



June 2010  
Volume 47 No. 6

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### DON'T MISS

**The June 22 special election and the chance to send John Laird to the State Senate!**



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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

## Viewshed Victory

**Sierra Club settlement strikes down notorious Cayucos Viewshed Ordinance**



**Much better this way** A small portion of the Cayucos Viewshed, aka the Adelaide Planning Area, from Highway 46.

In a major victory for the county's natural landscapes and the integrity of local land use planning, the Sierra Club and San Luis Obispo County have agreed to settle a two-year lawsuit over the notorious Cayucos Viewshed Ordinance.

A court-ordered settlement was entered on May 18, in which the Board of Supervisors agreed to repeal the ordinance, which had become the most controversial issue in the county by the time it was voted into law by the previous board of supervisors in August 2007. As part of the settlement agreement, the County will prepare a county-wide viewshed and hillside protection ordinance.

"The 2007 ordinance effectively divested San Luis Obispo County of the discretion to restrict the location of a development within a viewshed to protect aesthetic and environmental resources," said local environmental lawyer Michael Jencks, who represented the Club in the lawsuit.

"The Cayucos Viewshed Ordinance was a sham and a scandal, a poster child for abuse of the public trust,"

said Melody DeMerrit, Chair of the Santa Lucia Chapter. "Projects built under its auspices would have significantly degraded scenic public views in one of this county's signature landscapes, the rolling oak-covered hillsides that are a remnant of Old California and the image people everywhere have in their minds when they think of San Luis Obispo and the Central Coast. We are very pleased that we have finally succeeded in righting the wrong that put this land at risk."

The text of the ordinance was written in private by a "property

rights" group and handed to sympathetic supervisors, who voted to pass it in August 2007 despite warnings from their legal counsel and over the objections of County Planning staff and the Planning Commission. The Sierra Club filed suit against the County under the California Environmental Quality Act in January 2008.

Previous public review drafts of the ordinance would have protected public views in the 53 square miles of land roughly bounded by Highway 41 and Highway 46. The privately drafted

*continued on page 7*

### **Welcome to the hottest election in California**

## Vote for Laird

**This is no time for voter fatigue**

Yes, that's right: Four elections in six months. A million dollars in extra costs dropped on our county by our whimsical governor. Bummer.

But there's a reason to turn out and vote in the June 22 special election and the potential run-off after that, and his name is John Laird.

Senate District 15 is one of the largest in the state, stretching from San Jose into Santa Barbara County. The seat was vacated by Abel Maldonado when he was appointed Lieutenant Governor on April 26. The Sierra Club is endorsing John Laird for the seat because, as an educator, former mayor, community college trustee and Assembly-member, he has been a career-long



advocate for working people, environmental protection, access to health care, public education and civil rights.

Laird has never wavered from his opposition to offshore drilling that endangers our coast. He successfully

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photo/Karin Walsh

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

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**Sign of the times** Outside SLO City Hall during the May 19 Air Pollution Control District meeting on ODSVRA air pollution.

## The County Needs to Step Up on Oceano Dunes

On May 10, the Santa Lucia Chapter wrote to the County Board of Supervisors to suggest they toughen up a proposed letter from the County to State Parks' Off Highway Motor Vehicle Recreation Division on the particulate matter pollution problem that has been shown to be caused by vehicles in the Oceano Dunes — the first item on the agenda for the Supervisors' May 11 meeting.

We commended the County for the spirit and intent of the proposed letter, and suggested revisions in order to fully address the urgent public health issue before them.

We pointed out that the County should not ask State Parks to focus just on emissions from the property the County owns inside the Oceano Dunes State Vehicular Recreation Area, some 580 acres. It is understandable that the County would be particularly concerned about the effects associated with its property, but the health effects on residents should be the main concern, rather than the point of origin or the County's partial culpability as property owner. The letter stated concern for "airborne particulate matter originating from our site." We pointed out that it should also demand that State Parks address all emissions from the ODSVRA.

Beyond that, the letter needed to be more specific. We pointed out that there is no need for the "health effect" analysis the letter requested, as the impacts of particulate matter pollution have been thoroughly studied for many years and are well known. The

daily limits are based on those well understood health effects. State Parks may do additional research if they want, but taking formal action to stop the particulate emissions must not be delayed by such a study, which is not likely to tell us anything we don't already know. Despite the fact that results of the study were announced last December, State Parks has yet to take any action other than mounting attacks on the study's methodology and conclusions.

The County should be demanding immediate action based on the well-known effects of PM10 emissions, which are only going to get worse as we head into the summer season.

The letter asked for a "timely" program to address the problem. Instead, it should have asked State Parks for a timeline for approving and implementing an action plan.

It would have been best to communicate a specific desired outcome rather than a general request to improve conditions to an unspecified degree. The letter should have clearly stated that mitigation must result in the reduction of particulate matter pollution to a level that is protective of public health and does not exceed the state health standard.

At the May 11 meeting, Supervisor Jim Patterson made a motion to change the focus of the letter from the La Grande Tract to the entire riding area, and his colleagues agreed.

That's a start, but it's not likely to suffice. OHV Division Chief Phil

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**It's just the wind** Off-Highway Vehicles Division chief Phil Jenkins (right) offers a theory to the APCD Board in an attempt to discredit the findings of the APCD's two-year study.

## SANTA LUCIAN

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The Executive Committee meets the third Friday of every month at 1:00 p.m. at the chapter office, located at 547-B Marsh St., San Luis Obispo. All members are welcome to attend.

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# The COSE is Done and We Won

...mostly

from Chapter reports

In May, after more than three years in public workshops and hearings at the County Planning Commission and Board of Supervisors, the update of the Conservation and Open Space Element was completed.

The COSE has several jobs. It is to conserve and protect for future generations the 700,000 acres of the county's protected open space, forests, and recreation areas, as well as National Forest land, regional parks, and open space areas owned by conservation non-profits. It sets policy on the use of alternative energy sources, the protection of prime agricultural soils and the conservation of water, and encourages "green building."

As always, wildlife, trees, air, water, and open space are lousy lobbyists, so Sierra Club and North County Watch stepped in to speak for them. We were often pitted against special interests like the Farm Bureau and the Home Builders Association, as well as two huge corporations that are looking to smooth the path for their pending projects and were not shy about inserting themselves into the County's long-range planning process in that quest.

It was an epic struggle, too long to recount in full in this space. But we present here instructive summaries of what went on in, around, and behind the final drafting of three of the ten chapters of the COSE.

The short version: Persistence pays.

## Open Space

An Open Space element is a mandatory part of the County's General Plan. It is a plan for comprehensive and long-range preservation of open land and must specify plans and measures for preserving open space for natural resources, managing the production of resources, for outdoor recreation and public health and safety. State law mandates an ambitious and detailed planning effort for open space that is comparable only to the requirements for the housing element.

Last July, Dorothy Jennings of the Chapter's Conservation Committee and North County Watch Board recognized numerous deficiencies in the Open Space chapter of the COSE. While the Open Space element still has some deficiencies, and lacks detail or planning for open space programs, Jennings' persistence curtailed an effort to remove the state-mandated inclusion of agricultural lands from the Open Space category. Historically, county policy has rightfully recognized ag lands as open space, so the intended departure from that policy presented serious legal issues with the new Open Space element about to be adopted.

Jennings' efforts succeeded in getting the attention of the Board as to the importance of the element and recognition that lots of work is left to be done. County Counsel Tim McNulty met with Jennings and Sue Harvey in mid April, just days before the planned adoption of the element,

to discuss the issues North County Watch had raised. As a result, the final resolution adopted by the Supervisors included language to amend the Open Space ordinance within the next six months to cure some deficiencies.

The County's failure to recognize the importance of the Open Space element is not new. In the late 1990's, the County concluded a long, drawn-out process of combining the Open Space Element with an Ag Element. The resulting Ag and Open Space Element (AOSE) seemed to have ambitious goals for the preservation of open space. In the court's resolution of a lawsuit filed by Life on Planet Earth challenging issues in the county's newly adopted AOSE, the court allowed that the county "has recognized the Agricultural and Open Space Element is only the first step leading to changes on the ground."

But in the years since the court expressed its hope for an auspicious beginning in 2003, little progress has been made in implementing viable Open Space policy or programs as the court directed.

The Ag portion of the AOSE has fared well. Thirty-four programs have been adopted. But the Open Space element cites only one program to protect and preserve open space – the

highly controversial Transfer of Development Credits Program. A Land Banking program or an Open Space District are topics of discussion but none have been mandated by the newly adopted Open Space Element.

