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CLUB

- 40 Years on the SLO Coast -
Santa Lucia Chapter
1968-2008

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General Meeting

**Join the Fight Against
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bulbs? Reduced your
footprint? Yes, there is
more that you can do.
Join us at 7 p.m. on
Friday, Sept. 26.**

- 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

The World They Make

California college students take on global warming

The 2008 Sustainability Conference, held annually by California's three public university systems, took place at Cal Poly over the weekend of August 1, with addresses by Lt. Governor John Garamendi and Apollo Alliance President Jerome Ringo on Friday, and a student bull session on state and local energy policy on Saturday night.

The Saturday evening event was dubbed "Focus California" (handsome t-shirts provided courtesy of the Santa Lucia Chapter) after the "Focus the Nation" event held at Cal Poly and more than 1,200 other college campuses in January. A panel of experts and a series of breakout sessions focused on recent legislation and local initiatives to combat global warming and encourage reduction of energy use and the development of renewable energy.

Santa Lucia Chapter Community Development Coordinator Ken Smokoska led off with a summary of recent encouraging developments in the county: The Air Pollution Control District has created a Climate Action Plan; four cities have joined ICLEI -

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The next generation is preparing to take on the world's greatest challenge.

Law Closing in on Climate Change

By Andrew Christie, Chapter Director

The state Attorney General's office and the Local Government Commission hosted the all-day workshop "CEQA and Climate Change" on August 7 at the Fess Parker Resort in Santa Barbara, attended by planners and regulators from San Luis Obispo, Santa Barbara and Ventura counties.

They came to get the latest word on the requirements of the California Environmental Quality Act (CEQA)

and other regulations now being formulated to deal with the impacts of global climate change.

The legal bottom line: Local agencies must assess whether a proposed project's greenhouse gas emissions are individually or cumulatively significant. If significant, that impact must be mitigated by any

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Bullet Dodged

Public outcry halts land planning power grab

As we predicted ("Hold That Line!" July/August), the lame duck aggressive-growth majority on the County Board of Supervisors attempted a major piece of mischief with five months to go on their terms.

But what was supposed to be a quiet coup overthrowing the way land use planning is done in SLO County instead went down in flames at the August 12 meeting of the County Board of Supervisors.

Staff had placed a proposal on that day's agenda recommending that the Board process amendments to the County's General Plan that would seize from the Planning Commission and hand to staff the authority to review tract maps, the basis for subdivisions and the heart of all land use planning decisions.

Coming two months after elections re-made the ideological makeup of the Board, the attempt to grease the rails for bad projects even after a new pro-environment Board - and their Planning Commissioners - is seated in January was obvious. The authority of the citizen

commission that oversees land use planning was to be eliminated.

The plan was exposed by a Santa Lucia Chapter e-mail alert a few days before the hearing and a front-page story in the *Tribune* ("Applicants for permits plan end run") published the day before. Protect Our Property Rights (POPR) went on KPRL and desperately tried to rally its pro-development forces for the hearing, to no avail. Alerted residents turned out in force to give the Supervisors an earful about their wish to keep the public process public and to attest to the fact that the Planning Commis-

sion works just fine.

(In an eerie political parallel, the day before the hearing the Bush administration announced its intention to take authority for Endangered Species Act decisions out of the hands of federal wildlife agency scientists and give it to the agencies overseeing individual developments. Locally and nationally, January can't come soon enough.)

The "staff proposal" was overwhelmingly rejected by virtually everyone who spoke, all identifying

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photo:Kevin Walsh

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Explore, enjoy and protect the planet

General Meeting

Get your hands on global warming

It's time to get hands-on in the fight against climate change.

Join the Sierra Club in a campaign that will make a difference. We're now recruiting volunteer teams to work with the cities of Grover Beach, Pismo Beach, Arroyo Grande, Atascadero, Paso Robles and Morro Bay in undertaking programs to cut their green house gas emissions.

Come find out if your city has signed the U.S. Mayors Climate Protection Agreement, how you can help them do so, and how you can work with the Sierra Club and your city's staff to create a climate action plan!



7 p.m., Friday, September 26
St. Stephens Episcopal Church
1334 Nipomo St., San Luis Obispo
- Pismo Street entrance,
parking lot off Pismo



The race against global warming starts now!



Fear and Oil

"So pleased to know that the Sierra Club will soon be busted, along with the environmental lobby. The mistake was the \$4 gasoline or the \$5 gasoline or the \$8 gasoline you were hoping for is not gonna happen. The American people are listening; they're awake now. They're awake, at least about the energy costs. So you guys are gonna be moving. It couldn't happen to a nicer bunch."

- anonymous phone call received at Santa Lucia Chapter office, Jun. 20, 2008

"Yeah, Sierra Club, you guys are the reason the [] gas is so high! You [several screamed repetitions of popular 12-letter obscenity]! I know were you live, you [], ya got that?!"

- anonymous phone call received at home of Santa Lucia Chapter Director, Jun. 4, 2008

Change of Address?

Mail changes to:

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Outings, events, and more!

Let us consider the uses of fear and rage, and the search for scapegoats.

Let us consider, for example, "John and Ken."

Los Angeles expatriates may recall the duo. John Kobylt and Ken Chiampou are conservative talk-radio icons whose trademark is to latch onto an issue -- most famously, the recall of Governor Gray Davis -- and hammer at it for weeks or months, always in the context of fury at liberal elites, big government, tree-huggers, terrorist-coddlers, etc.

Once they found this formula, John & Ken used it to swell the ranks of their listeners to a peak of one million ardent fans. They make use of their position to engage in on-air right-wing grassroots organizing, mounting political stunts in the service of the corporate conservative agenda and exhorting listeners to inundate their legislators with protests against progressive legislation.

Former California Assembly-member, now Senator, Fran Pavley remembers one such campaign from 2004, shortly after she introduced AB 1493, the Clean Car bill, the first in the nation to mandate cuts in green house gas emissions from cars and trucks. The bill passed -- and is now known nationwide as the "Pavley Law" -- despite the millions of dollars spent by oil companies, car dealerships and the California Chamber of Commerce in the effort to kill it. John & Ken were major players in that effort, using this frame: A crazy woman in the state legislature was

going to take the SUVs away from brawny, fun-loving Americans. It was time to bring the hordes of angry listeners to full eruption.

"Every day at five o'clock, for three months," Pavley recalls, "John and Ken would lead off their show telling listeners that they had to kill this bill; that if it passed it would force them to drive small cars, that they would be limited in the number of miles they would be allowed to drive in a year. They filled the airwaves with misinformation." At one point, the duo organized an SUV motorcade that drove to Sacramento and surrounded the Capitol building, the drivers haranguing legislators through bullhorns.

Things quickly got out of hand. Several legislators started receiving death threats. Pavley had to be evacuated from her office when a man called up and said he was on his way over with a baseball bat.

"That's when I realized how dangerous the media could be," says Pavley.

The two phone messages transcribed above tell us that it doesn't take much in the way of professional rabble rousing to incite the masses with inflammatory nonsense and drag the public discourse from a vigorous exchange of opposing ideas down to the level of obscenities screamed on anonymous phone calls. The media simply has to report a lie, and \$4.50 @ gallon gasoline does the rest.

Both phone calls were received

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Don't get mad, get organized: Ron Skinner and Anna Gabriel.

Huasna Rising

When the price of oil started its epic climb, oil companies started looking to cash in. A local case in point: Excelaron's application for a county permit to drill new oil wells in the Huasna Valley and re-open old ones that were abandoned 25 years ago.

They wish to do this without going to the bother of a full assessment of environmental impacts. They're happy to proceed on the basis of a 1980 Environmental Impact Report, and County Planning staff is happy to oblige with a Mitigated Negative Declaration, the lowest level of environmen-

tal review.

Residents of Huasna and Arroyo Grande, learning that eight tanker trucks are proposed to come roaring through town every day for the next twenty years, have taken a different view.

The first public announcement of the plan triggered, with remarkable speed, the resurrection of the Huasna Valley Association, last seen in 1980, to voice the concerns of citizens and preserve the rural/agricultural setting of the Huasna Valley. The response has been a textbook example of how an alarming development proposal in one's back yard maketh activists of us all – including developers who live there and who find the notion of encounters with 4,000-gallon tanker trucks on the area's narrow, winding roads and breathing their exhaust to be as disconcerting as their neighbors do.

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The Reactionary Principle

Inaction for public health

By David Kriebel, Lowell Center for Sustainable Production

The precautionary principle, which encourages policies that protect human health and the environment in the face of uncertain risks, is a highly controversial topic in environmental debates. The 1998 Wingspread consensus statement characterized the precautionary principle this way: "when an activity raises threats of harm to human health or the environment, precautionary measures should be taken even if some cause and effect relationships are not fully established scientifically." The statement went on to list four central components of the Precautionary Principle:

1. taking preventive action in the face of uncertainty;
2. shifting the burden of proof to the proponents of an activity;
3. exploring a wide range of alternatives to possibly harmful actions; and
4. increasing public participation in decision-making.

Skeptics often ask: isn't this just a fancy new name for what any responsible environmental health scientist has always done?

