



Sept. 2013
Volume 50 No. 8

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September 18

**In Nature:
An Evening of
Environmental Poetry**

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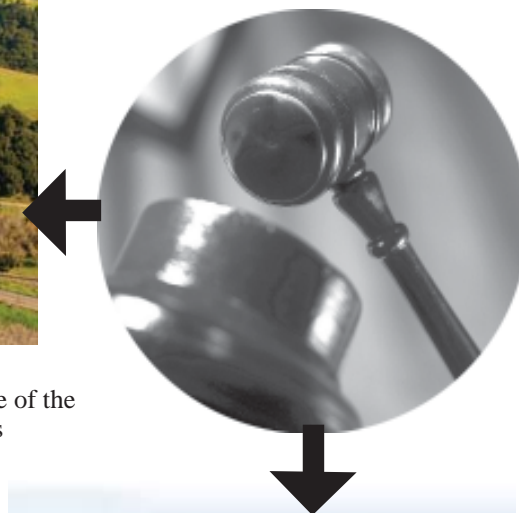
The official newsletter of the Santa Lucia Chapter of the Sierra Club • San Luis Obispo County, California

Help Us Bring the Hammer Down

And write it off your taxes



Oceano Dunes State Vehicular Recreation Area. The California Department of Parks and Recreation and the off-roaders want a court to overturn the rule so they can continue



accountant or tax advisor for advice on your particular tax situation.)

Make your check out for \$50 or more to The Sierra Club Foundation, and mail to:

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Your money will go directly to our efforts to save Price Canyon, the health of the residents of South County, and a species in danger of going extinct.

That's money well spent.

20 from 300: More Match!

We are now **47%** of the way toward our goal: the equivalent of \$20 per month from 300 people in automatic monthly donations, the amount of steady monthly income the Chapter needs to pay the bills. **And our generous matching donor is so pleased with our member response she has upped the ante, increasing the match for July-August monthly donations to \$100 per month.** She encourages more

members to create a match challenge, or help meet the match by going to www.santalucia.sierraclub.org, click the "Donate" button, and sign up for an automatic contribution of at least \$20 per month. Or set up a monthly donation with your bank using their free "Bill Pay" service.

Public interest litigation is one of the three pillars of the Sierra Club's activism in defense of the natural world (public education, legislation & litigation). When encouragement to do the right thing based on reason and evidence does not suffice, and appeals to planning commissions or elected officials also fall on deaf ears, the public has a last resort: the courts.

Right now, the Santa Lucia Chapter is engaged in legal proceedings in the public interest on three fronts:

- We are suing the City of Pismo Beach for certifying the flawed Environmental Impact Report – and thereby taking a big step toward approval– of the controversial Spanish Springs sprawl development project in Price Canyon.
- We are filing as a friend of the court in support of the Air Pollution Control District's dust rule to protect the health of the residents of Oceano, Santa Maria and the Nipomo Mesa from the polluting clouds kicked up by off-roaders at their playground in the

to evade responsibility for their favorite public nuisance. We want to make sure that doesn't happen.

- We are participating in an administrative law proceeding in support of the EPA's order to rodenticide manufacturers to pull products that present a threat to pets, children and non-target wildlife such as the San Joaquin kit fox, the most endangered resident of the Carrizo Plain. The giant multinational Beckett-Renkiser is fighting the order and has refused to pull its d-Con rat poison off the shelves. We're fighting back.

As you might imagine, all this costs money. Good news: unlike your membership dues or direct donations to Sierra Club or the Santa Lucia Chapter, large donations in support of our public interest litigation are tax-deductible! Because public interest litigation is classified as a charitable activity, your donation in support of it can be deducted from your income tax (consult with an

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photo/Karen Walsh

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

Add your voice to protect the planet. Join the Sierra Club today.

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Explore, enjoy and protect the planet

Sierra Club General Meeting

7 p.m., Wednesday, September 18

Inside/Nature: An evening of environmental poetry



Five noted local poets, including both the present and a past poet laureate of SLO, read their own poems on nature themes, both animate and inanimate.

Come hear Ivan BrownOtter, Evy Cole, Lisha Perini, Jerry Douglas Smith and Rosemary Wilvert for an evening

of inspiration and seeing the world in new ways. Conservation issues will begin the meeting.

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

The Dusty Trail

Lessons from Mayor Debbie Peterson's full-court press for the off-road vehicle lobby

As mentioned on our front page, we are filing as a friend of the court in support of the Air Pollution Control District rule that would curb dust pollution from the Oceano Dunes State Vehicular Recreation Area. Off-roaders and the California Department of Parks and Recreation are attempting to strike down the rule.

The ODSVRA is the cash cow in the State Parks system and State Parks wants to escape the potential proscriptions of both the Air Pollution Control District's dust rule and the County's Local Coastal Plan (LCP). Hence State Parks' ongoing efforts to overturn the dust rule and obtain total control over the County land that it leases in the SVRA, the 580-acre La Grande Tract.

State Parks wants to secure title to the La Grande Tract to lock in an activity for that patch of earth — continued off-road vehicle use — before any future court decision or Local Coastal Plan amendment can prohibit it. As the gateway to the main riding area in the southern part of the dunes, the La Grande Tract is also a primary source of the dust pollution kicked up by off-highway vehicles.

That these two issues are bound together is a point we have made before (see "Intractable," June). But no illustration of that connection could be as vivid as that provided by the words and actions of Grover Beach Mayor Debbie Peterson, who very likely received more local media coverage this summer than she has in the entirety of her political career.

But no one connected the dots between the two things Mayor Peterson made headlines for, and someone should.

Mayor Peterson has proven to be the perfect vessel — and the most transparent one — in which to pour all the dunes-related fears and desires of State Parks' Off-Highway Vehicle Division. In a 30-day period, she made manifest the OHV Division's twin goals to roll back the regulation that requires State Parks to mitigate a public health hazard and wrestle the most direct means of local control and enforcement out of the hands of the County. We've noted that Peterson was a



The water-bearer Mayor Peterson has the Off-Highway Vehicle Division's best interests at heart.

special target of the meeting, teleconferencing and touring activities that constituted a lobbying blitz of APCD board members by an Off-Highway Motor Vehicle Recreation Commissioner in February and March. Subsequently, Peterson tried to revive interest in selling the La Grande Tract to State Parks. Such a move, as California Coastal Commission staff told the County in 2007, would make it difficult to "ensure that LCP and Coastal Act policies can be applied to future park management decisions that affect these areas" because the transfer of ownership to State Parks could be used to preempt "the Commission's ability to regulate the type and level of recreational use within the park unit."

That increased level of difficulty and potentially preempted ability is, of course, why State Parks wants to own the land.

Mayor Peterson's second related revival effort has been the attempt to rally local businesses against the Air Pollution Control District's dust rule for the ODSVRA, circulating an on-line petition to the APCD board — in effect, petitioning herself — urging repeal of the rule.

One of the grievances the petition lodged against the board for voting to implement the dust rule was the fact that several members "NEVER EVEN TOOK A TOUR" of the dunes

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The Santa Lucian 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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Printed by University Graphic Systems

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Nominate the Central Coast

Support the Chumash Heritage National Marine Sanctuary

**California Central Coast****Chumash Heritage National Marine Sanctuary****Purpose and Area**

The proposed Chumash Heritage National Marine Sanctuary is dedicated to the nurturing of human relationships to Nature and the Oceans in the deepest ways possible. The Chumash understanding and culture-based respect for nature comes from their long and profound relationships with coastal marine ecosystems.

The proposed Sanctuary embodies internationally and nationally significant and special oceanographic features, habitat and codependent onshore resources including ancient submerged Chumash Sacred sites, as much as 13 miles offshore, as well as onshore Sacred sites continuously occupied for 9,000 or more years adjoining the sanctuary waters.

Other significant features include: the major offshore Santa Lucia Bank with benthic communities of worldwide significance where 13 species of whales and dolphins gather and feed; three major upwellings, one of which is persistent, bringing up nutrient-rich water to feed marine life that also enhances the ecosystems of the two adjacent Sanctuaries; a 3,000-meter deep five-fingered submarine canyon through which the west coast's only persistent upwelling flows; cetacean gathering areas and migration lanes. Additionally, there are a significant percentage of the California sea otter population; thriving kelp forests; rocky intertidal regions with world-class fish diversity and densities; large numbers of pinnipeds including pupping areas and a significant percentage of harbor seals; spawning areas and rookeries; nurseries; three estuaries; high coastal dunes; magnificent views and vistas; and, the splendid waters of Morro, Estero and San Luis Bays.