The county has a lot of work ahead to institute comprehensive open space programs but it will be worth the effort to bring about a serious commitment to preserve the county's precious open space resources. We will have to follow the devilish details of amendments to the Open Space ordinance, but we remain optimistic that the seeds have been planted for a comprehensive look at the importance and potential of well crafted Open Space Programs.

## Energy

To understand what happened during the Board's deliberation on the Energy chapter of the COSE, it's necessary to go back almost a year, when that chapter was being hammered out at the County Planning Commission.

Tension was obviously building at the June 2009 meetings of the Planning Commission on the COSE. In discussing revisions to the Energy Chapter, Commission Chair Sarah Christie suggested that alternative energy projects be required to avoid, not just inflict and "mitigate," significant environmental impacts.

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## Sierra Club Cal/Nev Committee Meets at Rancho El Chorro



Ed Mainland and Jim Stewart of Sierra Club California's Energy/Climate Committee address the CNRCC.

By Letty French

Over the weekend of May 15, Sierra Club volunteers from all over California and Nevada gathered at Rancho El Chorro camp, across the highway from Cuesta College, to work on issues of regional concern.

Five California-Nevada Regional Conservation Committee workshops on Saturday morning exemplified the major concerns: Sierra Nevada EcoRegion Organizing, Coastal Committee Organizing, Political, Energy/Climate, and Zero-Waste.

Present were national Club staff members Bruce Hamilton and Bar-

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## Thank You, Lynne Harkins



The California Coastal Commission voted on May 13 to approve the U.S. Army Corps of Engineers' plan to drill desalination test wells in the state beach just south of Santa Rosa Creek in Cambria.

But when they did, they added a crucial condition. Before the Army Corps starts pumping, it must test the water in the test wells for more than 100 contaminants, including methyl mercury, and may not proceed with the desal tests if contaminants exceed safe limits. They must test the water again after pumping commences.

The Coastal Commission did that because of the work of Cambria resident Lynne Harkins, who, with financing provided by the Sierra Club, went out on her own to do what the Army Corps of Engineers and the Cambria Community Services District did not: test the water for the presence of extremely toxic methyl mercury.

The possibility of legacy mercury deposits from the closed Oceanic Mine five miles upstream settling into sediments should have been an obvious concern in a proposal to put a desalination subsurface intake as the mouth of the creek, but it took a virtual public uprising at the CCSD's January 5 meeting -- at which the District tried and failed to declare the project exempt from the California Environmental Quality Act -- to force the issue onto the table and into the CCSD's subsequent environmental review.

Armed with a test kit, Harkins took water samples at four locations a mile or less from the proposed site of the beach wells, and sent them to an environmental laboratory, which confirmed the presence of methyl mercury. The legally acceptable discharge level for methyl mercury is zero. Harkins alerted Coastal Commission staff to what the Army Corps hadn't told them. ("Cambria



**She fought the lawyers and she won** Lynda Auchinachie (on screen) of the County Agriculture Department stood her ground and educated the Supervisors on the meaning of "Prime Farmland" despite an onslaught by corporate lawyers who tried to get around the rules, relentlessly lobbied the Board and County staff and threatened to sue.

## Thank You, Madam Chair



**Aloha** Karen Merriam, former Santa Lucia Chapter Chair (2004-2009) received the Chapter's highest honor, the Kathleen Goddard Jones Award, in recognition of her outstanding service to the Sierra Club at our general meeting on May 12 at the Steynberg Gallery in SLO. Coastal activist Carol Georgi (right) joined the packed house in congratulating the guest of honor.

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# Save the Date

Join the Sierra Club in the Edna Valley on Saturday, October 2, for an evening of wine, cheese, & chocolate



Don't miss our fall fundraiser in the heart of the Edna Valley on October 2. Watch this space for more details as the date approaches. Right now, members can volunteer time or donate to the Silent Auction. Community sponsors will get free tickets and their logos in our flyers and the gala brochure. If you would like to volunteer or donate, please contact the Chapter Office at 543-8717, or [incirisan@gmail.com](mailto:incirisan@gmail.com).

## The State Water Board's Power Plant Cooling Plan is Full of Holes

By Jack McCurdy, co-founder  
Citizens Alliance on Plant Expansion

For five years, the California Water Resources Control Board has been developing a new state policy to require Morro Bay, Diablo and 18 other power plants along the coast to stop using an estimated 16 billion gallons of water a year from estuaries and the ocean for cooling, killing untold billions of fish and larvae and impairing the economies of coastal communities that depend on a healthy marine environment.

But the result of board action on May 4 was an historic disappointment. What the board adopted was a policy that does not have to be implemented by plants until 5 to 14 years in the future, allows waivers to avoid compliance dates and contains vague language that could allow plants to continue operating "as is" indefinitely.

Among the contradictions in the policy is permission for the Morro Bay plant to continue to use a continuing flow of water (termed once-through cooling or OTC) from the Morro Bay National Estuary until Dec. 31, 2015, even though a companion document states the plant is "not needed for resource adequacy" to meet state electricity needs—as of right now.

As a result of these deficiencies, the Coastal Alliance on Plant Expansion (CAPE), a nonprofit citizens group that has been monitoring present and future plans for the Morro Bay Power Plant for the past ten years and has worked closely with the Chapter over that span, believes the new policy fails to meet federal legal requirements and that litigation will be among the options that environmental groups will consider in response. The policy will not become final until it is reviewed by the state Office of Administrative Law in the executive branch, which could take several months or more.

Given the ambiguity of the policy, it is impossible to determine how it will affect the future of the Morro Bay plant. But Randy Hickok, a top official with Dynege, which owns the plant, said the plant almost certainly will

not be able to operate after 2015 under the adopted policy's water use restriction. He told the Morro Bay City Council the same thing last fall after reviewing an earlier draft of the policy with the 2015 date in it. But he added in an interview on May 14 that the company is exploring new water filtering technology to protect against absorbing aquatic life, which might allow the plant to still use enough water to operate beyond 2015, although he said it seems very unlikely at this time.

The OTC policy that was on the water board's agenda on May 4 was strongly opposed by a wide array of organizations, including CAPE, the city of Morro Bay, the California Coastkeeper Alliance, the Sierra Club, the National Resources Defense Council and the Mills Legal Clinic at the Stanford Law School, plus an estimated 10,000 persons, who filed individual comments with the board. Nearly all the groups argued that the proposed policy had been significantly weakened in its compliance with federal requirements since an earlier version was made public last fall. And some, including CAPE and the Coastkeeper Alliance, contended the latest version failed to comply with federal law.

The federal law in question stems from the 2007 Riverkeeper II decision by the United States Court of Appeals for the Second Circuit, which held that the U.S. Clean Water Act requires "best technology available" to be used to cool power plants and prohibits use of water from estuaries, bays, deltas, the ocean, lakes, rivers or streams. That decision's ban on use of water for cooling came about 35 years after the Clean Water Act was amended to cover power plant cooling and did the same thing. But it was never enforced until the appellate court stepped in. The same court in 2004 had issued a virtually identical decision covering new power plants that might be built.

As a consequence, the state water board five years ago began developing a statewide policy to implement the decisions. But from the beginning,

### Earth Talk

## Confessions of a Foot-Dragging Vegetarian

By Joe Morris, Outings Chair

Perhaps my favorite three letters in the English language are BBQ, even better if they are displayed high over a restaurant emitting the aroma of hickory smoke. I've never passed a Sizzler's I didn't like. Its sign evokes images of a rib-eye steak on the grill, done to a nice medium-rare. When my girlfriend Carolyn agreed to a date when we were first getting to know each other, her hearty assent to my offer of dinner there left a memorable impression. As she cut zestfully into her sirloin, I thought that this relationship was getting off to a nice start. No soy-and-tofu babe here!

But, alas, in my readings about the environment, it was inevitable that I would stumble on an article (more like dozens) proclaiming the environmental harms of meat consumption. I'm not about to completely abstain anytime soon — couldn't this be a shock to a system accustomed for a half century to a carnivorous diet? -- but I'm beginning to re-think the subject, and my appetite is shifting.

A big wake-up call for me was reading the 2006 UN report that livestock accounts for more greenhouse emissions than all transportation combined. The reason is simple. The methane produced by cows, sheep, and goats has over twenty times the potency of carbon dioxide in warming the planet. And, as we are eating more meat — world production is six times what it was in 1950 — more and more of that gas finds its way into the atmosphere. There is a bright side, however. Methane exits the atmosphere in only twelve years, vs. many centuries for CO2. So eating less meat can have both a far greater and quicker effect on curbing climate change than virtually anything else.

Cattle feed mainly on corn and soybeans, and the largest grower of soybeans in the world by far is Brazil. There the rainforests are being rapidly cut down to clear land for the crop, and this destruction causes further global warming. Locked in those tall trees are billions of tons of carbon, which, when burned to open up farmland, return to the air as carbon dioxide. That Big Mac or KFC dinner you may have recently eaten has a direct causal link to the slashing and burning of the Amazon rainforest, containing the richest diversity of plants and animals on the planet.