On the contrary, precaution brings important new insights into environmental health policies, and the science which informs them. To illustrate this, it may be useful to give a name to the policy framework in which environmental health research currently operates: it is the reactionary principle. Under this system, anyone is free to introduce a new hazard into the environment, and governments must wait until an overwhelming body of evidence is accumulated before intervening. Each new regulatory action is challenged with the objective of slowing down or stopping public oversight of production and distribution of chemicals and technologies. We can see reactionary principle inaction in the unconscionable delays in regulating a long list of hazards whose risks were clear long before effective actions were taken to control them: asbestos, benzene, dioxins and PCBs. While these are "old" hazards, a reactionary approach is evident as well in many current controversies, including the potential health risks from hexavalent chromium, artificial butter flavoring, and

the anti-microbial agent triclosan.

The reactionary principle operates through these key components (referring back to the list for precaution may be useful):

1. requiring incontrovertible evidence of harm for each hazard before taking preventive action;
2. placing the burden on the public (or government agencies) to show that each chemical, material or technology is harmful;
3. not considering potential health and environmental impacts when designing new materials and technologies; and
4. discouraging public participation in decision-making about control of hazards and introduction of new technologies.

Perhaps framing the status quo this way helps the reader to see the kinds of changes in the science-policy interface which precaution encourages.

What can be done to shift from reaction to precaution? One important step would be to reduce the corrupting influence of economic interests on the scientific evidence used to develop environmental health regulations. Recently, investigators have documented how some corporations seek to impede regulation through the intentional manufacturing of uncertainty about the hazardousness of their products. Clearly, removing conflicts of interest and intentional manipulation of data would make it easier to act in a more precautionary way. But there is more that responsible environmental health scientists can and should do. I will mention two examples.

A critical step in the recognition and control of environmental hazards is causal inference – deciding if the evidence linking an exposure and a disease is sufficient to judge that this is a real cause, and not simply a correlation or association. A precautionary approach would emphasize that this judgment is not purely scientific; an ethical principle of environmental health scientists – akin to the physician's "first do no harm" dictum – holds that they should ask themselves: "when do we know enough to act as if something is

causal?" This will depend not only on the strength of evidence but also on the availability of alternative ways of achieving the same social good and on the consequences of inaction or acting in error.

For example, shouldn't we require less evidence of harm before removing artificial butter flavor from microwave popcorn than before banning a life-saving drug with potentially hazardous side effects? And shouldn't we require less evidence of harm before restricting the use of a synthetic chemical to keep your gym socks smelling good than the same chemical when it is used as a disinfectant to interrupt the spread of dangerous hospital infections? At present, scientists are not taught to think this way about the question of how much evidence is enough to judge an exposure as a real hazard.

A second example of how precaution can change scientific research: when researchers continue to study the same known hazards while thousands of widely dispersed chemicals remain without basic toxicology, they may

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By David Weisman
Alliance for Nuclear Responsibility

Are you prepared for an emergency?

So asked the bold print on the front of my monthly electric bill. On the back of the envelope were suggestions for earthquake and other disaster preparedness, including maintaining an emergency supply kit. Another warning: "Assume downed power lines are energized and keep yourself and others away; call 911 and 1-800-PGE 5000."

I will gladly assume downed power lines are dangerous and energized. However, the more risky assumption may be that I can call 911 or any

inadvertently be promoting inaction by implying that more must be learned before action can be taken. To avoid this, environmental health scientists can learn from colleagues in climate science. There is now a (nearly) global consensus that human impacts on climate are likely to have serious negative consequences.

Climate scientists have managed to communicate an important yet complex message: much more needs to be learned about climate and we know enough that we cannot remain silent about the need for action. These scientists have stepped out of their roles as data gatherers and analysts, and spoken publicly about the need for action.

While striving to do the best science possible, environmental health researchers should be aware of the potential impacts of their research and of their social responsibility to do science that protects human health and the environment. The precautionary principle is useful in focusing attention on the need for this balance.

other emergency number.

On July 29, a magnitude 5.4 earthquake in Chino Hills made this concern a reality. As reported in the *Los Angeles Times* the next day:

That nearly universal instinct to call loved ones — or someone — strained the capacity of the regional phone network, perhaps instructive for officials planning emergency responses to the next massive earthquake.

Verizon lost some phone service

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SLAPPe d!

Local developers seek to silence opposition

From Chapter Reports

On May 20, three developers sued a Paso Robles resident for participating in the public planning process and writing and speaking about the potential impacts of their proposed sand and gravel mining operations on a tributary of the Salinas River. There have been five such permit applications in the last year.

Paul Viborg, John Pehl and Colin Weyrick are all seeking Conditional Use Permits from the County. In their

lawsuit, they demand an un-specified amount in damages, claiming that Colleen Enk -- and "John Does 1-50 inclusive," a legal placeholder used in lawsuits for co-conspirators to be named later -- by opposing their projects, was responsible for "tortious interference with business, libel and defamation, intentional infliction of emotional distress" and "civil conspiracy."

All this was claimed to have come

about by virtue of the defendant "utilizing questionable and often unreasonable methods" -- i.e. she "has personally met with County of San Luis Obispo planners, as well as other government agencies, on numerous occasions, and despite knowing the facts provided to her, has nonetheless submitted a litany of written appeals" and has "recruited others...and in so doing has conspired to attack the projects." Said actions were alleged to

have been "undertaken willfully, wantonly, maliciously, and in reckless disregard for Plaintiff's rights...."

Are you shaking your head in disbelief? The legal action is known as a Strategic Lawsuit Against Public Participation, or SLAPP suit. The claims of this particular SLAPP suit are based on the premise that the County engaged in "thorough and comprehensive review and analysis...and appropriate environmental

Coastal Cleanup Day

September 20, 2008

Saturday, 9 am to Noon

Last year over 1300 volunteers collected more than 4500 pounds of trash in SLO County alone.

Will you help us do even better this year? Just show up at your favorite beach or visit www.ecoslo.org for more information.



mitigation measures have been carefully evaluated and incorporated into the mitigation agreements with the County" -- a dubious premise, as we'll see shortly, but the point of a SLAPP suit is not to win a case on its merits. The point is to make opposition go away by getting the word out in a targeted community: Shut up, or else.

J'accuse!

Enk's Salinas River Neighbors Association has long watch-dogged industrial sand and gravel mining operations on the Salinas. The filing of the SLAPP suit coincided with the failure of Chad Pankey, another Salinas mining applicant, to gain a Conditional Use Permit at a May 8 Planning Commission hearing. The permit would allow 145,000 cubic yards of sand and gravel to be scraped from the river bed annually for 20 years. Accommodating County Planning staff had urged the issuance of the Mitigated Negative Declaration -- meaning all environmental problems would be taken care of, no full environmental review required.

The San Miguel Advisory Council had voted 7-0 to recommend that the county deny the Pankey application and affirmed that the cumulative impacts of all five proposed mines needed to be studied before the County approved any of them. Then the California Department of Fish and Game pointed out some inconvenient

truths about the MND's inadequacies. That was when the writing went on the wall: *All* such projects should be subject to a cumulative EIR, the most thorough of the project analysis options mandated by the California Environmental Quality Act. Enk was SLAPPed three weeks later.

The intent and the strategy was clear. "They tried to serve me at home, the night before the Planning Commission hearing," said an incredulous Enk, who also notes that someone called her employer the month before to complain that she was inappropriately engaged in non-work related activities on the job. "Customers would come in and say 'Colleen, what are we gonna do about these sand mines?' and we'd talk about that," she said.

The Viborg/Pehl/Weyrick group's attorney brought pressure to bear on the Department of Fish and Game via a Public Records Act request demanding all documents and correspondence relating to the DFG's role in the permit process. For good measure, he fired off a warning to North County Watch on behalf of "a group of concerned sand and gravel operators" alleging "a number of erroneous facts" in a letter of comment NCW sent to the Planning Commission on the Pankey mine proposal. The letter admonished the group that in so doing it had exposed itself to "legal scrutiny," undermined their "positive mission, and cause[d] potentially

unnecessary injury to legitimate business proposals." The lawyer requested "that a letter to the Planning Commission with appropriate corrections to the false assertions be sent." The request was impossible to honor, as he did not specify what the alleged false assertions were.

In their 1996 book, *SLAPPs: Getting Sued for Speaking Out*, George Pring and Penelope Canan researched the phenomenon of the SLAPP suit since its birth in the 1980s. They found that it "was not just free speech under attack. It was...the right to petition government for a redress of grievances, the 'Petition Clause' of the First Amendment. Americans by the thousands are being sued, simply for exercising one of our most cherished rights: the right to communicate our views to our government officials, to 'speak out' on public issues. Today, you and your friends, neighbors, co-workers, community leaders, and clients can be sued for millions of dollars just for telling the government what you think, want, or believe in."

Enk's crime, and the source of the developers' ire: The Salinas River Neighbors Association filed a request for review of the proposed Negative Declaration for the Pehl mining project, the County's assertion that the project would create no significant environmental impacts. Their appeal stated that the County's assessment failed to recognize or

analyze cumulative impacts of proposed and existing sand and gravel operations on the Salinas, therefore the initial study was inadequate and the project requires an Environmental Impact Report.

