



January 2012  
Volume 49 No. 1

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### Don't Miss

January 28

A Celebration of  
Environmental  
Literature, Music  
and Art

-see page 7



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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

**Will the long arm of corporate lobbyists claw back the single-use bag ban?**

## Plasticized Catastrophizing

Why you need to go to a meeting on January 11

County Supervisor Bruce Gibson, who also sits on the board of the Integrated Waste Management Authority, got off a good one at the November 9 meeting of the IWMA board, the first hearing of the proposed single-use bag ordinance.

"Listening to the testimony today reminded me of a certain word," he said. "This is a real word, I looked it up: 'catastrophizing.' I think we've heard a lot of catastrophizing

here today about this ordinance."

His choice of words was apt. Members of the ultra-conservative Coalition of Labor, Agriculture and Business (COLAB) and Keep Bags Free SLO – a creature of the American Chemistry Council, lobbying arm of the plastics industry – had been

railing against the proposed ordinance: the freedoms it would curtail, the crushing costs (ten cents for a

CATASTROPHIZING continued on page 6



**Blowing hard** DC lobbyist Grover Norquist has told SLO's elected leaders not to pass a single-use bag ban. Will they obey?

## Dust Busters

Larry Allen was weary. The November 16 board meeting of the Air Pollution Control District was the final hearing and vote on whether to adopt the agency's proposed dust control rule for the Oceano Dunes. Allen maintained his cool, but it was clear that years of constant attack had taken a toll on the County's air pollution control officer.

The APCD's peer-reviewed study identifying the off-road riding area as the main culprit in the high levels of particulate matter pollution (PM10) on the Nipomo Mesa had been under assault for two years, starting before it was released, by a perfect storm of South County economic interests, the Off-Highway Vehicles division of the California Department of Parks, and the most rabid contingent of the local off-roader community.

They mounted a full-court press

against the idea of controlling the hazardous levels of pollution triggered by their favorite hobby.

In public hearings and anonymous online postings, opponents variously asserted, with sweeping authority, that there is nothing wrong with the air quality on the Nipomo Mesa; that state air quality standards are as



suspect as all those suspect scientists and their suspect studies; that off-road vehicles don't disturb soil; that

DUST continued on page 10

## The Year in Review

Your chapter at work in 2011

### January

The Sierra Club published a report on solar permit fees charged by incorporated cities and SLO County to commercial businesses who want to install solar panels. We revealed that the fees charged by Grover Beach, Morro Bay and Pismo Beach were up to 15 times higher than the standard cost recovery limit of \$2,540. The report provoked an editorial in the *The Tribune* urging the cities to bring their fees down so as not to discourage businesses from switching to solar power. Over the next six months, all three cities agreed to drop their fees into a reasonable range for the recovery of the actual costs of inspection and permitting.

With SLO Green Build and the San Luis Obispo chapter of Surfrider – aka the Appropriate Technology Coalition — the Chapter sponsored a presentation by nationally recognized permaculture guru Brock Dolman on the concept and practice of low-impact development, which keeps rainwater in the ground instead of forcing it to run off and flood. Dolman wowed the crowd



REVIEW continued on page 8

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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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Explore, enjoy and protect the planet

## General Meeting

Tuesday, January 31, 7 p.m.

### 3rd Annual Environmentalists Rendezvous

What are the major environmental groups in SLO County up to and what are they planning for the new year? Here's a unique opportunity to hear from seven key players at one time in one place. This public forum features leaders of the Alliance for Nuclear Responsibility, Audubon Society, Sierra Club, SLO Green Build, Surfrider, and SWAP. Each will describe their premier projects, with time for questions.

And don't miss the scowl of the great horned owl from Pacific Wildlife Care.



Steynberg Gallery, 1531 Monterey St., SLO. Info: Joe Morris, 772-1875.

## Intruder Alert!

**If you want fewer plastic bags, less air pollution and more clean energy, prepare for a certain kind of opposition**

More than a few of the people who came to the November 22 meeting of the Board of Supervisors to comment on the County's adoption of a climate action plan stepped up to the podium with a certain item clutched in their hands: a print-out of an "alert" sent out by the Coalition of Agriculture, Labor and Business (COLAB) emblazoned with the headline "ATTACK ON PRIVACY AND PRIVATE PROPERTY RIGHTS."

These speakers were clear in their belief that the County's plan to reduce greenhouse gas emissions and increase energy efficiency and renewable energy would restrict their personal freedom, abscond with their property rights, establish a one-world government, and hand over American sovereignty to the U.N. They appeared to be graduates of the Glenn Beck school of all-encompassing global conspiracies.

We invite the reader to compare this to our two front-page features this issue and see if a pattern is detected.

Variations on this theme were heard previously at the ongoing meetings of the Integrated Waste Management Authority Board on the single-use bag ordinance and the meetings of the Air Pollution Control District board on a rule to control dust pollution at the Oceano Dunes – with the similar arguments often made by the same people, usually in the form of local off-road enthusiasts turning up at the microphone or posting on line to diss the proposed single-use bag ordinance, regurgitating the mythology of Your Pal the Plastic Bag as dictated by the American Chemistry Council.

In those Air Pollution Control District board hearings on the proposed dust rule at Oceano Dunes, the personal freedoms/property rights talking point was refined to a call for "best management practices" instead of the imposition of a rule.

A BMP-only regimen would be essentially voluntary, with no fines for violations or a failure to curb the dust kicked up by off-road vehicles on the dunes. The Off-Highway Vehicles Division was the obvious cheerleader for this talking point, which, prior to the climactic APCD board meeting and vote on November 16, had been signaled by the Arroyo Grande Chamber of Commerce and the Pismo Beach City Council in side-by-side

interchangeable *Tribune* opinion pieces ("Oceano Dunes dust study stirs up debate over validity," Nov. 9). At the meeting, COLAB and the off-roaders – at least those savvy enough to realize that their quixotic two-year attack-the-science strategy was a battle they had lost — pushed for the BMP diversion. Several members of the APCD board took up the chorus of "don't regulate me, bro!" Fortunately, to no avail.

So: we had the sham attack on science that characterized the attempt to derail the APCD dust control rule at Oceano Dunes, ill concealing the motive behind the attack, a preference for protection of profit over public health, as made obvious by business leaders and several local governments.

We have the attack on the IWMA single-use bag ordinance, which has been mounted as an even more naked "freedom of choice" sham, organized by a D.C. lobby outfit to protect the plastic industry's profit margin at the expense of the environment.

And we had the hysterical testimony on offer at the Nov. 22 Supervisors' climate action plan hearing. The video and audio record of opponents going over the cliff and off the deep end, asserting that energy efficiency and renewable power will mean the end of all the things we hold dear, accompanied by bouts of applause from fellow whipped-up true believers, is archived for your viewing pleasure on the Board of Supervisors website.

In each instance, the spur that goaded opponents to come to the microphone — most such speakers doubtless sincerely believing what they had been told when they were exhorted to turn out in opposition to these measures — was the same: a government agency's action to save you and your kids from choking on someone else's dust, or reduce the amount of plastic pollution in the environment, or encourage renewable energy use and energy efficiency constitutes an intolerable intrusion on liberty.

Here's our question for the folks behind that philosophy, namely COLAB, the Friends of Oceano Dunes, and the American Chemistry Council,

## SANTA LUCIAN

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### Santa Lucia Chapter

#### 2011 Executive Committee

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Cal French  
 MEMBER  
 Greg McMillan  
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Pat Veasart  
 MEMBER

Jono Kinkade  
 MEMBER

Linda Seeley  
 SECRETARY

Cal French  
 COUNCIL OF CLUB LEADERS

cal.french@gmail.com

The Executive Committee meets the fourth Friday of every month at 5:30 p.m. at the chapter office, located at 974 Santa Rosa St., San Luis Obispo. All members are welcome to attend.

#### Committee Chairs

##### Political

Chuck Tribbey

##### Conservation

vacant

##### Membership

Cal French

##### Litigation

Andy Greensfelder

beckers@thegrid.net

##### Nuclear Power Task Force

Rochelle Becker

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open

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Yvonne Yip - events & social networking

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 Street, San Luis Obispo**

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 85 Second Street, 2nd Floor  
 San Francisco, CA 94105-3441

#### or e-mail:

address.changes@sierraclub.org

## Visit us on the Web!

[www.santalucia.sierraclub.org](http://www.santalucia.sierraclub.org)

Outings, events, and more!

## National Club Election This Spring

The annual election for the Club's Board of Directors is now underway. This year there could be up to nine candidates on the ballot:

### Nominating Committee Candidates

**Spencer Black (WI)**  
**Lane Boldman (KY)**  
**Chuck Frank (IL)**  
**Arjun Makhijani (MD)**  
**Elizabeth Walsh (TX)**  
**Chris Warshaw (DE)**  
**Chip Wolfe (TX)**

### Announced Petition Candidates

**Katherine Pendleton**  
**David Scott**

Petition candidates have until January 12 to provide the requisite number of signed petitions in order to qualify.

Those eligible to vote in the national Sierra Club election will receive in the mail (or by Internet if you chose the electronic delivery option) your national Sierra Club ballot. This will include information on the candidates and where you can find additional information on the Club's website.