Raising livestock consumes an amount of water that is astonishing, both in what the animals drink and what it takes to irrigate the crops that feed them. A single quarter-pound hamburger takes up over 1,500 gallons of water to produce it — just what we don't need in a state facing a growing and desperate drought. For every pound of weight beef cattle gain, they must eat seven pounds of grain. About 70% of the corn grown in the U.S. goes to feeding livestock, sending its price up and making it more expensive for impoverished people to purchase. More surprising is the fact that one-third of the fish catch in the U.S. goes into the feed consumed by livestock, further depleting the languishing supplies in the sea.

The most uncomfortable and neglected aspect of meat eating is the inhumane treatment of farm animals. A driver does not need to be a fervent animal-rights activist to wince at the smell and sight of thousands of cattle standing motionless in dirt and excrement at Harris Ranch on the west side of I-5, halfway from L.A. to the Bay Area. In summer, the animals must also endure the scorching heat all day in the Central Valley. Harris Ranch is a feedlot, also called a "factory farm," where cattle are brought from grazing lands to be fattened up with high-energy feed before they are slaughtered and carried by trucks north and south. The cattle get antibiotics in their feed so they don't waste energy fighting infection or spread any infectious diseases that would otherwise invariably ravage them in such crowded conditions. And later, as we munch our meatloaf, we consume these antibiotics, many of which are the same ones used to fight human illness. This helps spread genetic resistance to these drugs.

# Conjoined Infant Policies Need Separation

By Eric Greening

On May 13, the County held a public kickoff for its Climate Action Plan. Joined at the hip was the "Land Use and Circulation Element Update/Rural Area Plan."

It is hard to establish a prognosis for these conjoined newborns because they are *not* twins; in fact, the greatest risk is that the LUCE/RAP will draw nourishment from her more potentially promising sister.

The very necessary purpose of the Climate Action Plan is to reduce emissions of greenhouse gases, so that we can shift from being a problem toward being part of the solution. If the CAP leans too heavily on land use planning, particularly in the rural areas, and neglects more promising approaches to achieving actual reduction, we will end up with a lot of time, energy, and paper invested while business as usual continues on its death march.

Despite the differences that wise land use planning *can* make, there are multiple reasons *not* to emphasize land use planning:

1. We are not going to get greenhouse gas reduction by growing. Unless un-smart projects currently occupied are dismantled as quickly as "smart" projects are implemented, all we will get is a slower continued growth in greenhouse gases than we would otherwise have experienced. There are other ways to decelerate the growth in emissions, such as requiring, or at least providing incentives for, new construction to use orientation, thermal mass, and other known techniques for achieving comfort without drawing power from the grid.

2. The LUCE/RAP's focus on rural areas is precisely the wrong place to look for opportunities for "smart"

growth. Selective and sensitive revitalization within urban and village areas will get us there, but the LUCE/RAP leaves such areas as the holes in the Swiss cheese.

3. There seems to be no connection between all the talk (and even the action) on "Smart" or "Strategic" growth, and what actually happens on the ground. Lips have been flapping on the subject for many years through the "Vision 2050" exercises, and policy documents have been prepared and are supposedly in effect enumerating and implementing our "Strategic Growth Principles," outlining our "Sustainable Communities Strategies," and so on. And yet, in the real world, the year-over-year population data shows that, between 2009 and 2010, the rate of population growth in our unincorporated areas was almost ten times faster than in our incorporated cities. One might be forgiven for thinking that the purpose of the documents on which so much time and effort have been spent is to provide distraction from what is actually going on.

4. A focus on land use ignores areas where actual and significant *reductions* could be achieved. Primarily, these are in transportation and sequestration.

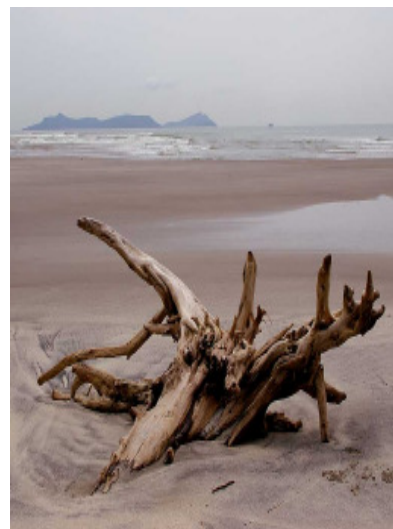
The Greenhouse Gas Inventory prepared in advance of the CAP shows that our county, far more than the national average, emits most of its greenhouse gases through transportation; more than 2/3 of our emissions come from our streets, roads, and highways, and highway travel is a large part of this. The City of San Luis Obispo comes close to doubling its population during weekday daytime hours; most of the commuting still takes place in single-occupant vehicles. Yet our transportation

funding is still dominated by road spending, while transit operations struggle to avoid actual service cutbacks, and walkways and bikeways are generally funded an order of magnitude less generously than roads. While roads should not be allowed to deteriorate, much road spending goes not for maintenance but for expensive capacity-increasing projects.

If we are serious about taking real climate action, we should be ready to get serious about shifting our priorities. For example, if the Transportation Development Act funding diverted from transit operations (its primary designated use) to road work in this county were to all be placed in transit, spread among our operators, these agencies would have more fairly compensated employees and be able to expand service to meet surging needs, rather than constantly stave off (or not stave off) cutbacks.

Sequestration was not measured in the Greenhouse Gas Inventory because it is not an emission but a solution. Fundamentally, it consists of leaves taking in carbon dioxide and building it into tissue that will keep the carbon out of circulation for a while. Research is ongoing over what leaves in what situations are most effective at this task and lead to the greatest security and duration of carbon storage. There are new insights about the role of agriculture, and about what agricultural practices are most effective at this task, and what practices might be counterproductive. Preservation of natural habitat must be a critical part of our sequestration strategy. Research is ongoing about what types of habitat are most effective, and about the extent to which habitat might or might not be "managed" to allow the most productive successional stages to maximize the absorption and storage of carbon dioxide.

Land use planning will remain important; any regular reader of the *Santa Lucian* learns about what is at stake in proposal after proposal. But land use planning should not be leaned on to perform tasks for which other endeavors are better suited. It must not be allowed to draw so much nourishment from the Climate Action Plan that serves as a drain rather than an asset to the metabolism of a healthy plan!



## Sun and Silence

*At first the illusion of alone;  
no footprints in the sand  
no sign of woman or man,  
only sea tossups:  
kelp, logs, bird leavings  
feathers, droppings  
and sea carvings:  
rocks, shoreline, cliff.  
But then a shift.*

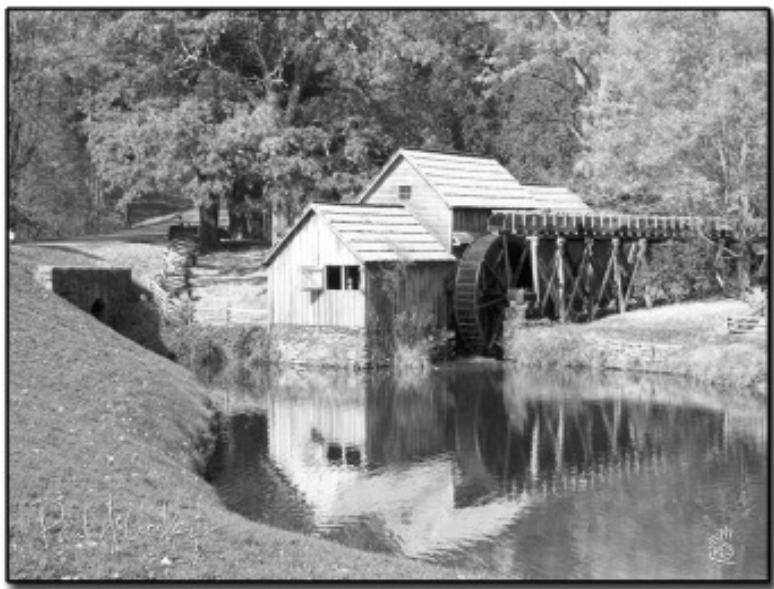
*First one figure, then two  
stand on the cliff top  
and then descend toward me.  
Now I sense the doings of  
others, wonder what their take is  
on this formerly silent place,  
hope that they will come and go.*

*Relief—they are only here  
to photograph a scene,  
drained of the stench of rotting  
kelp, the smash of water on  
unresisting rocks, the moisture of  
a looming fogbank. Perhaps their  
truest memento will be  
the sand on their shoes.*

*But how like them I am,  
entrusting words to paper, a  
scene in one dimension,  
unless I put notebook aside  
and sit awhile, silent, staring  
at the noisy ocean, digging toes  
in gritty sand, letting sun and  
silence  
saturate my inner space.*

-Judith Amber

On a beach north of Cambria



"Historic Old Grist Mill"  
Blue Ridge Parkway, N.P.S.