And, unfortunately for the confident assertions of the people suing her, two regulatory agencies agree with Enk and The Salinas River Neighbors Association. The plaintiffs sued, one might say, despite knowing the facts provided to them.

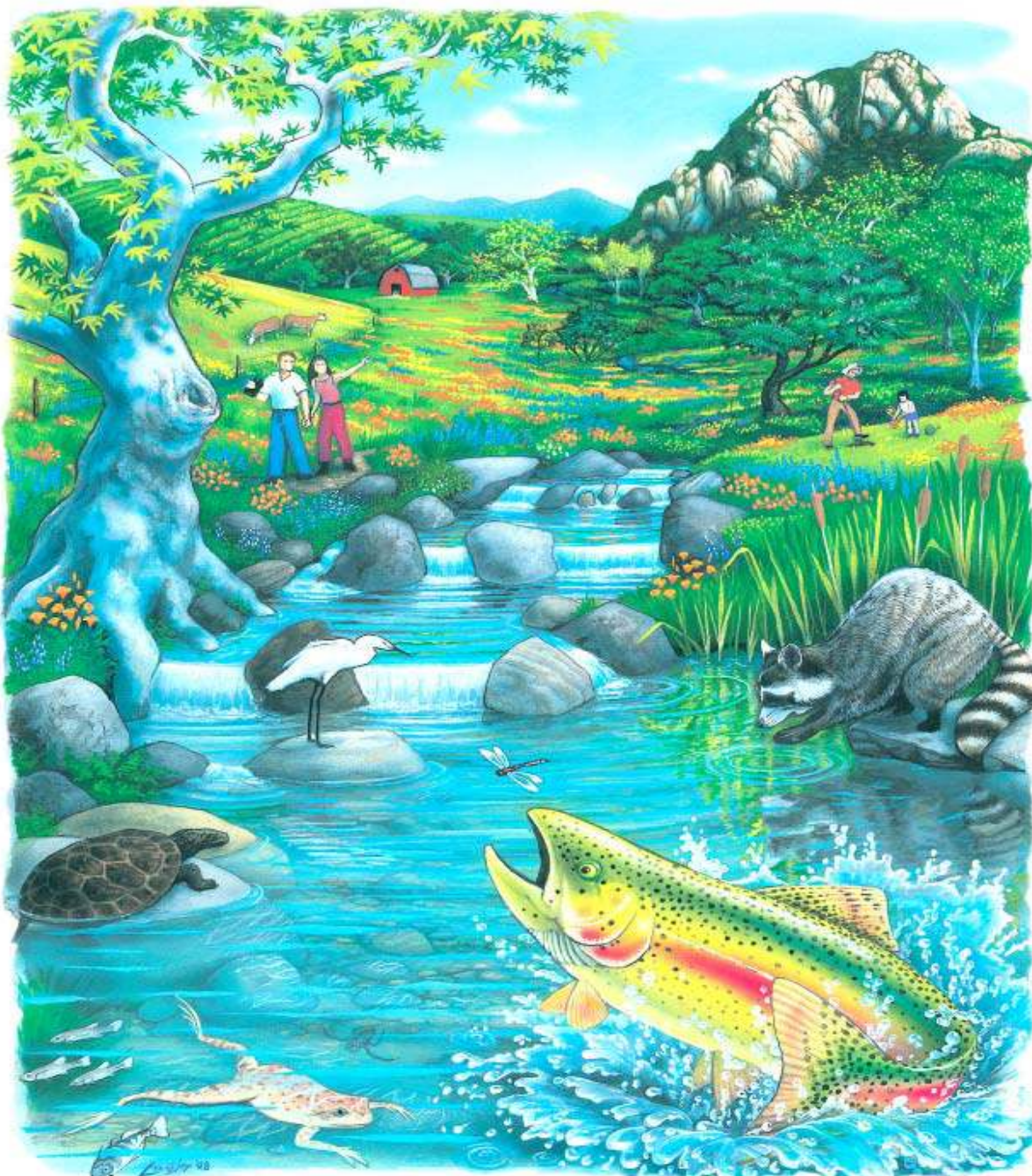
Facts are troublesome things

At that May 8 Planning Commission hearing on the Pankey permit, the Department of Fish and Game stepped in with a position sharply at odds with the County on environmental impacts and the use of a Negative Declaration. Fish and Game affirmed that the project required an Environmental Impact Report, and ripped the County's once-over-lightly analysis for its vague assumptions, lack of a monitoring program or any requirement for an extraction rate as a percentage of replenishment, or an assessment of potential significant impacts to threatened steelhead and their habitat. They pointedly noted that the proposed project is adjacent to Fish and Game's Big Sandy Wildlife Area and its riparian resources, which the agency is rather fond of.

A month later, the Regional Water

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Sept. 27 is Creek Day



Saturday, September 27, from 9 a.m. to 4 p.m., is your chance to roll up your sleeves and help clean up your local creek before the rains! Check in at:

* **Nipomo – Adobe Plaza, Host: Nipomo CSD 929-1133**

* **Arroyo Grande – Exploration Station at 867 Ramona Ave, Host: CCSE 473-8221**

* **Pismo Beach – Exploration Station at 867 Ramona Ave, Host: CCSE 473-8221**

* **SLO – Mission Plaza, Host: Land Conservancy 544-9096**

* **Atascadero – Colony House, Host: AMWC 470-3148**

* **Templeton – Templeton CSD Office, Host: Templeton CSD 434-4914**

* **Paso Robles – Larry Moore Park, Host: City of Paso Robles 237-3861**

* **Cal Poly – Dexter Lawn, Host: Cal Poly EH&S Dept. 756-6664**

We Do PayPal!

The Santa Lucia Chapter has plunged into the 21st century: It is now possible for you to donate to us electronically, 24 hours a day, without our even asking you to (but we will keep asking you to). Go to www.santalucia.sierraclub.org and look for the friendly orange button.

How Shall We Be Moved?

By Eric Greening

For tons of metal to haul themselves around using scarce resources every time one medium-sized primate wishes to go somewhere is an act of excess that has never before happened in the billions of years of life on Earth, and it requires the conversion of millions of years of stored solar energy into local and global pollution. We have no way to predict the outcome of this uncontrolled experiment, but every reason to be alarmed about our future unless significant changes are made in how we get around.

The latest "Transportation Performance Indicators Report" from the San Luis Obispo Council of Governments (SLOCOG) shows that vehicle miles traveled in this county still grow at a rate faster than population, an unsustainable and physically and socially poisonous trend. This direction must be reversed.

The seriousness of the challenge should not be underestimated. When CalTrans widened Cuesta Grade, they spent over \$3 million on funding of alternate options to reduce congestion during the construction period; the result, which they considered a modest success, was an increase in average vehicle occupancy from 1.24 people to 1.28. After construction was finished and these mitigations ceased being funded, habits returned to their previous rut. In other words, the vast majority of vehicles on the road did, throughout this experiment, carry, and still do carry, one person.

Transportation policy in our county should work toward the goals of confronting single-occupant drivers with the true costs of their habit while providing not only a range of other transportation choices, but making sure that these alternate choices do not consign their users to fourth-class citizenship, but are genuinely practical and pleasant.

Our county's transportation policies and priorities (and the funding of transportation projects) are primarily the work of SLOCOG. Unfortunately, even if there were a strong local will to make significant changes in the ways we get around (and there has been good lip service and some positive changes amid the bad news), we are hampered by state and federal funding policies that thwart our efforts. The Federal Gasoline Tax falls dismally short of meeting the costs of maintaining the federally funded system; notwithstanding, the most substantial infusions of federal "pork" into our county are not for system maintenance but for highway expansion (see: Highway 46).

Meanwhile, state funding moves steadily AWAY from confronting drivers with true costs. The current governor got into office on a platform of chopping the Vehicle License Fee, thereby relieving drivers of most of the cost of maintaining local roads. Meanwhile, gasoline taxes shrink in real dollars and as a proportion of the price paid at the pump. Costs that should confront people every time they buy or register a vehicle or stick the key in the ignition are shifted to where there is no connection between behavior and cost.

We need to fund local road upkeep with local gasoline taxes and Vehicle License Fees to make up for the state's negligence.

We need to oppose any local sales tax proposal for transportation unless

it funds alternatives (walking and bicycling routes, transit capital and operations and rail) more generously than roads and largely restricts the road portion to maintenance rather than expansion.

Any development which would require an increase in road capacity is in the wrong place and should not be approved. The same principle should inform our view on parking capacity. We need to replace "parking requirements" with true-cost pricing of parking spaces, paid for by those who need them, not subsidized by the general public. The cost of providing a

Aviation needs to be recognized as an industry that will probably decline as fuel becomes scarcer and more expensive, and we should not be basing current decisions on its expansion, much less funding such expansion with public money.

parking space in a typical urban node in this county is in the range of \$20,000 to \$25,000 a year. A condo purchaser with modest income and no automobile could, if the price of this "free parking" is worked into the cost of all units, essentially be forced to commit the labor of an *entire year* to provide a parking space for a driving neighbor. Units for car-free people must be substantially more affordable than those for car owners, thus restoring not only social justice but an obvious incentive for behavior we are trying to encourage.