The Sierra Club is a democratically structured organization. The Club requires the regular flow of views on policy and priorities from its grassroots membership in order to function well. Yearly participation in elections at all Club levels is a major membership obligation. Your Board of Directors is required to stand for election by the membership. This Board sets Club policy and budgets at the national level and works closely with the Executive Director and staff to operate the Club. Voting for candidates who express your views on how the Club should grow and change is both a privilege and responsibility of membership.

Members frequently state that they don't know the candidates and find it difficult to vote without learning more. Visit the Club's election website: [www.sierraclub.org/bod/2012election/default.aspx](http://www.sierraclub.org/bod/2012election/default.aspx)

This site provides links to additional information about candidates, and their views on a variety of issues facing the Club and the environment.

You should use your own judgment by taking several minutes to read the ballot statement of each candidate. Then make your choice and cast your vote. Even if you receive your election materials in the mail, please go to the user-friendly Internet voting site to save time and postage. But if you use a paper ballot, you will find the ballot is quite straightforward and easy to mark and mail.

## Letters

send letters to The *Santa Lucian*, P.O. Box 15755, SLO 93406, or [sierraclub8@gmail.com](mailto:sierraclub8@gmail.com). Letters may be edited for length.

Just a note of thanks for highlighting the chain of custody irony regarding the Army Corps of Engineers and Cambria's desal test wells ("Coastal Commission Tells Army Corps to Shape Up or Ship Out," Nov./Dec.)

Leaving core samples untended in the back of a pick-up truck in the sun for a sustained period of time looks contrary to both chain of custody and sampling integrity practices -- especially if testing for mercury.

In 2009 and 2010, I used testing lab containers and followed directions

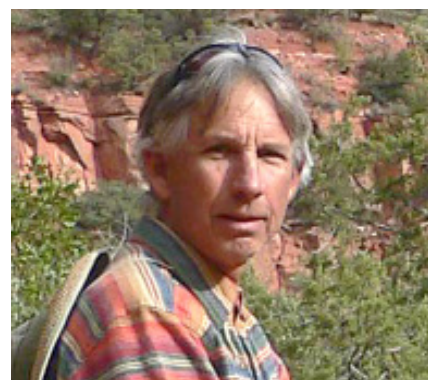
# Your Ballot for the 2012 Chapter Executive Committee

This is the ballot for the Santa Lucia Chapter's annual Executive Committee election. All current members of the Santa Lucia Chapter are eligible to vote. If there is more than one Sierra Club member in your household, you may photocopy the printed ballot and mail both in the same envelope. The winners of this election will start their terms when the outgoing ExCom adjourns their February meeting. The newly-elected ExCom will then convene a brief meeting to elect board officers and set the date for the remainder of ExCom meetings in 2012.

### IMPORTANT VOTING INFORMATION

- Vote for either or both candidates.
- Cumulative voting (more than one vote for one candidate) is not allowed.
- Ballots must be received by **5 p.m., January 13, 2012**, at the Chapter office.
- Address the envelope per instructions on the ballot and sign and date over the flap of the envelope.
- Mail your ballot to our P.O. box address with sufficient time to arrive by the deadline, or drop it off via the door mail slot at the Chapter office at 974 Santa Rosa Street, SLO.

## Candidate Statements



### Patrick McGibney

I am 64 and have lived on the central coast all my life. In 1979 my wife and I built one of the first passive solar homes as a positive protest against the Diablo Canyon Nuclear Power Plant. We now have a small lavender farm on the Carrizo Plains where we grow lavender and other organics, and have several hundred thousand honeybees.

I am running for a seat on the Executive Committee because I want to speak up for planet earth. I believe in the definition of "dominion" that was found in the older editions of the *Webster's*. Dominion is "influence," and man has dominion over the earth. Our influence has resulted in species extinction, burning the rain forests, polluting the oceans and air and squandering our resources. Our lifestyles must and will change, whether we participate in that change or not.

This County needs our help! We can't be leaders by destroying sensitive habitats under the auspices of

from that testing lab and from a retired water testing professional in gathering samples from Santa Rosa Creek...all of which tested positive for mercury!

My samples were refrigerated shortly after collection and remained so until lab tested. Temperature is significant because, among other things, elemental mercury starts vaporizing at room temperature.

Almost 3,000,000 pounds of


BALLOT  
 Santa Lucia Chapter Election - January 2012

**Mark an "X" or checkmark in the box next to the candidate's name. Vote for no more than two candidates.**

**Members who subscribe to the electronic newsletter may print out this ballot. Households with more than two members may make duplicate ballots.**

**Do not write your name on the ballot.**

**Sign and date your envelope over the sealed flap.**

<b>Patrick McGibney</b>	<input type="checkbox"/>	
<b>Lindi Doud</b>	<input type="checkbox"/>	

**Place in envelope, sign the front of the envelope, and mail to :**  
**Elections Committee**  
**Santa Lucia Chapter**  
**P.O. Box 15755**  
**San Luis Obispo, CA 93406**

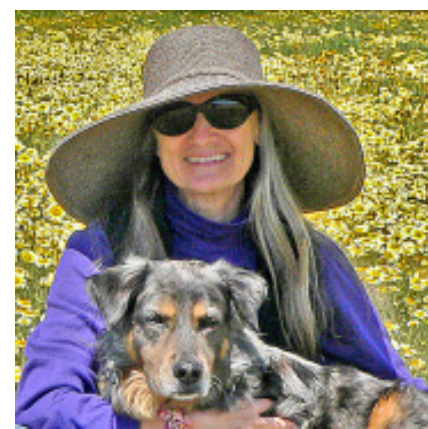
short term, temporary jobs and profits. Our County did this by allowing industry to place two of the largest solar power installations in the state on one of its most sensitive and rare habitats. All of us understand that renewable energy sources are fundamental to this change, but only if they are sited in areas that do not contribute to species or habitat loss, or we are just creating more problems. One of these areas is via distributed sites, such as the area above the foundation of any home, which is already altered and minimizes transmission loss.

To have a healthy economy, we need a healthy environment. We need to rethink what it means to have dominion. We are here on this earth for a blink and should act like the caretakers and the stewards we were meant to be. As your representative on the Executive Committee, I will work with agencies, talk to Supervisors and help create a clean atmosphere of stewardship.

### Lindi Doud

A fifth generation Californian, I was born in San Luis Obispo 59 years ago and hold a degree in Biological Sciences from Cal Poly. My first backpacking trip with the Sierra Club in the Los Padres National Forest in 1967 changed my life, which has ever since been spent as a naturalist and environmental educator.

As such, I have worked at all the local State Parks, Rancho El Chorro, and Kern Environmental Education



Program (KEEP), volunteered as a docent, and fought to protect our precious places from harm. Through extensive travels by land and sea, I have seen firsthand just how severely we humans have impacted our planet as a result of ignoring our interconnectedness with all forms of life. As your advocate on the Executive Committee, I will bring to the table my passion for environmental education, protection and sustainability, my love for this beautiful county and state, my ability to work as a team player with good humor and creativity, and my many years of sharing nature with thousands of young people with fresh eyes.

Even in these challenging times, I believe that economic recovery is only possible if it is led by conscious environmental recovery. I promise to be a thoughtful, patient listener to both my fellow Sierra Club members and the wisdom of the Earth, and to serve as a tireless voice for the voiceless, free of political aspirations.

elemental mercury was produced over the course of the Oceanic Mine's operation. It's reasonable to assume that some quicksilver got into Curti Creek and was then carried into nearby Santa Rosa Creek and downstream over the years.

In ACE's testing of the creek/beach for mercury, the chances of a non-detect outcome would very likely have been increased in samples left in the sun to heat up, hastening the vapor-

ization of any elemental mercury that might have been present.

-Lynne Harkins  
 Cambria

*Note: On December 9, the California Coastal Commission found the proposed USACE Santa Rosa State Beach desalination test wells project to be inconsistent with state coastal protection laws.*

# Licensed to Fail

Forcing PG&E down the right road at Diablo Canyon

By the Alliance for Nuclear Responsibility

On December 21, nearly two years after the Alliance for Nuclear Responsibility (A4NR) filed to oppose PG&E's premature request for license renewal funding for the Diablo Canyon nuclear plant, the California Public Utilities Commission (CPUC) granted the Alliance's motion to dismiss PG&E's application.

The case hinged on the need for PG&E to complete the advanced seismic studies recommended by the California Energy Commission.

"PG&E has known all along what our state expected them to do, and has flaunted those orders, wasting time and money in the process," said Rochelle Becker, A4NR's executive director. "It took the unavoidable public scrutiny that arose after PG&E's San Bruno explosion and the Fukushima meltdowns to shed light on their inaction."

It's was a long road. On November 23, 2009, PG&E barreled into San Luis Obispo with a media juggernaut trumpeting their application to relicense the Diablo Canyon nuclear reactors for an additional 20 years. Today, two years later, that juggernaut is stuck in ditch by the side of the road, spinning its wheels in the mud and going nowhere fast.

On that November morning, PG&E was counting on the support from a coterie of local politicians and controversial figures like Greenpeace co-founder Patrick Moore. They hadn't counted on opposition from the Alliance for Nuclear Responsibility and the Santa Lucia Chapter's Diablo Canyon Task Force. Bad for them; good for us.

As Alliance outreach coordinator David Weisman told the media at the time of the relicensing application announcement far in advance of the actual expiration of the current license, PG&E's nuclear honchos "seem to be suffering from a case of premature application."