## "Painting With Light"

Paul J. McCloskey • Photo-Paintings

"Sacred Light - Sacred Lands"  
A Journey Thru the Nat'l Parks

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\* A percentage of sales goes to help support the Santa Lucia Chapter of the Sierra Club

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## In the Sanctuary of Spring

Walking under clouds shaped like teapots and sea horses,  
I admire the billowing bushes of ceanothus framing the trail,  
and feel like I'm in a wedding procession  
in the hallowed chambers of a church.  
The flowering gooseberry glows like candles among the brush,  
fragrance from open blossoms is the incense,  
the view of the bay is the altar  
and birds are the heavenly choir.  
I am wedded to the wonders of the world.

- Kalila Volkov, May 2010



A Will is a Way

Make a commitment to the next generation by remembering the Sierra Club in your will. Your support will help others preserve the intricate balance of nature.

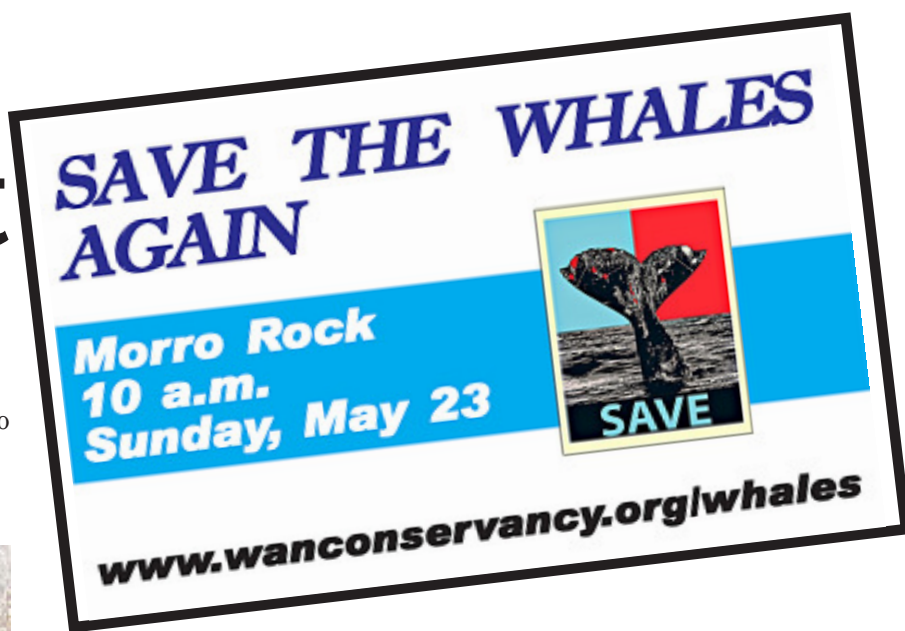
Contact:  
John Calaway  
Director of Gift Planning at  
(415) 977-5639 or e-mail:  
[planned.giving@sierraclub.org](mailto:planned.giving@sierraclub.org)

Explore, enjoy and protect the planet

# Over to You, Mr. President

On May 23, the people of California turned out at sixteen coastal rally sites from Eureka to San Diego to "Save the Whales Again," protesting the Obama administration's support for a move to re-legalize commercial whale hunting when the International Whaling Commission meets this month.

The petitions we gathered and hundreds of thousands more have been sent to the White House. Now it's up to the President to listen to the people.



More than 400 people came out to Morro Rock on May 23 for the Save the Whales Again event co-sponsored by the Sierra Club to hear speakers such as actor Timothy Bottoms and international cetacean activist Dean Bernal. County Supervisor Bruce Gibson read the County's resolution against the IWC whale hunt plan. Similar resolutions were passed by the cities of Morro Bay and San Luis Obispo, and by the California Coastal Commission.

## Clean It Up!

The Sierra Student Coalition at Cal Poly joined communities across the nation on May 16 with a "Clean it Up!" protest in Mitchell Park. The Sierra Club coordinated the events nationwide all month long to demand that BP be held fully accountable for the Gulf of Mexico oil disaster and press the Obama administration for a moratorium on off-shore oil drilling. On May 18, Sierra Club and the Gulf Restoration Network filed suit against the Minerals Management Service for exempting BP from regulations requiring blowout response scenarios.



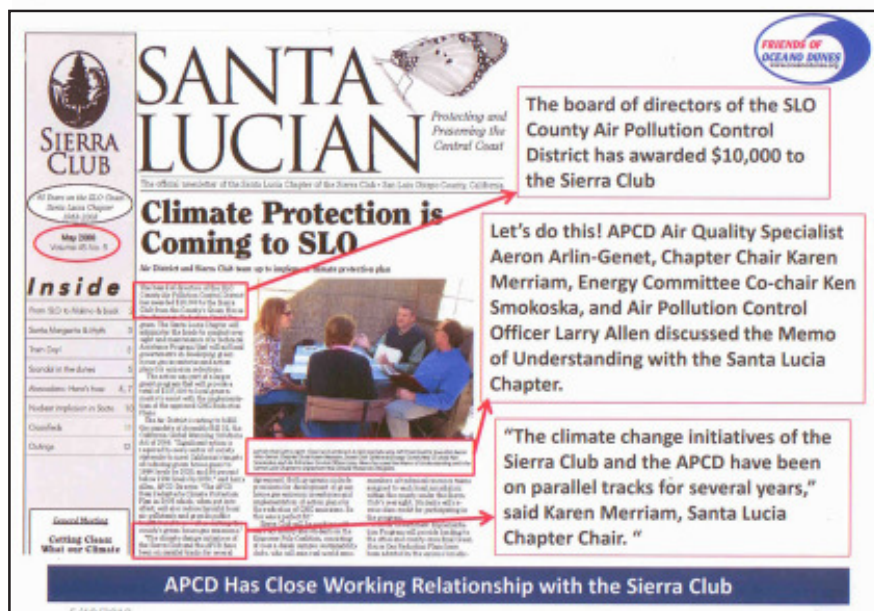
## Kicking Up Dust

**Off-roaders emitting obscuring clouds to make the Oceano Dunes pollution study go away**

In the sincerest form of flattery, local off-roaders have imitated the beloved *Santa Lucian* feature "Taking Issue" as part of their attempt to persuade the public that the Sierra Club exerted sinister influence over the Air Pollution Control District study that concluded off-road vehicles in the Oceano Dunes are the cause of severe particulate matter pollution.

Two pages of the six-page conspiracy theory prepared by the off-road lobby group Friends of Oceano Dunes are devoted to the idea that we are somehow responsible for the peer-reviewed study's findings on particulate matter pollution on the Nipomo Mesa. Their evidence: The Chapter assisted the APCD in an unrelated greenhouse gas emissions inventory project two years ago, and the fact that the APCD Board, which is comprised of city and county elected officials, invariably includes some who were endorsed by the Sierra Club in their electoral contests.

As it happens, we did not assist with, consult on, or otherwise have anything to do with the APCD study.



**Ah-HAH!** The off-roaders have ripped the lid off a conspiracy between environmentalists and regulators to improve air quality.

Elsewhere in the screed is the claim that "APCD ignored Geological study showing that there is more vegetation at the Oceano Dunes today that [sic] before the park was established." The

authors of the document seem to be unaware that virtually the same claim was made at an APCD Board meeting last December by Pismo Beach City Councilman Ed Waage, and was

immediately shot down by staff, who referred the Board to the actual historical record as it pertains to vegetation on the dunes.

Another memo FoOD seems to have missed: Their six pages of unsourced accusations attack not only the APCD study's conclusion that ORVs are a significant cause of the problem but the very idea that unvegetated dunes are a source of PM10 pollution and that this is something the people breathing it should worry about. Even the state Off-Highway Vehicles Division accepts the finding that PM10 pollution is coming from the dunes and must be mitigated and reduced to protect the public health.

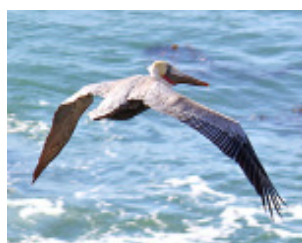
Whenever confronted with depressing evidence, ODSVRA off-roaders try to change the subject and prove that the Sierra Club is at the heart of a dark conspiracy to take away their toys. Their previous mirth-inducing face-plant was triggered when County planners were caught issuing a deceptive staff report that tried to grease the wheels for the Off-Highway Vehicles Division's purchase of the County-owned land in the dunes. When the Grand Jury concluded that hanky-panky was likely behind that report, local off-roaders produced an elaborate document claiming the Sierra Club must have stacked the Grand Jury.

