It’s political support is collapsing, renewable energy is advancing, and environmental law is catching up to California’s last nuke

By The Alliance for Nuclear Responsibility

They say it’s no coincidence “certain things happen in threes,” and that’s certainly been true this spring for Diablo Canyon and in its ongoing watchlist, the Alliance for Nuclear Responsibility (ANR).

The unifying theme: Taken together, three actions pose a limited future for Diablo Canyon and greatly diminished odds for its extension.

On March 29, SB 968, economic vitality corporate priorities, the County of San Luis Obispo and the city of Morro Bay also support the bill, as does the SLO Economic Vitality Corporation.

At the hearing, before the Planning Commission, a small group of constituents and potential opponents to the project were allowed to speak.

At the hearing, before the Council, the SLO Environmental Commission, energy and natural resources, the Sierra Club, the various Public Trust sources and values. Unlike other CEQA review procedures, the SLO Environmental Commission must consider impacts to the project’s environmental quality that would exceed hazardous air pollution thresholds. But the Salinas Valley, the land they own, is getting pretty hard to find actual support for Diablo.

It’s almost as though in an instance of malfeasance the local public interest is being traded for the sake of a few billion dollars.

It’s political support is collapsing, renewable energy is advancing, and environmental law is catching up to California’s last nuke

Diablo Up Against the Wind

on doors to educate people about what the Phillips 66 project would mean for them – especially those living within half a mile of the Union Pacific main line, aka the “Mogul Road” – has to do with the majority of the residents of Paso Robles – have found no love for oil trains.

It may be that one brave candidate will eventually prove savvy enough to realize that he or she is step with his potential constituents and it would behoove him to break away from the pack and show some concern for the health and welfare of the North County. That candidate who doesn’t feel like auditioning for the role of human sacrifice for the role of human sacrifice in the name of an ideological dogmatic crusade and/or smart District 1 candidate will eventually prove savvy enough to realize that he or she is too step with his potential constituents and it would behoove him to break away from the pack and show some concern for the health and welfare of the North County. That candidate who doesn’t feel like auditioning for the role of human sacrifice in the name of an ideological dogmatic crusade and/or smart District 1 candidate will eventually prove savvy enough to realize that he or she is too...
May 9: Josh Fox Comes to SLO with New Film

Ocean-nominated Gasland/Respirable Josh Fox is back with a harrowing new film on climate change in How to Let Go of the World and Love All the Things Climate Can’t Change. Fox continues on his deeply personal style, investigating the great threat the planet has ever known: climate change.

Traveling to 12 countries on 6 continents, the film acknowledges that it may be too late to stop some of the worst consequences and asks what is it that climate change can’t destroy? What is so deep within us that climate change can’t take away?

We are already seeing the impacts of climate change... Now is the time for communities to come together to take action to stop fossil fuel development and transition to 100% renewable energy. That’s what the Let Go And Love Tour is about — pulling into SLO on May 9. For venue and times, go to howtotogomovie.com.

Sierra Club General Meeting
David’s Dozen: The Best Unfamiliar Hikes in San Luis Obispo County

7-9 p.m., Tuesday, May 31st

Experience trail outings leader David George treats us to a presentation of dozen of his favorite, less-traveled trails, with slides, of course. Last year’s audience drew an SRO crowd, so come early to get your seat. Environmental announcements begin the meeting.

Stevenson Gallery, 1531 Monterey St., SLO.
Info: Joe Morris, 549-6355.

When “Community Solar” Isn’t

If you can’t beat ‘em, fool ‘em

On March 29, Kate Sheppard, senior researcher at the University of California, published a study that illustrated the long-term utility savings going to in an attempt to clean up our image and pull out of the “death spiral” that the rise of rooftop solar power has plunged them into by switching from utility-supplied energy to their own solar power when they determine rooftop solar makes better financial sense, leaving the rains of utility ratepayers, causing the utilities to raise rates on remaining ratepayers, which causes more people to look for solar or even more attractive, which causes more people to leave the utility in favor of rooftop solar etc.

Since the exercise of monopolistic utility thinking to kill off rooftop solar au toritarians has not been a great look for the utilities, the Edison Electric Insti tute, the trade organization for investor-owned electric companies, has hired a communications consultant to work on their image problem.

