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Inside

Candidates wanted	3
Nuclear hide & seek	5
A solar reversal	8
SLO Supes: born to lose	9
Why CEQA "reform" isn't	10
Classifieds	11
Outings, 2013 calendars	12

Don't Miss
Environmentalists
Rendezvous
- see page 2



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SANTA LUCIAN



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

Here's the Deal

The Chapter's future is in your hands

By Greg McMillan, Chapter Chair

Three months ago we broke the bad news: The Santa Lucia Chapter is on the brink of insolvency. Without a significant and sustained infusion of cash, our San Luis Obispo office will close, staff will be laid off, and the Chapter's ability to respond to critical environmental issues facing our community will be limited to an answering machine, a website, and self-organized volunteer efforts.

The initial response from our membership has been extraordinary, and we have received enough emergency donations to keep the lights on long enough for the Chapter's Executive Committee to gather input, crunch the numbers, discuss options and come up with a plan. So here's the bottom line: In order to meet our basic obligations, (rent, utilities, payroll, printing, and paying our sole part-time staffer), we need at least 300 members to go to the Chapter's website (www.santalucia.sierraclub.org), or follow the instructions in the "Bill Pay" box at right, and sign up to contribute \$20 per month.



If you contribute *more* than \$20 a month (heartily encouraged), we can expand our ability to address local environmental challenges, from preserving important wildlife habitat to protecting public access to promoting green jobs and sustainable land use decisions to advocating clean, renewable, locally-controlled energy sources. But if we don't get the minimum level of participation, we

will have to close our office, lay off staff, and greatly reduce our presence in the community.

For a glimpse of what San Luis Obispo County would look like now and in the future without the Sierra Club's active engagement, take a look at "The County Without a Sierra Club" on

pages 6 and 7 of this issue. Normally at this time of year, we recap the Chapter's accomplishments over the preceding 12 months. This year, in the spirit of *It's a Wonderful Life*, we are imagining what our community would

When Fracking Attacks

The hand of corporate trade reaches out to kill a fracking moratorium

By Ilana Solomon, Sierra Club Trade Representative, and Deb Nardone, Director of the Beyond Natural Gas Campaign

The truth is becoming clear: global trade rules are being used to threaten policies that protect wildlife, preserve scarce natural resources, and promote clean energy and green jobs.

The most recent clash between free trade and our environment was in Quebec, where communities are fighting against the harmful effects of fracking, the hazardous process used to extract natural gas by blasting significant amounts of water, chemicals, and sand into rock

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formations deep underground.

On November 8th, Lone Pine Resources, a Delaware-incorporated oil and gas firm with operations in Canada, filed notice of its intent to sue Canada for \$250 million under the North American Free Trade Agreement (NAFTA) over Quebec's moratorium on fracking. The moratorium is set to stay in place as

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You can walk into your bank and set it up, or do it online at your bank's website. (Paypal keeps more than two percent of your donation as service fees; your bank does not.)

look like today if Sierra Club had not been here to protect the environmental and community values we all share. (Hearst Ranch? A golf resort. Cayucos' scenic ridgelines? McMansions silhouetted against the sky. San Luis Obispo's celebrated Greenbelt? Subdivisions and strip malls.)

It's a sobering read. And while we don't claim to be solely responsible for all of our county's environmental victories, the fact is that without the Sierra Club's leadership, public advocacy and commitment, this county would be a very different and diminished place.

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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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Contributions, gifts and dues to the Sierra Club are not tax deductible; they support our effective, citizen-based advocacy and lobbying efforts. Your dues include \$7.50 for a subscription to *Sierra* magazine and \$1.00 for your Chapter newsletter.

Enclose check and mail to: **F94Q W 2500 1**
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Explore, enjoy and protect the planet

Sierra Club General Meeting

Wednesday, Jan. 30, 7 p.m.

Environmentalists Rendezvous

It's the 4th annual Environmentalists' Rendezvous! Hear what major environmental groups in SLO county are doing and their plans for 2013. This is a unique opportunity to hear from representatives of seven key organizations in one place. The forum will include short presentations from the Alliance for Nuclear Responsibility, Audubon Society, CoastKeeper, SLO Green Build, SLO Land Conservancy, Surfrider, and, of course, the



Santa Lucia chapter of the Sierra Club. Each will present their projects and leave time for your questions and comments.

Steynberg Gallery, 1531 Monterey St., SLO. Info.: Joe Morris, 549-0355

They're Steamrollers, Baby

Two lawsuits will tell us all we need to know about our new board of supervisors

The semi-progressive, occasionally environmental SLO County Board of Supervisors of 2009-2012 has come to an end.

The majority did not use their majority vote in the service of bold, visionary measures to protect the environment of the central coast, and often did harm. They did not put policies in place that would have secured significant protections for rural land, local agriculture or wildlife habitat. They did not move the county any closer to the distant dream of affordable housing, nor institute basic political reforms (see "How About Now, Guys?," Jul./Aug. 2012). In December, as their last significant act of land use planning, they crumpled under political pressure and punted on vital amendments to the Ag Cluster Ordinance, inviting more disasters along the lines of the Santa Margarita Ag Cluster (see "Their Final Fumble," page 9).

They did a few good things and prevented a few particular harms. It is two of those good things that two recent lawsuits seek to undo.

Specifically, the County is being sued for preventing an oil company from drilling for oil in the Huasna Valley outside Arroyo Grande, and for passing an ordinance halting future subdivisions over the rapidly depleting Paso Robles groundwater basin.

Both lawsuits are without merit. But in both cases, merit is not the point.

Excelaron LLC is claiming the County engaged in an illegal "taking" of property by barring them from extracting oil from the land in question. But in order for a "takings" claim to stick, the County would have had to deny all economic use of the properties involved and issued a flat denial of all oil drilling in the area, not just a permit for a specific project. A permit to drill for oil on agricultural land is a "discretionary" permit, meaning that it may be denied. When you file for a discretionary permit – and expend all the necessary funds on project review and a full analysis of environmental impacts – you are rolling the dice.

The Paso basin suit, filed by entities that have discreetly chosen not to publicly identify themselves beyond the title "Concerned Landowners in the Paso Robles Basin," uses the same bogus legal argument that didn't work

when the plastic industry tried to block the county's plastic bag ban, and when the Coalition for Labor, Agriculture and Business (COLAB) filed suit to stop the implementation of smart growth policies. The argument in a nutshell: the responsible agency failed to evaluate the potential environmental impacts of the project, notwithstanding the fact that the project would result in *less* impact on the environment than the impacts currently caused by the practice that the project would curtail.

As environmental law requires the assessment of a project's potential to *cause* environmental impacts, not its potential to reduce or eliminate existing impacts, a bright ten-year-old can see that this argument won't fly. To the disappointment of COLAB and the plastic lobby, the court agreed with bright ten-year-olds everywhere and threw out their lawsuits.

But, again, the legal merits of the arguments are beside the point. Neither of these actions appears to have been designed with an eye toward prevailing in a courtroom. Rather, they are gift lists designed to elicit late Christmas presents from a not-so-secret Santa: the new majority on the County Board of Supervisors, comprised of Frank Mecham, Paul Teixeira and Debbie Arnold.

The complainants want the 2013 board to roll back the votes of the 2012 board. (Think Ronald Reagan removing Jimmy Carter's solar panels from the White House.) *The Tribune* noted that Excelaron's lawsuit "asks a judge to set aside the county's denial of its project and either approve the application for 12 wells, or send it back to the Board of Supervisors."

Both suits are a ruse to get the new board to work out a deal in a closed session, take the issue back for reconsideration, and make sure the second time's the charm. (It's equally likely that Excelaron hopes to intimidate the County into approving its next project permit.)

Supervisors Mecham, Teixeira and Arnold should feel insulted by the obvious calculation of the complainants, and should instruct County counsel to vigorously defend the vote

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The *Santa Lucia* is published 10 times a year. Articles, environmental information and letters to the editor are welcome. The deadline for each issue is the 13th of the prior month.

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The **Executive Committee** meets the second Monday of every month at 5:30 p.m., and the **Conservation Committee** meets the second Friday at 1p.m. at the chapter office, located at 974 Santa Rosa St., San Luis Obispo. All members are welcome to attend.