We can expect to see more such off-road excursions into alternate realities in the near future as the ORV lobby continues to assert its recreational preference as a priority over the health of all the people plotting against them -- who are clearly engaged in a conspiracy of breathing.

## Off-Roaders' New Enemy: Pelicans

Just before the courtroom spanking administered to them by the County, the Sierra Club and the Coastal Commission when the Friends of Oceano Dunes tried to force the sale of the County's land in the dunes to State Parks' Off-Highway Vehicles Division (see "Case Dismissed," April), the off-road lobby group embarked upon another legal adventure -- this time, against pelicans.

A year ago, the FOoD filed suit to force the removal of the brown pelican from the Endangered Species List, which finally happened in November. According to the Court-house News Service, the group claimed "the beach regulations meant to protect the birds diminish the group's enjoyment of the Oceano Dunes State Vehicular Recreational Area." With the BP Gulf Oil disaster now slaughtering brown pelicans in the Gulf of Mexico, we have another reminder that timing is everything.



Carol Georgi

Viewshed Victory

continued from page 1

version of the ordinance that the 2007 Board of Supervisors selected instead reduced the land area proposed to be covered by 90 percent, undid what protections for public views had existed on the remainder, and added multiple exemptions that would allow land owners to build mansions on ridgelines.

With the County's agreement to vacate the ordinance, the risk of it setting a precedent and weakening viewshed protections elsewhere in the county has been eliminated. The previous permit standards for the Cayucos Viewshed will be restored and will remain in effect until a county-wide ordinance is drafted and passed.

The case highlighted the County's consistent abuse of state law through the inappropriate use of "Negative Declarations," the claim that a proposed development would have no environmental impacts, thereby sparing the County or developers the costs of an environmental review.

When Supervisors Achadjian, Ovitt and Lenthall voted for the financial interests of their political base, they did not even try to give a reason – that is, some other plausible sounding reason – why they voted for a viewshed protection ordinance that did not protect the viewshed.

Nowhere to hide

The most controversial local issue in the county when by the time it was voted into law in August 2007, the ordinance became a flashpoint in the turnover of the Board of Supervisors the following year. The supervisors who allowed POPR, an extremist "property rights" group, to hand them the privately drafted ordinance — discarding drafts prepared by county planners and the Planning Commission and voting to approve it despite its clear violations of the California Environmental Quality Act — paid a political price in 2008. When Ovitt and Lenthall ran for re-election, the Cayucos Viewshed Ordinance slashed across their campaigns like the mark of Zorro. It may not have been the worst thing that they and Achadjian ever did on the Board (their approval of the Santa Margarita Ranch development a year later came to top that long list), but it was their "let them eat cake" moment. On November 27, 2007, the 3-man majority ignored the Board's legal counsel, county planning staff, local residents and responsible land use planning and endorsed a henhouse protection ordinance written by the fox.

For both Ovitt and Lenthall, subsequently turned out of office in dual landslides, their vote for the ordinance represented a blatant willingness to bow down to the wishes

of economic special interests no matter how damaging the consequences, and came to symbolize the political careers of both men. They couldn't run away from it.

As the last remaining board member from that 2007 majority, Supervisor Achadjian now faces the rollback of the ordinance as a reminder and rebuke of his vote as he makes his bid for the state Assembly seat held by a termed-out Sam Blakeslee (See "Back to Haunt Him," below).



The arc of the viewshed bends toward justice. The media storm triggered by the Cayucos Viewshed Ordinance was matched by public outrage. For the final hearing in August 2007, Kathy Longacre, President of the San Luis Obispo Parks, Open Space & Trails Foundation, brought red flags, stuck into viewshed models and signed by dozens of local residents who implored the Board of Supervisors not to pass the very bad ordinance. They didn't listen. We did.

Back to Haunt Him

Katcho's Cayucos Viewshed moment lives forever on YouTube



In a 2007 video clip circulating on the web, County Supervisor Katcho Achadjian defends his indefensible vote on the Cayucos Viewshed Ordinance by making it clear that his support was a matter of you-scratch-my-back quid pro quo.

Secure in the power of his Board majority, Katcho comes off like Machiavelli's prince, lecturing the rabble on his personal vision of politics: a purely transactional exercise in which favors are extended or withheld on the basis of demanded loyalty or perceived enmity -- the

issues be damned.

That raw admission and the spectacle of an irate politico hurling taunts, airing grudges and settling personal scores on camera makes for riveting political theater.

If you know anyone who is undecided on the question of whether to send Katcho to Sacramento to represent the entire population of the 33rd Assembly District, tell them to go to YouTube, type in "Kookoo for Katcho Stuff," and watch a politician explain that he always and only votes for the side his bread is buttered on.

## You've Got to Fight for Clean Water

With the contamination of the central coast's groundwater from pesticide and fertilizers getting worse and the need to regulate the largely unregulated toxic runoff of agricultural operations glaringly obvious, the results of the May 12 regional water board workshop on the proposed Conditional Waiver for Irrigated Agricultural Discharges should have been a lot more encouraging. (See "This is Huge," May.)

Ag packed the SLO Elks Lodge. Their lawyers argued that the proposed draft order would cost hundreds of millions of dollars, thousands of jobs, and the local tax base, and the water board should therefore just stick with the 2004 Ag Waiver instead. (They made the very same apocalyptic predictions for the original Ag Waiver, which they fought tooth and nail up until its adoption in 2004. The sky did not fall.) Under enormous pressure from ag operators,

### Once Through Cooling

*continued from page 4*

the draft versions fell short of what the court decisions required in the opinion of state and local groups, which have been coordinated by the Coastkeeper Alliance. Twenty-one groups signed the Alliance's comments opposing the policy that the board took up on May 4.

The groups argued that the draft policy was deeply flawed and failed to meet the Clean Water Act's direction to phase out OTC and its impacts on coastal and delta ecosystems.

After the May 4 action, the Alliance issued a statement saying the Board adopted a final policy that "addressed

many—though not all—of the most critical issues raised by the coalition," but it has "put California on track to phase out once-through cooling." For example, the standard of feasibility for determining whether a plant owner could seek a waiver from complying with the policy was restored on May 4 after having been removed in the draft policy.

The adopted policy consists of two "tracks" that every plant must follow. All begin in Track 1 with individual compliance dates and requiring a 93% reduction in

the flow rate of water taken into the plant. If owners can show compliance with Track 1 requirements is "infeasible," the board can shift them to Track 2, which requires a 90% reduction in that flow rate or in the plant's impacts on sea life.

The draft policy also had allowed mitigation—for example, payment of money or some kind of environmental improvement—as an alternative to complying with the policy. But that, too, was removed.

The final policy also was amended to reduce the potential for continued extensions of deadlines to comply with the policy.

Regional Water Quality Control Board members gave every indication of leaning toward the extremely weak beer offered by the California Farm Bureau as an alternative to the real regulations that are being proposed by water board staff.

Essentially, they punted the issue to

next February, with comments and feedback solicited through August.

Another public workshop will be held in Watsonville in July, a proposed revised order released in November, and a proposed revised order coming to the

Board in February 2011.

If we are to curb the impacts suffered by our water and watersheds from toxic agricultural runoff, we must redouble our efforts between now and then.

Visit [www.ejcw.org](http://www.ejcw.org) and join the fight for "water justice."



**Let's get organized** Monterey Coastkeeper Steve Shimek (at right) came to SLO on May 12, along with members of the Environmental Justice Coalition for Water, to help get the message across to the water board that they need to clean up agricultural runoff now. Three hundred people packed the all-day meeting at the SLO Elks Lodge (below).



## Thank You, Provision #28

by Ralph Bishop  
Nipomo Creek Dogs

The other day this humble Dog received a communication from the Regional Water Quality Board; order No. R3-2010. While wading

through page after page of confusatory codswaddle, I came across one sentence that was clear and concise without any conjecture about what the definition of "is" is. Provision #28 of the Draft Ag Discharge Order reads:

*The discharge of Ag rubbish, refuse irrigation tubing or other solid wastes into surface waters or at any place where they may contact or maybe eventually discharge to surface waters is prohibited.*

That one sentence among thousands was the culmination of nine years of blood



sweat and tears that expended a caloric output greater than the national debt. The Nipomo Creek Dogs are thankful for our success against the pollutive power structure. While many of the provisions in the Ag Discharge Order are complicated, and titanic struggles are now being waged over them, provision

#28 seems to be a cost-neutral no-brainer.