This area of proposed protection, between the Channel Islands National Marine Sanctuary and the Monterey Bay National Marine Sanctuary and out to the western slope of the Santa Lucia Bank, warrants protection under the National Marine Sanctuary Program for the purpose of embracing the Chumash concept of "thrivability" wherein a deep understanding of this unique and precious marine environment is embodied within its local human inhabitants.



We Can See Clearly Now

You have a new tool in defense of your back yard

By Stacey Hunt, EcoLogistics

Let's imagine that you live in a beautiful, scenic area along the Salinas River. You have fled city life to spend your time out in the peace and quiet of rural San Luis Obispo County.

Now let's imagine you learn that a local company has plans to install a gigantic sand and gravel quarry on top of the mountain that you see outside your window every day. The company assures the community that the project will have major positive impacts. It will provide aggregate to meet all of the County's needs. It will create open space (although the space is already open) and preserve the natural landscape (by digging big holes in the ground).

You read the description of the location of the project in the Environmental Impact Report, which says:

The property is located at 6660 Calf Canyon Road (SR 58), and includes Assessor's Parcel Numbers (APN) 070-141-070 (78 acres) and 071 (156 acres). The project site is within Section 10, Township 29 South, Range 13 East, Mt. Diablo Base and Meridian, on the Santa Margarita CA 7.5 minute USGS quadrangle. Specifically, it includes: APN 070-141-070: E/2 of the SW/4 of Section 10, APN 070-141-071: W/2 of the SE/4, NE/4 of the SE/4, and SE/4 of the NE/4 of Section 10.

...and you wonder what that means. Where is the quarry going to be exactly? How big is it and what will that mountain look like if the project is approved?

If you're Charlie Kleemann, the vague maps provided by the applicant for the Las Pilitas Quarry project were only the beginning. Using the wonderful free resources provided by Google Earth Outreach, and inspired by a Bioneers plenary lecture by Rebecca Moore of Google Earth about her own fight against a proposed catastrophic logging plan for the Los Gatos Creek Watershed, Charlie created three-dimensional drawings to show what impacts the quarry would really have.

"The planning process is all words on paper," says Charlie. "Using

Chumash Sacred Sites within the California Central Coast

The Sanctuary will protect now submerged Chumash Sacred sites ranging from villages to solstice alignments six to thirteen miles offshore. Chumash records suggest occupation of the central coast area for 20,000 years with two recorded dates of 18,000 years at Point Conception, an extremely important Chumash Sacred Place, and 14,500 years on the Channel Islands.

North of Point Conception is Jalama, a Sacred Chumash village site. Other significant Chumash sites associated with the ocean ecology are found along the adjacent coastal terrain north to Point Sal, including two 10,000-year-old sites in Vandenberg. Onshore San Luis Bay are four major Chumash Sacred sites – three known to have been occupied for 9,000 years:

- The site for which the City of Pismo Beach is named
- The site where the Chumash people return to renew the Traditional Ritual Ceremony Cycle
- The old Chumash Capital in the area of Avila Beach, now partially covered by sea level rise
- The Chumash Sacred site at Diablo Cove along the coastline of the Pecho Coast

Continuing north are the Chumash Village Sacred site in Los Osos, hundreds of Chumash Sacred sites ringing Morro Bay, the Chumash village Sacred site of Cayucos (continuously occupied for 8,000 years), other large sites found in the area to a mile north of Pt. Estero, and two Chumash village Sacred sites in Cambria (continuously occupied for 10,000 years).

Request for Designation

To ensure the protection of these Chumash Sacred Sites as part of the ecological, historical, cultural, educational and aesthetic resources of this region, we wish to facilitate the local, proactive approach to ocean protection that a National Marine Sanctuary brings to the management of significant marine resources. Therefore we nominate these waters for designation as a National Marine Sanctuary.

To have your name or organization added to the list of supporters, send an e-mail with your name, city & state and email address to sierraclub8@gmail.com with "Chumash Sanctuary Support" as the subject line.



The Utility That Didn't Want to Know Too Much

Does PG&E want to be exempted from an earthquake safety test for Diablo because it doesn't think it can pass?

There are different kinds of earthquakes. Some weaker quakes can do more damage at a distance than stronger quakes nearby. They can produce different rates of ground motion and different levels of stress at different points on a structure.

When Diablo got its construction permit in the 1960s, there was no way to tell what the area was seismically capable of. Geologists musing on what the worst-case scenario might be assumed a hypothetical 6.75M earthquake located at a depth of six miles below the plant that would generate ground motion with a maximum g-force of 0.2 g.

That – the Design Earthquake (DE) scenario, and the extra-conservative Double Design Earthquake (DDE) scenario, which assumed 0.4 g of ground motion – was the design basis for the plant's ability to withstand earthquakes.

When the Hosgri fault was discovered during construction, capable of generating a 7.5 quake and .75 g of shaking from 2 ½ miles away, the plant was reengineered and rebuilt accordingly. But the original two scenarios remained.

Then in 2008 came the discovery of the Shoreline fault, at an unknown depth and 1800 feet away, estimated to be capable of generating a 6.75M quake and quite possibly capable of generating more than 0.4 g of ground motion. PG&E, however, has decided that the g-force from the Shoreline fault will be less than the Hosgri. That, and the belief that the Shoreline fault can't generate a quake greater than magnitude 6.75, has prompted the utility to claim it can just plan for the Hosgri scenario and call it good.

But a nuclear power plant has many different kinds of structures, components, welds, bolts and pipes that have different degrees of vulnerability to different kinds of stress. Different pieces of equipment at different

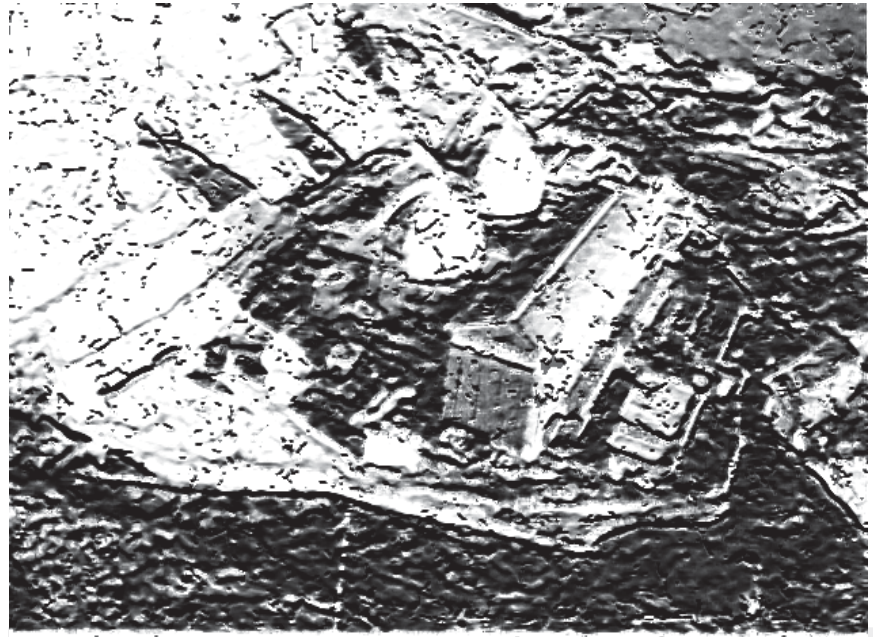
locations in the plant could have different responses to the magnitude and ground motion combinations, originating at varying depths and distances, in all three scenarios in which the Diablo Canyon Nuclear Power Plant must show that it is capable of continuing to operate or safely shutting down.

Due to the significantly higher level of knowledge about the area's seismic activity that has been acquired in the four decades since Diablo's license was originally issued -- including the Los Osos fault and San Luis Bay fault -- it now appears unlikely that PG&E can assure regulators that a safe shutdown of the plant is possible if it is hit by a DDE event.

The Nuclear Regulatory Commission has had some issues with PG&E's proposed solution to this problem: claim that all it needs to do is show that Diablo can withstand a Hosgri Event, and eliminate both the Design Earthquake and Double Design Earthquake analyses from its license requirements.

Thanks to a motion to compel discovery filed by the Alliance for Nuclear Responsibility in a ratepayer case before the California Public Utilities Commission, we now know how this discussion went between PG&E and the NRC, and internally among the utility's senior managers. A large public debt is owed to ANR for its June 28 testimony to the CPUC on what they found in those documents, with the record of PG&E's internal e-mails attached. The resulting 207 pages of testimony reveal, as Alliance attorney John Geesman put it, "a sustained effort by PG&E to evade the most onerous of these requirements, the conservative assumptions about damping and soil-structure interaction associated with the Double Design Earthquake, culminating with an effort

UTILITY continued on page 9



Sierra Club Report: California Doesn't Need Diablo's Energy

As PG&E ramps up its effort to build support for the relicensing of the Diablo Canyon nuclear power plant, a new Sierra Club report has concluded that "more than sufficient existing generation is available to substitute for the permanent retirement of [the San Onofre Nuclear Generating Station] and Diablo Canyon."