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California Legislators Improve Environmental Voting Record

by Kathryn Phillips, Director, Sierra Club California

Sierra Club California is the Sacramento-based legislative and regulatory advocacy arm of the 13 California chapters of the Sierra Club. Every year, after the legislature goes home for the season, Sierra Club California staff analyze the votes and figure out who has been good and who's been not so good.

You can find out how your legislator and the governor performed by reading Sierra Club California's California Legislative 2012 Report Card.

Scores looked better in 2012 than they did in 2011. While in 2011 only one legislator earned a 100 percent score, last year seven legislators earned a perfect score. Additionally, many legislators raised their scores.

The governor also improved his score based on bills he signed and vetoed. In



THE CALIFORNIA LEGISLATIVE
2012 REPORT CARD

2011, his score was just 55 percent. Last year, he raised that to 73 percent.

You helped make these scores better by sending many, many emails, letters and phone messages to elected officials, telling them how you wanted them to vote on key legislation.

Also, thanks to you, many Club-endorsed candidates succeeded in their efforts to get elected to the legislature in November. You can see a full list of our endorsees' status and the outcome of the propositions on which we took a position by going to the elections page on sierraclubcalifornia.org. The scorecard and the election prove once more how valuable and important grassroots activism is for California's environment.

Sierra Club Honors Volunteer for New Laws on Rooftop Solar

from the Sierra Club Yodeler, November 2012

On November 10, during Sierra Club California's annual convention at Rancho El Chorro in SLO, volunteer Kurt Newick received the John Zierold Award, recognizing an individual who has served the Sierra Club in the area of legislative advocacy. The award specifically honors Kurt's efforts—and tremendous successes—in cutting the permit fees charged for installing new solar panels.

One of the satisfactions of being a Sierra Club volunteer is knowing that you have helped with some environmental victory. But few volunteers can boast of the achievement of Kurt Newick:

two bills were signed into law that would not have happened without him. They were the outcome of his hard work over seven years, and he helped draft them. Lots of other volunteers were involved, of course, but it was Kurt's initiative, hard work, and expertise that made the laws possible. Kurt notes with appreciation, "There was always someone willing to work with me."

The story goes back to 2005. Kurt, who works for a solar contractor, saw a problem that was discouraging people from installing photovoltaic solar panels. Every city and county charges a permit fee for a new solar system, but in many cases the fees were much greater than the costs involved in issuing the permit—and large enough to be a significant discouragement to homeowners and businesses considering an installation.

Kurt didn't just grumble—he organized. He worked with the Global Warming and Energy Committee of the Sierra Club Loma Prieta Chapter to conduct a survey of the permit fees for residential solar installations in his chapter, and the committee then publicized the results and encouraged jurisdictions to cut high fees. The results were astounding—lots of cities started lowering their fees. Kurt and the committee didn't rest on their laurels. They extended the survey to include the Bay Chapter and several others (for a total of 25 counties), and to include commercial installations.

In 2011, state Senator Mark Leno and Assemblymember Nora Campos contacted Kurt for advice about statewide policies on the permit fees. They needed to be fair to enable cost-recovery for the cities, yet not so high as to discourage new installations. Kurt worked with legislative staff to craft bills.

Along with Sierra Club California senior advocate Jim Metropulos, Kurt provided advice and presented amendments that the lawmakers included in the final bills.

"We were pleased to work with the Sierra Club and Kurt Newick on SB 1222, which helps streamline government bureaucracy to make solar more accessible to consumers," said Leno. "Kurt's extensive studies on solar fees statewide were the supporting basis for the bill. Our teamwork led to bipartisan support and will help ensure that the solar industry continues to generate investment and jobs in California."

Kurt was invited to Sacramento to testify before legislative committees. Kurt comments: "I was impressed with the legislative process. It was important to the lawmakers to make the legislation simple, and fair to all parties."

The two new laws are:

1) SB 1222 (Leno), which caps PV permit fees for rooftop systems by restricting a city or county from charging more for a solar permit than the estimated reasonable cost of providing the service for which the fee is charged, and providing specific limits on the dollar amount local governments may charge for



Call for Candidates

In February, Chapter members will vote for the candidates who will lead the Santa Lucia chapter on its Executive Committee in 2010.

We encourage our members to run for the ExCom and become a part of the dynamic action of Sierra Club leadership on energy, air, water and land use issues.

The ExCom meets in February to appoint the chair, vice-chair, secretary and treasurer for 2013, as well as

program, conservation and outings chairs.

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

Candidates are elected for a term of three years. Deadline for nominations is **February 1**. For more information or to throw your hat in the ring, contact Cal French at cal.french@gmail.com or call the Sierra Club Office at (805) 543-8717.

Can SLO Hear You?

Residents have overwhelmingly told the City of SLO what they want. Getting it is another matter.



Last spring, the city of San Luis Obispo sent a survey to residents to get their input on the City's update of the Land Use and Circulation Element (LUCE) in the General Plan.

The section of the survey that obtained the most interesting results reads as follows:

On a scale of 1 to 5 with 1 being less and 5 being more, do you think the city should provide less, about the same, or more of each of the following services? If you think the city should provide more or less of a certain service, indicate whether you would be willing to pay more for it or whether you would divert funds from that use to other services.

When staff collated the more than 2,000 responses received, they found that just four areas were supported by a majority of respondents who approved of seeking additional facilities and services: 58% support acquiring and maintaining open space for peaks and hillsides, 54% support acquiring and maintaining more open space land for the city's greenbelt, 53% support more open space land for creeks and marshes, and 50% would like more bike lanes.

Further: "Despite support for some services, only a slight majority of respondents said they would support paying more for just two; 54% for open space for peaks and hillsides, and 52% for open space for the City's Greenbelt."

To a survey question seeking input on the most and least important aspects of "quality of life," respondents

overwhelmingly rated the natural environment (air quality, open space) as having the highest impact on quality of life (71.1%). This was true for all categories of respondents, including the employed (74.7%), retired (69.2%), students (69%), and owners of businesses in the city (73.4%). The "runner up" was "crime levels" at a significantly lower 62.9%. Even "job opportunities" rated way down at 38.2%, and "housing opportunities" at 35.3%. At the bottom of the list were "Shopping opportunities," rated a mere 15.7%; and "entertainment opportunities," at 16.9%.

That's what you call a mandate. Natural open space is clearly the top priority of city residents. Will that fact be reflected in the LUCE update, and will the City make this its top budget priority?

If history is any guide, no. At the time of the last LUCE update in 1994, after the City circulated substantially the same survey and got substantially the same results, a citizens' Open Space Task Force ensured that the adopted Open Space Element defined and protected natural open space as a refuge for wildlife and a respite for people from the built environment. But a few years later, when the city council directed staff to update the Conservation and Open Space Element and "consolidate" it with the 1994 document to create more detailed natural resource protection

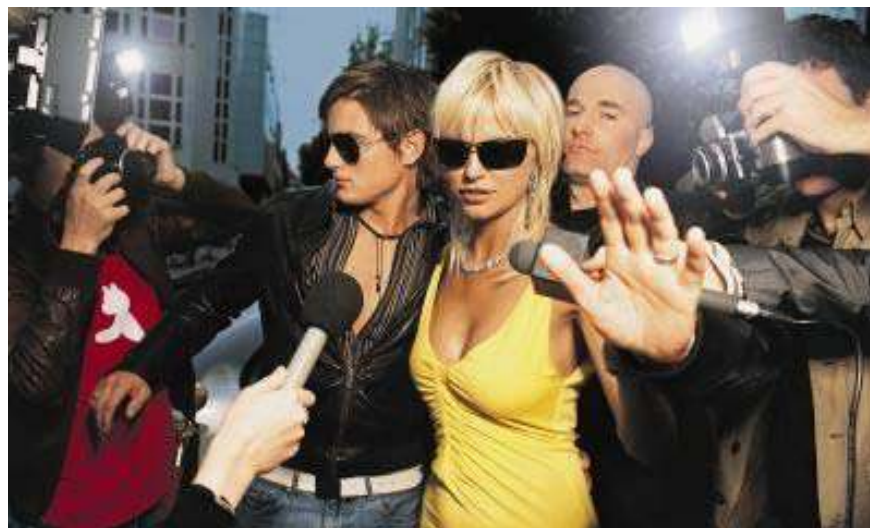
No Cameras!