The Creek Dogs are a big part of the reason why it's there. This was a classic truth-against-power situation, replete with multiple bureaucratic firewalls. We remember the scourge of creek-choking, flood-triggering discarded irrigation tubing that was locally labeled a portion of an "urban trash" problem — blaming the victims of the flood for the flood damage — all the while knowing that the tubing caused the perfect storms of destruction in Nipomo.

Then there was California Department of Fish and Game. The Creek Dogs joined their U-tip program in 2006, which promised "Anonymity, action, integrity enforcement." Their officer saw the worst of the mass rubbish and tubing just after the flood, saying "I see violations everywhere!"... then did absolutely nothing about it. At this writing, four years later, a vast majority of that trash still pollutes the creeks.

Blocked by all these powerful firewalls and getting nowhere, we came to our darkest hour when the creator caused us to drive by a humble sign: Sierra Club.

Now we had heard about these trouble makin' tree-huggers from the rednecks and also from the more polite envoirs. But we said "what the heck, both of them have called us worse," so we pulled into the driveway. Inside was a gentleman named Andrew

Christie, who was courteous and didn't seem to have horns and a pointy tail. After viewing our photographic evidence he was interested in an engaging way.

We were pleasantly shocked. He set up a meeting with the board of directors, who were likewise honestly concerned and pledged their support.

This support gave us the glimmer of hope and fortitude to continue. Andrew suggested we needed to engage the directors of the Water Board — at a public meeting of the

Board, not just one-on-one with staff.

Go to meetings with bureaucrats? Our strength was paws-in-the-mud. But we supposed it was time to buck up and Git'er done.

The Board members were noticeably surprised that for two years they had not been made aware of the Nipomo Creek problem. When our 8 x 10 glossies of irrigation tubing clumps the size of Volkswagens clogging culverts were enlarged and projected on the wall, it was apparent that there was some 'splainin to do. The wheels of bureaucratic eco-justice turn slow, but as this issue proves, truth will out and persistence pays off. We got one sentence, but a good sentence: Provision #28.

The tubing and trash still remain in the creeks of Nipomo, four long years later. We're grateful to the Water Board, but the Department of Fish and Game seems to equally hold the reins in this matter. I urge everyone who might appreciate our nine-year struggle to call Fish and Game higher ups and ask a simple question. Why after four years with full knowledge of this issue has *nothing* been done?

God bless our fellow trouble makers, the Sierra Club.



**Vegetarian**

continued from page 4

But perhaps the strongest personal reason for decreasing the meat in your diet is to increase your lifespan. The wisdom of adding more vegetables and less red meat to your diet has become a predictable refrain in any health guide. Vegetarians have lower rates of heart disease, hypertension, type 2 diabetes, prostate and colon cancer, study after study show, and the nonvegetarians who eat less meat show results in the same direction.

Americans on average take in over twice the amount of protein they need each day, so your diet is very likely to need less meat, not more. A number of well-known athletes are vegetarians, such as the multi-Olympic Gold medalist Carl Lewis and Scott Jurek, who is about the best living long-distance runner in the world. And also include John Muir, a hardy man if there ever was one, who rarely ate meat and never hunted on his wilderness treks. Men are much more carnivorous



than women and also have lives six years shorter. Over two-thirds of vegetarians are women.

If you have been considering lessening the meat in your diet, start small. We have powerful emotional attachments to what we eat: Thanksgiving turkeys, the aroma of bacon in the morning, the sight of hot dogs cooking over a campfire, or hamburgers being grilled in summer... just the thought of these weakens my resolution. But a few practices have worked for me, and may for you:

- Try smaller portions. I can be satisfied with a 6-ounce rather than an 8 or 12-ounce steak without too much difficulty, especially if I buy smaller portions at the grocery store, the essential step.
- Consider having a "V-day," a day with no meat once a week. This really isn't difficult.
- Find a few tasty vegetarian main dishes. There are a number of simple, obvious ones such as a baked potato with toppings, mac and cheese, pasta with tomato or pesto sauce, or rice and beans. This is the key to a "V-day" succeeding. You need to enjoy the food you eat.

Eating less meat not only helps to save the planet, it can also give you more years in life to enjoy it.

**Harkins**

continued from page 3

Activists & Mercury Put Desal Plan in Retrograde," February).

The Army Corps was not pleased when the *Santa Lucian* published Harkins' account. On February 6, Thomas Keeney, the Corps' project ecologist for the Cambria desal project, fired off an e-mail to eleven USACE colleagues and CCSD staff (which was promptly leaked to *New Times*) in which he tried to discredit Harkins' testing and declared that

**Cal-Nev Committee**

continued from page 3

bara Boyle, and Sacramento staff members Jim Metropulos and Michael Endicott.

Bruce Hamilton provided an update on the Resilient Habitats campaign, which is designed to protect habitat and provide connectivity during the time of climate change. There are ten particular habitats chosen nationwide. Much work has been done on identifying the areas and thinking of solutions, but a lot remains to be done.

Resolutions were presented by their sponsors and discussed by delegates on Saturday, then voted upon on Sunday. The Santa Lucia Chapter's delegates were Letty French and John Burdette, with Cal French and Ken Smokaska voting as delegates-at-large. Approved resolutions included zero-waste, concerning removal of compostables from the waste stream (which would reduce green house gas production); a resolution to move the solar energy complex planned for the Ivanpah site in the Mojave from its proposed location on desert tortoise habitat to already disturbed land; a Distributed Generation Renewable Energy resolution strongly supporting local distributed solar generation over large centralized energy projects; and a resolution to support a ban on the use of unleashed dogs in hunting black bears.

Barbara Boyle provided an update of the Large Scale Renewable energy and Transmission guidelines for Chapters and Groups. Nationwide the Club has stopped construction of more than 100 new coal fired power plants, and is working to promote energy conservation. There are hundreds of applications for solar PV facilities in the sunny Southwest. Kern County has 11 applications just on private lands. The conflict over impacts on our California desert became part of the discussion, particularly the Ivanpah site. Senator Feinstein has proposed a bill which would provide for two new National Monuments in the California desert

"After reading this article, my body was tense and stressed and it made me damn angry with these yahoos who fail to understand anything." He wrote that he has "loathed the Sierra Club" since childhood and that we "cannot see the forest through the trees." He attacked the study done by Harkins, a retired school teacher taking on the task after the Corps had failed to do so, for its "lack of chain of custody documentation."

for areas that were acquired for their conservation values and entrusted to the Bureau of Land Management.

Ladd and Gail Seekins whipped up a scrumptuous black bean and couscous dish for dinner, with ice cream cake for dessert.

After-dinner entertainment was a discussion of statewide water issues and the upcoming water bond initiative on the November ballot. These bond monies would be used to build dams, which really can't provide any more water. Last for the evening was a video called "Wild vs. Wall," the story of the destruction of the whole southern border of the USA to build a wall that doesn't keep out illegal immigrants.

Sunday morning dawned cool and foggy, so fluffy egg soufflé and hot oatmeal were quite welcome. By 0900 Sunday morning, everyone had pitched in and cleaned up the kitchen and dining room and gathered in the auditorium. A roll-call of named delegates was followed by the vote on the resolutions and election of the Steering Committee for Sierra Club California.

This was followed by discussions of the State Parks Initiative slated for the November ballot, a wilderness report by Vicki Hoover, the treasurer's report by Dan Sullivan, and the Sierra Club California Action Network. If you haven't already signed up for the Cal-Activists List network, please do so at [www.sierraclub.org/memberlists](http://www.sierraclub.org/memberlists).

A special event paid tribute to Mark Massara in recognition of his effectiveness and dedicated services to the Sierra Club on coastal issues. Mark has been an amazing activist for the protection of the coast and ocean, and we were all extremely saddened by his departure from our staff due to budgetary constraints.

Again, special thanks to John Burdette, who opens up and locks up, takes care of the sound and projection systems and teaches us all how to take care of Rancho El Chorro.

"It is now time, in my estimation," he wrote, "to bring in the Corps' PAO [Public Affairs Office] as well as [District Commander] Colonel Magness and possibly SPD [South Pacific Division] into the fray."

We don't know if the Army Corps decided to stand down rather than bring up the heavy p.r. artillery, but we trust they will now do what the Coastal Commission has directed them to do, thanks to determined citizen activism: Ensure that their project is safe enough to proceed.

Keeney championed desalination to his colleagues because it does not "dam canyons and destroy and degrade hundreds of square miles of terrestrial habitat for water pipelines."

All USACE and CCSD staff who believe that the only alternative to desalination is dams and water pipelines should acquaint themselves with the website and reports of the Pacific Institute at [www.pacinst.org](http://www.pacinst.org) -- in particular the report "Desalination, with a Grain of Salt: A California Perspective."