But it wasn't just A4NR that had been warning them. In 2006, the legislature passed AB 1632 (Blakeslee), requiring the California Energy Commission (CEC) to study whether the nuclear plants could provide cheap and reliable power for 20 additional years. The CEC recommended that new seismic studies be undertaken, especially after the new Shoreline fault—1800 feet from the reactors—was made public by the U.S. Geological Survey in 2008. Even the California Public Utilities Commission had told PG&E in a 2007 funding decision that they expected to see the results of the seismic studies before they could approve funding for license renewal. (Did PG&E listen to the state oversight agencies, with whom A4NR had been working since 2005? They did not.)

A4NR flew to Washington to meet with Chairman Jaczko of the NRC. A4NR executive director Rochelle Becker reminded him of the NRC's tarnished record in California regarding the historical seismic blunders his agency had permitted during the original and extremely costly licensing of Diablo Canyon—over \$4 billion in ratepayer surcharges. She asked the NRC, in the spirit



Point taken A4NR's Weisman.

of cooperation with the state, to place a "stay" on the relicensing process until the state's recommended seismic studies were completed and to work with state on evaluating seismic issues. (Did the NRC comply with this request? They did not.)

Then PG&E made the first of many mistakes: they applied to the CPUC for \$85 million in ratepayer funding for the relicensing process.

A4NR, joined by the Sierra Club, immediately filed to intervene in the funding case. Poring over hundreds of pages of historical documents, writing testimony, filing rebuttals, we made the case that all state agencies clearly wanted to see the results of new seismic studies before investing ratepayer money in relicensing.

The intervention in the CPUC case delayed PG&E's actions through most of 2010. When a "settlement" in the case was proposed in late 2010, A4NR protested again, pushing the process into 2011.

And then: Fukushima. After that, it was hard for even PG&E to deny the need for new seismic information—whether the NRC was going to require it or not. PG&E "voluntarily" asked the NRC to hold their application process in an attempt to look as though they were responding to Fukushima, but A4NR saw through the clever wording and revealed the hold-that's-not-really-a-hold charade for the smokescreen it was.

The NRC finally acquiesced and ordered a 52-month delay in the NRC relicensing process, awaiting the results of the state studies that are required before the California Coastal Commission can sign off on a coastal development permit.

As the road grew rocky for PG&E, we never abandoned our goal at the CPUC: PG&E's application for funding must be dismissed. The judge ruled that all such cases must be concluded within 18 months, not 52, and dismissed the application. PG&E can come back four years from now and try again if they'd like, but *only* after the seismic studies are complete.

A4NR's mission now is to make sure there is proper independent oversight of the studies, and to make sure the study plan doesn't let PG&E avoid looking for faults in the places where they are likely to be found. That's what happened forty years ago, and we can't afford to let it happen again.

This is the first case west of the Mississippi to test state's rights versus nuclear relicensing, and all eyes will be on California as we work to set an important precedent.

The re-licensing of Diablo can be stopped. Please donate time or money to help us achieve this victory, and visit the website [www.a4nr.org](http://www.a4nr.org) to keep up with the latest news and events.



## Occupy the Atmosphere

A starting point

By Eric Greening

The recent global news is horrifying: carbon dioxide was added to the atmosphere faster than in any year in history, despite all the energy devoted to lip service, posturing, and preening on the subject of climate change.

The local picture is somewhat more encouraging. Although the vote at the November 22 Board of Supervisors meeting was 3-2, and undertaken in the face of warnings that action was tantamount to falling prey to a United Nations conspiracy and giving up national sovereignty, our County Supervisors did adopt a Climate Action (or "EnergyWise") Plan, now in effect.

There are significant flaws, but on balance it moves us forward. Since we were told it could be amended at any time, and since an understanding of the flaws can help produce stronger documents for cities working on their own Climate Action Plans, it is not untimely to go into some of them.

Chapter 5, measures #1 through 4: These support emissions reductions from the buildings we henceforth create. They emphasize efficiency and weatherization, and neglect the potential for actual solar energy production through passive solar design: orientation, massing, etc. San Luis Obispo's own Ken Haggard, in his latest book *Passive Solar Architecture*, shows what is possible, and even points to possibilities for retrofitting buildings that already exist, since we won't achieve an emissions reduction through growth, however smart.

Chapter 5, measure #10: This measure encourages more of the sort of ecological devastation currently occurring in the Carrizo, in the name of offsetting emissions through renewable energy projects. The assumption was made that these projects were somehow going to cause emissions reductions. The trouble is, no emissions are being offset. For all the square miles of endangered species habitat being sacrificed, not one fossil-fueled plant is being taken offline. California's Renewable Energy Portfolio does not mandate replacement of one source by another; it is simply a ratio, with twice the advantage for fossil and nuclear compared



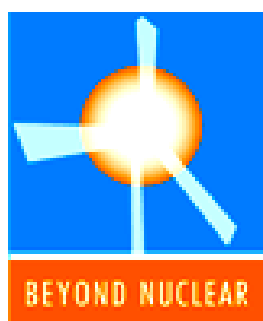
to renewable. In other words, our appetites are welcome to increase; the more square miles of habitat we sacrifice to large-scale renewable energy projects, the more fossil or nuclear energy we can produce, at a 2-to-1 ratio.

Chapter 5, measure #18: In a time when transit operating funding is being cut nationwide, and existing service in the County is constantly threatened with cuts, there is nothing here to direct the County to stop diverting its Local Transportation Fund (1/4 cent of local sales tax intended for public transit operations) to road work. Year after year, it diverts close to half of this fund, even in the face of such service cuts as the abandonment of all service to downtown Templeton shortly after they approved a "transit-oriented" development in that area. The cities of San Luis Obispo, Morro Bay, and Paso Robles use 100 percent of their LTF for transit; there is no excuse for the County not to do likewise.

Despite such flaws, there are considerable virtues in our new plan, and much of our energy needs to be directed toward moving it beyond lip service to actual implementation. For example, it is now County policy that parking costs be "unbundled" from building costs: that we stop pretending that parking is free and building it into the cost of having a roof over our heads—that we stop forcing non-drivers to subsidize drivers. It will take citizen reminders to get staff and decision-makers to routinely comply with policies such as this.

Thus, it behooves all of us to familiarize ourselves with the County EnergyWise Plan, to advocate for its strengthening, to implement its policies, and to inform efforts to create more effective plans in other jurisdictions.

We will depend on the Earth's atmosphere for the rest of our lives; it is time to act like committed occupants thereof!



# If You're Not at the Table, You're on the Menu

**The City of SLO is rewriting its "land use constitution." That can be a good thing or a bad thing.**

The City of San Luis Obispo is about to update the Land Use Element of its General Plan for the first time in more than 20 years. The update process the City uses will determine the outcome.

Some necessary history: after input from the Sierra Club and neighborhood groups, the City Council directed that the LUE Update process should be primarily resident and neighborhood-based, with "some appropriate representation of important sectors of the community...such as representatives of non-profits, the medical community, regional interests, etc."

This is great news for protection of the City's natural beauty, open spaces, and clean air, as these are highly valued by city residents and their protection are top resident goals.

But now the process of updating the Land Use Element has begun, and it doesn't look like it will be primarily residents who define the issues and give early and meaningful input. Unfortunately, a process is being used in which only one group will get extensive, early, City-sponsored and supported "input." That would be the economic sector, heavily representative of commercial/development interests.

Specifically, a City "Economic Development Strategic Plan Steering Committee" has been formed to create an Economic Development Strategic Plan that will be done in time "to inform the update of the Land Use and Circulation Element," according to bulletins posted at the City's Economic Development web page. This committee "brings together representatives of the broad business community to give input and perspective.... The Chamber of Commerce's Vision document and the Downtown Association's Strategic Plan 2007 will provide a foundation for the City's strategy."

As currently planned, there will be no equal, early and meaningful City-organized or sponsored environmental input in the City's process of updating its Land Use and Circulation Element to balance the heavy economic input.

To quote an experienced lobbyist, "If you're not at the table, you're on the menu." With such one-sided input shaping the issues and agenda, no one should be surprised if this process results in a document that will facilitate more commercial development but weaken the City's existing environmental, natural open space, and air quality protections.

The same process was proposed



**It's the environment, stupid** Car dealerships, Target, and a Home Depot are not the reason why SLO is the happiest place in America.

when the City wrote its existing 1994 Land Use Element. Then as now, a City "Economic Task Force" was formed shortly before the drafting of the 1994 Land Use Element began, and this task force made many land use as well as economic recommendations.

But then, acting on the Chamber of Commerce and Economic Task Force's statements that the city's economy, environment and neighborhoods are the three essential "legs of the stool," the City Council accepted the recommendation of the Sierra Club and an environmental coalition to also form an Environmental Quality Task Force. The task force consisted of volunteer experts in defined fields, such as air quality, open space protections, creeks, the Morros, wildlife, etc.

The result of having equal, balanced and early input from both an economic and environmental task force shaped the 1994 Land Use Element

and has served the City well. It was the Environmental Task Force which conceived of, defined and advocated for the creation of the position of Natural Resource Manager. The result is over 2,000 acres of natural open space that now ring the city, the pride of residents and touted as critical to attracting tourism. The Natural Resource Protection Chapter of the Land Use Element was also a product of the Environmental Task Force, as was support for the incorporation of the vote of city residents to limit excessive growth in the City.