The Nuclear Regulatory Commission didn't say you could do that

The Nuclear Regulatory Commission conducts periodic meetings in SLO as local outreach exercises meant to shore up public confidence in its oversight of the Diablo Canyon Nuclear Power Plant. The NRC chose the occasion of its November 28 SLO "open house" and poster session, meant to demonstrate how forthcoming the agency is with information, to clamp down on the flow of information and lean on residents who seemed intent on getting too much of it.

Two incidents occurred at the ratepayer-funded public meeting at the Embassy Suites Hotel in SLO at which the NRC presented its evaluation of the hazard of the Shoreline Fault, just offshore of Diablo Canyon. One resident was expelled from the open house for taking pictures. Later, Alliance for Nuclear Responsibility outreach coordinator David Weisman, operating a video camera during a conversation between Alliance attorney John Geesman and an NRC seismologist, was accosted by the NRC's Public Affairs officer, who attempted to halt the filming.

A brief First Amendment discussion ensued. The conversation with the seismologist was allowed to proceed for a few more minutes, but as Geesman's relentless questioning drilled into the inadequacies and omissions of the NRC's report on the Shoreline Fault, the anxious public



affairs officer stepped back in and shut down the filming and the conversation. The entire incident can be viewed at www.A4NR.org.

The incidents occurred three days after the Supreme Court affirmed the unconstitutionality of a law forbidding the filming of Chicago police officers by citizens.

After the open house adjourned to an evening Q & A session, there were no further complaints about the use of cameras or attempts to eject members of the public for doing so.

In the report and their presentation, NRC staff confidently assured residents that we have nothing to fear from the Shoreline Fault -- in marked

contrast to the discussion held among two dozen geologists and seismologists of the Senior Seismic Hazard Analysis Committee, which convened for a three-day meeting at the same location two weeks earlier and was unable to confidently assert the magnitude of the hazard from the Shoreline Fault due to the high level of uncertainty.

It became clear that the NRC was intent on dismissing the largest potential threat to the plant, which hangs on Diablo's most ominous seismic question: whether the Shoreline and Hosgri faults intersect, with a "dip" toward the power plant and the capability for joint rupture.

This intention became most evident when the NRC geologist on hand attempted to dismiss an analysis by U.S. Geological Survey geologist Jeanne Hardebeck of the potential for the catastrophic dual rupture of the two faults, calling it simply "her opinion," and unworthy of further discussion.

"There's no shortage of whitewash here and the brushes to apply it," observed Weisman in his testimony. Alliance for Nuclear Responsibility executive director Rochelle Becker blasted the meeting as "a waste of time," noting that there was no agenda and the subject specialists were scattered around the room for most of the day for one-on-one conversations only, with no chance for a panel discussion "where we can listen and respond to what you're saying."

Shortly thereafter, NRC called it a night. As the staffers made their way to their cars in the Embassy Suites parking lot, they were surely relieved to note that none of them were hounded by paparazzi.



Different brush, same bucket David Weisman compliments the NRC on their whitewash.

Steamrollers

continued from page 2

of the board and the General Plan. That's what they *should* do. If they decide not to do that, we'll all find out after that decision is made in closed session and there is an announcement of settlement agreements that requires one or both votes to go back to the board for a re-hearing. If you see such an announcement in the near future, the translation is "we rolled over."

It's not hard to guess the identities of the anonymous "Concerned Landowners in the Paso Robles Basin," as Big Ag and Big Grape, aka the Farm Bureau and the Paso Wine Country Alliance, were the most passionate foes of the subdivision moratorium and were vocal in their distress at the meeting where it passed. (See "What Shark?," Nov./Dec. 2012). It's also not hard to guess that other concerned

landowners in the Paso Robles basin, who were also vocal at that meeting, might not be thrilled with their neighbors filing a lawsuit seeking to overturn the one modest measure the County has thus far enacted that might keep their wells from running dry. Nor would they be thrilled with supervisors who overturn that measure. Nor would the residents of the Huasna Valley and Arroyo Grande be thrilled to see Exelaron back in town.

So it will be interesting to see, now that they are in the driver's seat, just what kind of conservatives Mecham, Teixeira and Arnold wish to be. The vote against the Exelaron project was 5-0. If the County now rolls over, will Mecham and Teixeira reverse themselves? The vote to impose the subdivision ban over the Paso basin was 3-2. In filing the lawsuit, they-who-must-not-be-named are obviously looking to Ms. Arnold to tip the

balance of that vote in the other direction. Arnold, Mecham and Teixeira can hide behind the fig leaf of "estate planning" that the Farm Bureau and the big vineyards will offer them in order to proclaim themselves on the side of the people and "property rights" as they shove the straws back into the rapidly depleting basin.

Their other option, of course, is to actually *be* on the side of the people — the ones watching their wells run dry over the Paso basin, and the people of the Huasna Valley who didn't want oil rigs in their backyard, got organized, fought back, and won.

Will the Mecham/Teixeira/Arnold board decide that their role as conservatives is to honor the will of the people or serve as a front group that does the bidding of economic special interests?

Time, and the outcomes of two lawsuits, will tell.

Join Our Nuclear Free Campaign

The Sierra Club is focused on changing our energy sources to go beyond coal, natural gas and oil. Phasing out nuclear power plants is the next phase in this campaign.

Nuclear power is not clean power. We propose that nuclear power plants can be replaced by energy efficiency and renewables within our lifetimes, and that the U.S. should follow the lead of Germany, Italy and Switzerland by phasing out our nuclear reactors.

The Sierra Club Nuclear Free Campaign and No Nukes Activist Team are working in the U.S. and Canada to make a difference on these issues. You can participate via conference calls on specific issues, national action alerts, our activist list serve, and regional and national meetings. Sign up at http://sc.org/no_nukes.

The Sierra Club opposes consolidating waste at any central "interim" storage site due to concerns about transport, cost, and the temptation it poses to promoters of dangerously polluting reprocessing, and advocates instead that waste be kept at the reactor sites in Hardened On Site Storage (HOSS), a more robust, secure and lasting form of dry cask storage. But continued operation means the costs continue to mount, along with questions about the ethics of leaving deadly waste for generations millions of years from now.

To get informed or donate to the campaign, go to sierraclub.org/nuclear.



Dropping Water

Blue ribbon committee fiddles as Paso goes down the drain

by Sue Harvey, President
North County Watch



The Paso Robles Basin Blue Ribbon Committee meets monthly to discuss possible solutions to the overdrafting of the Paso basin. The basin encompasses 790 square miles from Garden Farms to San Ardo and from the Salinas River to Shandon. Years of studies have yielded mounting evidence that the annual safe yield of 97,000 acre feet a year (AFY) is being exceeded -- more is being withdrawn annually than is being replaced through rainfall and recharge.

In 2011, the Board of Supervisors declared that the basin had declined to a Level of Severity III. At a contentious hearing this year, the Board moved to approve amendments to the Land Use Element that take small steps to conserve water and prohibit the further subdivision of land within the area declared in LOS III (see "What Shark?," Nov./Dec. 2012). The LOS III designation does not apply to the Atascadero area sub-basin.

Representatives of agricultural organizations, including the Paso Wine Country Alliance and the Farm

Hear

continued from page 3

policies, staff instead deleted almost 100 pages from the original 120-page document, along with critical open space protections. Amid the ensuing public outcry -- the chair of the planning commission slammed the "bureaucratic sleight of hand" -- the city council told staff to try again.

Staff's second attempt was worse, deleting the entire Resource Protection chapter from the Land Use Element and shifting the goal from protecting natural open space to designating it as appropriate for ball fields, tennis courts, etc.

In the hard-fought public battle that ensued, the public got most of the basic protections of the 1994 Open Space Element reinstated.

Then there was Measure Y. In November 2005, seeking support for the sales tax increase, city staff found that "protecting open space" ranked number four in the top eight funding priorities as selected by responses to a mailed survey and community feedback forms. The City promptly sent out a mailer emblazoned "We Hear You!" thanking residents for their interest in protecting critical city services, and listing "The Community's Top Five Concerns." Alas, "protecting open space" had somehow dropped off the list, mysteriously replaced by "Improving public safety" in the number 4 position, with "Protecting senior services and programs" summarily promoted from the number 7 spot to number 5.