In the 47-page draft report, "Meeting California's Electricity Needs Without San Onofre or Diablo Canyon Nuclear Power Plants," Powers Engineering draws on data from the California Independent System Operator (CAISO) showing that the state's "peak load" in Megawatts has been essentially flat since 1998. Since 2006, there has been a total 7% decrease. There is no evidence on which to base a future projection of energy consumption estimates on increasing peak energy consumption.

The draft report concludes that lower forecast demands, combined with large new additions to generating capacity, add up to energy reserves far in excess of state requirements.

In addition, "customer attitudes toward electricity consumption, more rigorous building and appliance efficiency standards...and the growth of rooftop solar" are leading indicators in "what appears to be a fundamental change in electricity consumption and economic trends."

The report notes that "California has been on a major natural-gas fired power plant construction boom over the last decade" and is "also in the midst of a major renewable energy construction boom to meet the state's target of producing 33 percent of its electricity needs from renewable energy by 2020."

Green power is ramping up due to several factors, including "a recent change to California's definition of the 5 percent net-metering cap [that] will result in at least 2,000 MW of additional rooftop PV by the end of 2016," and a June decision by the California Public Utilities Commission that established an investor-owned utility procurement target of 1,300 MW of energy storage by 2020, key to the expansion of wind and solar power. Legislation has been introduced to increase the state's renewable energy portfolio to 51 percent by 2030.

The report notes that "CAISO conducted studies in 2012 on the mid-term and long-term impact to California transmission system reliability of the permanent loss of SONGS and



Awkward... Just as PG&E was rolling out its local p.r. campaign to build support for Diablo Canyon's push for license renewal, the Sierra Club released a report showing that the power it produces is superfluous to the state's energy needs.

Diablo Canyon" and concluded that the permanent loss of Diablo Canyon would result in no mid- or long-term impacts to the transmission system.

The report was submitted to the California Energy Commission as the Sierra Club's comments on the Energy Commission and California Public Utilities Commission's July 15 workshop on the announced retirement of the San Onofre Nuclear Generating Station. Report author Bill Powers is the former chair of the San Diego Chapter of the Air & Waste Management Association, and was a civilian engineer for the U.S. Navy and an engineer with ENSR International until 1993, where he worked on projects for the Western States Petroleum Association, Kaiser Aluminum and Allied Signal before forming a San Diego-based independent consulting firm in 1994 and co-founding the Border Power Plant Working Group.

A final draft of the report including additional information will be released in early September.

READ THE REPORT:

www.santalucia.sierraclub.org/documents/energydraft.pdf

From: Sharp, Loren
Sent: Friday, January 07, 2011 1:05AM
To: 'berkeley.edu'; Cluff, Lloyd
CC: [REDACTED]
Subject: Fw: NRC preps for 1/19 meeting

Fyi
Loren Sharp
Sr Director DCCP

From: [REDACTED]
Sent: [REDACTED] 5:53 PM
To: Sharp, Loren
Cc: Peters, Kenneth
Subject: NRC preps for 1/19 meeting

GRC2014-P3-L_DR_A4NR_001-02189992A4M110
[REDACTED]

Dr Peck has been tasked to prepare speaking points for Mr Vogel on why the NRC considers the plant to be safe with the Shoreline fault for the 1/19 meeting. It would behoove us to explain the conservatism in the Shoreline report with Dr Peck. Be aware he will start asking about how we know we can safely shut down with the new spectra (ie, do we meet DOE)

HOSGRI is bounding, and we have qualified a safe shutdown strategy with HOSGRI active-qualified equipment. He will undoubtedly say that is our licensing basis. I suggest we'll have to keep him focused on addressing safety and capability vs licensing compliance.

[REDACTED]

[REDACTED]

Dusty
continued from page 2

[emphasis in original] before agreeing that hazardous dust emissions are coming from the ODSVRA and they need to be reduced.

The national experts in the field who comprised the three independent research teams that came to that conclusion — over the course of four years and two peer-reviewed studies — did more than take a tour of the dunes in the course of compiling the data and reaching their conclusions. So why, the curious reader might ask, does Mayor Peterson believe that touring qualifies her or her colleagues to second-guess those scientists?

Mayor Peterson's petition regurgitates claims that were refuted at a dozen APCD board meetings over a two-year period, then refuted again by a 20-page court ruling in April when a judge tossed out the lawsuit State Parks and the off-roaders filed to overturn the dust rule.

The petition's specific claims -- and general strategy of repetition of discredited arguments and off-base allegations -- are the calling card of off-road advocate Kevin Rice (see "Here's the Problem, Mayor Peterson," right), to whom Peterson gave an adulatory endorsement in the course of Mr. Rice's brief run for an open seat on the SLO City Council last June.

The *Tribune* editorialized on the misstatements of fact in Peterson's petition, which earned her a rebuke from her fellow councilmembers at their July 15 meeting and the comment from councilman Jeff Lee that Peterson has "almost become the de facto spokeswoman for repeal of the dust rule."

The manner in which Peterson had previously cajoled the votes of the council to endorse a letter to the County Board of Supervisors urging the sale of the La Grande Tract to State Parks should have earned her an even bigger rebuke. Mayor Peterson's increasing estrangement from facts was on full display at that April 15 meeting. When her colleagues asked the right question — why didn't the sale of the land go through when State Parks aggressively tried to acquire it in 2007? — she replied that she was "going on hearsay" but she believed there was "some question as to whether the paperwork was in order." And maybe "it was about the zoning."

To be fair, Peterson's fellow councilmembers should have noticed the dust plume of vagueness that entered the discussion at that point, which should have exceeded their tolerance levels and triggered a refusal to endorse the mayor's letter to the County until they had the facts in hand. As we noted on the front page of our June issue, the failure of the La Grande Tract sale in 2007 was about attempted fraud and the need to comply with coastal law and the County's General Plan, not zoning and paperwork.

In the course of the fight over the County-owned La Grande Tract circa 2007-2012, the Sierra Club established beyond legal challenge that neither State Parks nor the off-road lobby — nor anyone else — can ever again litigate the claim that was the basis of their lawsuit: that coastal planning policies they don't like, including a vehicle buffer area on County land, don't apply to their off-road playground, and State Parks will never have to conform to those policies. The court decided that due to issues of administrative procedure it could not yet intervene, but "plainly these important policy and legal issues need to be addressed."

Addressing important policy and legal issues evidently is not a priority

Here's the Problem, Mayor Peterson

Perhaps the most interesting thing about Mayor Debbie Peterson's campaign to repeal the dust rule for the Oceano Dunes is the link on her on-line petition to a website maintained by Kevin Rice, a vocal off-road enthusiast and occasional SLO City Council candidate. Rice has spent several years actively disputing the Air Pollution Control District's finding that off-road vehicles on the dunes are the primary cause of high levels of particulate matter (PM) pollution, resulting in worst-in-the-county air quality on the Nipomo Mesa.

Rice's website, at the end of a long scroll of links to documents and videos attempting to dispute the facts about air pollution from the dunes and the necessity of the APCD's dust rule, prominently features the two charts below. They map the level of PM2.5 particles — the class of air pollutant emitted by power plants and internal combustion engines — for both the state of California and San Luis Obispo County, and show that the PM2.5 levels for the county "have consistently measured lower than the statewide maximum readings."

That's pretty persuasive evidence that there is no PM2.5 pollution problem in SLO County. But no one is saying there is. Rather, the APCD found a high level of PM10 pollutants -- dust particles -- which locally exceed the state maximum threshold about 70 days out of the year. And the dust rule for Oceano Dunes is about air quality around the Nipomo Mesa, not the entire county.

Directly below these two charts is a link to Rice's pride and joy: "Tainted Green," his 2009 attack on the SLO County Grand Jury after the grand jury found strong evidence of attempted fraud in the multiple "mistakes" made

when the Planning Department tried too hard to facilitate the sale of County land in the Oceano Dunes to State Parks' Off Highway Vehicle Division. "Tainted Green" never actually mentions what the grand jury was investigating. Instead, it strains to smear individual jurors and support its author's central premise: because 3 of the 19 members of the grand jury were card-carrying members of the Sierra Club, its unanimous findings must have been corrupt. "Tainted Green's" brief moment in the local media spotlight ended with its dismissal by *The Tribune* as "silly," "creepy" and "McCarthyesque."