Eighteen years later, these proved to be the critical factors in the designation of San Luis Obispo as the "happiest place in America."

City staff is currently proposing a slightly more subtle thumb-on-the-scales approach than the single economic task force that was supposed to dominate the '94 LUE: a single General Plan Task Force, which will consist of two representatives of

"the planet" and eleven representing "people" and "prosperity."

That's in addition to the 800-pound gorillas of the Chamber of Commerce, the Economic Vitality Corporation and the Downtown Association weighing in early via their economic development steering committee and strategic plan.

That's not three legs of a stool. That's a monopod with two vestigial appendages.

## TAKE ACTION

SLO residents who want to get the message to their City Council that it needs to create a **separate** Environmental Task Force to help shape the Land Use Element update may e-mail [slocitycouncil@slocity.org](mailto:slocitycouncil@slocity.org), and also deliver that message in person at its January 17 meeting, when the Council will be asked to formally designate a General Plan Task Force.

# Don't Ask Y

The history of the Measure Y sales tax increase is fairly simple. In 2006, San Luis Obispo City staff and consultants sent multiple surveys to city residents asking them what they would be willing to tax themselves for. Residents responded that they were willing to raise a ½ cent sales tax on themselves for the following priorities, in rank order; "(1) Fixing potholes and repairing and maintaining city streets; (2) Reducing traffic congestion; (3) upgrading our 100-year-old storm drains; (4) Protecting open space; (5) Hiring, training and retaining additional firefighters and paramedics; (6) Park maintenance; (7) Protecting senior programs and services; and (8) Hiring more police officers."

The Measure Y ballot then specifically listed the above funding priorities, and it passed.

During the campaign to pass Measure Y, the City approached the Sierra Club to ask for our support. Because the measure would ensure that the funding for the City's natural open space program would be restored, we agreed, and campaigned



**"Of course," Romero conceded, "the vision I have [for downtown SLO] is somewhat like Main Street Disneyland."**

- "SLO city measures its priorities against Measure Y goals,"  
New Times, Feb. 4, 2009

for passage of the measure. But ever since Measure Y passed, City staff has developed the quirk of conflating the ballot funding specifics of measure Y with other goals of staff and the City Council.

*DON'T ASK WHY continued on page 6*

## Catastrophizing

continued from page 1

paper bag if you don't bring a reusable one to the store); asserting that encouraging recycling would be better (except it doesn't work), telling (false) tales of disaster from cities that have enacted bag bans, and so on.

It was part of a reactionary backlash threatening to sink the years-long effort to wean SLO county from environmentally destructive paper and plastic bags and encourage the use of reusable bags at local retail establishments.

Grover Norquist weighed in from his D.C. perch at Americans for Tax Reform. No, really. Having compelled 238 House representatives, 41 Senators, 13 governors, and all GOP presidential candidates except Jon Huntsman to bow down and sign his anti-tax pledge — swearing they will never, ever vote to raise revenues for any reason — the lobbyist whom *60 Minutes* described as “the most powerful man in Washington” is no doubt feeling his oats these days. In a September 13 letter addressed to “Jim Patterson, President, San Luis Obispo County,” Norquist announced “I write today in strong opposition to the proposed regional [sic] ordinance that would ban plastic bags and impose a tax [sic] on paper bags.” His letter went on to point to an early, poorly implemented ordinance (since corrected) adopted by San Francisco, and a study (since debunked) purportedly showing dangerous bacterial contamination of reusable bags -- all wrapped up in a sermon on “regulatory burdens.”

It was a continuation and intensification of the last round (see “There’s No Such Thing as a Free Bag,” Oct.), which is certain to continue and get even more intense in the final round, the January 11 meeting of the IWMA board, when the ordinance will get an up or down vote.

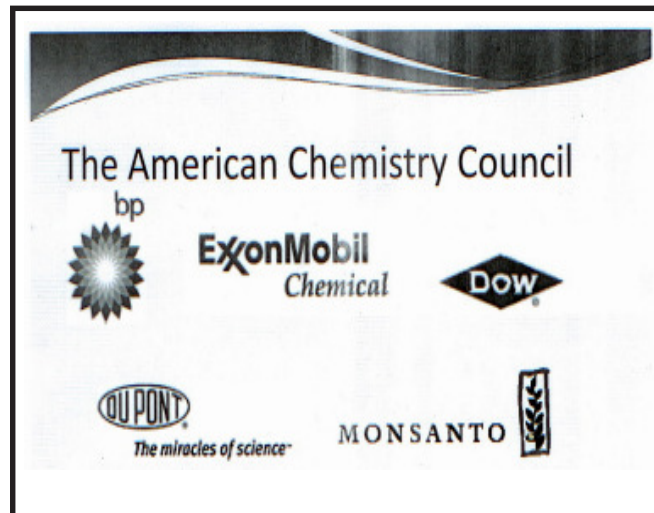
Thirteen representatives from the county board of supervisors and all the city councils make up the IWMA board of directors. At the first reading of the draft ordinance, The American Chemistry Council’s lobbying dollars were sufficient to acquire “no” votes from five of the IWMA board’s most reliably reactionary members — the representatives from the Morro Bay, Atascadero and Paso Robles City

## High Energy



Two weeks after Bill McKibben spoke to an SRO crowd at the Fremont Theater in downtown SLO on October 30, about a hundred of the attendees reconvened at the Ludwick Center a few blocks up the street, courtesy of Transition Towns, and formed into groups to carry on a dialog focused on McKibben’s urgent message on climate change and figure out what we can do locally.

The group will reconvene on January 18. To be a part of the Energy group, send an e-mail to [igglebop@gmail.com](mailto:igglebop@gmail.com) and ask to be included on the Google Groups mailing list.



**Who’s who** Here’s who opposes San Luis Obispo’s single-use bag ban. Our last chance to pass it will be the January 11 board meeting of the Integrated Waste Management Authority.

Councils, and County Supervisors Frank Mecham and Paul Teixeira.

The list of municipalities and countries around the world that have seen the light and enacted ordinances banning or regulating plastic bags or all single-use bags or imposing fees for the impacts caused by their use is long and getting longer. If you want San Luis Obispo County to join it, you’ll have to say so. Here’s how:

### Don’t Ask Y

continued from page 5

Accompanying this quirk is a tendency to take Measure Y funds created to serve the former and divert them to the latter.

Last November, the City Council voted to dip into more than \$700,000 of Measure Y funds to beautify and “improve” two blocks of downtown SLO. This had been repeatedly requested by the Chamber of Commerce and the Downtown Association, and given special support by staff, but it was not a Measure Y ballot priority.

Councilman Ashbaugh, in a November 30 *Tribune* opinion piece defending the Council’s decision, carried forward staff’s quirk of conflation of two different things into the same thing, writing “...we’re doing our best to fulfill our Measure Y priorities and achieve our major city goals. These goals, which include the downtown facelift, are established in each two-year financial plan after an open and transparent process of public engagement.”

But throughout 2008, in the course of setting those budget goals for that two year financial plan, in surveys and handouts at public forums, City staff repeatedly ensured that the Chamber of Commerce’s “Downtown improvements” goal receive special attention. Just before the Planning Commission and Architectural Review Commission cast their votes to recommend one city goal over another, their agendas were arranged so that both of these commissions’ critical votes were immediately preceded by the promotion of just one city goal: “Downtown Improvements,” courtesy of the Chamber of Commerce, in a special presentation complete with slide show. And staff repeatedly and falsely inserted “Downtown Improvements” into public documents alleging this had been a Measure Y priority.

Thus was the phantom appearance of public support cobbled up for the goal beloved by the Chamber of Commerce and the Downtown Association, and thus did the “open and transparent process of public engagement” come to resemble an

## TAKE ACTION

**IWMA board meeting, 1:30 p.m., Jan. 11, 2012, Cold Canyon Landfill School Education Center, 2268 Carpenter Canyon Road, San Luis Obispo.** Go to the website of the award-winning documentary *Bag It*, [www.bagitmovie.com/](http://www.bagitmovie.com/), and click on “The Issues.” Once you’ve familiarized yourself, send the IWMA board of directors a message at [Directors@IWMA.com](mailto:Directors@IWMA.com) to let them know you support the single-use bag ordinance and the reasons why.

Most importantly, come to the IWMA board meeting at 1:30 on January 11 and give the city councilmembers and county supervisors who voted “no” last time an earful.

Here they are:



### Intending to vote the way Grover Norquist told them to:

**Tom O’Malley, Atascadero  
Carla Borchard, Morro Bay  
John Hamon, Paso Robles  
Frank Mecham, SLO County  
Paul Teixeira, SLO County**

**If one of these IWMA board members is your elected representative, he or she needs to hear from you now.**



### Intruder Alert!

continued from page 2

dba KeepBagsFreeSLO:  
Seriously?

And by that we mean how much longer do you think you can beguile your followers with endless fantasies of the doom about to befall them should modest regulatory measures and advisory policies be approved? How long before they notice that the doom you promised does not befall? What do you do if and when it becomes apparent that those modest measures actually result in modest increases in their quality of life? What happens when they realize that you are using them for the simple generation of controversy, that all your premises are false and none of your dire predictions have come true?

When people realize they are being lied to, they tend to leave the fold. That won’t necessarily be a bad thing for COLAB et al. The solitude will give them time to collect their thoughts. Reorder their priorities. Ponder the path they’ve chosen. Some quiet reflection would do them a world of good. They can start with a meditation on the nature of truth.

exercise in bait and switch.