In every subsequent document produced by the city listing resident-selected funding priorities for Measure Y, "protecting open space" was invariably listed dead last, when it



Prove it SLO City staff have shown they don't share city residents' love for open space. Will the city council implement the will of the people in the update of the General Plan?

appeared it all.

Now, true to form, city staff has produced a Guiding Principles document for evaluating alternatives to be developed for the LUCE update that lists twelve proposed guiding principles for land use. "Acquire and maintain open space to protect the City's greenbelt, peaks, hillsides, creeks and marshes" appears last on a list of twelve. Remember, this is the top priority as identified in the City's largest survey of residents, the only listed priority to be selected by a majority of respondents, and the only priority for which a majority said they would support paying more than the City does now. But City staff preferred to place this priority far below "Maintain the vitality of downtown," "Improve the jobs-housing balance," and "Increase the retail mix in downtown" -- never mind the actual preferences of city residents, which pretty much reverses that order.

City staff are, by and large, intelligent, caring, and hard working. But their efforts at broad engagement are coming to resemble an attempt at dilution, straying from the directive they have received from the city council that the LUCE update process is to be "resident centered." Staff has instead decreed city residents to be just one of three groups, and thereby

Deal

continued from page 1

So it's up to you. Who can say what the next year or the next decade will bring? With a new, strongly pro-development majority on the Board of Supervisors, an active Sierra Club chapter in our county is especially relevant. There is just no way to predict what may be around the corner. But it's safe to say that we need the Sierra Club now more than ever. Whether coalition-building with other organizations, advocating for environmentally superior development alternatives, or litigating to undo damage, the Sierra Club is your county-wide, quality-of-life insurance policy.

We know times are tough. Believe me, we know. For many people, twenty dollars a month can be the difference between paying the rent or sleeping in their car. But for others, it is the equivalent of one large coffee drink per week. A restaurant dinner for one. A mid-priced bottle of wine. Half a tank of gas. What would you be willing to contribute to ensure that the Sierra Club's smart, principled advocacy on your behalf and on the side of clean water, clean air, open space and public access can continue in the place where it makes the biggest difference—locally?

When you sign up for a \$20 monthly contribution at www.santalucia.sierraclub.org you can be assured that every dime is going directly into the local Chapter's activities. This is *not*

your membership dues, the lion's share of which go to the national organization to help out with national stuff, like getting bills passed or defeated in Congress and holding BP accountable for the Deepwater Horizon oil spill. This fundraising drive is 100% dedicated to supporting the Santa Lucia Chapter's work right here in San Luis Obispo County.

We are confident that our members value their Chapter's active engagement and want it to continue. Your volunteer service is deepened and amplified when you can depend on the support of our dedicated, award-winning staff. The effectiveness of your advocacy is extended when you can rely on the accurate information and shrewd analysis in this newsletter. And your political engagement is translated into a force to be reckoned with when the Chapter endorses and supports visionary leaders like Bill Monning and Lois Capps come election time.

So. Today is the day. Now is the time. We have a month or two to see if you want the Chapter to continue as it is, or basically close its doors. If you want to be part of the solution, please go to www.santalucia.sierraclub.org now and sign up to contribute. Then get another friend or family member to do the same. With your help, and your investment in the future of your community, we can do this.

accorded less weight than should be assigned to the emphatically stated priority of the group whose priorities are supposed to matter most.

The city council is to be commended for giving clear direction to staff in this process. The mayor and the council summarized that directive at the time they created the LUCE Update Task Force: "Council has

repeatedly stated that the process is to be resident-centered. Making it so, starting tonight, will allow the LUCE Update to be truly owned and affirmed by residents."

Will the city council follow through and ensure that the process and the policies that result are truly "resident-centered," especially those pertaining to open space?

California Students Invited to Enter Coastal Art & Poetry Contest

Let our coast and ocean inspire you! Win great prizes! Have your work featured online and exhibited throughout California!

The California Coastal Commission invites California students in kindergarten through 12th grade to submit artwork or poetry with a California coastal or marine theme to the annual Coastal Art & Poetry Contest. Up to ten winners will be selected to win \$100 gift certificates to an art supply or book store, and each winner's sponsoring teacher will receive a \$50 gift certificate for educational supplies, courtesy of Acorn Naturalists. All winners and honorable mentions will receive tickets for their families to visit the Aquarium of the Pacific, courtesy of the Aquarium. Students may have their work featured on Commission web pages and materials, and winning entries will be exhibited throughout the state.

Entries must be postmarked by January 31 to be eligible for the upcoming contest. For rules and entry form (and helpful links for teachers and students), visit coastforyou.org, email coast4u@coastal.ca.gov or call (800) Coast-4U. You can also download a contest flyer.



Picture yourself "Kelp Forest," by Alexa Sharpe, 12th grade, Torrance, 2012 contest.

THE COUNTY WITHOUT

May 3, 2014

PGA Tour to Land on San Simeon Point



The PGA has announced that next year's tour will be coming to the Hearst Ranch Golf Resort and it's celebrated 18th hole, San Simeon Point.

The golfers will be put up by the Hearst Corporation at its Stewards of the Land Luxury Lodge. For the duration of the competition, the county will double the number of water trucks that serve the resort beyond the usual fleet that brings in water every week to replace what once came from the San Carpofofo dry creek.

Longtime resident Britt Micklin said "I can remember when I was a kid and we went hiking out there on the Point. There were a lot of trees, little trails and everything," she said. "There were fish in the cove, too, before the golf course and the herbicide runoff. It was a wonderful piece of nature; the kind of thing the Sierra Club might've saved, maybe stopped this resort from being built, if we'd had an active Sierra Club here. Oh well. This is the price of progress, I guess."

Micklin said she may watch parts of the tournament through binoculars from the 100-yard perimeter the public is required to maintain from the electrified fence and guard kiosks on San Simeon Point that keep non-resort guests from trespassing onto the green.



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February 14, 2015

Last Swallow Leaves Avila

West Nile outbreak spikes

A check of all standing structures in Avila Beach this week has confirmed that for the first year in memory, the distinctive mud-daub nests of cliff swallows are nowhere to be found in the Central Coast beach community, once a haven for the iconic birds.

With the departure of the last swallow, the outbreak of local West Nile virus that has tracked the plummeting swallow population has zoomed from 27 cases reported this time last year to 130 cases. The mosquitoes carrying the virus were the favorite food of the cliff swallows, whose large flocks once kept the mosquito population in check.

"I guess this is what happens when you keep knocking their nests down and breaking their eggs every year," said Avila CSD member Bic Kicklin. "They finally got the message that they weren't wanted. I wish someone had told us that knocking down nests is illegal, and how important the swallow was to our community and the local ecosystem and stuff like that. I bet that's the kind of thing the Sierra Club would have done, if we had one here. Too late now, I guess."

He sighed, lowered the mosquito netting from the rim of his pith helmet, attached it to his collar, and walked back to his empty hotel to sit at the front desk.

Gary Lynch



June 27, 2016

Cayucos Ridgelines Full

No more room in "McMansion Country"

With this week's completion of construction of a 50,000-square-foot spec vacation cottage overlooking the landscape of green hills and valleys between Highway 41 and Highway 46, every buildable lot on the ridgelines of the Cayucos Viewshed has now been occupied by mansions that offer current or prospective owners sweeping views of each other.

"Everybody wants a great view, and for as long as there were views here, they paid top dollar for it," said a satisfied Zip Ziffelin of the Home Builders Association. "It was a great run. Without our friends on the County Board of Supervisors who passed the viewshed ordinance that was written

for them by the lot owners back in 2007 to re-jigger county planning standards, we never could have pulled it off."

Miff Wifflin of the Cayucos Citizens Advisory Council ruefully agreed. "We had sort of hoped that someday some subsequent board would roll back that god-awful ordinance," he said, "but that never happened. Nobody wanted to get anybody riled up, I guess. If we had the Sierra Club here, I bet they would've sued to get that thing repealed. But we don't have one, so that didn't happen, either. Hey, you want to see some pictures of what this place used to look like? It was really pretty."

August 7, 2015

Los Osos Goes Dry

With last week's announcement that the Los Osos aquifer has fallen to a level too low to support the population of the town, a wave of foreclosures and home abandonments has left the community a virtual ghost town.

The vegetation in the area's last environmentally sensitive habitat area died off several months ago when the creeks went dry.