Mr. Rice's previous attacks on the Sierra Club include an occasion when he confused us with The Wilderness Society and its campaign to nominate the Carrizo Plain National Monument as a World Heritage Site -- a la Yosemite, Yellowstone, Carlsbad Caverns, etc. -- a prestigious ceremonial designation that Mr. Rice believed would subject the county to "U.N. scrutiny and international enviro-leftist pressures."

A final sample from the source of Mayor Peterson's "supporting documents:" Last February, Mr. Rice wrote a letter to *The Tribune* about invasive grass in sand dunes and its particular history in the Oceano Dunes. After describing invasive dune grass and its spread in local coastal areas, he wrote: "The Air Pollution Control District wants hundreds more acres unnaturally vegetated."

It's true that European beach grass (*Ammophila arenaria*) is an exotic invasive species that decades ago was planted indiscriminately for dune stabilization. But it's not true that the rule implemented by the Air Pollution Control District to reduce dust

emissions from the vehicle recreation areas of the Oceano Dunes requires planting invasive beach grass; rather, it requires that a performance standard be met for dust control. A pilot project conducted for the APCD by the Desert Research Institute demonstrated the ability of native dune vegetation — "mainly lupines" — to reduce dust emissions from the Oceano Dunes. State and federal agencies and non-profits are engaged in efforts to eradicate *Ammophila* in coastal dune systems.

By using the vague phrase "unnaturally vegetated" after five paragraphs on invasive species, Mr. Rice maintained a semblance of plausible deniability; he did not directly state that the APCD wants invasive weeds planted in the Oceano Dunes; he just let the reader infer it.

By the same token, his website does not directly state that posted charts showing PM2.5 pollution levels for the county have anything to do with the impact of PM10 pollution on the Nipomo Mesa, or that those charts are supposed to refute the APCD's findings on air pollution from the dunes; they just appear on a website dedicated to disputing the APCD's findings on pollution from the dunes.

The reader may judge whether Mr. Rice knows that coastal sand dunes are not solely vegetated by invasive species, and whether, after years of wrangling with the APCD over every detail of the dust rule for the Oceano Dunes, he does not know the difference between PM2.5 and PM10 pollution; or whether, in both cases, he knew better but assumed the unwary reader would not.

If the latter, it's a strategy that appears to have paid off with at least one local elected official.



Uh-oh... Grover Beach Mayor Debbie Peterson's petition to the Air Pollution Control District links to the website of an imaginative off-road enthusiast for "supporting documents" attacking the APCD's dust rule for the Oceano Dunes State Vehicular Recreation Area.

for Mayor Peterson, nor ensuring that Local Coastal Plan and Coastal Act policies be applied to future management decisions in the ODSVRA.

Nor is she moved by the peer-reviewed scientific study that determined off-road vehicles are a major cause of the dust pollution from the dunes, nor by the court ruling that refuted and dismissed every argument against that study and the APCD's dust rule, nor by the risk posed to the health of those with the misfortune to live

downwind of the riding area.

Instead, as Peterson told *The Tribune*, her focus is on the fact that there are new members of the APCD board, so they should get a re-vote and another whack at the dust rule. She told *New Times* that she doesn't deny the existence of a health problem, but "I have a really clear mandate from my city to support the biggest economic engine we have" — before she was upbraided by her fellow councilmembers for overstepping her bounds

as the representative of Grover Beach on the APCD board, and discovered that her mandate wasn't as clear as she thought.

In its search for a local champion to ensure the smooth flow of cash into coffers — damn the public health, the environment and the rules put in place to protect both — State Parks' Off-Highway Vehicle Division couldn't have found a bigger, flatter welcome mat than the one laid out for them at the Grover Beach City Hall.

TAKE ACTION

Sign the petition supporting the dust rule:

www.ipetitions.com/petition/keep-the-dust-rule

Opening Access to Sustainable Biodiesel

The biodiesel movement comes to Morro Bay

By Margo Camilleri, President, American Biodiesel Buyers Club

The best sources of biomass for fuel are waste products and native perennial grasses, which provide more usable energy per acre than corn ethanol or soybean diesel.

In fact, says a report by the University of Minnesota, fuels made from native plants can actually be “carbon negative,” because they store excess carbon dioxide in their roots and the surrounding soil, reducing the amount of CO₂ in the atmosphere. (“Bio-Hope, Bio-Hype: A users’ guide to biofuels,” *Sierra*, Sept./Oct. 2007.)

The American Biodiesel Buyers Club (AmBio Club), formed in April 2010 in Morro Bay, is a charitable organization that educates biodiesel buyers on how to open access to sustainable biodiesel, how to protect themselves from fraud, and how to purchase, use and store biodiesel. Biodiesel (B100) “methyl esters” is an alternative fuel made from natural, renewable sources, such as new and

used vegetable oils, for use in any diesel engine. “Sustainable biodiesel” is defined as biodiesel that was produced from waste vegetable oil (WVO), organic crops, or non-crop sources.

AmBio Club is committed to opening access and maintaining open access to sustainable biodiesel for everyone who wants to use it as a fuel. Our non-profit organization operates with the understanding that most current and potential biodiesel users do not make their own fuel, but rather, buy their fuel from a licensed retail vendor. We support the commercial distribution of biodiesel, and want to work to open access to this better, cleaner technology for potential users who cannot afford the current non-competitive retail price of biodiesel.

We intend to close the financial gap by asking for donations as well as fundraising for grant programs that distribute low cost biodiesel, and cash



grants for storage and dispensing equipment to the needy. Eligibility for the grant program will require applicants belong to one of our designated disadvantaged applicant groups. These groups include low income family farmers, rural or low income schools, non-profit organizations and veterans.

We believe that it is critical that all used cooking oil, both commercial and household, is collected for the exclu-

sive use as a feedstock for sustainable biodiesel. As the cost of foreign oil escalates, using WVO for any other purpose besides fuel is a waste. The best use of WVO is as a feedstock for sustainable biodiesel. Ambio Club has created a program to encourage restaurant owners to choose to recycle their used cooking oil into sustainable

BIODIESEL continued on page 9

Sept. 28-29 is National Plug In Day

Sierra Club is a co-sponsor of National Plug In Day on September 28-29. National Plug In Day is a fun celebration that brings together electric drive owners with the public. Electric car, truck, motorcycle and bike owners gather for test-drives and parades throughout the country. Our goal is to bring the electric vehicle (EV) message to consumers, policymakers, the media and general public.

Many volunteers bring their EVs to these events. In 2012, 65 cities hosted a Plug In Day, with 25,000 people in

attendance nationwide. The number of EV and PHEV sales in the U.S. exceeded 100,000 cars in the past two years; we hope to double the number of National Plug In Day events in 2013. To do so, we need your help.

As of now, there are nine National Plug In Day events being organized in California. These are in:

Los Angeles
Marin County
Rio Hondo
Sacramento



Power up Congresswoman Janice Hahn at 2012 National Plug In Day in L.A.

San Diego
Santa Barbara
Santa Cruz
Santa Rosa
Silicon Valley

While this is the highest number of events for any state, you can see who's not on it, yes?

Sierra Club is recruiting volunteers to take on the role of “City Captains” for California cities not listed above.

People are less reluctant to purchase EVs over traditional vehicles if they can see or test-drive these vehicles in their own community. Hosting this event in your city will accelerate the transition to cleaner emission vehicles by allowing more people across the nation to experience the benefits of electric drive.

TAKE ACTION

Anyone who wants to take on the job should contact Dan Redmond of our Beyond Oil campaign to sign up at Dan.redmond@sierraclub.org, and read the “City Captain” toolkit at www.pluginday.org/pluginday-toolkit.pdf.

The toolkit is part of a great website created by Plug In America (PlugInAmerica.org) that walks a City Captain through all organizational steps of planning the event. Details at www.pluginday.org/resources.php. While it would be helpful if the City Captain is familiar with EV, this is not a requirement for the position.

Let's Get GMO Corn Out of Farmers Markets!



By Jesse Arnold

Did you know that most farmers markets do not allow GMO produce? A few of the reasons are:

1. GMO's have not been proven safe for human consumption or for the environment.
2. GMO's lead to control of agriculture by huge corporations such as Monsanto.
3. The federal agencies responsible for regulating genetic engineering have failed to properly monitor and control the technology.

Grower Robert Hayashi of Hayashi & Sons is known to have sold unlabeled genetically engineered Bt corn at farmers markets throughout San Luis Obispo County.