Inherent in every road project (and every other project that requires imported base) is the environmental

consequence of quarrying the material from a mountain or riverbed, and of transporting it to the site. CEQA review of such projects rarely takes this into account, but this full accounting must be made habitual.

Public transit needs to be truly competitive with the private automobile in responsiveness and convenience, while showing a considerable advantage in cost to the user due to economy of scale. Routes must be designed to maximize connectivity, and frequent service must be available not just at standard commute hours, but throughout the day and evening, 7 days a week. Many jobs in this county do not end at 5:00 pm, and people with day jobs should not be denied access to evening shopping, meetings, classes, entertainment, and gatherings by lack of an automobile. If being car-free truncates social life, it is a choice few will make.

There needs to be a balance of express and local fixed route service, recognizing that both meet valid and important needs, although serving somewhat different populations. Express riders tend to be people who could drive, but choose the bus as an alternative. This behavior must be encouraged. Local riders tend to be people without cars who walk or bicycle to the nearest stop. Forcing them onto express runs may actually considerably lengthen their travel



time due to the time required to get to the express stop. Being car-free needs to be encouraged at least as strongly as having a car and choosing to leave it home. Thus, express runs need to be seen as a supplement to, not a substitute for, local runs that directly serve the places people live, work, and take care of their needs and desires.

Our bicycle infrastructure must be based on the understanding that there is no substitute for a Class I bike path separated from traffic. Class II bikeways subject riders to traffic, people emerging from parked cars into their travel lane, and other dangers and indignities. Often, the provision of Class II bikeways leads to the widening of pavements and an actual increase in automotive dominance of the roads. Where bikeways parallel roads, a 2-way Class I separate pathway should be investigated as an option to two Class II bikeways on

continued next page



Rail Development Opportunities on the Central Coast

By Gerald Fox

Eric Greening's article in the July/August edition of the *Santa Lucian* ("Is Light Rail at the end of the Tunnel?") touched on some interesting issues.

Over the past 25 years, Portland, Oregon, has built almost 50 miles of new light rail transit (LRT), as well as a 4-mile central city streetcar line and a 15-mile commuter rail line that opens this fall. Over \$2 billion has been spent on urban rail projects, which continue to enjoy broad public support.

As Eric points out, the fundamental problem with introducing LRT in SLO is that there are no corridors with enough travel demand to justify the very high cost. (Over \$50 million per mile for recent projects). Moreover, the region has yet to adopt the supportive land use policies (sprawl control, increased urban densities, redevelopment of underused urban land, traffic reduction etc.) that are needed to provide a supportive context for a successful urban rail program. But there are still opportunities to develop rail in the Central Coast region.

Portland was the first U.S. city to introduce modern streetcars, of the type now seen in many European

cities. Streetcars are similar to LRT, but unlike light rail, streetcars make extensive use of existing streets to avoid the cost and disruption of acquiring new right-of-way. Where possible the tracks are inserted in existing pavement, and consequently the cost per mile can be far less than LRT. With the slower speeds and more frequent stops, streetcars are most suitable for short urban corridors connecting major activity centers. A number of U.S. cities are now building new streetcar lines as part of their urban enhancement plans. Specifically streetcars are attractive because they:

- Demonstrate a permanent commitment to enhanced transit service. They provide a framework for urban renewal, enhanced central city density, and auto trip reduction, and encourage replacement of surface parking with higher density development. (This also helps cut back on sprawl)
- People enjoy riding streetcars, which is reflected in higher ridership than the equivalent bus service, and like to live within walking distance of a streetcar line.
- Streetcars can encourage a car free lifestyle, particularly if there are

supportive programs, such as community car-share services available (as there are in Portland).

- Streetcars are environmentally friendly. They are quiet, require no oil, and produce no exhaust. Streetcars go with wind power as part of a sustainable future
- Streetcars offer multiple direct and indirect ways to reduce greenhouse gases and lessen the need for oil.

In SLO, the corridor between Cal Poly and Downtown may be a good candidate for a modern streetcar line. The distance is short so the cost would be less, and there is a high level of travel demand. There are numerous opportunities for supportive land use actions. Cal Poly could redevelop some of its surface parking. Higher density development could be encouraged within walking distance of the streetcar. And downtown would have a new way to attract more people with fewer cars. The line could eventually be extended to the railroad station.

But the really big rail opportunity on the Central Coast is improvement of the existing Union Pacific rail line

continued next page

each side of the road. We should work toward connecting all of our communities with safe bikeways.

Our pedestrian infrastructure comprises everything from sidewalks to trails, and needs to be understood from the perspective not only of recreation but transportation and meeting genuine mobility needs. The definition of walkable communities needs to include everything from safety to convenience.

Close attention must be paid, particularly in urban areas, to insuring that walking routes are complete and not interrupted, or fragmented by dangerous street crossings. Special attention needs to be paid to insuring that schools, libraries, and other community centers of interest to young people have safe continuous pedestrian access from all directions from which users are likely to come. When residential or commercial projects are proposed, pedestrian connectivity with such places need to be primary considerations.

The County needs to co-ordinate with, respectively, the state and federal governments to fully implement the County's share of the California Coastal Trail and the Juan

Bautista de Anza National Historic Trail. The potential impact of trails on wildlife must not be forgotten despite trails' much smaller ecological footprint than roads, and trails must be designed to minimize intrusion into areas of cover needed by wildlife and fragmentation of habitat. Trails must be recognized as projects under CEQA, even when proposed as mitigation for other projects.

While leapfrog development of all kinds should be halted or at least strongly discouraged, to the extent that agricultural clusters and other rural developments may nonetheless be approved, we need to recognize that a requirement of trails serving such development is not an infringement of private property rights, but a needed mitigation allowing self-powered circulation to non-drivers such as kids, who would otherwise be isolated from full participation in any nearby community.

Aviation needs to be recognized as an industry that will probably decline as fuel becomes scarcer and more expensive, and we should not be premising current decisions on its expansion, much less funding such expansion with public money, even when done with the expectation that

the money will be paid back by future airport users. It appears increasingly likely that such payback is a fantasy, and funds invested in this unsustainable and environmentally onerous means of transportation would be better used for earth-friendlier alternatives. This is particularly true of parking facilities, which bring together the two most unsustainable transportation modes in a co-dependent relationship.

If our rail system were up to the standard in many other countries, demand for air service would vanish.

This and all other transportation issues can and should be discussed and debated in connection with the update of our Regional Transportation Plan by SLOCOG. On August 6th, the SLOCOG Board let a contract for preparation of an EIR on this document, and the public is encouraged to fully participate in the creation of, and environmental review on, this blueprint for our transportation future. Will we continue to haul tons of metal across the landscape every time a medium sized primate needs something, or will we learn to move with efficiency and grace, as befits a primate distinguished by its brainpower?

Chapter Gets Grant from Community Foundation

Funds will support Club's Cool Cities program

The Santa Lucia Chapter of the Sierra Club has received a \$10,000 grant from the San Luis Obispo County Community Foundation that will go toward implementing the U.S. Mayors Climate Protection Agreement for the cities of SLO County, the first step toward curbing global warming pollution. The project will benefit the community by enabling rapid action on the part of cities and the county in setting and meeting green house gas emission reduction targets.

The Sierra Club was chosen to receive the grant from over 70 applicants and is among 30 recipients of Community Foundation grants this year totalling \$221,773. This year's grantmaking program is made possible through the generous support of the Foundation's Community Endowment and many donor funds held at the Foundation. In ten years, the SLOCCF has given out more than \$12 million in grants to assist nonprofit agencies. For more information on the SLOCCF or any funds, call 543-2323 or log onto www.slocf.org.



Rail Development

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through San Luis Obispo. This rail line could provide fast reliable train service through the entire corridor between Los Angeles and San Francisco, including all the communities along this route.

This line was built during the stage coach era, and follows a slow and meandering course for some 400 miles. It became the premier rail line between LA and the Bay Area, with more than five express trains a day. Since the 1950's, it has been allowed to deteriorate, with the removal of passing tracks, reduction of signaling, and arrears of track maintenance. Yet this corridor, anchored by the state's two biggest urban areas and linking numerous medium-sized cities, could become once again a major transportation artery. And with the need to find alternatives to driving, the decline in local air services and the prospect of some changes in federal priorities after the next election, the timing couldn't be better.

Faced with the converging pressures of peak oil and the need to address global warming, local air services are being cut back, and are unlikely to be reinstated. This is a worldwide trend, and cannot be reversed by expanding SLO Airport, as the County proposes. One advantage of enhanced rail service is that one train can serve multiple destinations along the route, as it is far easier to stop a train than a plane. Thus SLO would acquire fast access to Santa Barbara and points south, as well as points north.

In addition, an improved rail line will attract long distance trucks off

the freeway system, improving conditions on Highway 101, and reducing fuel needs and greenhouse gases.