"With the benefit of hindsight, we went the wrong way on the sewer project," said Whit Whiplin of the

County Public Works Department. "We should have paid more attention to things like water conservation and reclamation, but we just wanted to focus on getting the sewer built and the water treated and disposed of. It's all we know."

Whiplin believes it would have been a good idea if the County had expanded its thinking when the project was in the design phase and shifted from a philosophy of waste water disposal to ramp up conservation and include water recycling as part of the project. "And we really shouldn't have gone with sprayfields — spraying

continued on next page

Several commenters focused on how the County is approaching water reclamation, beneficial reuse of treated effluent and sustainability of the groundwater supplies... After extensive analysis of technical, environmental and economic issues, [urban and agricultural reuse of treated effluent] were eliminated from further consideration... An approach that attempts to solve all problems with one project could delay LOWWP construction under the premise that all problems must be solved simultaneously or nothing should be done.

- San Luis Obispo County Department of Public Works
Notice of Preparation/Response to comments on
Draft Environmental Impact Report for LOWWP

A SIERRA CLUB

Here are some local news stories you won't be seeing in the future because we were there in the past.

We hope we can continue to be here in the future for San Luis Obispo's citizens, natural resources and wildlife.

treated, reusable effluent into the air, outside the water basin, and letting it evaporate as the groundwater levels dropped. I mean, wow, what were we thinking? But you live and learn. We probably could've avoided those mistakes if an organization like the Sierra Club had pressed us hard, made us go for recycling, pointed out how dumb an idea the sprayfields were. They would have had to be willing to risk, you know, being unpopular."

"But there was no Sierra Club, so here we are," he said.



January 1, 2020

County Fails to Meet State GHG Cuts

The County Planning Department announced today that it will miss the longstanding target mandated by the state of California for all municipalities to reduce greenhouse gas emissions to 1990 levels by this year. The state will begin assessing penalties for non-compliance.

"We gave it the old college try," said county planner Flip Bicklin. "We put together a Climate Action Plan back in 2011 with an assortment of measures that we thought might do the trick. In retrospect, it's obvious that Community Choice Aggregation, or CCA, should have been one of those measures. CCA has just exploded in cities and counties across the country over the last ten years, and nothing else has been a bigger driver of the clean energy economy and greenhouse gas reduction. So I guess now's the time for us to start looking into that, but we're way behind the eight ball."

- Consider developing a Community Choice Aggregation program with the incorporated cities in San Luis Obispo County to procure up to 50% of the region's electricity use from renewable resources by 2020.

Bicklin said that early evaluation of CCA might have been part of the County's climate action plan if the County had been encouraged to include it when the plan was being drafted. "The Sierra Club has been a big advocate of CCA for years," he said. "If they'd pressed us to put it in there, we probably would have. But there was no Sierra Club here."

October 18, 2019

SLO Welcomes Newest Hillside Development



The real estate firm Trappell & Clutterup has announced plans to develop eight parcels on the hillsides above Johnson Avenue in San Luis Obispo, to be subdivided into 22 residential lots, plus a recreation center, amphitheater, and hotel. The project will complete the full build-out of the hillsides surrounding the city.

Johnson Avenue residents have expressed dismay, and are pressing the City to purchase the parcels from the present owners and preserve them as

natural open space.

"It's a nice idea," said SLO Economic Development Manager Viv Griffin, "but that would require something like a greenbelt program to acquire open space, and a natural resources manager to run it."

Griffin says that those things in turn would require the right policies in the city's Land Use Element. "And getting policies like that would probably require something like the establishment of an environmental quality task force," he said.

"I'm told there was some discussion of doing something like that about 25 years ago when we did the General Plan update," said Griffin, "but there was no Sierra Club and no Sierra Club activists to get behind that idea and push."

"Which is okay by me," she added, "I think we're doing just fine. Especially the real estate sector."

Don't want to see future news stories like these? Go to www.santalucia.sierraclub.org, click "Donate," and sign up for an automatic monthly contribution of \$20, or whatever you can afford. If you don't have Paypal, you can request a monthly bill pay service from your bank, free to anyone with an account. Provide the bank your account number, the date on which you want the check sent every month, and the name and address of the recipient:

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

Want to help us build support? Plan to attend the first meeting of the Chapter Development Committee on January 12. For time and place, email Doug Bing at dougbing@sbcglobal.net.



You're welcome The Santa Lucia chapter had to wage a two-year legal battle with the County to repeal the Cayucos Viewshed Ordinance and save these hillsides.

Frack

continued from page 1

Quebec studies the environmental risks associated with fracking. Quebec also passed legislation in June banning drilling below the St. Lawrence River.

Placing a moratorium on fracking in order to study environmental risk is sound public policy. Who can argue with that?

Answer: Lone Pine Resources. The company claims that the moratorium violates their rights as an investor under NAFTA and constitutes an expropriation of their drilling permit. They're taking advantage of NAFTA's controversial chapter on investment that gives corporations the right to sue a government over nearly any law or policy that the government argues is hurting its ability to profit. It's almost impossible to believe, but it's true.

By the end of 2011, corporations such as Chevron, Exxon Mobil, Dow Chemical, and Cargill had launched 450 investor-state cases against 89 governments, including the United States. Over \$700 million has been paid to corporations under U.S. free trade agreements and bilateral investment treaties, about 70 percent of which are from challenges to natural resource and environment policies. Corporations have launched attacks on a range of public interest and environmental regulations, including bans or phase-outs of toxic chemicals, timber regulations, permitting rules for mines, green jobs and renewable energy programs, and more. This case, however, is the first to directly threaten the obligation of governments to protect their citizens from the destructive effects of fracking.

Lone Pine Resources' claim might not make it to arbitration; the company says it wants to settle the case rather

"We will not survive as an Earth, as a democracy, as a republic, if we don't figure out how to make corporations work for the people and be able to democratically, small 'd', decide on the powers, rights, duties and privileges that these massive global empires, which is what they are now, have in our democracy."

- Jeffrey Clements
FreeSpeechForPeople.org
28th Amendment Conference, UCLA
School of Law, November 17, 2012

Wish We'd Said That... Oh Wait, We Did

On November 21, KCET's web publication *ReWire*, providing news and analysis about renewable energy in California, published an article entitled "The End of Large-Scale Solar Projects in the U.S.?", which featured excerpts from an interview with Jack Curtis, the Asia-Pacific Vice-President of Business Development and Sales for First Solar, "the Arizona-based thin film photovoltaic company best known for building large utility scale power plants in the California desert and the Carrizo Plain."

Curtis said the company -- and, he believes, the solar industry as a whole -- will be scaling back on the construction of massive solar power plants in North America:

I don't think you're going to see a lot of these going forward — largely because it is difficult to find that optimum balance between land availability and transmission availability — but more importantly you're really not leveraging the modularity of photovoltaic (PV) solar as much as you could. Solar PV essentially realizes all economic economies of scale at about 20 megawatts (mW), so if it doesn't cost you any more on a unit basis to build 20 mW as opposed to 500 mW, then what you should be doing is leveraging more strategic places on the grid where you don't have those grid constraints, where it's easy to find a site, where it's closer to distribution load, or it's not as much of a pain to connect, or it doesn't have the same line loss impact.

than see it through.

But what must the people of Canada forfeit in order to settle this case? Clean air? Clean water? Quebec must be able to keep its fracking moratorium, and this case should be dismissed if it goes to arbitration. Rules to protect the public and the environment must not be up for negotiation. And governments should not be afraid to protect their people.

Amazingly, instead of looking for ways to scale back and eliminate the rules in our trade agreements that

threaten public interest policies in favor of corporate profits, eleven countries, including the United States and Canada, are currently in the middle of negotiations to expand the NAFTA investment rules in the Trans-Pacific Partnership trade pact. Under the Trans-Pacific Partnership, our air and our water could be threatened by more cases like this one. Governments must stop writing and signing trade pacts that put the interests and profits of corporations above the well-being and rights of communities.

- Sierra Club Compass

The article concludes: "projects of that size are far more likely to fit into urban and other developed settings, making it easier to move away from the long-distance transmission model of power generation."

Throughout 2009-2011, at meetings of the SLO county planning commission and the board of supervisors and in written comments on the Environmental Impact Reports for the 550 mW and 250 mW First Solar and Sunpower solar power plant projects, the Santa Lucia Chapter of the Sierra Club made these same points -- including line loss impacts and the benefits of multiple, modular solar installations of about 20 mW, built close to end users of the energy, instead of a single, large power plant at a remote location in the Carrizo Plain, habitat for the highest concentration of threatened and endangered species in the United States.