If you agree that GMO corn should be excluded from these farmers markets, please call San Luis Obispo County Farmers Market Association board member Philip Langston at (805) 481-1040, or talk to him at his SLO Grown Produce booth at Thursday's farmers market in Morro Bay. You can also talk to any of the other vendors you know, at the market you are buying from, and ask them to pass your comments and concerns on to Mr. Langston.

Most farmers markets have a waiting lists of vendors wanting to get in, and market managers have the legal right to exclude whichever products or vendors they choose. I hope you will stand with me in insisting that GMO corn be excluded from all SLO County farmers markets.

If you have any questions, or if you would like to participate in leafletting or picketing at our local farmers markets, you are invited to call me at (805) 927-3096.

City Farm San Luis Obispo Finds its First Farmer

By Jenna Smith
Central Coast Grown

After years of work dedicated to acquiring 21-acres of some of the last farmland in the heart of San Luis Obispo, Central Coast Grown (CCG) now wishes to welcome Nicola Allegretta, of Mama's Meatballs Restaurant, as the first farmer at City Farm, San Luis Obispo. The decision by the City of San Luis Obispo to conserve such a prominent piece of prime agricultural land for production and education truly demonstrates their strong commitment to local food systems and natural resource conservation.

Nicola Allegretta shares CCG's

passion for local, handcrafted food, and will be serving the produce he grows at City Farm in his restaurant just three miles away. The five year lease between CCG and Mr. Allegretta includes 17 of the 21 acres available, and is a tangible step towards regionalizing our community's food system and increasing direct sales from farmer to consumer.

CCG hopes to continue fostering community-oriented agricultural production, especially among new farmers, with the remaining 4 acres. CCG will lease this portion of City Farm in 1/2 -1 acre plots specifically to organizations and individuals focused on education and experiential food production. Information on how to secure a plot and the request for proposals will be released in Fall 2013. All 21 acres of City Farm will be cultivated under organic methods.

CCG works to ensure a healthy and abundant supply of local and regional food through education, research, relationship building, and projects like City Farm, San Luis Obispo. CCG is excited to continue cultivating new and existing partnerships as City Farm and the organization's other work evolves.

For more information on Central Coast Grown and to stay up to date on City Farm news, please visit our website centralcoastgrown.org.



Google
continued from page 3

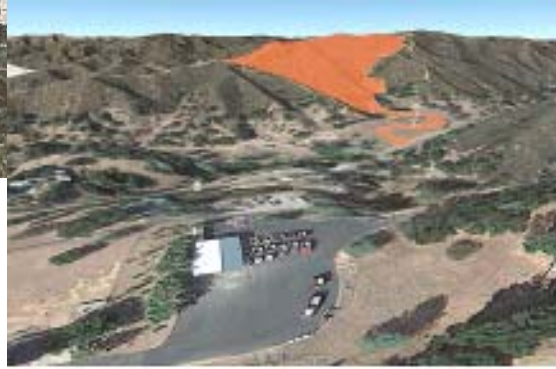
Google Earth images brings out all the issues you could not have absorbed from the documents.”

Charlie began by putting the project coordinates into Google Earth to get an aerial overview of the project area. He then overlaid the project map onto the Google Earth image, which merged it into the proper elevations. “We were able to get an initial idea of the scope and size of the quarry project,” says Charlie, “and we were able to view the affected area from infinite locations.” This flexibility allowed Charlie to show his neighbors what the quarry would look like from their homes.

“Our goal,” explains Charlie, “was to create images that would not require commentary to communicate. With these, we are not only going to engage the



Before & after Here's the Las Pilitas Quarry site, according to the Environmental Impact Report...



...and here it is courtesy of the tools provided by Google Earth -- rotatable and viewable from multiple locations.

community, but call into question the visual resources component of the EIR.”

Charlie and the project opponents took these visual representations to public meetings to use as teaching tools. “We could not have fathomed what this project would have looked like without Google Earth,” he says. “The visual resource studies done by the Las Pilitas Quarry EIR consultant were second-rate. I was able to create shots from the same locations with much better definition.”

The project opponents were able to use the Google Earth images in more ways than they had initially imagined. One example was the air quality analysis, which was supposed to identify “receptors,” i.e. residents living near enough to the project to be negatively impacted by pollution and dust from quarry operations. “The EIR identified only five receptors,” recalls Charlie. He telephoned the Air Pollution Control District and learned that the standards for an air quality receptor study was a 1,000-foot radius around the project boundaries. “Using Google Earth, we drew a 1,000-foot line around the project and identified not five, but fifteen receptors – triple what the EIR consultant found.”

So, you’re thinking, one must have to be an engineer or computer genius to use these tools. “Not at all,” says Rebecca Moore, Engineering Manager for Google Earth Outreach. “There is a whole library of video tutorials on the web site (www.google.com/earth/outreach) that will allow you to teach yourself how to create a map, embed GIS data into it, add photos and image overlays, and create a narrated tour, all with free software.”

If you have more advanced requirements, such as importing high-resolution imagery into Google Earth or exporting images to large format posters, Google sells software for that. Google Earth Outreach’s web site is filled with case studies using Google Earth to address issues such as Appalachian mountaintop removal, tracking elephants to protect them from poachers and conservation of the British Columbian coastline. “We also do free workshops all over the world to teach people how to gather data,” says Moore.

Want to learn more about Google Earth Outreach and the Las Pilitas Quarry story? You’re in luck: Rebecca Moore and Charlie Kleemann will team up for a Central Coast Bioneers Conference workshop on Sunday, October 27, on using Google Earth as a tool for grassroots environmental activism and as a way to level the playing field.

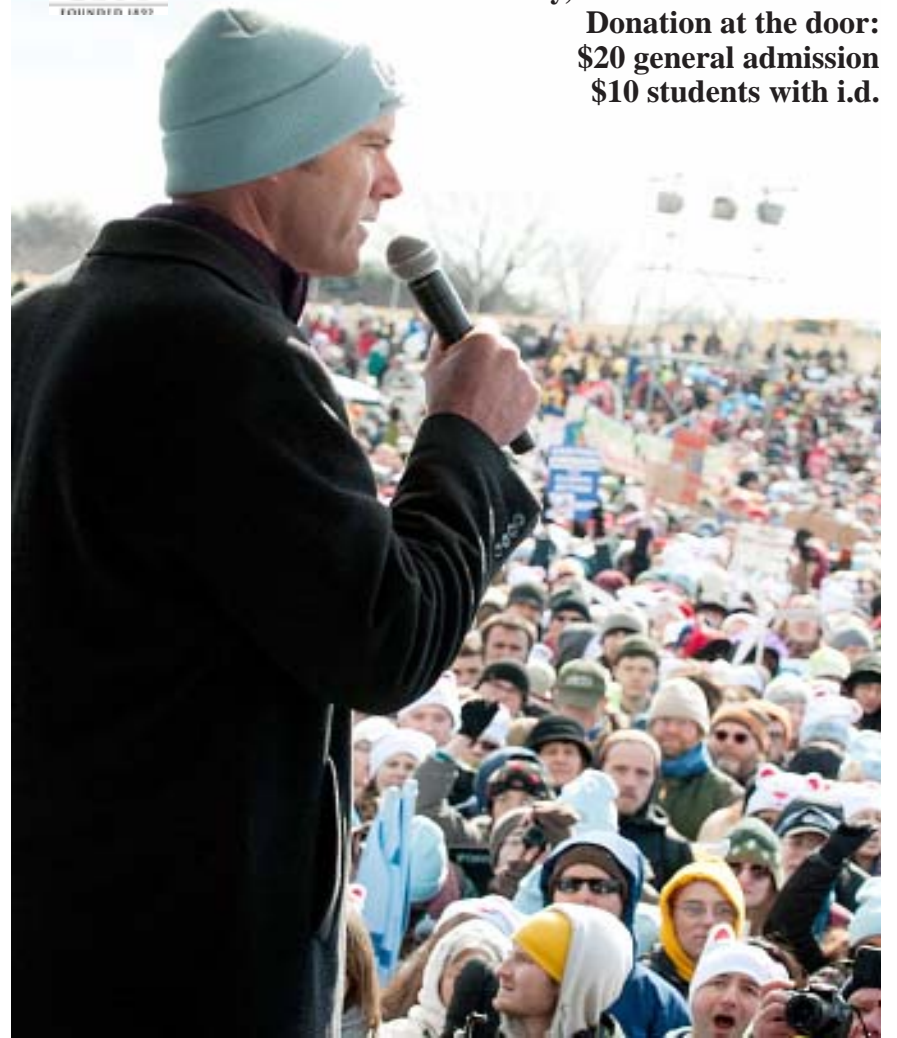
As Charlie puts it, “the County had never seen project opponents armed with technology better than the developers.”