And because the rail line already exists, it can be improved incrementally, rather as Highway 101 was upgraded over several decades. Each improvement to the rail line, and each service enhancement will yield more ridership, and greater return to the communities it serves.

An early and relatively low cost start might be to reinstate passing tracks so that the speed and reliability of the existing service could be improved. Then signaling and grade crossings could be improved, and restrictive segments of the alignment straightened out. Eventually major improvements, such as tunneling under the Cuesta Grade (as was proposed in the 1930's) could result in world class train service on the Coast Route.

This is no idle dream. All over the world countries are reinvesting in rail as a strategy to position them for a future after peak oil, when global warming and environmental concerns become a major factor in public policy. It's time to make a start.

Eric also touched on the High Speed Rail proposal that will be on the November ballot. The high speed rail project would build a new rail line to provide very fast train service (200 mph) between San Francisco and LA, with few stops between. The goal of this line would be to relieve the overcrowded airports (if they are still overcrowded in a few years), provide a competitive alternative to flying

(which may become crucial if air service cuts become more severe), and to provide a high quality alternative to driving. The Coast route will connect with high speed rail at several locations.

The USA has lagged behind the rest of the developed world in rail development, and catching up will be costly. Not catching up will eventually cost far more. If High Speed rail fails in November, many will see it as a rejection of rail that will set back California for decades to come.

The Sierra Club can play a major role in helping to change our transportation priorities:

- 1) Advocate for an immediate start on upgrading passenger service on the Coast Route. Oppose spending any more public funds on the expansion of SLO and other local airports, and press for the reprogramming of funds to projects more appropriate to our future needs.
- 2) Support the High Speed Rail Initiative.
- 3) Encourage the City of San Luis Obispo to study the feasibility of a city streetcar.

Gerald Fox recently retired as Manager of Rail Corridor Development for TriMet, the Portland Transit Agency, after 22 years working on Portland's light rail system, which operates 600 buses and 110 railcars for the 1.5 million people in the Portland region. He has been a member of the Sierra Club for over forty years.

Update:

On August 14, the state legislature passed AB 3034, the Safe, Reliable High-Speed Passenger Train Bond Act, with the support of the Sierra Club. As we went to press, the bill was awaiting the Governor's signature, caught in the state budget war.

This bill would ensure that the High Speed Rail Bond on the November ballot contains important environmental and fiscal safeguards and accordingly will help assure voters that their money will be wisely invested in a system that can dramatically improve California's environment while providing mobility options that improve our quality of life.

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Bullet Dodged

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the multiple pitfalls of the plan. Outgoing Supervisor Ovitt defended the proposal (giving a strong hint as to who was really behind it), but the vigorous public protest gave an adroit Supervisor Gibson the space to head it off at the pass, with an assist from Supervisor Patterson, and instead craft a committee of two Supervisors, two Planning Commissioners and two staff who will consider ways to increase the efficiency of the planning process and come back to the Board on October 14. The Board will consider suggestions and send it to Planning Commission on December 11 for a study session.

In one of the day's most telling comments, Anne McMahon suggested that the Board's attention "might be better spent on assessing how to save staff time and expedite public hearings by working with applicants who have unrealistic expectations and insist on pursuing development proposals that are inconsistent with the county's own general plan, policies and ordinances." It might be helpful,

she noted, if applicants could be encouraged to "be more realistic so when their project reaches the Planning Commission or you, it is consistent with your policies and general plan and less likely to be controversial and require long, drawn-out hearings, appeals or lawsuits."

Michael Winn of the Nipomo Community Services District echoed the sentiment when he suggested the Board "look to the nature of the proposals the Planning Commission is required to consider and fix." Fellow NCS member Ed Eby concurred that the proposals were "going in the wrong direction."

The most interesting idea of the day was the suggestion that that Subdivision Review Board, currently 100 percent County staff and the entity that staff had suggested take over the Planning Commission's regulatory authority, be turned into a body of citizen appointees by the Supervisors.

It is an idea the new subcommittee and the Board should seriously pursue.

Call for Candidates

In November, Chapter members will vote for the candidates who will lead the Santa Lucia chapter on its Executive Committee in 2009. We encourage members to run for the ExCom and become a part of the dynamic action of Sierra Club leadership on energy, global warming, water and land use issues.

The ExCom meets in December to appoint the chair, vice-chair, secretary

and treasurer, as well as program, conservation and outings chairs.

We also appoint a delegate to the Council of Club Leaders, a liaison to the national Sierra Club.

Candidates are elected for a term of three years. Deadline for nominations is September 15. Contact Letty French at lettyfrenc@gmail.com or call Andrew at the Sierra Club Office, (805) 543-8717.

Fear & Oil

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after President Bush warned Congress that they had better not go home for the Independence Day weekend without taking action to relieve the pain at the pump – i.e. open up more public lands to oil drilling.

The day before, Senator John McCain, in what was billed as "a major address on energy," said pretty much the same thing.

In a word, no.

In June, the House Committee on Natural Resources issued a report on the recent history of permits to drill for oil on public lands and the calls to open more federal land to oil development. The report made it clear: The oil companies and their political backers, including Senator McCain and President Bush, are not telling the truth. It found:

- Of all the oil and gas believed to exist on the Outer Continental Shelf, 82% of the natural gas and 79% of the oil is located in areas that are currently open for leasing.
- 3,802 permits were issued to drill for oil on public land in 2003. In 2007, more than 7,500 permits were issued.
- From the 28,776 permits to drill on public land issued by the Bureau of Land Management since 2004,

the oil companies have drilled 18,954 wells, stockpiling about 10,000 unused permits.

- The number of permits issued for oil development of public lands increased more than 361% between 1999 and 2007. The price of gasoline went up right alongside them, at about the same rate.

The report goes on, at devastating length, but the point is made by the end of page two: "There is simply no correlation" between more drilling and lower gasoline prices.

Of the oil that is being drilled here, drilled now, oil companies are exporting 1.6 million barrels a day.

Energy efficiency measures alone can save more energy than there is to be had in all the oil we could ever extract from our coastal waters and wildlands. The path to energy independence, and, incidentally, away from the brink of global climate change, is through efficiency and renewable energy.

This is not what our scared, angry anonymous callers are being told -- not by President Bush or Senator McCain or John and Ken. In the space behind the cloth shirtfronts of those gentlemen, well-manicured fingers grasp the rod that controls the move-

Students vs. Climate Change

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Local Governments for Sustainability; the Empower Poly Coalition and Sierra Student Coalition have sprung up on campus; the Strategic Energy Alliance for Change has formed and hosted two major energy conferences; the SLO Chamber of Commerce has established a Sustainability and Resources Committee based on the Seattle model; and the Santa Lucia Chapter sponsored a European energy study tour this spring that included Denmark's Samso Island, which converted to 100 percent renewable energy in ten years.

Panelists Jim Patterson, Chair of the County Board of Supervisors; California Air Resources Board attorney Leslie Krinsk; County Air Pollution Control Officer Larry Allen; and Anne McMahon, Federal Programs Manager for the California Coastal Commission, fielded questions on policy and activism.

Singled out for special emphasis was

the scoping of AB 32, California's landmark Global Warming Solutions Act. Students were urged to familiarize themselves with the scoping process for the new law and form groups to comment on it and improve the measures proposed to implement this crucial measure.

Patterson and Allen cited the County's collaboration with the Sierra Club on putting the Air Pollution Control District's Climate Action Plan into effect. Allen urged students to get involved with the Sierra Club's Climate Action Groups, working with cities in the County to create a baseline for each city's greenhouse gas emissions, the first and most crucial step in any climate action plan. (See this month's General Meeting, page 2.)

To the question of what college students can do, Allen replied "If you move together, you cannot be stopped."



Sierra Club leader Ken Smokoska (fourth from right) huddles with fellow Focus California organizers in Cal Poly's Chumash Auditorium.

ments of the jaws, causing the mouth to open and close as the prepared text is read. The words enrage and inflame. They assure the scared, angry people that the Democrats and the Liberals and the Environmental Extremists and the Sierra Club are making the price of gas go up, and gives them a mission and their marching orders: *Force your elected representatives to open up the treasure chest of the nation's natural resources and shake every last rockfish, cormorant and caribou into the accounts of Big Oil. Drill here, drill now!*

And if in the course of carrying out this and any similar such mission, you

should happen to make a few threatening phone calls to environmental groups, or grab a baseball bat and head over to a legislator's office, or, as the Associated Press reported Jim D. Adkisson did last July, grab a shotgun and walk into the Tennessee Valley Unitarian Universalist Church and open fire because of "his belief that all liberals should be killed because they were ruining the country..." well, that's your business. Who knows where such unfortunate individuals get such ideas? Who can say how they came to choose their random targets?

Except, of course, we all know, and we must all say so, loud and clear.



Senator-elect Fran Pavely came to SLO and the Sierra Club California convention at Rancho El Chorro in June to tell Club leaders about the fight to pass the Clean Car Act and to urge our support for efforts in the state legislature to curb global warming.