Those arguments were ignored. Instead, Herculean, fingers-crossed efforts to salvage impacted species like the pronghorn antelope, San Joaquin kit fox and giant kangaroo rat are now underway at the plants' construction sites. Those efforts might or might not work. As the scale of the projects and the magnitude of the impacts they will have on these species in this core habitat area are unprecedented, no one knows.

But now we all know what should have been done instead.



Water

continued from page 4

Bureau, objected to the ban on future subdivisions over the basin, a measure required in the County's General Plan to protect a basin in LOS III. Many of those same representatives sit on the Paso Basin Blue Ribbon Committee.

During the hearings, North County Watch publicly challenged the Ag community "to bring forward proposals for water conservation measures for all agricultural operations. The conservation measures must be mandatory, enforceable, and have mechanisms for oversight."

At its December 6 meeting, the Blue Ribbon Committee attempted to answer that challenge. But with thousands more acres of vineyards set to be planted, the ag representatives on the basin committee insist that the solution is the importation of new water. Setting aside the question of where that "new water" might come from, water importation schemes take from 15 to 20 years from inception to turning on the tap.

At that meeting, the committee heard the report from the County's Public Works Department on the County's well monitoring program in four areas suffering from declining well levels -- Creston, Estrella, Shandon, and South Gabilan. As expected, all four areas showed significant declines in well water levels, with Estrella and South Gabilan nearly off the chart. The data show a trend of decline from 1981 forward, but steep declines are apparent from 1999 to the present.

The overdraft problems with the Paso Basin can only be reversed in the near term by limitations on ag pumping, as they are the major users and no amount of conservation by residential users can fix the problem.

The vocal ag participants on the committee insist that ag is doing everything it can, but won't discuss limitations on pumping or vineyard expansion and didn't offer specifics or anything quantifiable that the community at large might find comforting as they watch their well levels decline and their property value evaporate.



TAKE ACTION

In San Luis Obispo, Transition Towns' Self-Governance group is developing a local Right to Clean Water ordinance that would protect our local water resources and ban hydraulic fracking. Volunteers are needed to help begin the process of developing a local ordinance and launch a public education program based on what the Group learned at Democracy School.

Check their website slocleanwateraction.org and drop a note to Jeanne Blackwell at jeannewater@gmail.com to offer to help out or stay in the loop.

On November 27, the Sierra Club's Kern-Kaweah chapter celebrated a legal victory forcing the Division of Oil, Gas and Geothermal Resources (DOGGR) to revoke the permit for Tamarack Oil & Gas to frack in Kern County. Join the Sierra Club's Hydrofracking Team at sierraclub.org/activistnetwork and help us:

- prepare model municipal and county codes in California from existing codes in Texas, Ohio, and the Northeast
- use L.A. County, Culver City, Santa Barbara, and San Benito Codes as proposed leveraging points elsewhere
- assist others to get ordinances implemented and amendments to current codes
- use the L.A. County model to upgrade the City of Carson's EIR for 200 wells and improve its Mitigation, Monitoring and Reporting Code
- use the City of Carson's EIR to push SCAQMD's new Oil Field Regs and upgrades for Culver City/LA/Beverly Hills codes
- review and comment on DOGGR regulations.

Solar

continued from page 3

a PV permit (residential systems: \$500, plus \$15 for every kilowatt over 15 kW; commercial systems: \$1,000 for systems up to 50 kW, plus \$7 for every kW between 51 kW and 250 kW, plus \$5 for every kW over 250 kW.)
2) AB 1801 (Campos),

requiring solar permit fees to be computed based on actual jurisdictional costs and prohibiting fees from being computed based on PV-system valuations.

For more information on the Sierra Club's solar-permit-fee campaign in California, see www.SolarPermitFees.org.

Topaz Solar Farm construction is underway and will continue for the next three years.

For Project Information:
www.topazsolar.com

Questions?

Construction Liaison, Dawn Legg:
(480) 390-6256

To register anonymous comments:
Toll-free Hotline: (877) 228-3331

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Their Final Fumble

Supervisors drop the ball on ag clusters & hit the showers

Going out with a whimper, the allegedly progressive majority of the County Board of Supervisors made its last major planning decision on December 4: they decided that after four years of trying, they were unable to fix the faulty Ag Cluster Ordinance, a fundamentally flawed land use policy intended to protect agricultural land from sprawling residential subdivisions, and drop-kicked it into the waiting arms of the new, profoundly anti-environment board.

It is likely to be a chilly embrace, from which no meaningful reform of this failed ordinance will emerge. Essentially, the public process — four years of work by the planning department, planning commission and citizens advisory committees — was dropped down a hole. The amendments will now be re-written by development interests who have volunteered to assist the County in that task.

From its inception, the Ag Cluster Ordinance has brought about results contrary to the intent of the ordinance. It was intended to be both a disincentive to subdivision of ag lands and an incentive for preserving large swaths of productive land by allowing farmers and ranchers to pursue some modest development of clustered home sites on small portions of their land.

That was the intention; the reality is that the ordinance has been a failure in doing what it was intended to do, as vividly illustrated by the projects approved for Santa Margarita Ranch and proposed for Laetitia Vineyards. The reality has been developers purchasing large agricultural parcels to develop projects featuring gated communities and expensive home sites that depend on the property's groundwater, which is supposedly protected for agricultural uses. New, intensified, irrigated crops have been planted as a way to qualify for even more home sites by manipulating the formula that determines the number of lots. More than a hundred homesites have been approved on large, non-contiguous lots with inadequate buffers, increasing the likelihood of conflicts between agriculture and residential uses.

The proposed amendments were drafted to remedy these problems. *The Tribune* noted that the exertions of those who opposed them looked a lot like a filibuster, intended to prevent the Board from voting and thereby handing off the decision to the



Deja vu all over again Back in 2009, we expressed hope for the repair of the Ag Cluster Ordinance. Any hope placed in that process died in December 2012.

developer-friendly 2013 board.

Four years ago, the same economic interests made sure that the *previous* board voted on the Santa Margarita ag cluster. In December 2008, it was a matter of hurry up and vote on an insufficiently studied, inadequately mitigated project that never should have made it out of County Planning — a display of raw politics that exposed all the flaws of the Ag Cluster Ordinance and the ease with which they can be exploited. In December 2012, it was a matter of stretching out and delaying the fix for those flaws and claiming that the proposed amendments had been suddenly thrust on an unsuspecting public, despite the fact that this issue has been the subject of public surveys and multiple public hearings before the board and the planning commission for the last four years.

At the very start of the December 4 hearing, Supervisor Adam Hill signaled his willingness to “continue the item” — i.e. fold under pressure from economic interests eager to throw a wrench in the process, gut the amendments and keep exploiting the weaknesses in the current ordinance.

At that point, it was clear that there were not enough votes to get the amendments passed, and public comment became moot.

Nevertheless, there was plenty of comment from the public, who, drunk

on COLAB kool-aid, variously asserted that the ordinance if amended as proposed — which would not prevent anyone from building a home — amounted to the seizure of private property, a conspiracy by the County’s socialist planning staff comparable to the Nazis rounding up Jews, a betrayal of our troops who stormed the beach at Normandy, and an extension of the U.N.’s plans for world domination. (One such commenter stated proudly “I don’t read the newspaper.”)

The Farm Bureau, attempting to conjure support for the original flawed ordinance, said that “Sierra Club admitted in their November 8th letter that ‘a cluster would maximize protection of ag land.’”

What we really said was that this outcome was possible if ag clusters are no longer done in the way the current ordinance allows, but instead in the manner prescribed by the amendments that were before the Board.

Delaying the vote on the reform of the ag cluster ordinance, after the rushed vote on the Santa Margarita Ranch cluster, was a compound travesty of responsible land use planning, firmly branding the 2009-2012 SLO County Board of Supervisors with the badge of political cowardice.

The board had a chance to keep what happened last time from happening again. They let it happen again.



A Vote for Urban Agriculture

By the Central Coast Ag Network

On November 20, the San Luis Obispo City Council unanimously voted to lease 18 acres of the Calle Joaquin Agricultural Reserve to the Central Coast Ag Network.