**Dunes & Dust**

continued from page 2

Jenkins has made it abundantly clear that his agency's participation in this process will consist primarily of marshalling its resources to argue that vehicular activity in the ODSVRA is not responsible for the air quality on the Nipomo Mesa, the worst in the county, in an effort to contradict the APCD study that has shown this to be the case.

In other words, the priority of State Parks has been to deny its responsibility for the problem. The priority of the County Board of Supervisors should be the protection of the health of our citizens.

Matters improved at the May 19 meeting of the Air Pollution Control District Board, at which it was decided to embark upon a Memorandum of Agreement with State Parks that will include a timeline for implementation of pollution reduction measures. But if the state remains in denial, all of the above needs to be made clear to the OHV Division, as well as the fact that the County has the power to declare a moratorium on riding in the entire ODSVRA while it awaits the implementation of a solution to the problem. Per our South Coast Planning Area Standards: "Should the terms and conditions of the [ODSVRA] coastal permit not be enforced or accomplished or should they not be sufficient to regulate the use in a manner consistent with the protection of resources, public health and safety and community values, then under the county's police powers, the imposition of an interim moratorium on ORV use may be necessary to protect resources while long-range planning, development of facilities and requisition of equipment and manpower is completed."

With absolutely no disrespect intended to our friends in the animal rights movement, we note that as long as State Parks wants to play the mule, the County has access to the two-by-four that may be necessary to get its attention.

**Graywater: How-To**

Mladen Bandov (right) of the SLO Coalition of Approrpriate Technology -- SLO Green Build, Surfrider, and Sierra Club -- delivered part of SLO-COAT's presentation on graywater systems to a joint meeting of the Los Osos Community Advisory Council and the Los Osos Community Services District on April 29.

Graywater systems can significantly reduce residential potable water use, a key goal of the water conservation component of the Los Osos Wastewater Project, whose permit will be considered by the California Coastal Commission on June 10.



**COSE***continued from page 3*

The minimum requirement of the California Environmental Quality Act (CEQA) is that a project's significant environmental impacts be avoided if possible, mitigated if not avoidable, and, if neither is possible, that demonstrable "overriding considerations" be declared if a project is to be permitted. But any municipality is free to write policies into its general plan that build on the floor that CEQA provides, with stronger protections and guidance to project developers so that they will know which projects city or county officials are likely to approve or deny.

For Sunpower, First Solar, and PG&E, preparing to bring forward massive solar power plant projects on the Carrizo Plain -- sited amidst the largest concentration of threatened and endangered species of plants and animals in the state -- that was not welcome news.

The solar companies began placing editorials in *The Tribune* touting remote centralized solar power plants and dismissing the alternative: Small-scale rooftop solar for new and existing commercial buildings, parking lots and residences with virtually zero environmental impacts. First Solar's project manager extolled her company's project as environmentally benign, so much so that its construction might even aid in the survival of the Carrizo's threatened and endangered species. At the same time, she wrote a letter to the Planning Commission demanding that "flexibility" be maintained in the COSE by ensuring that the new County policy do no more than regurgitate the CEQA minimum requirements. First Solar insisted that the Commission write assurances into the COSE, in half a dozen different places, that "overriding considerations" could be declared that would permit their company's project no matter how many significant, unavoidable, unmitigatable environmental impacts it may inflict.

Matters came to a head at the July 23 meeting of the Commission. At the previous meeting, Christie had successfully pressed for "avoidance" language for the environmental impacts of renewable energy projects, and for the local energy alternatives that would allow for an environmentally friendly way to achieve the same clean, renewable energy that could be provided by centralized power projects proposed to be located in sensitive habitat areas. PG&E and the solar companies contracted by the utility to build the power plants demanded that the COSE, a long-range planning document, state no policy or preference that might serve to guide the County in what kinds of renewable energy projects are to be preferred in the future.

During a break in the meeting, Sunpower, First Solar and PG&E representatives descended on Christie's Planning Commission colleagues in the lobby of the County Government Center and gave them holy hell for allowing language promoting distributed generation -- aka local energy, largely in the form of rooftop solar -- into the Energy Chapter.

The rest of the meeting turned into a harrangue by the solar companies, PG&E, and their local political allies against rooftop solar and distributed generation. At the first opportunity, one after the other, every Planning Commissioner but Christie publicly apologized from the dais, disavowing the "local energy" language that had made it into the COSE at the previous

meeting and promising to go back and "fix it" later.

By the end of that meeting, Christie's fate was sealed. She was forced to step down, taking with her one of the highest quotients of guts-to-brains possessed by any elected or appointed official in the state. Also lost was her passionate engagement with the issues, encyclopedic grasp of land use planning, ability to put together consensus votes on massively complex planning issues, and insistence on the rules that have been put in place to ensure a genuine democratic process and the protection of our natural resources.

On April 6, urged on by representatives from SunPower, First Solar, and PG&E, the County Supervisors removed from the COSE any language implying environmental protections in large-scale renewable energy project permits beyond the CEQA minimum. The also removed every reference to "local energy." Some language remained approving "distributed generation" -- "local energy" by another name -- but the Board lost its chance to establish a clear preference for the most promising, lowest-impact form of solar power.

By way of contrast, on May 16, the California-Nevada Regional Conservation Committee of the Sierra Club, representing all Club chapters in the two states, affirmed a policy favoring distributed generation "primarily through the use of photovoltaic (PV) solar as a priority for the rapid increase in the percentage of renewable sources of electricity.... Utilizing DG to provide a majority of renewable energy reduces the need for large-scale remote renewable projects, thereby greatly reducing... damage to the environment from both the transmission lines and the large-scale projects, and at the same time providing economic growth potential to local communities."

**Ag Soils**

As the COSE headed for a final vote at the end of April, the Soils Chapter became the final battleground for the solar companies that had fought to remove "local energy" and assure that their projects could get a permit no matter how much adverse environmental impact they caused.

First Solar and Sunpower's lawyers, continuing to seek advantage for their clients, now demanded that the County eliminate the definition of Prime Farmland as so designated whether or not the land is irrigated. The corporations' proposed project sites in the Carrizo are primarily on Prime Farmland, and the price for mitigating the loss of that land would be steep in comparison to getting a permit that did not recognize that resource definition for the land and did not require such mitigation.

One problem: California defines Prime Farmland by soil composition, whether or not the land is irrigated. The COSE merely noted that fact, which the County does not have the authority to change.

Sunpower attorney Kevin Johnson's opening salvo was a 12-page letter to the Board of Supervisors containing an unobvious threat of legal action unless the definition of Prime Farmland was removed for the benefit of his employers. First Solar's project manager referred to the state definition of Prime Farmland as "the offending language." Someone persuaded the Attorney General to get into the act, and he sent the County a letter that mimicked the solar companies' Alice-in-Wonderland conception of prime soils. When none of this did the trick at what was

supposed to be the final Board of Supervisors meeting on the COSE on April 27, Johnson asked for and got a two-week delay so that the solar companies could continue to "have discussions" with staff and County Counsel and persuade them to see things their way.

That didn't work either. To their eternal credit, planners stopped trying to accommodate the demands of the solar companies and stood their ground, back-stopped by County Counsel and a rock-solid Ag Department.

Had staff seen things the solar companies' way, thousands of acres of Prime Farmland could have been developed in the future with minimal or no mitigation, triggering severe potential environmental impacts not

**Laird***continued from page 1*

led the passage of a ballot measure that prevented new offshore oil facilities off the Santa Cruz coast without voter approval. When Governor Schwarzenegger began selling a bill of goods to California voters, Laird never bought the idea that more rigs would be the answer to our budget crisis. In the Assembly, he ensured the availability of oil spill response funds in case our coast is struck with a tragedy such as the Gulf Coast is experiencing.

By way of contrast, Laird's opponent, Sam Blakeslee, last year tried to slip a bill into the state budget package that would have allowed the first new offshore drilling leases in state waters in 40 years. After the measure failed in a floor fight, Blakeslee voted to have the record of the vote expunged.

Laird has been a leading voice on investing in renewable energy, creating green jobs and incorporating sustainable building in California. He was a key figure in legislative efforts to invest in renewable fuels, technologies, advanced vehicles and alternative fuel infrastructures to help California meet its climate change goals and create green jobs. Additionally, he worked to create incentives for local governments to utilize renewable energy sources and homeowners to reduce energy use.

As Budget Chair in the Assembly, Laird fought to ensure that the state adequately funded environmental resources. He fought to keep our state parks open because they protect California's landmarks and historical heritage, not to mention local hotels,

contemplated in the Environmental Impact Report of the Conservation and Open Space Element. And that would have meant a lawsuit, one that the County would lose. But staff refused to back down, and Supervisor Bruce Gibson led the Board to a final vote on May 11. Prime Farmland abides.