TAKE ACTION

Our legislators return to Congress this month and will immediately face enormous pressure to lift the moratorium on offshore drilling. More than 40,000 people have signed the Sierra Club's letter telling Speaker of the House Nancy Pelosi that we know "drill here, drill now" is a Big Lie, and we want her to stand up to Big Oil. Go to: www.santalucia.sierraclub.org and click on "Tell Congress: No drilling off our coasts!"

Letters

send to: sierra8@charter.net, or
P.O. Box 15755, San Luis Obispo, CA
93406. Letters may be edited for space.

You're Welcome

The May 2008 issue of the *Santa Lucian* was incisively and informatively written. Many articles were cutting edge advocacy promoting protection for natural resources in San Luis Obispo County. They aggressively confronted anti-environmental interests.

This is what the Sierra Club is all about. It makes me proud to be a member of the Santa Lucia Chapter. My thanks to the authors and editor and I look forward to the next issue.

Sherman W. Griselle
Paso Robles

Tejon, Take 2

The *Santa Lucian* article about a Sierra Club-brokered deal to protect 240,000 acres of the Tejon Ranch ("240,000 Acres of Tejon," June) made this sound like the greatest conservation achievement in California history.

I have a different view: that the agreement is bad for the Club, bad for its members, bad for the environment, and deadly to the environmental movement's integrity and core values.

The deal is of questionable land conservation value. The 178,000 acres to be protected with conservation easements (granted only as development proceeds over 30 years), includes 100,000 acres already preserved in a 2003 Trust for Public Land deal. The remaining 78,000 are so rugged they're acknowledged by Tejon Ranch developers as undevelopable.

The potential gain is an option to buy 62,000 acres of conservation easements for around \$200 million prior to a date in 2010. Where will the money come from? Proponents say from the state. Really? With the state broke?

The deal is stacked in favor of Tejon Ranch. They get what they most want: a clear path to development approvals for an incredible 30,000 acres, population about 80,000, (plus an adjacent 32,000 acres of community recreational land, counted among the 178,000 acres preserved) without any roadblocks from Big Green organizations. The Club and others agreed to get out of the way. They will not participate in EIR proceedings, public hearings, nor take anybody to court about anything. They will simply be AWOL for the next 30 years.

This is a remarkable thing because Tejon Ranch's development plans are the worst sort of smog-producing, traffic-inducing (jobs 50 miles away), land-eating sprawl, contemplated for a fragile environment home to dozens of endangered or threatened species and California's best wildflower displays, where water is so scarce it's already stretched too tight by a scattered population numbering around 15,000.

Tejon Ranch is one of the few places condors still hang out undisturbed. One of the developments the Club agreed not to criticize or impede (3,400 large lot estate homes, luxury hotels, well-watered golf courses, a vast decorative lake kept full by pumping water out of the high desert's ground) is in designated

condor critical habitat.

Just after the deal was announced, the Associated Press reported Tejon Ranch is paying condor scientists for their silence during development proceedings, much as it had silenced the Club. Three of the handful of Tejon site-specific condor experts thus joined Tejon's payroll.

Other condor scientists, some of whom had rejected Tejon's pay-for-silence offer, denounced the deal as "a huge net loss for conservation," and declared there "are no grounds for celebration." Yet such experts were shut out from two years of secret negotiations.

Also shut out were activist Club members in the Tejon area. The Club's Condor Group have dogged development in the mountains for years, and are full of thoughtful critiques of Tejon's plans. They know the area, know what questions to ask, know the losses development means. Upon the deal's announcement, a Sierra Club lawyer contacted Condor Group members and told them to shut up — that henceforth they couldn't speak about what had been their major activist work! Some Condors quit the Club rather than surrender their Constitutional right of free speech.

Most troubling of all, the Club has given up the right to *be* the Sierra Club we thought we knew. Instead of being an independent activist watchdog over major development that harms the natural environment and a promoter of progressive land development patterns, under this deal the Club becomes an accomplice in exactly what we thought it stood against.

Richard Schmidt
San Luis Obispo

Sierra Club replies:

Mr. Schmidt's letter repeats numerous errors and distortions about the historic land conservation agreement that permanently protects 90% of Tejon Ranch.

Mr. Schmidt ignores the scientific review that the Sierra Club, NRDC, California Audubon, Planning and Conservation League and the Endangered Habitats League undertook with Tejon Ranch over many months. Our fundamental principle was that an agreement would create a permanent reserve that was sustainable over centuries and consistent with species protection and recovery. We retained excellent, regionally knowledgeable scientists, the Conservation Biology Institute and the Southcoast Wildlands Project on both the review and reserve design.

Contrary to Mr. Schmidt's claims, the 240,000 acres protected under the agreement do not include previously protected land. There never was a prior agreement to protect 100,000 acres. Trust for Public Land had proposed such an agreement, but it was not completed. Much of that land is undevelopable, and that was why the Sierra Club insisted that Tejon Ranch do more. To their credit, they did.

At least 62,000 acres of Tejon Ranch are developable, in particular large, flat areas in the Antelope Valley and



California condor

Don Henderson

southern San Joaquin. Our agreement will protect those acres forever through the purchase of conservation easements. The easements, whose price will be determined by a state-approved appraisal,

will be paid for by conservation bonds already approved by state voters.

Mr. Schmidt is mistaken when he describes 32,000 acres of conserved land as "community recreational land." Most of that acreage is within the boundaries of the Tejon Mountain Village proposed development and will be managed as habitat. It will not be ball fields or developed park space.

Obviously, to gain protection for 90% of the Ranch, we needed to give something to Tejon Ranch. That is how negotiations work. Having retained some of the finest land conservation and environmental law attorneys in California, we reached an agreement that we concluded gave us strong and enforceable conservation, allowing us to agree to forgo opposition to three developments on the Ranch. Those developments must undergo all governmental review. Suing on these developments was not, in our collective experience and judgment, going to deliver the conservation outcome that we realized through negotiation.

The conservation agreement will permanently protect 86% of condor critical habitat on Tejon Ranch. Tejon Mountain Village would occupy about 8% of condor habitat, but we negotiated pullbacks of development from the parts of this habitat most frequented by condors. We have been told by leading condor scientists that our agreement is consistent with condor recovery. The developers of Tejon Mountain Village will also undergo federal scrutiny of how their proposed development will affect condors.

Mr. Schmidt repeats the undocumented accusation that Tejon Ranch

silenced condor scientists who reviewed their development plans. Each of these scientists has spent years working on condor recovery. We have spoken personally with the scientists, and they and the Ranch insist that they are free to criticize the developments and to comment on condor management at Tejon Ranch.

Mr. Schmidt is again in error when he claims that local Sierra Club members working on the Tejon issue were shut out. In fact, they were invited to join with other Sierra Club Tejon activists in advising the Club's negotiating team. Because Tejon Ranch is a publicly traded corporation, the negotiations, like many settlement negotiations, were confidential. Some Club activists chose not to participate under conditions of confidentiality but others chose to. Both of the affected Sierra Club chapters and groups were provided with tours and briefings, and both chapter executive committees voted to approve the final agreement.

The Sierra Club cannot and will not dictate what its members may say as individuals. As the Club did agree not to challenge the three proposed developments so long as they conform to the proposals identified in the agreement, our attorney and Club leaders have informed Club members that they may not oppose the developments in the name of the Sierra Club. To say the Club interfered with any individual's freedom of speech is an indefensible distortion.

The Sierra Club has fought hard to protect wild places and to win improvements in land use planning, and will continue to do so. Tejon Ranch was a once-in-a-lifetime opportunity to protect almost a quarter million acres of a unique landscape while it still had one owner. The Sierra Club seized that opportunity and we take pride in securing this place for future generations.

Jim Dodson
former Sierra Club Director

Bill Corcoran
Senior Regional Representative

Faith & the Environment

Representative Lois Capps hosted panels bringing together the environmental and faith communities at "Faith, the Environment and You," held at SLO's First Presbyterian Church on the evening of August 6.

"I sense a new movement," said Congresswoman Capps. "People of faith in increasing numbers are turning their attention to environmental issues. From abolition to women's right to vote and the civil rights movement, people of faith have urged us to do the right thing. I expect to be urged this evening."

Reverend Susan Brecht agreed, saying "Evangelicals have opened their eyes and ears to what is happening." According to a survey conducted by the Biodiversity Project, 67% of Americans say

that they care about the environment because nature is God's Creation.

The Sierra Club's Environmental Partnerships Program is dedicated to building coalitions with communities of faith. Through public education, organizing resources and materials creation, the Partnerships Program supports Club volunteers and people of faith who want to work together to explore, enjoy and protect the planet. For more information, go to www.sierraclub.org/partnerships/faith/



Nuke Emergency?

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Tuesday in several quake-affected areas. "We have some outages on our land-line side," said Jonathan Davies, Verizon spokesman. "We're not sure yet if it's physical damage or just due to high call volumes."

The Associated Press noted that "Sprint Nextel Corp. reported a spike of 800 percent right after the quake and Verizon Wireless saw the volume jump by 400 percent over that of a typical day. It wasn't clear how long the systems were overloaded..."