The Huffington Post ob tained a full audio recording and transcript of EEI’s January board meeting, in which Brian Wolff, EEI’s executive VP for public policy, revealed a major image-brigade for utilities.

They will start refer ring to their huge solar farms as “community solar” instead of “utility-scale solar.”

We’ll let Mr. Sheppard take it from there in this following juicy ex con which contains the crux of the matter. Her en ess is worth sifting on line or — either under its original title “This Message Comes in from Helpless Clean Up Our Face Appearance” at HuffPost, or as more recently titled at Grist, “EEI attempts the impossible service every utility company are all right.”

This is a particularly hot issue in the world of elec tric policy. Across the country, the price of installing solar panels on homes and businesses has declined, thanks to market forces and policies like tax incentives that make it more appealing. Rooftop solar gives individuals and business independence, and expands energy sources beyond utility companies.

“Community solar” is nice, the advocates say, but people and communities should also be producing energy from the sun.

The messaging plan the utility industry is developing seeks to tap into that sentiment by dropping the term “utility-scale solar” in favor of “community solar.”

“Community solar” really resonated with customers… They really wanted something that defined what it meant to be community,” Wolff said at the meeting. “We should proceed with the terminology that is more favorable to us,” he said. “And ‘community’ is clearly more favorable to us.”

One problem, though, “Community solar” is al ready a term in use to describe outside the utility industry. It refers to solar projects owned by the public or a joint entity — panels on a shared housing complex, for example, or an array owned by multiple busi nesses pooling their funds. There are 91 community solar projects around the country, according to the Solar Energy Industries Association.

Bryan Miller, a vice presi dent at the rooftop solar company Sunrun and presi dent of the Alliance for Solar Choice, said he thinks the branding effort reflects utilities growing concern about rooftop power systems taking business. He called the comparison of community solar “dishonest politics,” given the fight utilities have waged against rooftop solar in some states.

“Instead of remaining their actions, they should change their actions,” said Miller. “Then they wouldn’t have to worry about how to spin them.”

Thank You, Jerry Connor

Sierra Club lost a great Central Coast activist with the passing of Jerry Connor on April 4 in Santa Maria, Monterey of the Los Padres Chapter’s Jugulara Group in North Santa Barbara County. At least twenty years, Jerry was known as an indefatigable outings leader and program organizer, and served in the Chapter’s delegate to the annual meeting of the California-Nevada Regional Conserva tion Committee in San Luis Obispo.

Jerry’s years of dedication and hard work for the Sierra Club will be deeply missed,” said Los Pad res Chapter Chair Jim Erba. “He filled us with sadness but take comfort in knowing Jerry is leading great hikes in a special place now, one that had so many of us in North SB County, and his outings trips were enjoyed by so many, many people over the years.”

Santa Lucia • May 2016
Save the Date: July 19

Towithstanding the legal considerations

The Phillips 66 refinery in the Nipomo Mesa. At press time, we don’t know what they’re up to, but we do know the County Planning Commission’s vote will be the end of the first chapter in the saga of what needs to be done to keep the Central Coast from the oil-rail.

On May 18, the groups that have been organizing to stop this project will lay out the rest of the story, and what part you can play in it.

You can write your County Supervisor at:

900 Fall Street
San Luis Obispo, CA 93401

Changes and events, more!
Sierra Club California’s Priority Bills

Each year, Sierra Club California staff and volunteer leaders work together to analyze and prioritize a range of bills that come to the legislature. From among those on our watch list, they identify those bills that merit the attention of their representatives in the state legislature.

This year, our Legislative Priority List was developed by our Sierra Club California’s Legislative Team, which is made up of the following members:

- Megan Laiser: Sierra Club Team, California
- April Jackson: Sierra Club Team, California
- Jordan Cuddy: Sierra Club Team, California
- Kassia Ferrer: Sierra Club Team, California
- Sarah Stinson: Sierra Club Team, California

The bills are listed by house and in ascending numerical order. Bills introduced in the Senate are followed by “S” and bills introduced in the Assembly are followed by “A.” Bills introduced with bipartisan sponsorship have an “S/A” designation.