The COSE wasn't all it could have been. The fight to make it better and to hold onto hard-won gains in environmental protection left unacceptable casualties in its wake. But the Sierra Club, North County Watch, and some concerned, articulate citizens, County staff and Supervisors fought for and won a Conservation and Open Space Element that has improved the County's land use policies.

restaurants and travel industry.

He has been a significant leader on coastal issues that affect our local coastal environment and economy. Laird authored legislation on the coastal trail, storm water runoff, invasive aquatic species, cruise ship dumping, sea otter protection, oil spill response funding and enhancing the marine protection process.

Elected to the Assembly to represent the 27th Assembly District, including portions of Santa Cruz, Monterey and Santa Clara Counties, in 2002, Laird was re-elected in 2004 and 2006, receiving over 70% of the vote each time. In 2008, the San Jose Mercury News named Laird the "Most Effective Legislator" in the region.

We agree. And now he can be the same for our region.

If no candidate receives over 50% of the vote on June 22, a run-off election is scheduled to be held August 17 (Again: thanks, governor) unless a court rules otherwise and the run-off is consolidated with the general election in November.

**So, right now:**

If you are interested in helping elect a stellar environmental leader, go to [www.lairdforsenate.com](http://www.lairdforsenate.com) ... or call 530-219-6523 ... or e-mail [chris@casendems.org](mailto:chris@casendems.org) ... or walk into the building pictured below. Phone banking days & nights (dinner provided); precinct walking on weekends. You will be very, very glad you did.



**Where you need to be now** Drop by Laird campaign HQ at Pismo and Broad in San Luis Obispo and say "What can I do to help?"

# Classifieds

Next issue deadline is **June 14**. To get a rate sheet or submit your ad and payment, contact:  
 Sierra Club - Santa Lucia Chapter  
 P.O. Box 15755  
 San Luis Obispo, CA 93406  
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**Got Graywater if You Want It**

The Sierra Club has on hand a limited supply of *The San Luis Obispo Guide to the Use of Graywater*, the new manual produced by the Appropriate Technology Coalition -- SLO Green Build, the Santa Lucia Chapter of the Sierra Club and the San Luis Bay Chapter of Surfrider.

Graywater systems turn a waste product that can comprise up to 80% of residential wastewater into a valuable resource for irrigation and other non-potable uses. Harvesting graywater to meet your non-potable water needs utilizes an appropriate technology that can recover initial costs quickly. No permit required.



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# Outings and Activities Calendar

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

All our hikes and activities are open to all Club members and the general public. If you have any suggestions for hikes or outdoor activities, questions about the Chapter's outing policies, or would like to be an outings leader, call Outings Chair Joe Morris, 772-1875. For information on a specific outing, please call the outing leader.

**Wednesdays, June 2, 9, 16, 23, and 30, 5:30 p.m. Informal Hikes around San Luis Obispo.** 1 to 2 hour hikes around San Luis Obispo, 5-6 miles, with elevation gain around 1200 feet. For more information or to sign up for Hikers List send an e-mail to Gary Felsman.

Drive trailhead. Leader Mike Sims, (805) 459 1701, [msims@slonet.org](mailto:msims@slonet.org). Non-members are encouraged to hike with us.

comfortable shoes, clothing suitable for cool, breezy weather, water, and snacks/lunch. For more info, contact Bill Waycott, 459-2103, [bill.waycott@gmail.com](mailto:bill.waycott@gmail.com)



**Sat., June 12, 9:30 a.m. Up the Creek, but With a Paddle.** We will paddle up Turri Creek with a favorable tide and sneak up on some wildlife. Bring your kayak and we will launch at the Morro Bay State Park marina behind the Bayside Cafe. Plan on being at the marina at 9:30 AM and launching at 10:00. It is required that PFDs be worn. Rain and/or high winds cancel. Hats, water, and sunscreen recommended. Do call or email at least 24 hrs. or more ahead, so we know how many to expect or with questions. For more information or to confirm, call Mike Sims (805) 459-1701, [msims@slonet.org](mailto:msims@slonet.org)

**Sun., June 13, 5:00pm, Sierra Singles – Ontario Ridge/Shell Beach Bluffs Coastal Trail.** Join Sierra Club hike leader Stacy Talbert on this approximate 2.8 mile hike/walk overlooking amazing coastal views and beautiful cliff side houses. Please wear comfortable walking/hiking shoes, bring plenty of water, and a desire to meet other singles from the central coast. Parking is limited so a car pool will leave from Santa Rosa Park in San Luis Obispo at 4:15pm. Driving Directions: 101 Hwy, exit Avila Beach Dr, head west to 1st street (Shell Beach Rd) and turn left, continue .3 miles to El Portal Dr., turn right, .6 miles bear right on Indio Drive, trail head is on the right just before "The Bluffs" gated homes. Lot only has four spaces, but there is usually street parking as well. Possible gathering for dinner afterwards. Call Stacy (818-472-6827) for more details.

**Sat., June 19, 9:30 a.m. Bishop Peak Exploration Hike.** Visit several of our Central Coast environments from oak woodlands to the sage scrub to the chaparral on one hike. Just 5.4 miles takes us around Felsman loop, up to the top of Bishop Peak and back to Patricia Drive. There are a few steep parts and sturdy shoes are recommended but this hike will be at a moderate pace. Approximately 1100 feet of elevation gain. Patricia

**Sat., June 26, 8:30 a.m. Big Sur Coastal Hike.** Come explore portions of the Big Sur Coast on this 6 to 8 mile hike with 2400 foot elevation gain. If it is clear, we will have great views of the Coast. If the weather is super foggy or just plain hot, we may change our destination slightly to keep cool and soak our feet. There may be a few bugs. Bring water, lunch and dress for the weather. Meet at the Washburn Day Use Area, San Simeon State Park, about 2 miles north of Cambria. SLO Carpool leaves Santa Rosa Park at 7:40 a.m. Details call Gary (805)473-3694.

**Sat., June 26, 9 a.m. Sand Spit, Montana de Oro.** Meet at the Sand Spit parking lot in Montana de Oro State Park, a right turn .8 mile past entrance sign to park (or 2.5 miles from the intersection of Los Osos Valley Rd. and South Bay Dr. in Los Osos). Join this walk along the Pacific shore into a world of surf, sand, and tranquillity. Bring ID books, if you have them, to discuss local fauna and flora. 9 miles round trip, estimated time 4 hours. Wear

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

**Sun., June 27, 9:00am, Sierra 20's/30's – Stagecoach Road to Roller Coasters.** Join Sierra Club hike leader Stacy Talbert on a hike of part of the historic Old Padre Trail and through portions of Cuesta Canyon. This is a moderate 5.5 mile hike with an elevation gain of 900', please wear sturdy hiking boots, bring hiking poles if you like to use them, plenty of water, and a snack. Come see the other side of the mountain that is easily overlooked but carries amazing beauty and history. From SLO take 101 Hwy about 3.5 miles to the Stagecoach Rd turnoff on the left at the base of the Cuesta Grade. Turn left and park .02 miles ahead on the cement slab on the right. Possible gathering for lunch after. Call Stacy (818-472-6827) for more details. You can also check us out online on facebook, search Santa Lucia.

**Wednesdays, July 7, 14, 21, and 28, 5:30 p.m. Informal Hikes around San Luis Obispo.** 1 to 2 hour hikes around San Luis Obispo, 5-6 miles, with elevation gain around 1200 feet. For more information or to sign up for Hikers List send an e-mail to Gary Felsman.

## Island Hopping in Channel Islands National Park Jul 16-19; Aug 6-9; Sep 10-12.

CA's Channel Islands are Galapagos USA! Marvel at the sight of whales, seals, sea lions, rare birds & blazing wildflowers. Hike the wild, windswept trails. Kayak the rugged coastline. Snorkel in pristine waters. Discover remnants of the Chumash people who lived on these islands for thousands of years. Or just relax at sea. These 3 & 4-day "live aboard" fundraiser cruises are sponsored by the Angeles Chapter Political Committee & Sierra Club California Political Committee. Depart from Santa Barbara aboard the 68' Truth. \$590 for May and Sep; \$785 for July & August, includes an assigned bunk, all meals, snacks & beverages, plus the services of a ranger/naturalist who will travel with us to lead hikes on each island and point out interesting features. To make a reservation mail a \$100 check payable to Sierra Club to leaders Joan Jones Holtz & Don Holtz, 11826 The Wye St., El Monte, CA 91732. Contact leaders for more information (626-443-0706; [jholtzhl@aol.com](mailto:jholtzhl@aol.com))