For those living in San Luis Obispo County, there are the dual concerns of earthquakes and the presence of the Diablo Canyon Nuclear Power Plant. In the media coverage of the Chino Hills quake, many stories mentioned the proximity to the San Onofre Nuclear Generating Station (SONGS). No damage occurred at that plant, but the proximity of other potentially dangerous facilities (refineries, chemical plants) was not mentioned. This demonstrated the extra measure of concern nuclear plants bring to mind in a seismic event.

The County Office of Emergency Services will be participating in simulated emergency response training exercises for Diablo Canyon in late September and October. The possibility of a failure of the phone systems as experienced in July must be thrown into the scenario. County residents already experienced this problem in the December 2003 San Simeon earthquake, when Christine Ferrara of the SLO Utilities Division stated that, "Cell towers connected to failed water tower tanks will also fail (and at a critical time). TCSO tanks had cell towers, epoxy connections all failed."

Five years later, we learn that not just the physical communications systems, but the servers and "ether" systems, are themselves not inherently robust in times of crisis. For county emergency planners to labor under the misapprehension that "informal" systems of notification will function, without putting them to the test (simulated or otherwise) leaves our population at risk.

Which raises a concern that comes with nuclear power: The need for an emergency evacuation plan—a need not required of wind or solar power. It is a need that also comes with a price tag. At the last NRC meeting in SLO, a County official said that attempting a full scale real-time evacuation drill would be prohibitively costly and inconvenient. "Who could afford to be away from their businesses all day?" she inquired rhetorically.

The Alliance for Nuclear Responsibility has been active in ensuring public input for the California Energy Commission's upcoming study of the full costs, benefits and risks of nuclear power. Perhaps the county would like to put a price tag on the cost of an actual evacuation drill—not a computer simulation—that takes into account all the variables of human behavior, mechanical failures, and "chaos" theory. It is a price that must be included in the CEC study if the full costs of nuclear power are to be understood. Visit the website www.a4nr.org for updates on public input and participation in this study.

Living in California means living with great beauty, great opportunity, and unseen seismic dangers beneath our coastal bluffs. I know my earthquake kit is updated and prepared. But I don't know if the utilities and our government are up to the task.

SLAPPed!

continued from page 5

Board weighed in, pointing out that the negative declaration focused on impacts on only a single tributary, not the entire river system, noting "The Salinas River does not have an infinite capacity to yield sediment for commercial purposes."

The Water Board concluded: "The subject mitigated negative declaration is insufficient to address potential environmental impacts from the proposed project." Also, their comments on the Viborg/Calkins project applied to "all operations that affect the river's sediment transport. All in-stream mining could contribute, individually and cumulatively, significant environmental impacts to the river system.... CEQA Guidelines Section 15064 requires the lead agency to prepare a draft EIR. We urge you to do so."

SLAPP this

Pring and Canan's work is cited by John Stauber and Sheldon Rampton in "SLAPP-Happy: Corporations That Sue to Shut You Up" (*PR Watch*, Volume 4, No. 3), along with the remarks of New York Supreme Court



Grace under pressure: Colleen Enk

Judge J. Nicholas Colabella, who said of SLAPP suits that "those who lack the financial resources and emotional stamina to play out the 'game' face the difficult choice of defaulting despite meritorious defenses or being brought to their knees to settle. Short of a gun to the head, a greater threat to First Amendment expression can scarcely be imagined."

More than 80 percent of all SLAPP suits are settled or dismissed before they get to court. The Viborg/Pehl/Weyrick concoction was no exception, and was dropped before a judge could get his hands on it or it could run up against California's anti-SLAPP statute, which takes a dim view of developers and lawyers who think that using the legal system to assault the public process, harass local residents and threaten grass-roots citizens groups exercising their Constitutional rights is a nifty way to get what they want -- like crushing gravel to create a smooth, paved surface.

With the suit dismissed, Enk is now faced with the prospect of either paying attorney's fees or suing the developers to collect. "They scared a lot of people off when they did this," she said. "This suit achieved what they wanted to in that respect, but we'll keep going. We're fine."

TAKE ACTION

Arm yourself against SLAPP suits. Go to the website of the anti-SLAPP project at: www.casp.net

Huasna

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The rapid organizing of an informed citizenry has been due largely to the work of Ron Skinner, the proprietor of Huasna Valley Farm, and Anna Gabriel, a cement truck driver. When Excelaron presented the plan to the community in May, the tone of the meeting was very much "here's this done deal, we're just letting you know," according to an alarmed Gabriel, who called the Sierra Club the next day to ask if there was anything residents could do about it. We assured her that the announcement of a project and filing for a conditional use permit is the beginning, not the end, of the public process, and that process indeed has to be public, with a no-ticed hearing at the County Planning Commission, before a permit can be issued. We advised Skinner on independent consultants the HVA could hire to review the project's air and water quality impacts.

With Gabriel putting the word out to her neighbors -- "We've gotta do something about this, we can't wait for somebody else to do it" -- Skinner took a crash course in land use planning and interviewed every County staffer he could buttonhole. Residents were organized, friends were enlisted to help out, a website was created, a meeting called, a *Tribune* Viewpoint published, and the Huasna Valley Association rose again.

At the July 24 town hall meeting that marked the HVA's return to action, some 70 people turned out on a Thursday night to hear Skinner review the impacts of the proposed project. He quickly laid out the main points: Number one: "We're not opposed to people's rights to develop their mineral rights on their property; we're opposed to doing so in a way that harms our community." Number two: Excelaron is not looking to perform a public service and reduce the price of gasoline; if they extracted every possible drop of oil remaining in the marginal Huasna oil field, it could not slake the nation's hydrocarbon habit for more than twelve hours. He ticked off the roll-call of the county's oil exploration disasters -- Guadalupe, Avila, the SLO tank farm -- as the crowd nodded and murmured.

Excelaron Operations Coordinator Kit Matlick spent a large portion of

Law vs. Climate Change

continued from page 1

feasible means. Planners preparing environmental project reviews "can't just talk about impacts and make no determination," said Sydney Coatsworth of EDAW, a San Francisco environmental consulting firm.

The other bottom line: State funding will be going to communities with high-quality, low-impact development.

Deputy Attorney General Ken Alex noted that 90 percent of the Sierra snowpack will be gone by the end of the century if we continue to produce greenhouse gas emissions at our present rate. Against that backdrop and all it implies, there was good news: The state has now given cities and counties the authority to pass bonds to pay for the up front costs of installing residential solar power.

Alex commended the Sierra Club's "Cool Cities" program, which has been in the forefront of the national movement for local action against global warming, securing commitments from more than 800 cities to the principles of the U.S. Mayors Agreement on Climate Change,

his speaking time in a painfully parsed effort to depict the project as a local enterprise with the best interests of residents at heart, staffed by local folks -- i.e. a two-person outpost established by Australian Oil Company Ltd., which he attempted to portray as something other than an Australian oil company. Several attendees politely commended him for his courage in showing up.

Residents showed they knew the right questions to ask, including "How many people here have been in a wreck or a near miss with a big truck on Huasna Road?" (90 percent of the hands in the room went up.) Healthy suspicion greeted the County's sketchy traffic studies and its determination that the roads are "safe for all legal traffic."

Matlick handed out an Excelaron fact sheet that included this exquisite piece of double-talk: "The County has not determined that the 28-year-old Environmental Impact Report is sufficient. In fact, they have taken quite the opposite position. The reason the County has chosen to issue a Mitigated Negative Declaration is because it feels that all potential impacts have been analyzed, and more importantly, can be mitigated."

In other words, the County has determined that the 28-year-old EIR is sufficient.

The best question came at the end of the night, when a woman asked: "It's obvious what the oil company would get out of this, but what benefit is there to us? And what does the County get out of it?" To that question, as yet, there is no answer.

The Planning Commission is scheduled to hold the hearing on Excelaron's permit on October 9th. The HVA is preparing a request for review of the Mitigated Negative Declaration. Check www.huasnavalley.org for updates.

And if you enjoy the beautiful drives or bicycle rides to be had over Huasna Townsite Road, Branch Mill Road or East Cherry Lane, or have occasion to breathe the air or drink the water in South County, you might want to send them a check.

Mail it to:
Huasna Valley Association
PO Box 1164
Arroyo Grande, CA 93421

promising to reduce their greenhouse gas emissions 7 percent below 1990 levels by 2012. This echoes the goal of the Kyoto Agreement, and "so far [these cities] are ahead of pretty much everywhere else" in the effort to achieve that goal, he said.

Anthony Eggert of the California Air Resources Board delivered the sobering statistic that Vehicle Miles Traveled (VMT) could wipe out the gains from all such efforts. We are driving more, and longer distances, at a rate of twice the population growth. The good news: "Smart mixed-use development" has been shown to reduce VMT by up to 50 percent.

"People commute 200 miles because the roads have been built that allow them to do that," said David Sargent of the architectural firm Moule & Polyzoides. "People respond to the environment they're given. We need to focus on moving people, not cars."

Full text at www.santalucia.sierraclub.org -- click on, "A clean energy future for San Luis Obispo."

