanson said "we are now living in an age of terrorism which was not considered when the plant was licensed. It must be taken seriously and I want a meaningful response (from the NRC) to the concerns raised by those of us who live here."

In a surprise development, PG&E has dropped its effort to eliminate the Diablo Canyon Independent Safety Committee (DCISC), a three-member panel of experts created by the State to oversee daily operations at the nuclear plant. The DCISC is the only one of its kind in the U.S. and is the only non-federal agency with authority to monitor the plant.

A year ago the Sierra Club California/Nevada Regional Conservation Committee adopted a resolution urging an expansion of the DCISC to include a public member in an effort to strengthen its communications with the community. PG&E, however, has consistently objected to the very existence of the DCISC and campaigned to dismantle it, most recently in bankruptcy hearings now underway.

PG&E withdrew its opposition at a March 12 meeting that was the outgrowth of a petition in 2001 by the Mothers for Peace. That meeting was attended by Rochelle Becker of the Mothers, and representatives of the DCISC, the California Energy Commission, the California Public Utilities Commission, and PG&E. Congratulations to Becker and the Mothers.

—Pete Wagner, Chair, Conservation Committee



A Winter Day on Morro Bay

One of the difficulties of scheduling outings a couple of months in advance is forecasting the weather. All week before this outing it was windy and cold. The morning of the outing it was sunny with a slight wind. Most people made other plans when they thought it might be cold and windy. We only had four people on this beautiful day.

The tide was low so we set our course north in the main channel until we passed Grassy Island. One of our paddlers had



Check the outing schedule and join us on the water.

New Book Explores Cal Poly Disagrees with

A new book, "Cal Poly Land: A Field Guide," has been edited by Steven Marx, former member of the Santa Lucia Chapter's Executive Committee and longtime Sierra Club member, which he calls part photo essay, part day-hike trail map, part history and part archaeology. It provides a field guide to the public trails, wildlife, history and use of Cal Poly's 10,000acre land holdings. Marx is a professor of English at Cal Poly.

The book features photos by nationally renowned photographer Sky Bergman, a Cal Poly photography professor, as well as chapters by a number of other professors. Cal Poly Art and Design Professor Mary LaPorte is the book's designer. Marx said the book "started as an idea I had. Ever since I first came here 15 years ago, I've been in love with the land here at Cal Poly: its beauty, its history and the variety of activities that are carried out on that land."

The university's contiguous campus area represents roughly one-third of its 10,000 acres, and its Swanton Pacific Ranch near Santa Cruz another third. The remaining third, referred to as the university's "Western ranches," lies on both sides of Highway 1 west of the Cuesta College campus and El Chorro Regional Park.

The guide also contains reflections from faculty members and students inspired by the university lands, as well as a discussion on environmental stewardship of the land and the ethics involved in dealing with land.

The book is available at Cal Poly book stores in downtown San Luis Obispo, the Foothill Plaza shopping center and on campus.



Bill Lockyer

Atty. Gen. Bill Lockyer has strongly objected to the Nuclear Regulatory Commission's rejection of all but one of the challenges to PG&E's proposed plan to build spent-fuel storage casks at the Diablo Canyon Nuclear Plant, calling it "deficient and troubling.'

His Feb. 28, 2003, letter to the NRC supported arguments by Mothers for Peace, the Santa Lucia chapter of the Sierra Club and other intervenors in the agency's review of the PG&E project that it "presents a significant safety issue."

He said the NRC should reconsider its decision and order public hearings on safety and environmental questions raised by the intervenors. Lockver said he was making the request based on his authority as attorney general "to protect the health and safety of the people of California, and to protect the natural resources of the state from pollution, impairment or destruction" under state laws.

Lockyer said in evaluating the intervenors' contentions, the NRC relied exclusively on NRC regulations "without carefully evaluating whether the National Environmental Policy Act [NEPA]...requires hearings on these

The "proposed expansion of (the plant's) spent fuel storage facility is inherently risky," his letter said. "(The plant) is sited in a seismically active area. Both the power generation and spent fuel storage facilities...present targets for cataclysmic acts of terrorism and sabotage."