Please Join us for An Evening with Michael Brune



Executive Director of the Sierra Club

5:30 p.m., Nov. 4, 2013
Cal Poly, Chumash Auditorium
Donation at the door:
\$20 general admission
\$10 students with i.d.



Now hear this Mike Brune addresses the 50,000 people at the Forward on Climate rally over Presidents Day Weekend at the Washington Monument.

Michael Brune is coming to SLO in November, and the Santa Lucia Chapter of the Sierra Club is proud to host his address at Cal Poly.

Before he became the leader of America’s oldest, largest, and most influential grassroots environmental organization, Brune’s first environmental job was as an organizer for Greenpeace. In 1998, he joined Rainforest Action Network, where he served seven years as executive director. He became executive director of the Sierra Club in March 2010, one month before the explosion of BP’s Deepwater Horizon oil rig in the Gulf of Mexico triggered the worst environmental disaster in U.S. history. More than 2,000 Sierra Club members and supporters volunteered for the cleanup, and the Sierra Club launched our Beyond Oil campaign to prevent another disaster by decreasing oil dependency and increasing smarter transportation options. Sierra Club also launched the Beyond Coal campaign in 2010. Since then, nearly 150 coal plants either have been closed or are scheduled to retire. *Mother Jones* has called the campaign “a grassroots rebellion [that] won the nation’s biggest climate victory.”

Brune is the author of *Coming Clean — Breaking America’s Addiction to Oil and Coal* (Sierra Club Books, 2010) and blogs for the Huffington Post and Daily Kos.

Look for details in our next issue on how to get tickets, and mark your calendar now to join us for a memorable evening.

Environmental and Fishing Groups Demand California Improve Oil Spill Prevention & Response

State lagging far behind, marine resources at risk

by Amy Trainer, Environmental Action Committee of West Marin

Environmental and fishing groups are demanding that California’s State Resources Agency provide a 21st century oil-spill prevention and response system for the state’s unparalleled coastal and marine resources.

The groups’ concern is based on the risk caused by more than 500 million barrels of oil that are transported in California’s waters each year.

In an August 1 letter to the agency, the coalition highlighted provisions of state law that require the California Office of Spill Prevention and Response to provide the “best achievable protection through best available technology,” a standard that the state is failing to meet. Because adequate prevention and response assets are not in place, the state relies on the use of toxic chemical dispersants.

California must require the oil and maritime transportation industries to

take responsibility for the significant risk they create to our priceless marine and coastal resources. The next big spill is a matter of time, and OSPR’s reliance on chemical dispersants that would harm human health, marine mammals, seabirds, the fishing industry, and the overall marine environment is not acceptable.


The letter demands that the Office of Spill Prevention remove chemical dispersants as a primary spill-response tool, referencing peer-reviewed science that has emerged since the Deepwater Horizon catastrophe, in which hundreds of thousands of gallons of chemical dispersants resulted in severe human health and ocean toxicity, the effects of which will be felt for years to come.

“We are hoping that the state hears our message clearly,” said Angela Howe, legal director for the Surfrider Foundation.

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The Taboo Subject at the Core of the Immigration Debate

By David Sirota, The Huffington Post, April 2, 2006
Reprinted by permission, Huffingtonpost.com

Due in no small part to the efforts of the Santa Lucia Chapter, the Sierra Club affirmed in 2004 that forced global migration can be traced to corporate globalization, the international "free trade" system that throws farmers off their land, wrecks ecosystems and subsistence economies, and slashes wages and social services, forcing millions to go elsewhere to seek a living if their families are to survive. "Elsewhere" often turns out to be one of those countries whose trade policies destroyed the ability of immigrants to make a living in their own land. As the issues of global "free trade" and immigration reform both come to a head in Washington this year, we're pleased to reprint the following essay by David Sirota, which appeared on the Huffington Post seven years ago, and is today more pertinent than ever.

Amid all the buzzword phrases like "border security," "guest workers," and "amnesty" being thrown around in the superheated immigration debate, one buzzword phrase has barely been mentioned: "free trade." It's not that border security and guest worker status discussions aren't important. But, as I discuss more fully in my upcoming book *Hostile Takeover*, America's free trade policies get almost no attention, no matter how central their role is in the major challenges facing our country. How, you ask, does "free trade" fit into immigration? It's pretty simple: had America actually had a trade policy that lifted up the economic conditions for ordinary workers both at home and in other countries, there would likely be far less demand by desperate workers for illegal entry into our country.

Thankfully, at least one major media outlet, *Time Magazine*, has now addressed (albeit briefly) the free trade policies at the center of the immigration issue. In its coverage today, the magazine explains exactly how free trade and immigration are connected:

"When Bush, Fox and Canadian Prime Minister Stephen Harper meet today in Cancun to discuss the continent's dysfunctional immigration situation, they might consider that one solution lies not so much in guest-worker programs or a 2,000-mile-long border fence, but in trade—namely, a revision of NAFTA, the North American Free Trade Agreement. Perhaps they should ask why NAFTA—which took effect 12 years ago amid promises to raise the fortunes of Mexico's beleaguered workers—hasn't done more to reduce desperate labor migration over the U.S. border. That illegal flow, about a million migrants a year, is as heavy as ever...Free trade has also failed to generate enough U.S. and other foreign investment in new industries and small- and medium-size businesses—and, as a result, hasn't created enough new Mexican

jobs. Even when new jobs do appear, the nation's unforgiving low-wage business culture—the dark shame of Mexico's political and economic leaders, which NAFTA was also supposed to reform—makes sure that they still often pay in a day what similar work would pay in an hour in the U.S. Add the recent deluge of dirt-cheap Chinese imports into North America that are taking business previously provided by Mexico, and the urgency for Mexican workers to head north only heightens."

Think of it like the concept behind the Academy Award-winning movie *Traffic*. The movie makes the compelling point that the way to really address the drug issue is to address not just supply through interdiction of drugs in Latin America, but consumer demand for the drugs themselves. You tamp down demand, and you go a long way towards addressing the issue.

But with immigration and trade, we've done exactly the opposite — our trade policy has actually ratcheted up the desire of millions of Mexican workers to come to our country. Ten years after NAFTA, the Washington Post reports that 19 million more Mexicans are living in poverty. Similarly, former Labor Secretary Robert Reich notes in today's *New York Times* that "Mexico's real wages are lower than they were before [NAFTA]" and economic inequality has grown.

That means millions more Mexicans potentially have an even more intense desire to head to America to better their economic situation. Had our trade policy actually included real labor, human rights, wage and other economic development provisions, maybe 19 million fewer Mexicans might be living in poverty. That would likely mean less desire by millions of Mexicans to head north of the border because things were actually developing well in their home country. And, of course, this says nothing of our government's unwillingness to seriously crack down on big employers here at home who exploit illegal

immigrant labor, and thus further fuel the incentive/demand for illegal immigration in general.

Now remember — it should be obvious why so few politicians want to actually talk about trade as it relates to the immigration debate — even though it is at the center of the controversy. Congress is a place filled with people whose campaigns are financed by Corporate America, which loves the immigration debate pitting nations' working classes against each other, and loves the free trade policies that have driven down wages, human rights and environmental protections all over the globe. For these politicians, it is far easier to bash Mexicans, or propose building walls, or criticize border security than to actually confront the Big Business-bought trade policies that have helped create the situation we are now in.

But it is becoming increasingly difficult for the political Establishment to ignore trade, while focusing on immigration. We are going to have to start asking questions like the one Reich asked in his piece today: how can richer nations be convinced to reform their trade policies so that they actually help workers, both at home and abroad?

The answer points to the silver lining in the current furor over immigration: namely, that Americans' concerns over mass illegal immigration provides an opportunity to educate the public about the very tangible, real benefits of bettering conditions in the developing world. Demand that our bought-off politicians start reforming our trade policies to actually help ordinary workers — as opposed to only executives at multinational corporations — and our country will start moving to address global poverty, unfair competition, and illegal immigration.

Making the reform of our trade policy be an integral part of any reform of our immigration policy is the only way ordinary citizens on both sides of our borders will win. This is exactly what the Big Money interests don't want to happen — but it is exactly what must happen if we are to find real solutions to these very pressing problems.



Shirley Goetz

Bird Brains are Stupid

by Shirley Goetz

July 29 was a beautiful day in Avila Beach (as usual), and after having lunch with friends, I decided to take a drive out to Old Port Pier and enjoy the scenery and sunshine.