Classifieds

Next issue deadline is **Sept. 15**. To get a rate sheet or submit your ad and payment, contact:

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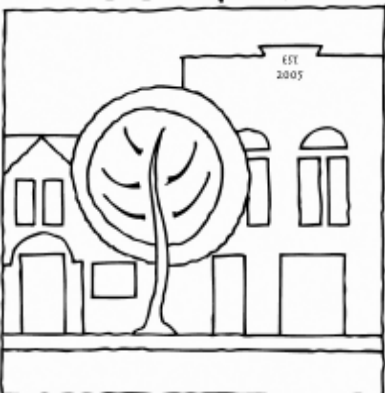
Meetings of Note

9/13: Saving Our Water...One Drop At a Time. An open house with water purveyors, local businesses and non-profit groups, activating water conservation through self-education. Learn about water audits, plant and garden tips, no-salt water softeners, on-demand hot water systems, conservation tips, irrigation demo, appropriate technologies and partnerships in water quality. Booths 1-4 p.m., Potluck and ice cream social 5-6 p.m., followed by HopeDance presentation of *FLOW: For Love of Water*, a documentary about the global water crisis. Organized by Water Health 2 Outreach and friends. Free. Saturday, Sept. 13, 1-4 p.m., South Bay Community Center, Los Osos. More information at www.wateroutreach.org



9/19: Los Osos Town Hall: Collection System Alternatives. Hear the experts on the history of wastewater collection systems, regulatory environment, STEP vs. gravity. Q&A, inspect a gravity grinder pump and the inside of a cutaway STEP tank. Friday, Sept. 19, 7-9 p.m. South Bay Community Center.

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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 1st 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.

Mon., Sept. 1st, 0930 LABOR DAY BIKE -TOUR OF WOODLANDS, Meet at Willow X Albert Way. Easy ride with many stops to see this "instant city". Call (929-3647) or e-mail <bdenneen@kcbx.net> a few days before for details. Helmets Required Sponsored by Elder Bill. (Dog Owners be sure of location prior to bringing your pet.)

Wed., Sep 3, 10, 17, 24, 5:30 p.m. Informal Hikes. See website, or e-mail Gary Felsman for details. E-mail is located on the website, www.santalucia.sierraclub.org

OCTAGON BARN - South Higuera, SLO, 2nd & 4th Saturdays, 9am-12pm. Roofers and other volunteers willing to climb and swing a hammer are requested to help skilled craftsmen in replacing the final roof panels at the Octagon Barn. Additional volunteer work is needed to sort shingles, spruce up the site, and organize tools & materials. Learn first-hand how historical restoration works and be part of the transformation of San Luis Obispo's iconic Octagon Barn. Stop by to check it out! If you're not "handy" contact us about joining the Barn Committee to plan and strategize on opening the Barn for community use next year. Call 544-9096 for details. Sponsored

by The Land Conservancy of San Luis Obispo County.

Sat., Sept. 6, 9 a.m. Informal East Cuesta Ridge Hike. Destination the Radio Towers. approx. 8 miles rt. This is a dirt road walk. Meet at the top of the Cuesta Grade, Northbound 101 side. Dress for the weather, hope it is cool. I may or may not be there, Gary

Sept. 14th, Sun., 0930 BIKERIDE in NIPOMO AREA. Easy ride with many stops. Kids welcome. Call (929-3647) or e-mail <bdenneen@kcbx.net> a few days before for details. Helmets Required Sponsored by Elder Bill. (Dog Owners be sure of location prior to bringing your pet.)

Sun., Sept, 14, 10 a.m. Pole Cats - Eagle Rock Nature Trail- is dedicated to leading local Sierra Club day hikes and modeling effective techniques for using trekking poles. Join us on Sept. 14, 10 AM for an easy hike on the Eagle Rock Nature Trail. The trailhead is located across from Cuesta College at El Chorro Regional Park. From SLO, take Highway 1 North and turn east (right) at the first of two turn signals to El Chorro Regional Park. Follow the signs to the Day Use area, passing the ball fields and Botanical Garden. Park in the Day Use area at the end of the park, just before the locked gate. Contact David Georgi at polecatleader@gmail.com 458-5575 for upcoming activities. Bipeds welcome.

Sat., Sept. 20, 0930, POINT SAL CLEAN-UP Meet at end of Brown Rd. With road being closed, nothing like the old days when we got tons at parking lot on PS Beach — now, maybe 30 items. Call (929-3647) or e-mail <bdenneen@kcbx.net> a few days before for details. Helmets Required Sponsored by Elder Bill. (Dog Owners be sure of location prior to bringing your pet.)

Sat., September 27th, 9 am-12 noon, SLO County Creek Cleanup Day. Join hundreds of volunteers county-wide in removing trash from local creeks. The Land Conservancy is hosting a cleanup in the City of San Luis Obispo starting from Mission Plaza. Additional sites need volunteers throughout the County. Visit www.CreekDay.org for more information & to sign up.

Sat., Sept. 27, 8:30 am - 12:30 pm. TogetherGreen Days at the Sweet Springs Nature Preserve. A

new initiative from Morro Coast Audubon. Even the biggest environmental challenges can be tackled. Help restore the Sweet Springs preserve. Dozens of opportunities just waiting for your talents – whether it's pulling invasive weeds, removing eucalyptus debris, stabilizing banks, planting native plants or watering new seedlings. Gloves, long pants, long sleeves, sturdy shoes. Munchies and a chance to win a free "Together Green" T-Shirt and cap. Ramona Avenue, between 4th and Broderson, Los Osos. Visit www.morrocoastaudubon.org or call Holly at 239-3928.

Sun., Sept, 28, 10 a.m. Pole Cats - Quarry Trail. Dedicated to leading local Sierra Club day hikes and modeling effective techniques for using trekking poles. Join us on Sept. 28, 10 AM, for an easy hike on the Quarry Trail. Meet at the Cabrillo Peak trailhead. From SLO, go 12 miles north on Hwy 1 to Los Osos/ Baywook Park exit just before Morro Bay. Go south on Southbay Blvd. and drive .7 miles to the State Park entrance. Continue straight for .2 miles and look for the dirt parking lot on the left. It is easy to miss. Do not wait at the Live Oak trailhead, which is shortly after the Quarry trailhead. Contact David Georgi at polecatleader@gmail.com or 458-5575 for upcoming activities. Bipeds welcome.

Sat.-Sun., Sept 27-28, Service and hiking in the Carrizo Plain: This is an opportunity to visit and to assist



Photo by Joaquin Palting

an outstanding and relatively unknown national monument. Saturday is the National Public Lands Day and we will assist monument staff and join with other volunteers working on improvements for the Selby Campground. Sunday is reserved for recreation. Our group will plan a moderate hike in the Caliente Mountains. The views are spectacular; and the monument is known for the number and variety of raptors present. Contact leader Craig Deutsche, 310-477-6670, or deutsche@earthlink.net CNRCC Desert Committee.

Sun., Sept. 28, 0930 NATURE HIKES in the Nipomo Area Call (929-3647) or e-mail <bdenneen@kcbx.net> a few days before for details. Sponsored by Elder Bill. (Dog Owners be sure of location prior to bringing your pet.)

Join us on October 5th for a Special Volunteer Orientation Gathering

When: 3-6 p.m.

Where: Sierra Club Office, 547 Marsh Street, San Luis Obispo.

What: A complete overview of what our Chapter is up to, our various programs, campaigns and committees, and the opportunity to sign up and get involved where you are passionate and feel you can help the most! Enjoy a beautiful garden setting, plus food provided by the Chapter, and meet our staff and committee members. These are exciting times to be involved, so get engaged! Sunday, October 5th. RSVP required: E-mail Shaba Mohseni at shaba.sierraclub8@gmail.com or call 543-8717.

Island Hopping in Channel Islands National Park

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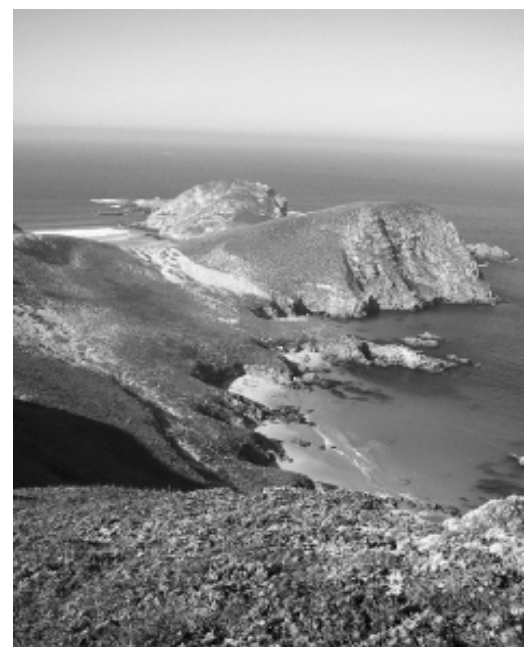
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To make a reservation mail a \$100 check, payable to Sierra Club, to leader: Joan Jones Holtz, 11826 The Wye St.,

El Monte, CA 91732. Contact leader for more information (626-443-0706; jholtzhln@aol.com)



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