CCAN, established in 2003, champions sustainable local and regional food system to ensure a diverse and abundant supply of food that is resilient and secure.

Purchasing food that is grown locally results in increased spending power for farmers and the potential to create more local jobs.

The land, commonly referred to as SLO City Farm, will be under agricultural production as a fully operating demonstration farm.

The agricultural history of the site will be maintained while providing educational opportunities for the children, the general public, and current and future farmers.

Educational programs will include programming geared toward teaching children about fruits and vegetables, and educate the public on local food and farming in order to keep more food dollars in our county and support ongoing farming in this area.

SLO City Farm will serve as a model for future farm sites and will serve as the main facility for farm incubation programs.

The average age of farmers in SLO County is 59. The loss of experienced farmers coupled with rising land costs are challenges to new and first-generation farmers. City Farm offers an opportunity for farmers, new and experienced, to participate in the strengthening of our community and local food system.

“I am so proud that we have reached this milestone,” said Eric Veium, Board President of the Central Coast Ag Network. “It has taken a small, committed group of us over four years to cultivate this opportunity and I am so excited for what is possible moving forward.”

The land is available for lease through a proposal process. Visit www.centralcoastgrown.org for more information.

You Can Pay the Rent!

Last month, our members met a generous donor’s matching grant challenge for our \$700 monthly office rent, and our donor matched it!

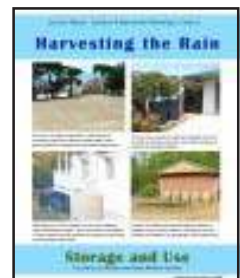
He’s offering the same challenge for the February rent. So here’s an opportunity for more of you to collectively kick in to keep the doors open. Any amount you contribute will be automatically doubled! Make your check payable to Sierra Club and send to:

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

(Write “Feb. rent match” in the memo section of your check.)



Let it Rain



Harvesting the Rain: Storage and Use is the latest how-to guide from the Appropriate Technology Campaign -- SLO Greenbuild, Sierra Club and Surfrider. Hot off the press, and a worthy companion to our *Graywater Guide and Rainwater Management for Low Impact Development*. \$10 postage paid, while supplies last. Mail your check to Sierra Club, P.O. Box 15755, San Luis Obispo, CA 93406.

Taking Issue

problematic environmental coverage & commentary in our local media

“CEQA should be at top of reform list for Legislature,” *Contra Costa Times*, reprinted in *The Tribune*, Nov. 26, 2012.

Summary: If the public retains their right to know about risks to their health and the environment, this will somehow prevent California from having a strong economy. So let’s “reform” the California Environmental Quality Act to relax or eliminate environmental review.

Can anybody recall a time when Republicans didn’t take full advantage of an electoral mandate to go full steam ahead with their agenda? If California Democrats don’t see their first supermajority since 1883 as a mandate, they don’t deserve the support they got from voters in November and they won’t be able to hold onto that advantage beyond the next two years.

As Democrats contemplate what to do with their new supermajority power in the Legislature, they should avoid Republicans’ worst fears: tax increases to restore depleted services.

With the help of Silicon Valley Leadership Group President Carl Guardino, a statewide coalition has been working with CEQA experts to develop reforms that prevent abuses while maintaining the law’s intent. The proposals were discussed briefly in Sacramento as the legislative session ended, but they were too complex to be passed quickly.

The bills intended to gut CEQA were unveiled in the final hours of the 2012 legislative session, bypassing all policy committees and eliminating all public process. This 11th-hour procedural

“Reforming” CEQA won’t reduce unemployment, and cynically pitting the economy against the environment won’t spur economic growth. Creating green jobs, investing in education, and supporting environmental restoration are the kinds of initiatives needed to stimulate the economy and put people back to work.

Nearly 2 million Californians remain unemployed. Economic growth must be a top priority. And one of the best ways to accomplish it is to reform the California Environmental Quality Act.

end-run is known as a “gut and amend” and is the hallmark of the most onerous bills that could never survive the scrutiny of normal, democratic transparency. It is the sort of thing that causes voters to lose faith in government and is the subject of ongoing good government reform initiatives.

See the Equal Protection Clause of the U.S. Constitution. Laws are not selectively available to favored classes of citizens. The demonization of “NIMBY” has always been a perversely Orwellian attempt to attack citizens defending their interests. Why shouldn’t folks use CEQA to halt or improve bad projects in their communities? That’s why we have CEQA. That’s what it’s for. And that’s why the author has to admit that CEQA has preserved California’s natural beauty and given voice to its communities -- both of which the suggested “reforms” would bring to a halt.

[CEQA is] one reason the state has been able to preserve its natural beauty — a central component of its attraction for residents and businesses — and it has given residents a strong voice in community development. But it is too often abused by a whole range of interests: NIMBYs to protect their personal interests, labor unions as a weapon to demand contracts and businesses to stop competition, to name just a few.

We hope to see them revived and fully debated next year:

* Limiting when a CEQA lawsuit can be filed.

Limiting the public’s ability to bring CEQA lawsuits completely eliminates the effectiveness of the law. If a law can’t be enforced, it becomes superfluous.

* Improving record-keeping to speed up the court process.

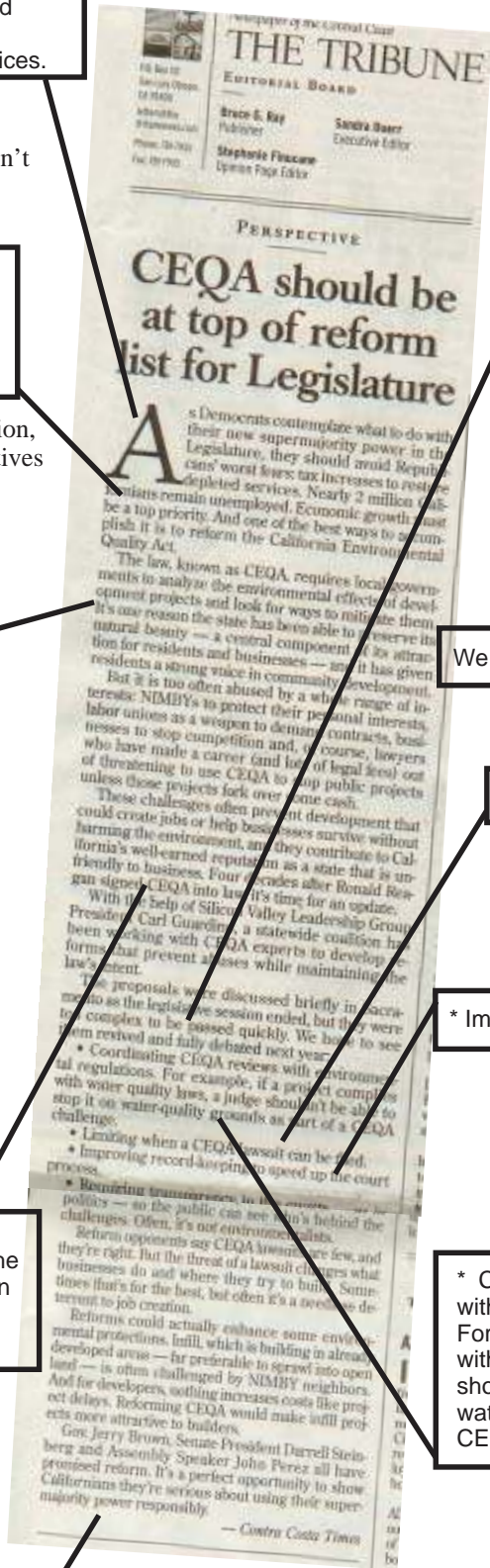
The court process is slow because courts and local governments are not adequately funded to meet their public obligations. The answer is to adequately fund the courts, not mandate stricter record-keeping.

* Coordinating CEQA reviews with environmental regulations.

For example, if a project complies with water quality laws, a judge shouldn’t be able to stop it on water-quality grounds as part of a CEQA challenge.

Many laws and agency regulations are outdated and don’t reflect current science and

our knowledge of environmental impacts. They are not a substitute for the comprehensive environmental disclosure and project review that CEQA requires.



These challenges often prevent development that could create jobs or help businesses survive without harming the environment, and they contribute to California’s reputation as unfriendly to business. Four decades after Ronald Reagan signed CEQA into law, it’s time for an update.