Continuing coverage of the Coalition to Ignore Coastal Commission Issues

The Fair Political Practices Commission (FPPC) has announced that it is investigating an apparent conflict of interest by a member of the Coastal Commission. Allegations against a member of the Coastal Commission are being investigated by the FPPC, which is charged with enforcing the state’s Fair Political Practices Act.

The FPPC investigation is focused on allegations that a member of the Coastal Commission received consulting fees from a company that had previously been investigated by the FPPC. The FPPC is scheduled to hold a public meeting on the investigation on May 10.

The April 13 hearing of the Coastal Commission in Santa Barbara was electric as thousands of people tuned in, both in person and virtually, to support the three-day hearing to change fees at historic sites in Sonoma County.

As of this writing, the meeting continued with the agenda to vote on a bill that would change the current fee structure for visiting state beaches.

But who should I vote for in the race for...?

The Sierra Club only endorses candidates who elect to participate in the Club’s endorsement process. The process is ongoing through much of the election season. At press time, the Sierra Club has not endorsed any candidates for the U.S. Senate from California or other statewide offices.

Sierra Club California’s Priority Bills

Carbajal
continued from page 4

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 Löoming Trade Deals Threaten Efforts to Keep Fossil Fuels in the Ground

The Sierra Club has released a report on how new trade deals would give fossil fuel corporations more power to undermine our climate policies. Climate Roadblocks reads how, in January 2016, TransCanada, the corporation behind the Keystone XL pipeline, laid bare the threats that two pending trade agreements pose to the movement to protect our climate and keep fossil fuels in the ground. Just two months after the Obama administration rejected the Keystone XL, TransCanada announced it would retaliate by using rules in the North American Free Trade Agreement (NAFTA) to empower foreign corporations to challenge domestic policies in private tribunals. TransCanada now plans to ask three tribunal lawyers to order the U.S. government to pay more than $15 billion as “compensation” for the Keystone XL decision that avoided increased climate disruption.

But if we allow larger trade deals to take effect, TransCanada’s case may be just the beginning of a swell of such challenges to hard-won climate protections. These deals are the Trans-Pacific Partnership (TPP)—a controversial pact between the U.S. and eleven Pacific Rim countries that Congress may consider this year—and the Transatlantic Trade and Investment Partnership (TTIP)—a broad pact under negotiation between the U.S. and the European Union. Both deals would dramatically expand the number of corporations that could follow TransCanada’s example and use private tribunals as a backdoor way to challenge and potentially undermine U.S. policies that keep fossil fuels in the ground. Like NAFTA, the TPP and TTIP would give foreign corporations broad rights, including the right to challenge new fossil fuel restrictions that threaten their “expectations” for a stable business environment. The trade deals would empower the corporations to bypass U.S. courts and take such challenges to tribunals of three private lawyers, unaccountable to any domestic legal system. As transnational giant Shell has described such tribunals as “investor-state dispute settlement” (ISDS). The lawyers—members of whom also represent corporations in cases against governments—would order the U.S. government to do things they hypothesized would have been voided without new climate protections. Lawsuits are filed in ISDS forums explicitly advisory, including, with any luck, SLO County—there is a new tool for obtaining small sums of money

For the first time, the TPP and TTIP would enable some of the world’s largest fossil fuel firms to use ISDS to challenge U.S. policies to keep fossil fuels in the ground, including restrictions on fracking, offshore drilling, federal fossil fuel leasing, and dirty pipelines. Indeed, such firms have investments in these four fossil fuel sectors across at least 56 U.S. states (see map at www.sierraclub.org/trade-roadblocks). For example and use private tribunals as a backdoor way to challenge and potentially undermine U.S. policies that keep fossil fuels in the ground.

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Bills could extend the statute of limitations on the state’s Uncompahgre Valley Project for 30 years, to its future embodiment, should the U.S. Congress pass such a bill. (U.S. Army Corp of Engineers)

Bills SB 1161 (Allen) Climate Change: Mandates a report to the Environmental Protection Agency to describe what steps the United States can take to reduce carbon risks, and a study of potential regulations on greenhouse gas emissions.

SB 1453 (De León) Electrocution: or to approve a PG&E project that would allow customers to power their homes with electricity from the state’s renewable energy sources.