In addition, he said, "the eventual transportation of spent fuel from (the plant) on the highways of California poses the danger of release of nuclear waste to the environment. The public has a right to ask that every reasonable measure be taken to minimize these risks, and the right to know that every such measure has been taken.'

The "safety and environmental risks inherent in the proposed expansion of (the plant's) spent fuel storage facility must—to the extent consistent with plant security—be evaluated carefully and publicly. This is nothing more than what Congress intended in adopting NEPA.'

The intervenors had argued that PG&E's seismic analysis accompanying its application to build the spent-fuel casks failed to

consider some significant seismic features of Diablo Canyon and therefore the facility's design is inadequate in protecting public health and safety from earthquakes. While conceding that the argument might otherwise be legitimate, the NRC rejected that argument on grounds it needed to be shown that not only is the seismic analysis at inadequate, but that the original earthquakesafety design of the reactor itself is faulty.

Thus, Lockyer said, the NRC has "raised the bar" for the intervenors, announcing "for the first time that those petitioners must satisfy a second element: they must submit evidence that explicitly...calls into question" the plant's safety design. At a minimum, the NRC should "allow the civic organization petitioners the opportunity to satisfy the second part of the test announced by the panel.'

The intervenors also had argued that PG&E had failed to show that it is financially able to pay for building, operating and decommissioning the casks. The NRC accepted this contention for hearing but excluded evidence that Lockver "will prevail in its billion dollar unfair business practices litigation against PG&E's parent." To that, Lockver responded. "We believe that the civic organization petitioners can demonstrate that the California Attorney General's Office has a strong likelihood of succeeding in that litigation.

In addition, the intervenors said PG&E's environmental analysis fails to contain any discussion of the environment impact of acts of terrorism or sabotage directed at the spent-fuel storage facility. But the NRC rejected it for hearing because current NRC regulations "do not require licensees to plan for or to design their facilities to protect against all acts of destruction or sabotage."

Lockyer said the NRC's failure to comply with NEPA in this regard "is inappropriate and contrary to the clear congressional purpose in enacting NEPA," noting that a federal circuit court has rejected the NRC's predecessor, the Atomic Energy Commission, being exempt from NEPA. In refusing to order a hearing, the NRC said "the possibility of a terrorist attack...is speculative and simply too far removed from the natural or expected consequences of an agency action to require a study under NEPA.

Lockver said that NRC conclusion is "flawed and will not survive judicial scrutiny." Among other things, it "ignores statements made by senior government officials that further terrorist attacks on the United States. as devastating as those that occurred on September 11, 2001, are inevitable and that nuclear facilities, in general, are likely targets." He noted that President Bush in his State of the Union address on Jan. 9, 2002, said U.S. intelligence agencies had uncovered plans by Al-Qaeda terrorists to attack U.S. nuclear power plants.

"To argue that, because we do not know when or where the attempt will take place, we need not consider the likelihood and consequences of a terrorist attack on every nuclear facility, at the time it is licensed, is to foreclose public discussion of a threat that senior government officials have determined to be substantial."

In arguing for additional hearings, Lockyer said, "If the public is to have confidence in PG&E's operation of any spent fuel storage facility approved by Diablo Canyon, or, indeed, in PG&E's operation of the power plant itself, and if the public is to have confidence in the NRC permitting process, these issues must be analyzed publicly on their technical merits.

Outings

continued from page 8

Sat., May 31/June 1, Canoe/Kayak Elkhorn Slough: This camping, boating and sightseeing outing offers many possibilities. If you wish you may drive north Friday, camp Friday night, boat Saturday, camp Saturday night, sightsee and drive home Sunday, or any combination of the above. Phone Jack Beigle <773-2147> for reservation, park fees and complete details. PLEASE PHONE EARLY. CAMPSITES ARE LIMITED, ADVANCE RES-ERVATIONS ARE REQUIRED.