CEQA has been amended multiple times since it

was signed into law, to respond to abuses, weaknesses and oversights. When critics talk about “update” these days, what they mean is gutting the law to make it less effective.

Reform opponents say CEQA lawsuits are few, and they’re right. But the threat of a lawsuit changes what businesses do and where they try to build. Sometimes that’s for the best, but often it’s a needless deterrent to job creation. Reforms could actually enhance some environmental protections. Infill, which is building in already developed areas — far preferable to sprawl into open land — is often challenged by NIMBY neighbors.... Gov. Jerry Brown, Senate President Darrell Steinberg and Assembly Speaker John Perez all have promised reform. It’s a perfect opportunity to show Californians they’re serious about using their supermajority power responsibly.

Note the lack of supporting data and the choice of rhetoric. CEQA lawsuits are “few” but they “often” deter job creation? Changing “what businesses do and where they try to build” is precisely the intent of CEQA.

Developers doing legitimate infill projects on sites that have few (or adequately mitigated) environmental impacts have little to fear from CEQA. And a supermajority is not needed to amend CEQA; it can be accomplished with a simple majority vote. That is how it got amended to exempt a sports stadium in 2011. That’s how it’s been amended numerous times over the last 20 years. A supermajority is only necessary to raise taxes or place constitutional amendments on the ballot.

Upshot: “CEQA is an essential check on government decision-making on a wide range of development decisions, from oil drilling along our coast to industrial development to allocation of natural resources like clean water, clean air and open space. Californians should remain wary of giving up their say in decisions about how and where property is developed. With the election behind us, it is time for the legislature to turn its attention to the issues that really matter. Promote good, clean jobs. Find a sustainable path forward with the state budget. Revive our struggling schools and universities. And set a course for a California that is both green and golden. Gutting environmental safeguards won’t get us there.”

-- “Gutting CEQA would be wrong for California,” Kathryn Phillips, Director of Sierra Club California, and Joel Reynolds, Western Director of the Natural Resources Defense Council, *San Jose Mercury News*, Dec. 7, 2012.

Classifieds

Next issue deadline is **January 12**. To get a rate sheet or submit your ad and payment, contact:
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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, 549-0355. For information on a specific outing, please call the listed outing leader.

Sun., Jan 13, 10 a.m. Sycamore Springs Trekking Pole Hike "Polecats" is dedicated to leading Sierra Club day hikes and modeling the benefits of using trekking poles. The easy hike to Sycamore Springs is 2 miles round-trip, 700-ft elevation change. Meet near the entrance to Sycamore Springs Resort, 1215 Avila Beach Drive. Need to confirm beforehand with leader, David Georgi at 458-5575 or polecatleader@gmail.com.

Fri.-Sun., Jan. 18-20. Death Valley Wilderness Restoration Work with Death Valley NP Wilderness Coordinator Charlie Callagan, picking up debris in Panamint Valley. Hike in of 1 1/2 miles, carry out what we pick up. Camp at either Panamint Springs or Wild Rose campground. Arrive Friday afternoon and start work on project, continuing on Saturday with a potluck in the evening. Sunday may be a work day or recreational. Leader: Kate Allen, kj.allen96@gmail.com or 661-944-4056. CNRCC Desert Committee.

Sat., Jan. 19, 8:30 a.m. Rinconada to Big Falls Hike One of our area's more impressive waterfalls. Moderately strenuous, hike, 12 miles, 1400 ft. elevation gain. Bring lunch, water, and hiking shoes. Two minor creek crossings. Poison oak. Meet in front of the Pacific Beverage Company, Santa Margarita. Info.: Carlos, 546-0317.

Sun., Jan 27, 2 p.m. City Walk of San Luis Obispo: Jazz Age to the Fifties. Where is the hotel where

Hearst entertained his guests, the speakeasies of the 20s, the original French Hospital? Find out and much more on a guided stroll past historic stores, theaters, and hotels. Learn about SLO city life from the Model T to Prohibition and World War II. Meet at building designed by Frank Lloyd Wright, corner of Santa Rosa and Pacific. Info.: Joe Morris, 549-0355.

General Meeting: 4th Annual Environmentalists' Rendezvous Come and hear what major environmental groups in SLO county are doing and their plans for 2013. A unique chance to hear from representatives of key organizations in one place. The forum will include short presentations from Alliance for Nuclear

Responsibility, Audubon Society, Coast Keeper, SLO Green Build, SLO Land Conservancy, Surfrider, and of course our own chapter. Each will present their projects and leave time for questions and comments. Steynberg Gallery, 1531 Monterey St., SLO. Info.: Joe Morris, 549-0355

Sun., Feb. 24, 2 p.m. Musical Walk of Old San Luis Obispo. Join us on a guided tuneful stroll past ten landmarks in the historic core of SLO. Hear the stories behind an ancient adobe, the stagecoach stop, homes of SLO's first doctor and first millionaire, the Creamery, a forgotten WPA project, and more—accompanied by recordings of period songs from Mission days to World War II. Dura-



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

tion about 1 1/2 hours. Meet at NW corner of Nipomo and Dana Sts. Info.: Joe Morris, 549-0355.

Island Hopping in Channel Islands National Park

April 7-9; May 5-7; June 2-4; July 21-23; Aug. 25-27; Sept. 15-17

Join us for a 3-day, 3-island, live-aboard cruise to Channel Islands National Park. Hike wild, windswept trails bordered with blazing wildflowers. Kayak rugged coastlines. Marvel at pristine waters teeming with frolicking seals and sea lions. Train your binoculars on unusual sea and land birds. Watch for the endangered island fox. Look for reminders of the Chumash people who were here for thousands of years. Or just relax at sea. All cruises depart from Santa Barbara

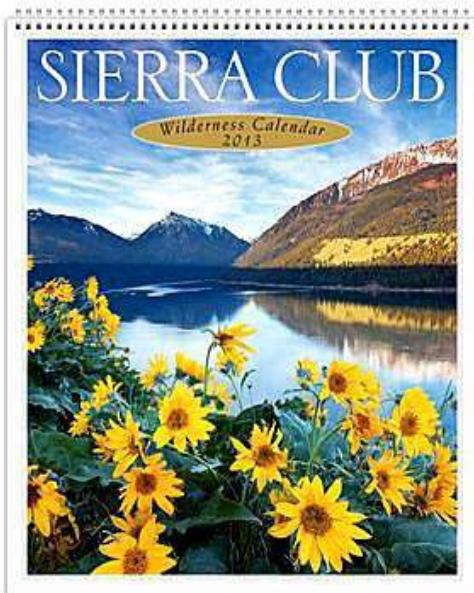


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aboard the 68' twin diesel Truth.

The cost, \$590, includes an assigned bunk, all meals, snacks and beverages plus the services of a ranger/naturalist who will travel with us to help lead hikes, point out items of interest, and

present evening programs. To make a reservation send a \$100 check, written to Sierra Club, to leader Joan Jones Holtz, 11826 The Wye St., El Monte, CA 91732. For more information call or e-mail 626-443-0706 or jholtzhl@aol.com.

Thank You, George and Gewynn

By Andrew Christie, Chapter Director

There are no words to express our sense of sorrow and loss in the face of the tragedy that overtook the lives of George and Gewynn Taylor last December. The Los Osos couple were 30-year members of the Sierra Club and active supporters of the Santa Lucia Chapter. The feeling was mutual. For me, personally, they offered an object lesson in what it means to be a community activist. We met during the long fight over the Los Osos sewer, and worked on Judy Vick's campaign for 2nd District Supervisor. I won't forget the hours spent in their rec room working through the process of drafting a permit appeal to the Coastal Commission for a house they felt was way out of scale for the neighborhood. I won't forget their friendship. The Sierra Club won't forget their support. No one should ever forget their example of engaged citizenship, which basically always comes down to this: when you love a place, you fight for it. Thank you, George and Gewynn.



The Sierra Club
Needs You!



Become an Outings Leader

- Lead hikes and camping trips
- Introduce others to nature
- Explore the outdoors
- Make new friends
- Protect the environment
- Get healthy exercise



John Muir, founder of the Sierra Club, in Yosemite

For further information contact:

Joe Morris, Outings Chair
Sierra Club, Santa Lucia Chapter
(805) 549-0355
dj1942@earthlink.net