Staff and codes would be required to participate in the new program, and only those who were able to reduce their emissions by 10% before the program began would be allowed to participate.

Bills A4NR’s testimony, visit: "Diablo At Outfall's End". This bill will extend the statute of limitations on the state’s Uncompahgre Valley Project for 30 years, to its future embodiment, should the U.S. Congress pass such a bill. (U.S. Army Corp of Engineers)

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In my experience working here in California, I can tell you that I don’t think nuclear power is in California’s future. I don’t think it is in the horizon. I see all these different new sources of power coming on that are so environmentally friendly, they’re more productive, they’re producing more power. I can go into detail but I generally think the consensus of the legislators is that we should move in a new direction. - State Senator Ben Hueso at 3/29/2016 meeting of the Senate Energy Committee, before asking for the vote on the majority leader’s recommendation that the committee vote on the same vote on the bill to require a new independent power plant for the off season, and return them to the proper authorities in each state, and to allow them to review the opinions of the public on the bill. (California Water, Climate, and Coastal Protection and Natural Resources)

In Diablo At the Outfall's End, the author argues that Diablo Canyon should not be allowed to extend the life of its operation beyond 2016. (Diablo At Outfall's End)

On December 18, 2015, I don’t think that the Diablo Canyon power plant, would disagree that this bill is the ideal site for a plant,” said Attorney General for the State of California, Attorney General Xavier Becerra. “This bill is a good first step towards the development of renewable energy in California, and we must do all we can to protect our environment and our health.”

This bill would extend the statute of limitations on the state’s Uncompahgre Valley Project for 30 years, to its future embodiment, should the U.S. Congress pass such a bill. (U.S. Army Corp of Engineers)

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Roadblocks to establishing a climate-friendly economy are abundant. For the most climate-disrupting emissions, we would be empowered to challenge climate policies in ISDS tribunals under the TPP and TTIP. These 45 corporations are collectively responsible for more than 20 percent of the world’s historical greenhouse gas emissions. The list includes all of the eight largest private greenhouse gas emitters outside of the U.S.—BP, Shell, Total, BHP Billiton, Anglo American, EWE, Enel, and RWE—who each of which would gain the ability to launch ISDS challenges against U.S. climate protections for the first time.

The TPP and TTIP would more than double the number of foreign fracking firms that could use ISDS to challenge new U.S. fracking restrictions in private tribunals.

The deals would newly grant ISDS rights to corporations that are currently fracking for gas and oil in California, Colorado, Kansas, Louisiana, New Mexico, Ohio, Oklahoma, Pennsylvania, Texas, Utah, and Wyoming.

The TPP would give ISDS bills passed during the Obama administration. Support. The TPP and TTIP would give ISDS to access 20 percent of the largest oil and gas leaseholdings in the world through the TPP and TTIP. The TPP and TTIP would give corporations the right to challenge ISDS cases against new leasing restrictions on the TPP and TTIP. The TPP and TTIP would give corporations the right to challenge new leasing restrictions on private tribunals.

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The TPP and TTIP would consolidate the 20 permits whose offshore drilling leases cover the greatest amount of U.S. water in the Arctic, Gulf of Mexico, and the Pacific and Atlantic Shelves, which U.S. offshore drilling leases have covered more than any other time, and RWE, which holds the highest number of offshore drilling leases in the Gulf of Mexico, despite its disavowal of 2010 Gulf oil spill.

Commercial leases own leases for oil and gas exploration on more than 1.7 million acres of U.S. federal lands. More than 40 percent of the public land—over 720,000 acres—has been leased to oil and gas corporations that would gain the power under the TPP and TTIP to challenge new federal leasing restrictions in private tribunals.

The firms that would gain ISDS rights to challenge leasing restrictions include BP and Shell, which rank among the 30 largest onshore oil and gas landlords by land area.

The TPP and TTIP would hand ISDS rights to corporations that own tens of thousands of acres worth of U.S. fossil fuel pipelines. These pipelines cross at least 29 states in nearly every region of the country: the Southeast, the Midwest, the South, the Mid-Atlantic, the Northeast, and Alaska.