Thurs.-Sun., June 19-22, Malakoff Diggins State Park: Cabin space available for 6 people who can't tent camp. Not too high in the Sierras, near Nevada City, this is the site of the largest hydraulic gold mine in California. The huge, carved cliffs are still visible, remnants of our past abuse of the land, where entire mountains were washed away in the search for gold, leaving behind a scarred land and waterways filled with mud. Today, we can camp here and hike the area. Three nights camping, ALL MEALS provided plus happy hours. To reserve, send your check for \$65 and a long SASE to Jack Sneddon 1596 Claycord Ave, Concord CA 94521. Info, 925/676-3939, or jacks2@prodigy.net. FULL REFUND WITH TWO WEEK NOTICE OF CANCELLATION. Thurs.-Sun., July 17-20, Portola Redwoods State Park: Join Jack Sneddon for three nights camping at this beautiful park in the Santa Cruz Mountains, similar to Big Basin, but not as crowded. Located in a rugged, natural basin with coast redwoods. Douglas fir and live oak, there are 18 miles of trails for your hiking enjoyment. We have both group sites this year for plenty of tent space and ALL the parking. Three nights camping, ALL MEALS and happy hours. To reserve, send a long SASE and your check for \$65 to Jack Sneddon, 1596 Claycord Ave, Concord CA 94521. For info, 925/676-3939, or jacks2@prodigy.net FULL REFUND WITH TWO WEEK NOTICE OF CANCELLATION.



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Classifieds

Coordinator Wanted

Position Title: Chapter Coordinator Company: Santa Lucia Chapter/Sierra

Club

Date Posted: April 09, 2003 Employer: Non-Profit

Description: This new position offers an opportunity to be a part of the nation's leading environmental organization. Opportunity includes addressing critical local issues such as land use management, air/water quality, habitat and endangered species protection. You will work among deeply committed volunteers and be responsible for ensuring implementation of the Chapter's conservation program objectives. Halftime one-year duration.

Responsibilities include: Work closely with the Executive Committee to develop and implement programs and activities in order to enhance member effectiveness and involvement; Provide office management and administrative functions including the recruitment, training, and supervision of volunteers and interns; Acts as an information resource for chapter volunteers and the general public; Maintains the Chapter records, purchases, supplies and equipment; in coordination with Treasurer, processes invoices for payment and monitors the annual budget. Qualifications: BA/BS in Environmental

Studies, Political Science or closely related field, 2-3 years experience in the environmental field that includes research and organizing campaigns, press relations and public speaking. Salary: Competitive salary to be offered based upon experience between \$22,000 and \$26,000 with growth potential. Compensation includes health insurance and other benefits. Contact: Fax cover letter, resume, relevant materials to (805) 543-8727.

Classified ads are \$10 and are limited to 20 words. They are due by the 1st of the month of publication (next deadline is May 1st). Please submit your ad and payment to: Deborah Krueger

c/o Santa Lucian

P.O. Box 15755

San Luis Obispo, CA 93406

The Santa Lucia Chapter is also seeking to fill the following positions:

- Treasurer
- Advertising Manager
- Membership Chair
- Santa Lucian Distribution Manager If you are interested in any of the openings, please contact Ross Pepper at rosspepper@charter.net



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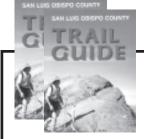


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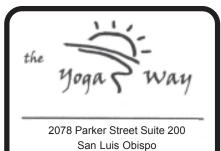
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For more information and confidential assistance, contact

John Calaway

Sierra Club Planned Giving Program 85 Second Street, 2nd Floor, San Francisco, CA 94105-3441 (415) 977-5538.

Outings and Activities Calendar

All of our hikes and activities are open to all club members and the general public. 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 Leader Gary Felsman (473-3694). For information on a specific outing, please contact the outing leader. Outings Leaders please get your outings or events in by the 10th for the next month's outings.

Hiking Classifications:

Distance: 1 = 0-2 mi., 2 = 3-5 mi., 3 = 6-9 mi., 4 = 10-12 mi., 5 = 12 mi. or more.

Elevation Gain: A = 500', B = 1000', C = 1500', D = 2000', E = 2500', F = 3000' or more.