And thus were Measure Y funds spent on two blocks of downtown beautification.

One wonders if SLO has funded the real Measure Y ballot priorities that residents voted for to the extent that all of the City’s pot holes are now filled; its streets are all repaired and maintained; its traffic is no longer congested; its 100-year-old storm drains fully upgraded; its natural open space permanently protected from the push to commercialize and develop it with structures and “active” recreation that belongs in urban parks; all its parks maintained; all needed additional fire-fighters, police and paramedics hired and trained; its senior programs and services protected.

Those were the spending priorities voters identified for Measure Y -- not hundreds of thousands of dollars for new trash cans, accent lighting and Mission-style sidewalks for two blocks of downtown.

As former San Luis Obispo Mayor Peg Pinard dryly inquired in a letter to the City Council on the occasion of its downtown beautification vote, “Had the Measure Y ballot question been phrased, ‘would you vote to raise your taxes for new trash cans, news racks, and other ‘niceties’ for the downtown?’, does anyone think that Measure Y would still have passed?”

That’s the other problem presented by the City Council confusing the desires of the Chamber of Commerce and Downtown Association with the will of the citizenry. As early as November 2012, and possibly again in 2014, the City will ask the voters for an extension of Measure Y in order to keep the enhanced revenues flowing. A recent survey found support for the extension of Measure Y has declined from 64 percent in 2010 to 59 percent. That survey was taken prior to the downtown beautification vote.

The City will be asking residents to vote for an extension of Measure Y. They may ask the Sierra Club to endorse it. What do they think the answers will be?

# The Santa Lucia Chapter of the Sierra Club invites you

## to Celebrate Environmental Literature, Music and Art...



JOIN US ON SATURDAY, JANUARY 28,  
FOR A CELEBRATION OF ENVIRONMENTAL  
LITERATURE, MUSIC AND ART

January 28, 2012  
1:00 p.m. - 5:30 p.m.  
Admission \$75, \$35 students.

Tickets on sale now

Order by phone: 805-543-8717 or

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Sierra Club  
P.O. Box 15755  
San Luis Obispo, CA 93406

- Readings from local authors
- Book signings
- A Plein Air art talk
- Chamber music by musicians from the SLO Symphony
- Dinner
- Raffle and silent auction

At the historic Masonic Temple  
859 Marsh Street, downtown San Luis Obispo.

### OUR FEATURED READERS:

#### Catherine Ryan Hyde

The author of *Pay It Forward* will be reading from her new, unpublished book of essays and present a multimedia show of photographs and films that she's taken while hiking, canoeing and kayaking around the County and in National Parks.

#### Vicki Leon

The author of *How to Mellify a Corpse* will be reading from her new book, *4000 Years of Uppity Women*.

**Plus:** Q&A, good food, great music, and an art exhibit and sale of superb local landscape paintings.



### ... and enjoy the art of

#### - Marcia Burt

[www.marciaburt.com/burt\\_archive/](http://www.marciaburt.com/burt_archive/)

#### - Eilene Pritchard

<http://epritchard-finearts.com/>

#### - Laurel Sherrie

[www.laurelsherrie.com/](http://www.laurelsherrie.com/)

#### - Silvio Silvestri

<http://silviosilvestri.com/>

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#### - Douglas Stenhouse

[www.douglasstenhouse.biz/](http://www.douglasstenhouse.biz/)

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#### - Bruce Everett

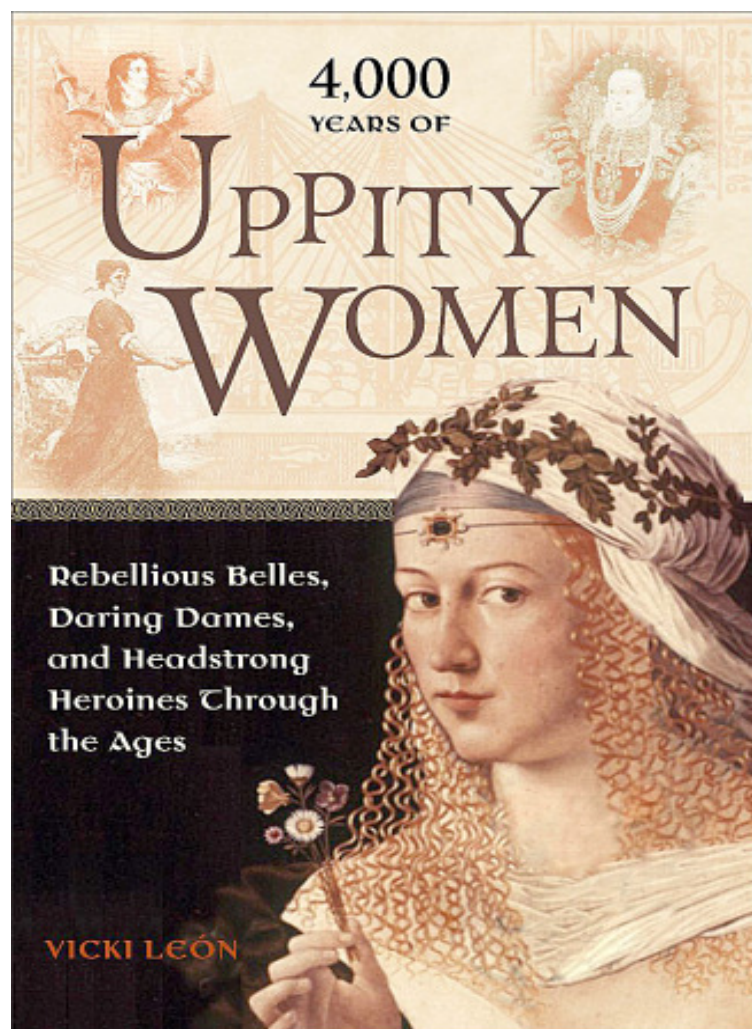
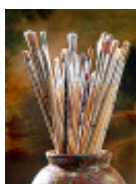
[www.bruceeverett.net/](http://www.bruceeverett.net/)

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### Uppity Women Support the Sierra Club

The hardcover first edition of Vicki León's newly updated, expanded and impudent history of female derring-do is available only through Barnes & Noble and the author. Up through our January 28 benefit, for each \$10 direct purchase from the author, Vicki will donate \$2 to the Santa Lucia Chapter. Choosing from the best and boldest female achievers in her four-book Uppity Women series (335,000 copies sold), time-traveling historian Vicki León takes you from ancient Egypt, Greece, the Roman Empire, Asia, and Europe through medieval and Renaissance times, then surveys the Old and New Worlds from colonial times through the 1800s. Newly updated, expanded, and illustrated, *4000 Years of Uppity Women* is a witty and well-researched history.



### Give the Gift of Peace and Support the Sierra Club



From War To Peace is the attempt of founders Paul and Sandra Ogren to make their dream of a world without war into reality. This local company creates art, jewelry and accessories using Peace Bronze™, which they produce using reclaimed copper from disarmed nuclear missile systems.

Twenty percent of all purchases made at From War to Peace using the coupon code SIERRACLUB10 are donated directly to the Santa Lucia Chapter of the Sierra Club, and you will receive a savings of 10% off your order.

From War To Peace is proud to be a green company, utilizing recycled materials not only in their products, made exclusively in the USA, but also with their packaging and materials. Even their website is powered by a green ISP, creating a negative carbon footprint.

Twenty percent of all profits are donated to peace and social justice organizations. The SIERRACLUB10 coupon code ensures that the Sierra Club will receive your contribution. Why not give the gift of peace this holiday season?

When making your purchase online at [www.fromwartopeace.com](http://www.fromwartopeace.com), enter the coupon code SIERRACLUB10 at the final stage of your order and 20% of your purchase will go directly to the Santa Lucia Chapter of the Sierra Club.

## Review

continued from page 1

at the Jan. 14 Morro Bay Vets Hall event, where attendees could also pick up a copy of the coalition's latest guide to water conservation, *Rainwater Management for Low Impact Development*.

At the California Coastal Commission, when it was time to replace the thankfully departing Katcho Achadjian, we helped rescue the local public process by which elected officials are appointed to serve on the Commission. Nominees for Katcho's replacement were put forward with no emphasis on the *public* part of that process. The first time around, it happened with little or no public notice and produced only two nominees out of all the municipalities in three coastal counties. We joined the coalition that called foul and fielded a range of qualified candidates for the new governor to select from instead. We made the system work. As a result, Brian Brennan, an excellent city councilman from Ventura and a coastal champion, got the nod as Coastal Commissioner for the South Central Coast from Governor Brown in April.

The January issue of the *Santa Lucian* exposed the extremely close relationship of the City of Pismo Beach with the would-be

developers of Price Canyon and the City's pre-decisional eagerness to help a private developer secure water resources in order to win annexation of the land to the city. We reported a moment of high comedy from a city council meeting at which developer John King testified that city staff had asked him to send them a letter requesting the City's assistance in annexation so that this would seem like King's idea, not staff's, and they would not be seen acting as de facto members of the developer's team.

The Port San Luis Harbor Commission, after much denial and delay, finally admitted what the Sierra Club had been telling them since June 2010: commercial operators who wish to go into business renting out high-speed boats and jet skis in Avila Bay need to get a Coastal Development Permit from the California Coastal Commission.