Some of these corporations are planning to build even more fossil fuel pipelines. BP, for example, is partnering with TransCanada and others to construct an 800-mile gas pipeline across Alaska. And National Grid, the largest gas distributor in the Northeast, is taking part in a pipeline expansion to pump more fracked gas through Connecticut, Massachusetts, and New York. TPP would give these corporations the incentive to launch costly ISDS cases if policymakers would delay or deny their pipeline proliferation plans.

Thanks to years of organizing and advocacy, the movement to keep fossil fuels in the ground has achieved some remarkable successes recently, from the cancellation of new sales of Arctic oil and gas in the U.S. to shift to加拿大采矿, and the rejection of the Keystone XL pipeline. But TransCanada’s ability to undermine such climate progress comes just in time, given that Congress may soon consider the largest expansion to date of those trade rules. Just as the U.S. began transitioning away from fossil fuels, the TPP and TTIP would empower an unprecedented number of foreign leaseholders that would gain the right to challenge ISDS. TransCanada’s land in asking private tribunals to help maintain the climate crisis status quo.

The fight for climate progress already faces enough obstacles without imposing the TPP and TTIP. Replace these toxic deals with a new climate-friendly model of international trade that would enable oil and gas corporations to undermine climate action.

To get a rate sheet or submit your ad and payment, contact:

Sierra Club, P.O. Box 15755, San Luis Obispo, CA 93406 or sierraclub8@gmail.com

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CYNTHIA HAWLEY ATTORNEY

ENVIRONMENTAL PROTECTION LAND USE CIVIL LITIGATION

P.O. Box 29 Cambria California 93428 Phone 805-927-5102 Fax 805-927-5220

P.O. Box 17575, San Luis Obispo, CA 93406 or sierraclub8@gmail.com

Santa Lucian • May 2016

TAKE ACTION

Go to Sierraclub.org/trade – get an Activist Toolkit and tell Congress to Say NO on the toxic Trans-Pacific Partnership!
All our hikes and activities are open to all Club members and the general public. Please bring drinking water to all outings and optionally a lunch. Snack footware is recommended. All phone numbers listed are within area code 805 unless otherwise noted. Pets are generally not allowed. A parent or adult responsible must accompany children under the age of 18. If you see any suggestions for hikes or outdoor activities, questions about the Chapter’s outings policies, or would like to be an outlooks leader, call Outings Chair Joe Morris, 549-0355. For information on special outings, please call the outlooks leader.

Sat., May 7th, 6:30, Twitchell, Stone Ridge, and Kirk Creek hike. Strenuous, elevenmile, 3,000 ft gain loop hike within the shadow of Cone Peak, including 2.5 mile hike to salt car. We start at north end pool Lotschick and have a strenuous climb of 2,000 ft in first 2 hours; out of rest is long steep. Pray oak present along trail. Bring lunch, lots of water, and expect to be on the trail 6 hours. Meet at north end pool Lotschick. Use area north of Connolly and Moulton. Fuller text will postpone if gardening. Carla Diaz-Saavedra, 548-0317.

Sat., May 21st, 10 a.m., Trekkng-Pole Hike at Eke Bluffs. Come on a two-mile, 400 ft. gain hike, to learn, practice and see demonstrated the energy-conserving use of walking poles. Meet at the trailhead for Tarlo Peak, going to the locked gate past the Botan- ical Gardens, across 1 mile from Cuesta College, in the parking lot to the left. There may be a small entry fee. Leader: David Grueskin 545-5783 or hikings@gmail.com.

Sun., May 22nd, 2 a.m., Historic Walk of Arroyo Grande Village. Come on an easy, guided stroll through the well-preserved, century-old downtown of Arroyo Grande to see morn- ings on the 1881 one-room schoolhouse, the 1906 homes, the famous swimming bridge, and charming Victorian where the town pioneer lived. Meet at the bridge and Bridge Sts., parking lot.

Shutting down - (continued)

May 8-19, Jun. 12-14, Jul. 19-23, Aug. 26-29, 2016. Join us for a 3-day, 2-mile, 400 ft. gain hike, to learn, practice and see demonstrated the energy-conserving use of walking poles. Meet at the trailhead for Tarlo Peak, going to the locked gate past the Botan- ical Gardens, across 1 mile from Cuesta College, in the parking lot to the left. There may be a small entry fee. Leader: David Grueskin 545-5783 or hikings@gmail.com.

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