Sat., April 12, 7:45 a.m., Machesna Mountain Hike: Come take a 12-15 mile, with 3,000-ft. elevation gain, hike through the Machesna Wilderness. Starting from American Canyon Campground, we will climb 1,500 ft. to an open meadow and pond below Machesna Mountain itself. After lunch we will climb another several hundred feet to a ridge overlooking the Carrizo Plain. We will soon start our descent to a lush green valley before climbing up to our final rest stop. We should have plenty of wildflowers and pleasant weather. Bring lunch, water, sturdy hiking shoes, and plan to be out all day. Most of us will go to the Pozo Saloon after. Meet at Pacific Beverage Company in Santa Margarita. This is not a beginner's hike. Limit 20 people. For details, reservations and meeting place call Gary (473-3694)(5F)

Sat., April 12, 8:45 a.m., ADOBE TRAIL TO ROLLING GRASSLAND PLATEAU: Moderately strenuous with steep trail at start in a pasture, but affords high overlook down into partially intact historic adobe ranch house below in scenic Cuyama River valley. Trail steeply ascends through open oak complex to a rolling grassland plateau extending northward to Branch Creek. USFS Trailhead (Adventure Pass required on all parked vehicles) is in enclosure on Highway 166 approximately 22 miles east of Freeway 101 and a mile or two short of Twin Rocks area. Meet at 8:45 a.m. at the North Santa Barbara County Government Center's easternmost (Bldg 511) parking lot. Santa Maria, Rain cancels, Hikes are always subject to change; always contact the leader: JERRY (928-3598) (AR) Sun., April 13, 9:30 a.m., Coast Nature Hike: See a remote area of dunes with botanizing, bird watching and poetry. Confirm and details a few days before: 929-3647 or <bdenneen@slonet.org>

Wed., April 16, 5:30 p.m., Mystery Hike Revealed Bishop Peak: Our traditional weekday hikes continue with a hike up Bishop. This is a 4.5 mile evening hike with 1,200-ft. elevation gain. Bring water an dress for the weather. Meet at the Patricia Drive Trailhead. Details call Chuck at (927-3769)(2C) Fri., April 18, 5:30 p.m., Hike Black Hill in Morro Bay State Park with Sierra Singles and others. Meet at parking lot near Bayside Cafe. Possible dinner afterward. Leader, Steve 543-

Sat.-Sun., April 19-20, Panamint Valley/ Briggs Gold Mine/Surprise Canyon Backpack: What is a view worth? Join Tom Budlong and me for a weekend backpack in the beautiful threatened Panamint Valley west of Death Valley National Park. We will backpack south from Jail Canyon to Hall Canyon camping at a spring, then on to the controversial Surprise Canyon narrows. Two issues for the price of one: Briggs Mine expansion and Surprise Canyon vehicle closure. Great views will distract us as we discuss the defense of this magnificent landscape. Moderate skills needed, some on and off trail hiking required. Contact Ldr: Bob Ellis (510) 525-8742. bobellisds@earthlink.net. CNRCC Desert Com/SF Bay Chapter

Sum., Apr. 20, 9:30 a.m., Bicycle Guadalupe to Ocean: Meet at Dune Centre Parking Lot with bike and helmet. An easy, educational tour of Guadalupe and then to ocean. Confirm a few days before at 929-3647. or bdenneen@slonet.org

Wed., April 23, 5:30 p.m., El Chorro Regional Park Hike: Come explore the Eagle Rock Trail and other trails in Park. Meet at the Lupine Area Parking Lot at the end of the Park. Possible dinner after. Details call Steve 543-6189.