The Coastal Commission agreed with the Chapter on hearing our appeal of the County's permit for a solar array project at Baywood Elementary School in Los Osos. The Commission ordered the project reconfigured to spare Monterey cypress trees slated to be cut and an adjacent wetlands that would have been damaged. The project was reconfigured, and the cries of critics who accused us of "opposing putting solar panels on schools" fell silent.

## February

The Chapter's representative attended the Good Jobs, Green Jobs National Conference convened by Sierra Club and United Steelworkers Feb. 8-9 in Washington D.C., and joined the activist lobbying team that went up to Capitol Hill the following day and convinced Senator Dianne Feinstein to draft a Senate version of the Clean Ports Act.

Even though the staff of the California Coastal Commission had warned of the deficiencies in the draft Environmental Impact Report for the Morro Bay/Cayucos wastewater treatment project, and the Morro Bay Planning Commission had voted to recommend rejection and revision of the EIR to address the environmental issues it glossed over, the Morro Bay City Council embarrassed itself by issuing a Coastal Development Permit and certifying the EIR. We filed an appeal of the city's permit with the Coastal Commission and pointed out that the project failed to make water reclamation a priority, failed to adequately evaluate impacts on water quality and coastal access, failed to adequately analyze alternative sites and technologies, and therefore lacked the information the Coastal Commission needed to evaluate the project and issue a permit. The Commission agreed and told the Morro Bay City Council and the Cayucos Sanitary District to do it over.

SLO Superior Court ordered the California Department of Parks and Recreation to reimburse the Sierra Club for legal fees we had incurred in intervening against State Parks and the Friends of Oceano Dunes when they filed suit to nullify coastal land use provisions governing off-highway

vehicle use at Oceano Dunes. FOD and DPR dropped the suit, and the judge found that "Sierra Club succeeded in obtaining the equivalent of dismissal," writing that "the practical result of the case... is that a State agency, entrusted with regulating off-road vehicles on an environmentally sensitive tract of State Park land, will need to comply with the dictates of the County General Plan and LCP [Local Coastal Plan] going forward." This outcome, the judge concluded, "enforces an important public right and confers a significant benefit upon the general public."

## March

We helped foil a stealthy attempt by County Supervisor Paul Teixeira to eliminate two South County Advisory Councils and replace them with hand-picked members. It proved to be his first attempt in a series.

On March 20, Paso Robles resident and long-time Sierra Club activist Cal French began a 500-mile trek across California to highlight the need to

protect our remaining wild places on public and private land and calling attention to the essential role of healthy natural ecosystems. He started out at the Colorado River in Nevada, and finished six weeks later in Morro Bay.

The Chapter was awarded a \$5,000 grant for general support by the SLO County Community Foundation.

## April

In the wake of the Fukushima nuclear



disaster, the *Santa Lucian* reminded readers that an earthquake fault was discovered 500 feet from the future site of the Diablo Canyon plant in 1967, but went deliberately unstudied for 14 years so as not to "possibly delay the project," as PG&E executives complained at the time to the Atomic Energy Commission.

The Chapter's first Eco-Grants, awards of up to \$350, went to environmental projects proposed by the student environmental clubs or advanced study programs at Atascadero, Templeton, and Morro Bay high schools, and the Outside Now Nature Academy in SLO.

After hosting Brock Dolman in January, on April 6 the Appropriate Technology Coalition brought Portland community activist Mark Lakeman, founder of Portland's legendary City Repair project, to the South Bay Community Center in Los Osos to talk about implementing water conservation technology and increasing the standard of living without increasing the cost.

Lifetime Sierra Club member Judith Bernstein of Atascadero was named one of the winners of a national Sierra Club contest to attend the 2011 Blue Vision Summit in Washington DC in May to help work toward the enactment and enforcement of national ocean policy.

The Santa Lucia Chapter won in the category of "Best Friend to the Environment" in *New Times'* 25th annual Best of SLO County readers poll.

## May

The Chapter joined with Think Outside the Bag, a local coalition of high school and college students, in enthusiastically backing the Integrated Waste Management Authority's proposed single-use bag ban, which would eliminate the major environmental impacts and resource depletion involved in the production and disposal of plastic and paper bags.

Chapter Director Andrew Christie's opinion piece "Representative

McCarthy, have you no shame?" appeared in the May 5 edition of *New Times*, detailing the sneak attack on wilderness lands represented by the Wilderness and Roadless Area Release Act, sponsored by Congressman Kevin McCarthy (R-Bakersfield).

The Chapter and Morro Coast Audu-



bon joined with Avila Beach bird lover Shirley Goetz to tell the Avila Beach Civic Association the facts of life about the laws protecting cliff swallows. After the Association had told Goetz she could not post a flyer on the protections afforded swallows and their eggs by the federal Migratory Bird Treaty Act, somebody blasted swallows' nests off the walls of the Association's community center using the building's garden hose. All's well that ended well: the Association agreed to install swallow netting, the Sierra Club got them clearance from the Department of Fish and Game to do so during nesting season, and Audubon hooked up the Association with a local pest control firm who quickly installed the netting on the community center at cost.

## June

We pointed out to the County Planning Department, and to the readers of *The Tribune* ("A tool for local energy choice," June 3), that the omission of Community Choice Aggregation (CCA) from the public review draft of the County's Climate Action Plan was more than a minor oversight. (See "Our Biggest Wins," page 9.)

The first meeting of the SLO Sustainable Food System Coalition took place on June 8 thanks to a \$100,000 USDA Hunger Free Communities grant. Convened by the Food Bank Coalition, HEAL-SLO, the Central Coast Agricultural Network, Cal Poly's STRIDE Center and the County Health Department, with the Sierra Club as an environmental stakeholder, the project will serve as an incubator for policy initiatives to ensure sustainable food systems in the county.

The *Santa Lucian's* action alert urging readers to send letters to the Coastal Commission to preserve the





Tomales Bay dunes preceded the issuance by the Commission of a Coastal Development Permit that will result in maximum preservation of this key coastal dunes wetlands, coastal prairie, salt marsh and tidal flats.

Representatives of the Sierra Club, Surfrider, CoastKeeper and the Central Coast Ag Network met Congresswoman Lois Capps and her district reps for coffee at the Black Horse Café in downtown SLO on June 17, where we discussed health, climate, coastal, energy and agricultural issues.

With the Sierra Student Coalition, we hosted Sharon Smith, author of *The Young Activists Guide to Building a Green Movement and Changing the World*, in a presentation at Cal Poly. She gave attendees a quick history of the surge in student activism over the last decade and practical advice on how to become part of it.

**August**

The Sierra Club, Defenders of Wildlife and the Center for Biological Diversity entered into a settlement agreement with SunPower Corp and Topaz Solar Farms requiring additional environmental protections for the Carrizo Plain – including 9,000 additional acres of land put into permanent protection, the removal of 30 miles of fencing, and the acquisition of an undeveloped California Valley subdivision to be restored for wildlife conservation as partial mitigation of the impacts of the companies building large solar power plants in endangered species habitat.

We helped bring to wide attention the decision of Morro Bay Mayor Bill Yates to abolish Sea Otter Awareness Week – a proclamation passed by Morro Bay every year for at least the last six years, as has been done in dozens of other California coastal communities to promote education, research, and conservation programs. Yates’ unilateral decision not to bring the proclamation to the city council for a vote prompted impromptu home-made tourist advisories to pop up around the city informing tourists that the last week in September was no longer Sea Otter Awareness Week in Morro Bay, asking them to refrain from expressing awareness of sea otters (“Should you wish to engage in such awareness, please visit a different California coastal community”), and listing phone numbers for Yates and the Morro Bay Chamber of Commerce. The city council quickly passed a “Wildlife Awareness Week” proclamation.



Chapter Director Andrew Christie’s appreciation of California Coastal Commission Executive Director Peter Douglas on the occasion of his retirement appeared in the *Santa Lucian* and the August 26 edition of the *San Francisco Chronicle*.

“Worst. Bill. Ever.” an opinion piece by the Santa Lucia Chapter Executive Committee highlighting the horrific anti-environmental amendments that Congressional Republicans had tacked onto the Interior Department spending bill known as House Resolution 2584, appeared in the



August 18 edition of *New Times*.

Chapter Director Andrew Christie’s “Regulatory relief is a false issue,” refuting the myth that environmental regulations are job-killers and further spreading the word on HR 2584, appeared as a Viewpoint in the August 19 issue of *The Tribune*. (The bill has been tabled in Congress and is not considered likely to return with its roster of anti-environmental amendments.)

**September**

We co-sponsored a “Move to Amend” event in SLO on September 14,

featuring David Cobb of Democracy Unl-

imited, who enlisted local residents in the national effort to end the erosion of democracy by amending the Constitution to strike down “corporate personhood.”



Along with the Empower Poly Coalition, the SLO County Bicycle Coalition and Central Coast Clergy & Laity for Justice, the Santa Lucia Chapter underwrote and co-sponsored a “Moving Planet” event in SLO on Sept. 24, part of a worldwide day of action in hundreds of cities organized around the theme of the global community coming together and moving the planet beyond fossil fuels and in a new, environmentally positive direction.

The September *Santa Lucian* laid out the issues surrounding the proposed annexation of the Price Canyon development site into Pismo Beach and the potential to facilitate massive sprawl development.