As I entered the pier, I saw two men setting down their cooler at the fish cleaning station. My curiosity prompted me to ask "what's the catch?" The fellow, probably in his mid 60's and obviously retired, bragged about "a couple browns and cod," etc. He said he does this every day and is very popular with his neighbors.

I noticed a group of seagulls and pelicans gathering beneath the drop chute at the fish cleaning station. I asked him politely if he would consider chopping the discarded carcasses into smaller pieces before dumping them into the chute, as larger discards get caught in the throats of the birds below. I offered to help and cut them up into smaller pieces for him.

He declined my assistance and said "I'm not going to do that because they're stupid! They are juveniles and they are stupid, they are all just dumb birds!"

He continued on with more on the subject of "stupid birds," so I decided to put a little distance between us and watched from a distance as he threw carcass after carcass over the edge of the pier rail, not even using the disposal chute provided at the cleaning station.

From my location I was able to capture video and stills of the discarded carcasses and the seabirds trying to feed on the remains larger than their normal prey. For obvious reasons I cannot show the identity of these gentlemen during this episode, but took photos of how the day went for the birds. One pelican, while trying to swallow the large carcass, flipped a piece over its head. I filmed him swimming in circles, disoriented.

I could only shake my head with pity at the display of behavior from a man, who failed to see or read, literally 24 inches away from his hip pocket, a clearly posted sign stating facts such as, "Never feed seabirds. Feeding encourages seabirds to congregate, exposing them to fishing-

BIRDBRAINS continued on following page

Surprise! Offshore Fracking is Here

By Amanda Wallner
Capitol Voice, Sierra Club California



In August, the Associated Press reported that for several years, oil companies have been using hydraulic fracturing techniques off the coast of California.

This dangerous process combines harsh chemicals, other materials, usually under intense pressure, to help break up rock and soil for oil and gas extraction. There are a lot of unknowns about what fracking will do to the marine environment; and to make matters worse, oil companies are reportedly dumping fracking fluids into the ocean without treating it.

Now that we know oil companies are fracking offshore, we can do something about it. The California Coastal Commission has jurisdiction over all offshore drilling projects, and can go back and look at previously approved projects if the circumstances have changed — and they have.

On August 15, the Coastal Commission met in Santa Cruz. When the Deputy Director gave her report on offshore fracking to the Coastal Commissioners, Sierra Club coastal activists and others were there to make sure the Commissioners knew that we expect swift and forceful action to investigate and put a stop to dangerous fracking practices off our coast.

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Biodiesel

continued from page 6

biodiesel and to support universal access to biodiesel.

We also believe diesel vehicle drivers need accurate information about biodiesel. AmBio Club is dedicated to educating the public on what we know about biodiesel and the biodiesel marketplace, and providing information to consumers so that they can make informed choices when purchasing, using and storing biodiesel. We also work to educate everyone about the benefits of sustainable biodiesel and how it reduces air pollution, GHG's, asthma, and cancer rates, eliminates dependence on foreign oil and is clean burning, non-toxic and biodegradable. In addition, through our consumer protection program, we support buyers by educating retailers and other industry vendors about biodiesel users' experience and their desire to purchase high-quality, American-made, inexpensive, well-tested sustainable biodiesel from a pump near their home or work, and from a supplier they can trust to not rip them off or give them a bad product.

What is Sustainable Biodiesel?

As mentioned, sustainable biodiesel can be defined as biodiesel made from recycled WVO. However, this simple definition of sustainable biodiesel does not encompass the more accurate description of sustainable biodiesel as a renewable system. Sustainable biodiesel should be defined by how the fuel is made and distributed to the buyer. We believe that sustainable biodiesel is "sustainable" when a home town licensed vendor collects the WVO from local restaurants and brings it to a nearby biodiesel production facility where it is turned into a clean burning fuel. The biodiesel producer, in turn, hires a local driver to deliver it to a locally owned retail store to be distributed into the tanks of all interested users at a price all drivers can afford.

Very few drivers are using biodiesel because of three real-world barriers that keep it from becoming a commonly used fuel. Potential users are afraid it will void their warranty. They don't know where to buy it, how to use it or if they can store it, and these potential buyers won't feel comfortable using biodiesel until they know that it's safe to use in their particular vehicle.

Providing Access to Infrastructure

There are a total of 1,353 locations in the National Biodiesel Board's retail location finder. As a comparison, WikiAnswers estimates there are

115,223 gas stations in the US. In addition, an early survey of new biodiesel users found that the largest barrier to switching from petro-diesel to biodiesel was availability of the product. According to a January, 2010 National Biodiesel Board survey, "By far, the leading reason for not using biodiesel was availability at 80 percent, down slightly from the previous year's 89 percent. At 15 percent, price was the next biggest obstacle cited for not using biodiesel." Price and availability accounted for 95% of a potential user's reason for not using biodiesel.

In addition, Ambio Club's research into California supply prices has shown that, except in geographic areas very close to large biodiesel production facilities, biodiesel is more expensive by several dollars than petro-diesel. The only way to make sustainable biodiesel competitive with petro-diesel is by encouraging an increase in supply. The more biodiesel is made and used, the lower the prices will become through economies of scale.

This requires building places for people to fuel up their diesel vehicles. The open marketplace has not built the needed biodiesel refueling infrastructure. As a result, we believe that sustainable biodiesel should be supported by the community as a whole as a means to clean the air and lower green house gases. Ambio Club is working to pull the community together with the goal of open access to biodiesel to those who have the least access and the most need.

Universal Access to Biodiesel

Universal Access is a well known concept in the mass communications field. The goal, as Kirk Hallahan wrote in *On Mass Media and Society*, is "to avoid creating a society of 'information haves' and 'information have-nots.'"

Ambio Club believes that the need for Universal Access applies to biodiesel. The public should encourage local communities to install the necessary infrastructure to provide access to sustainable biodiesel to disadvantage groups of people, including schools, family farms, veterans, and non-profit groups. We will help these people obtain access by establishing grant programs that are designed to help those who want to use biodiesel the means to buy it. In addition, we will provide them with refueling location to ensure they have a safe and legal place to re-fuel so they have the means to use it.

Access: One Chapter at a Time

The AmBio Club has the goal of supporting multiple independent Chapters throughout the country that will disseminate accurate information about sustainable biodiesel to the general public. Each Chapter will be responsible for providing the public

I suspect that gentleman has grandchildren. And I wondered if his grandson got a fish bone stuck in his throat that night and started choking, would this man stand up from the dinner table, point his finger and say, "You ate it because you're a juvenile and you're stupid!"

This man's behavior was purely intentional and heartless. His actions endangering wildlife and their safety were of no concern to him.

As I write this, I am reflecting on "Forrest Gump" and his mother's words of inspiration: "Stupid is as stupid does."

My advice to that fisherman: Learn to read, and make yourself smarter. The rest of us have to live with the damage you've done (and will probably continue to do) while other living things have to die because of it.

with information on how to buy sustainable biodiesel, as well as how to store and use biodiesel products. In addition, each Chapter will participate in our 's Biodiesel Universal Access Grant program.

AmBio Club is looking for volunteers to help support the organiza-

tion's efforts to offer universal access to sustainable biodiesel and to help educate the public about the importance of supporting sustainable fuels. To volunteer or to learn more about our mission please visit www.ambioclub.org or e-mail margo@ambioclub.org.

Utility

continued from page 4

by PG&E shortly after the Fukushima catastrophe to simply amend the bothersome tests out of its Diablo Canyon licenses."

To show "Lessons Learned" after Fukushima, the NRC ordered Senior Seismic Hazard Assessments for all U.S. nuclear plants. Geesman testified that the documents discovered by A4NR showed "the Diablo Canyon Senior Seismic Hazard Assessment Committee (SSHAC) – especially its ground motion characterization activities – to be an insular, corner-cutting exercise in the self-justification of past work rather than an objective, robust, scientific inquiry." The SSHAC is packed with insiders from the plant's Long Term Seismic Program, longtime PG&E staff and consultants "who are effectively being called upon to review the very work upon which their professional careers have been based," Geesman said. This despite NRC guidelines that emphasize "diversity of viewpoints and approaches" and stipulate that SSHAC teams "should not be dominated by personnel from a single institution or company."

The Diablo Canyon SSHAC's most notable accomplishment to date has been its refusal to analyze the potential scenario of a joint rupture of the Hosgri and Shoreline Faults, an analysis urged by the U. S. Geological Survey geologist who discovered the Shoreline Fault.