Fri.-Sun., April 25-27, Lion Den / Cruickshank Trail Work party: The SLO Trail volunteers will be spending the weekend at Lion Den Camp, then work on the upper sections of the Cruickshank Trail How much we get done depends on the number of people who attend. We may even take a hike to Silver Peak. Details call Gary at (805)473-3694, or email: gfelsman@onemain.com

Fri.-Sun., April 25-27, Culp Valley, Anza Borrego State Park Carcamp: Culp Valley, in the Upper Sonoran plant zone, is our base for a hike down the old California Riding and Hiking Trail to Borrego Valley, 3,000 feet below. We'll see a variety of chaparral community plants on the way. On shorter hikes we'll visit local springs and see effects of water sources on plant life. Primitive campground. OK for passenger cars. Send phone number and address with SASE, or send via e-mail, to Ldr: Bill Engs, Box 3248, Crestline, CA 92325. engs@juno.com Phone: (909) 338-1910. CNRCC Desert Com/ San Gorgonio Chap

Sun., April. 27, 9:30 a.m., Pismo Dunes Preserve: Meet at Melodrama in Oceano. Hike the most beautiful dunes to a Dune Lake via a secret passageway. Confirm a few days before at 929-3647 or bdenneen@slonet.org Wed., April 30, 5:30 p.m., San Luis Mountain Hike: Come climb San Luis Mountain. This is a 3-4 mile hike with 1,200 foot elevation gain. Meet at the Maino Open Space Area at the Marsh Street on ramp in San Luis Obispo. Possible dinner after for those interested. Details call Gary (473-3694) Thurs., May 1, 6 p.m., Sierra Singles and Others Planning Meeting and Dinner: All potential outings leaders are welcome to come out and enjoy good food and company while we plan for the next month's outings. This month we will be meeting at the Sea Shanty in Cayucos. For more information call Steve (543-6189)

Sat., May 3, 8:45 a.m., GAVIOTA PEAK LOOP: Trail departs from Gaviota State Park northernmost parking lot (State Park parking fee deposit box for all parked vehicles) near highways 101 and 1. After passing close to a small pair of muddy hot springs it climbs through north-facing field and forest to the peak, offering excellent views of the proposed Gaviota Coast ecological and recreational protection area now under study. Following lunch, descent is by a steep trail initially south through scrub to a high east-west valley between up thrust ridges. The trail then descends around the west shoulder of Gaviota Mountain and back to the parking area. 1,500-ft. elevation gain. Meet 8:45 a.m. at the North Santa Barbara County Government Center's easternmost (Bldg 511) parking lot or 9:30 a.m. at the trailhead near Gaviota. Rain cancels. Hikes are always subject to change; always contact the leader: JERRY 928-3598 (AR)

Sun., May 4, 9:30 a.m., Point Sal Hike: Meet at end of Brown Rd. at 9:30 a.m. Bring optional Mt. Bike for fast ride back down hill. The first 2.5 miles is uphill (1,000ft). We'll stop a lot going uphill to botanize, solve all the planet's problems and give a GOF a rest. Bring lunch, water, fit dogs that do not chase cattle. Confirm a few days before at 929-3647. or bdenneen@slonet.org

Sun., May 4, 7:00 a.m., Santa Lucia Trail to

Juniperro Serra Peak: This is an opportunity to explore the eastern part of the Ventana Wilderness and to hike to the highest point in the northern Los Padres National Forest at 5862 ft. The hike is a strenuous 12 miles with 3800 ft of elevation gain. The landscape is beautiful, beginning in a meadow with distinctive outcroppings, traveling through oak woodlands, and culminating in a pine forest before reaching the summit. We will be near the proposed new wilderness area of Bear Canyon. There is a possibility of ticks and poison oak. The weather can be unpredictable and vary from extremely warm to cool. Last year in April we were walking through snow on the last pitch to the summit. Bring plenty of water, a lunch, good hiking shoes, and dress in layers. Meet at the north end of the Walmart parking lot in Paso Robles near the McDonalds. It is a 1-1/2 hour drive to the trailhead so a carpool is recommended. We will be going through Fort Hunter Liggett so drivers need a license, proof of insurance and registration. The hike will be in an Adventure Pass area which means there may be a fee. If you are interested you may camp at Indians Campground the night before or after the hike. If you are coming from north of Paso Robles, please call to arrange a meeting place. Please confirm with the leader if you are going and please, no beginners. For details and confirmation, call Chuck (927-3769) (5F) Tues.-Sun., May 6-10, Mojave National Preserve: Four nights in the higher elevations (5,600 ft.) of the former East Mojave, now renamed Mojave National Preserve. We'll camp in the Midhills campground, where there is shade, water, and toilet facilities. Temps this time of year should still be moderate; warm days and nights, and fairly dark night skies for good star viewing. Hiking the dunes, cinder cones and more are being planned by hike coordinator, Lucy Henderson. To reserve your spot on this outing, send your check for \$95 and long SASE to Jack Sneddon, 1596 Claycord Ave. Concord, Ca 94521. For info, 925/676-3939, or jacks2@prodigy.net, FULL REFUND WITH TWO WEEK NOTICE OF CAN-CELLATION.