**October**

We persuaded the Regional Water

Quality Control Board to take a closer look at oil leaks from historic (decommissioned) oil lines and get an explanation from Conoco/Phillips of their decommissioning procedure and admitted lack of monitoring, after several significant oil spills in Nipomo.

At the October 20 meeting of the Monterey Bay National Marine Sanctuary Advisory Council in Cambria, the Chapter and half a dozen local residents urged the council to take up the issue of Sanctuary boundary expansion to include the waters of SLO County. Surprised councilmembers, whose meetings generally don’t get that much turnout on a

single issue even in large cities, directed staff to investigate their options and report back.

We urged resistance to the Keystone XL pipeline in conjunction with the Nov. 6 Tar Sands Action protest at the White House. The *Santa Lucian* was distributed at Bill McKibben’s Oct. 30 speaking engagement in SLO, providing information specific to the Keystone XL issue, a significant focus of McKibben’s talk.

**November**

We turned up the heat on the long-sought expansion of the National

Marine Sanctuaries to the north and south of SLO, which would protect our waters from oil drilling and toxic dumping, now part of a statewide Sierra Club campaign. Via Sierra Club California’s Resilient Habitats campaign website, we dispatched e-alerts to Club coastal activists, with links to more information and addresses of federal, state and local officials to contact urging sanctuary boundary expansion and revival of the Site Evaluation List for National Marine Sanctuaries.

**December**

On December 13, the Chapter joined with concerned residents of Morro Bay, California Coastal Commission staff, and the Chumash Tribal Council in protesting the City issuing a Coastal Development Permit for Cerrito Peak, a Native American sacred site, despite the numerous violations of the city’s Local Coastal Plan that the development would entail. At the end of the

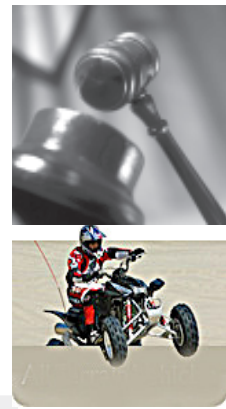


**Political Committee: Members Wanted**

The 2012 elections should be exciting and could be pivotal. If you would like to have a hand in the outcomes by participating as a member of the Santa Lucia Chapter’s political committee, please send your contact information to Chuck Tribbey at [cltquest@gmail.com](mailto:cltquest@gmail.com) or call 441-7597.

4 1/2-hour meeting, the city council ignored the overwhelming public protest and the evidence in the record and approved the permit on a 4-1 vote.

On December 14, the Second District Court of Appeal in Ventura heard oral arguments in our appeal of the Superior Court’s dismissal of *Sierra Club v. California Dept. of Parks and Recreation et al.* The department has allowed off-road vehicles on County-owned land in the dunes that has been designated as a “buffer” from the riding area since 1982. The Sierra Club contends that State Parks has failed to update its management plan for the State Vehicular Riding Area to include the “buffer” designation in the County’s Local Coastal Plan and must be compelled to do so. The court’s ruling is pending.



**Our Biggest Wins**

The most important victory for the Chapter in 2011 will probably prove to be the evaluation of Community Choice Aggregation (CCA) and a Feed-In Tariff (FIT) in the SLO County Climate Action Plan. Energy activists have long acknowledged that these two measures – CCA and a FIT — are the best steps any municipality, state or nation can take on the path toward local control of our energy future. These policies, more than anything else, will stimulate production of the largest possible amount of clean energy and secure freedom from fossil fuels.

CCA allows communities to purchase and/or generate clean energy independent of utilities, at higher levels and lower prices than utilities offer. A FIT allows individuals to get paid by their electrical utility at a set rate for any excess renewable energy they generate and feed back into the energy grid. Both CCA and FITs are routinely attacked by utilities, as they promise both competition and the aforementioned local control of energy by the community. When CCA was left out of the initial draft of the Climate Action Plan, the Santa Lucia Chapter penned an op-ed in *The Tribune* (see June entry) and submitted comments to the Planning Department pointing out the reasons why evaluation of CCA should be an essential part of the County’s climate action plan. Due to our actions, a CCA evaluation is in the climate plan’s final draft.

**Senior County Planner James Caruso:** [With a feed-in tariff], people are actually going to be making money feeding energy back into the grid from their unused solar power. ... The reason we added this is [after I had argued] ‘there’s no way you can establish a local feed-in tariff; I’ve never heard of such a thing,’ actually someone handed me [a report saying that] in Los Angeles they’re considering just that — a local feed-in tariff that will be part of the financing scheme to allow more people to install renewable energy projects on their roofs.

**Planning Commissioner Jim Irving:** This could be a big deal, couldn’t it?

**Caruso:** This could be very big.

**Irving:** It’s the largest thing here.

**Caruso:** This could be the largest GHG reduction and energy efficiency measure.

**- Exchange at Oct. 13, 2011, County Planning Commission meeting on the addition of a measure to evaluate a local feed-in tariff to the SLO County Climate Action Plan at the urging of the Sierra Club.**

After County planning staff turned down a suggestion that a FIT should also be part of the Climate Action Plan, our Chapter Director handed the senior planner a copy of a local FIT feasibility study prepared by the L.A. Department of Water & Power. As a result, County Planning’s municipalities-can’t-do-it argument against including evaluation of a FIT was overcome, and consideration of a FIT is now in the Climate Action Plan.

## Dust

continued from page 1

there's no proof that breathing fine dust particles into your lungs is hazardous to your health, etc.

The *Cal Coast News* website, always happy to trump up heinous local government conspiracies on wispy foundations, attempted to manufacture a series of "exposés" of the APCD that were characterized by the inability of the writers to get the name of the agency right.

Opponents attacked the science: The data was bad, the methodology was flawed, the conclusions were wrong.

They attacked the scientists: The APCD was full of corrupt men and shameless hussies.

They attacked the scientists who reviewed and affirmed the data and findings of the researchers contracted by the APCD – an attack that displayed a perfect ignorance of the meaning, practice, and purpose of peer review.

That ignorance appeared to be shared by APCD board member Ed Waage – a member of the Pismo Beach City Council, a candidate for County Supervisor, and a vocal climate change denier. Waage, despite his status as an actual (retired) scientist in an unrelated field, seemed as unacquainted with and heedless of the notion of "peer review" as the average anonymous internet troll, happily putting forward his personal calculations as a legitimate challenge to peer-reviewed studies undertaken over a period of years by the APCD and research teams comprised of the preeminent authorities in the field. At one point during the November 16 meeting, Waage tried to cut off Larry Allen, complaining that staff was "answering a question I did not ask" when Allen was describing the structure of the sand in the riding area – which can be picked up in chunks – as markedly different from the sand in the non-riding area, demonstrating the disturbance of soil by off-road vehicles and thereby adding to the overwhelming weight of evidence that sand moves in a disturbed area at a higher rate than it does in an undisturbed area, one of the intractable facts that Waage et al were trying to dodge.

Waage's fellow APCD board member, Grover Beach City Councilwoman Karen Bright, revealed that Waage had told her councilmembers that the proposed dust rule would "become a federal rule and would be very difficult to amend."

"That's incorrect," replied Allen "This is just a local regulation. We can revise it at any point in time."

Waage's previous memorable moment at the APCD came at the kick-off of two years of attacks at the December 2009 APCD board meeting, where he asserted that Google Earth photos of the dunes showed that vegetation has been expanding over the last decade at the same time that vehicle use on the dunes has been intensifying, leading him to conclude that off-road vehicles have been a boon to revegetation of the dunes, contrary to the study's conclusion that vehicle traffic has denuded the dunes and thereby increased wind-borne particulate pollution. In response, APCD staff pointed out to the unembarrassable Mr. Waage that the areas of vegetation he indicated in the photos were in fact fenced-off "vegetation islands," off-limits to riding and painstakingly revegetated over the years by State Parks biologists.

All of the above was an effort to



**I can't hear you** In a Grover Beach presentation last September, the Desert Research Institute presented a suite of proposals to cut the hazardous dust pollution coming from the Oceano Dunes State Vehicular Riding Area and confirmed the Air Pollution Control District's previous finding that a lot more dust is coming from the riding area than the non-riding area — exactly what Off-Highway Vehicles Division chief Phil Jenkins (right) didn't want to hear.

stomp down twenty years of air quality measurements, two peer-reviewed studies, and the Nipomo Mesa's record of sixty days per year in exceedence of the state standard for particulate matter pollution, a level of violation seen nowhere else in the county.

After two years of tossing everything and the kitchen sink, the APCD study's critics had come out to this final meeting on the fugitive dust control rule for one last try at killing it. And though audibly worn down, Allen was equal to the occasion. He distilled and explained to the board the make-believe controversy in a few sentences:

"People are trying to attack the science behind the study, looking at very specific points in the study, and are actually going at it with a conclusion that they want to find, and looking through the data to try to find data that will show that conclusion. That's pretty evident in everything that we have seen. That is not what APCD did in conducting this study."

"Does our study have limitations? Yes. It's a scientific study, and all scientific studies have limitations."

Allen pointed out that the primary grievance of the study's most vocal critics – that monitoring stations were in the wrong places and/or not measuring wind speed accurately and/or attributing to the riding area elevated pollution level readings that weren't really coming from the riding area (all charges his agency and the study's authors had previously refuted on multiple occasions) – would actually be resolved by the implementation of the dust control rule they were opposing. The rule requires that the County, the APCD, and State Parks all agree on the location of the monitoring stations that will measure particulate matter once State Parks puts mitigation measures in place at the dunes. These will determine whether Parks has succeeded in reducing dust to background levels. State Parks will have a full say in where the monitors go that will determine the effectiveness of its dust control measures. Thus, the main complaint of the study's critics was moot.

Atascadero City Councilwoman Roberta Fonzi argued for the no-requirement/no-penalty version of regulation that State Parks' representatives were pushing for, echoed by County Supervisor Frank Mecham, who said that putting a rule in place would mean "We're trying to reach out further than we need to go."

Allen patiently explained why a handshake deal wouldn't cut it: "The mandate of the APCD is to ensure the

protection of public health and ensure that it takes place in a timely manner.... If you don't establish control over whether or not requirements get met, with timelines for meeting them, then it becomes a disagreement between two entities.... Without a regulation in place, the air district has little authority to act if things are happening that shouldn't be happening."

The Board's legal counsel affirmed that proceeding on nothing but a Memorandum of Agreement as the board's regulation-averse members wanted "doesn't achieve the mandate imposed by the state Health and Safety Code."

All credit to the residents of the Nipomo Mesa who turned out for the November 16 board meeting to slap down the hokey coming from the off-roaders, a city council, a community services district, a chamber of commerce, and the Off-Highway Vehicles division of the California Department of Parks and Recreation, and to remind the board of its sole duty: protect the public health.

And much credit to the County Health Officer, Dr. Penny Borenstein.

As opponents called for delay and a regulatory posture that was relaxed to the point of comatose, Dr. Borenstein testified to the respiratory and cardiac health consequences of particulate matter pollution, particularly for children, the elderly and people with preexisting conditions. Those consequences include heart attacks and premature death. Dr. Borenstein also noted emerging information that newborns may have problems with lung development due to PM10 exposure. "It doesn't matter where you live," she said, "there is a cause and effect known – and replete in the literature – that these conditions exist as a direct consequence of exposure to particulate matter."


When it came time for board members to vote, County Supervisor Adam Hill noted the "frenzy of misinformation" coming from opponents. Supervisor Jim Patterson said "We need to take definitive action," and a dust rule was necessary to "establish definite criteria, standards and timeline."

SLO Mayor Jan Marx noted that the reluctance by State Parks to be held to a standard of accountability reminded her of her late uncle who never went to the doctor because he "might find something" (which is why he is her late uncle).

Supervisor Bruce Gibson said the proposed rule "zeroes in directly on human-caused pollution and does not regulate below the natural background level.... We have to have consequences so that we can get down to getting the job done, getting the air cleaned up over the Nipomo Mesa."

And though Paso Robles Councilman John Hamon and Atascadero's Fonzi, along with Waage and Mecham, hardcore to the end, voted not to do that, they were outnumbered by the majority of their colleagues, who voted in favor of passing County Coastal Dunes Dust Control Draft Rule 1001 and getting the job done.

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San Luis Obispo County Homeowner's Guide to

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available for \$10 postage paid, while supplies last. Mail your check to Sierra Club, P.O. Box 15755, SLO 93406.

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# Outings and Activities Calendar

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

All our hikes and activities are open to all Club members and the general public. Please bring drinking water to all outings and optionally a lunch. Sturdy footwear is recommended. All phone numbers listed are within area code 805 unless otherwise noted. Pets are generally not allowed. A parent or responsible adult must accompany children under the age of 18. If you have any suggestions for hikes or outdoor activities, questions about the Chapter's outing policies, or would like to be an outings leader, call Outings Chair Joe Morris, 772-1875. For information on a specific outing, please call the listed outing leader.

**Sat., Jan. 7, 9 a.m. Salmon Creek and Spruce Creek Trails to Dutra Flat.** Moderate 8.4 mile hike in southern Big Sur, 2000 ft. gain, to fine views of ocean and Silver Peak. Spruce Creek Trail winds up Spruce Creek Canyon past cascades and open brush land before dropping down to Dutra Flat, an old homestead. There is a possibility of poison oak and ticks. Bring lunch, snacks, water, and dress for the weather. On Hwy 1 past Cambria going north, turn into Washburn day use area at San Simeon State Park, about 300 yards past Hamlet Restaurant. There will be a refueling stop for eats after the hike. Heavy rain cancels. SLO carpoolers meet at Santa Rosa Park. Leave no later than 8:10 a.m. Info: Chuck, 441-7597.

**Sat., Jan. 7, 10 a.m., Bluff Trail, Montana de Oro.** Moderately easy hike with magnificent ocean views along bluffs of Montana de Oro State Park. Length is 3.4 miles, lasting about 2 hours. Meet at parking lot area at start of Bluff Trail/Valencia Peak Trail, near visitor's center and Spooner's Cove. Bring water, sturdy shoes, and dress in layers for weather. Probability of rain cancels. Info.: Stuart Weickgenant, 760-519-8080. Asst: Joe Morris, 772-1875.

**Saturday, Jan. 14, 9 a.m., Over the top, Cerro San Luis.** Meet at the parking lot/restrooms (dog park) at Laguna Lake for a walk around and over Cerro San Luis via the rock Garden trail. We will go at a moderate (not slow, not fast) pace but there are a few steep uphill and a rocky section during this hike. Boots are recom-

mended. Round trip is approximately 5 miles, 2.5-3 hours depending on how long we spend enjoying the views of most of SLO. Info: Mike Sims, 459-1701 or email msims@slonet.org. Rain cancels.

**Sun. Jan. 15, 10 a.m. Johnson Ranch.** PoleCats is dedicated to leading local Sierra Club day hikes and modeling the benefits of using trekking poles — 2.2 miles/150 feet elevation change. Trailhead is located just after Lower Higuera goes under Highway 101 and becomes Ontario Road. Confirm with David Georgi at 458-5575 or [polecat\\_leader@gmail.com](mailto:polecat_leader@gmail.com) for upcoming activities. Bipedes welcome.

**Fri-Sun, Jan 20-22 - Death Valley National Park Wilderness Restoration.** Help restore wilderness values in this beautiful and remote desert area. We will work with Death Valley Wilderness Coordinator Charlie Callagan on a project in one of the park's many wilderness areas. Past project have

included re-landscaping former OHV routes that are now in wilderness, trail repair and cleaning up around historic cabins. Work will start on Friday afternoon. Happy hour potluck Saturday night. Leader: Kate Allen, [kj.allen96@gmail.com](mailto:kj.allen96@gmail.com), 661-944-4056.

**Sun, Jan 29, 10 a.m. Quarry Trail.**

PoleCats is dedicated to leading local Sierra Club day hikes and modeling the benefits of using trekking poles — 2 miles/320 feet elevation change. Meet at the Quarry/Cabrillo Peak trailhead. Confirm with David Georgi at [polecat\\_leader@gmail.com](mailto:polecat_leader@gmail.com) or 458-5575. Bipedes welcome.

**Tues., Jan. 31, 10 a.m. City Walk of San Luis Obispo: Jazz Age to**

**the Fifties.** Where is the SLO hotel where Hearst entertained his guests, the USO dance hall for GIs after Pearl Harbor, the speakeasies in the twenties, and the original French Hospital? Find out and much more on an easy, guided stroll past



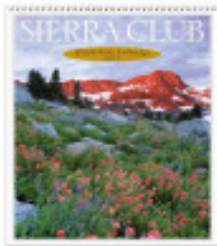
This is a partial listing of Outings offered by our chapter. Please check the web page [www.santalucia.sierraclub.org](http://www.santalucia.sierraclub.org) for the most up-to-date listing of activities.

historic downtown buildings. Learn of SLO city life from the years of the Model T to Prohibition and World War II. Duration 1 1/2 hrs. Meet at building designed by Frank Lloyd Wright, NE corner of Santa Rosa and Pacific Sts, SLO. Info: Joe Morris, 772-1875.

**Tues, Jan. 31, 7 p.m. Bimonthly General Meeting: 3rd Annual Environmentalists' Rendezvous!** What are the major environmental groups in SLO county up to and what are they planning for the new year? Here's a unique opportunity to hear from seven key players at one time and in one place. This public forum features key leaders of the Alliance for Nuclear Responsibility, Audubon Society, Green Build, Pacific Wildlife Care, Sierra Club, Surfrider, and S.W.A.P. Each will describe their premier projects, with time for questions. And don't miss the scowl of the Great-horned Owl from Pacific Wildlife Care. Steynberg Gallery, 1531 Monterey St., SLO. Info.: Joe Morris, 772-1875.

## Sierra Club 2012 Calendars

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### Outings Sponsored by other organizations

**Sweet Springs Nature Preserve.** The Audubon Society, which manages Sweet Springs Nature Preserve in Los Osos, has received a grant to work on pathways and restoration. Volunteers are needed on the second Saturday of the month from 9-12 to help with watering, weeding, planting, etc. More info at [www.morro.coastaudubon.org](http://www.morro.coastaudubon.org).

### Ventana Wilderness Alliance Trail Crew Opportunities

Volunteers are needed for work in the Ventana and Silverpeak Wilderness Wilderness Areas. Rain Cancels. [daveknapp@ventanawild.org](mailto:daveknapp@ventanawild.org). Switch to Carrizo after rain begins in earnest. E-mail: Betsy MacGowan [bmacgowan@hotmail.com](mailto:bmacgowan@hotmail.com), for info.