Wed, May 7, 5:30 p.m., Stenner Creek Hike: Come explore the area along Stenner Creek as we take an evening hike to the railroad tracks and back. Bring water and dress for the weather. Meet at the Train Trestle on Stenner Creek Road. Details call Gary (473-3694) Sat., May 10, 7:30 a.m., Trout Creek to Caldwell Mesa: Come explore the Garcia Mountain Area, which is a rarely traveled area between Trout Creek and Caldwell Mesa with Buckeye Camp as midway point. This a strenuous 16-mile hike with 1.400 ft. of elevation gain/loss. There is a lot of unavoidable poison oak and the insects can be a nuisance. We will be on foot for 8-10 hrs. This not a beginners hike. An Adventure Pass is needed to park at the trailhead. Hot weather will shorten the hike. Bring plenty of water, lunch, and a few snacks for this all-day hike. Meet at the Pacific Beverage Co. in Santa Margarita. For any other info. contact Carlos at (546-0317). (5F) Sun., May 11, Lopez Lake Hike: Come join Eliane as she explores the Lopez Lake Area. Tenative Plans are to hike the Tuouski Two-Waters Trail. Bring lunch, water, and dress for the weather. Meet at the parking lot behind the Arroyo Grande City Hall. Details call



Photo by Joaquin Palting

Eliane 473-0288 Sun., May 11, 9:30 a.m., Coast Nature Hike (Black Lake Canyon): See a remote area of dunes with botanizing, bird watching and poetry. Confirm and details a few days before. at 929-3647 or bdenneen@slonet.org Sun., May 18, 9:30 a.m., Kayak Oso Flaco Lake: Meet at lake with kayak, PFD and mechanism to move kayak to lake. Bring binoculars. Confirm and details a few days before, at 929-3647 or bdenneen@slonet.org Sun., May 18, Chris King Trail Days Work Party. Location to be determined. Come enjoy a great day working with others as we continue to build new trails somewhere in San Luis Obispo County. Trail Daze starts off with a breakfast of fruit, bagels, muffins, coffee, and OJ — while you sign in and organize with a work crew. Sack lunches are provided. After a few hours of trail work, return to the picnic area for an afternoon of socializing, gourmet barbecue dinner, and raffle prizes. All participants get a commemorative T-shirt. There is no cost to the participant, but preregistration is requested. Local bike shops and hiking supply shops will have sign-up sheets available, or you can register by calling one of the numbers below by May 4th. This event is hosted by Chris King Precision Components, Central Coast Concerned Mountain Bikers (3CMB) and the Sierra Club. Wear work clothes and bring gloves and water; tools will be provided. For more information contact David at 438-4631, or Greg at 995-1675, or check the www.cccmb.org website for details on this year's event. Remember to register

Sun., May. 25, 9:30 a.m., Bicycle Guadalupe to Ocean: Meet at Dune Centre Parking lot with bike and helmet. An easy, educational tour of Guadalupe and then to ocean. Confirm a few days before at 929-3647 or bdenneen@slonet.org

Mon., May.26, Memorial Day, 9:30 a.m., DANA ADOBE: A nature hike around Nipomo's historic landmark. Oak woodland, birding and riparian habitat. An easy 2-mile hike of 2.5 hrs. followed by HDThoreau from the DA veranda. Directions: East on Tefft from #101,south one mile on Oakglen to DA sign. Details and Confirm with Bill (929-3647)

| Special Day 1.00 | Special

continued on page 6

This is a partial listing of Outings offered by our chapter.

Please check the web page at www.santalucia.sierraclub.org for the most up-to-date listing of activities.