In insisting that it be allowed to meet a lower safety standard than its license requires, PG&E is acting in accordance with tradition. The nuclear industry is prone to this kind of fix: if a plant can't meet requirements, relax the requirements.

In a landmark 2011 series examining the safety of nuclear plants, the Associated Press analyzed tens of thousands of pages of government and industry government and industry studies, test results, inspection reports and regulatory policy statements filed

over four decades. They found that "Industry and government reports are packed with troubling evidence of unrelenting wear - and repeated regulatory compromises."

One of the AP's most troubling discoveries was the industry practice of "sharpening the pencil:"

"Nuclear engineers and former regulators used nearly identical terminology to describe how industry and government research has frequently justified loosening safety standards to keep aging reactors within operating rules. They call the approach 'sharpening the pencil' or 'pencil engineering' — the fudging of calculations and assumptions to yield answers that enable plants with deteriorating conditions to remain in compliance."

The PG&E internal e-mails obtained by the Alliance for Nuclear Responsibility make it clear that the official least inclined to fudge the calculations with Diablo Canyon was Dr. Michael Peck, the Nuclear Regulatory Commission's Senior Resident Inspector at Diablo Canyon. Dr. Peck filed a rare statement of non-concurrence with the NRC's decision to allow PG&E's "first of a kind request" to switch the Safe Shutdown Earthquake analysis in its license to a different standard and avoid the analysis that it didn't want performed.

In e-mail exchanges, senior plant management discussed Dr. Peck's troublesome insistence that "we are obligated to review the Shoreline earthquake (and any new geological feature) to the same standard...that we are licensed." One PG&E official commented "Be aware that he will start asking about how we know we can safely shut down with the new spectra (i.e. do we meet DDE)... I suggest we'll have to keep him focused on addressing safety and capability vs licensing compliance."

In August 2011, the NRC insisted that PG&E was failing to comply with its license because "new seismic information developed by the licensee is required to be evaluated against all three of the seismic design basis earthquakes," but PG&E ultimately succeeded in its efforts to convince the NRC to back down — though not Dr. Peck himself. NRC media flacks continue to tell inquiring reporters that Dr. Peck's non-concurrence with the NRC's decision to let PG&E slide was merely an "administrative" objection about process, but Dr. Peck has been happy to correct those officials and confirm to reporters that his objection indeed was and is about safety.

PG&E's evasion has only bought it a delay of a few years: in 2015, it must apply the standards of the Double Design Earthquake test that it has, for now, successfully avoided.

This, sadly for residents of the central coast, is how PG&E has gone about learning the lessons of Fukushima.

NRC FORM 757 SEP 2011 EDITION		U.S. NUCLEAR REGULATORY COMMISSION	
NON-CONCURRENCE PROCESS		NRC TRADING NUMBER NCR-2011-001	
SECTION A - TO BE COMPLETED BY NON-CONCURRING INDIVIDUAL			
TITLE OF SUBJECT DOCUMENT DIABLO CANYON POWER PLANT - INSPECTION REPORT 0500270320-2011005		NRCMS ACCESSION NO. #11 704700473	
DOCUMENT AUTHOR Neil O'Keefe,		NRCMS PHONE NO. (817) 308-1141	
TITLE Chief,		ORGANIZATION Project Branch II, Region IV	
NAME OF NON-CONCURRING INDIVIDUAL(S) Michael Peck		PHONE NO. (815) 955-2334	
TITLE Senior Resident Inspector		ORGANIZATION Project Branch II, Region IV	
<input checked="" type="checkbox"/> DOCUMENT AUTHOR <input type="checkbox"/> DOCUMENT CONTRIBUTOR <input type="checkbox"/> DOCUMENT REVIEWER <input type="checkbox"/> ON CONCURRENCE			
REASONS FOR NON-CONCURRENCE AND PROPOSED ALTERNATIVES			
<p>Issue: Pacific Gas and Electric (PG&E) completed a deterministic reevaluation of the lateral seismology. This reevaluation concluded that three local faults could produce about 70% greater vibratory ground motion than described in the Final Safety Analysis Report Update (FSARU) for the double design (safe shutdown) earthquake. The licensee completed a prompt operability determination (POD) to assess the effect on the capability of plant structures, systems and components (SSCs) to perform the specified safety functions at the higher vibratory motions.</p> <p>The inspection report documented the results of the NRC inspection of the seismic POD. The report stated that the POD provided an initial basis for concluding a reasonable assurance that plant equipment would withstand the potential effects of the new vibratory ground motion. The inspector also concurred with the report because the POD failed to meet either the licensee's procedural requirements or the NRC standard for operability. As a result, the licensee failed to demonstrate a reasonable assurance that all Diablo Canyon SSCs were capable of performing the specified safety functions as described in the plant design basis.</p> <p>The POD was inadequate because the licensee failed to demonstrate that the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code acceptance limits were met for reactor coolant pressure boundary components at the higher structural stress levels represented by the new seismic information. As defined in 10 CFR 50.55a, "Code, and Standards," the Code acceptance limits established a minimum standard for operability.</p> <p>The POD was also inadequate because the licensee failed to demonstrate that all seismically qualified plant SSCs would continue to function at the higher vibratory motions associated with new seismic information in accordance with the double design (safe shutdown) earthquake design basis.</p>			

I beg to differ NRC Senior Inspector Michael Peck's 2012 non-concurrence refused to go along with his agency's conclusion that everything's fine at Diablo Canyon, in part because "the licensee failed to demonstrate that all seismically qualified [structures, systems and components] would continue to function at the higher vibratory motion associated with new seismic information in accordance with the double design (safe shutdown) earthquake design basis."

Birdbrains

continued from previous page

related injuries." "Never let birds eat filleted fish carcasses. Bones injure internal organs and can cause deadly infections," among other pertinent information about fishing and wildlife safety.



Taking Issue

Reviewing problematic environmental coverage & commentary in our local media

“PG&E believes in renewables such as solar,” by Tim Fitzpatrick, *The Tribune*, Aug. 6, 2013.

Summary: In response to public pressure to switch to renewable power over nuclear, PG&E’s vice president of corporate relations wants to assure customers that his company is a big booster of renewable energy sources but they like nuclear, too.

How many ways does PG&E love solar? By the legislation they support and oppose shall ye know them:

- PG&E SUPPORTED AB 976, a bill that would add to the already hefty barriers that local governments face in gaining local control over their energy systems and get more renewable power into the mix.
- PG&E OPPOSED AB 1990, a bill that would have built solar projects, created jobs in low-income communities and improved the health of those most impacted by climate change.
- PG&E SUPPORTED AB 327 which would cut the growth of rooftop solar by nearly half, saddling customers with up to \$120 in permanent charges, regardless of how much energy you save by going solar.
- PG&E OPPOSED AB 510, which doubled the number of potential “net metering” accounts, a huge incentive for property owners to install solar panels.
- PG&E SUPPORTED AB 2514 as amended to kill off AB 510 and cut in half the number of California homes, businesses, schools and other energy customers who could receive credit on their utility bills for going solar.
- PG&E WROTE & FUNDED Proposition 16, its failed 2010 attempt to require an impossible 2/3 vote of the electorate before any community could establish a “Community Choice” program. This was the utility’s effort to kill off California’s best tool for increasing renewables and cutting greenhouse gas emissions (see chart below).

- “We are experiencing a very big push-back, from the utilities, from various companies.... There’s really a huge onslaught right now in Sacramento which is anti-solar, anti-renewable energy.”
- CA Assembly member Nancy Skinner “Energy Industry Pushing Against Renewables,” *Chris Clarke ReWire*, July 13, 2012

PG&E strongly believes in the value of renewables and is leading the way in investing in them.

“Pacific Gas & Electric might be the first U.S. power company to fall to competition with increasingly cheap rooftop solar.... Analysts have called this looming threat to utilities the “death spiral”: as rooftop solar gets cheaper and more people install it, utilities raise rates on non-solar customers, who then have greater incentive to install rooftop solar. By focusing potential rate increases on PG&E’s biggest energy consumers, the law increases the attractiveness of rooftop solar even more for those energy high-rollers. That’s fantastic for the planet, as high energy users moving to solar have more of an impact than those of us who’ve already cut our consumption down to the bare minimum. But it’s not so great for PG&E’s bottom line, as those lucrative customers suddenly become far less lucrative when the solar panels go up on their roofs. As Short says: ‘Once customers go solar, PG&E loses the sales forever, exacerbating the smaller sales/higher price cycle.’”

-- “Will Solar Power Doom PG&E?”
Chris Clarke, *ReWire*, May 21, 2013

“[IBEW Local 1245], the union that represents PG&E workers — and has opposed every single public power initiative in modern San Francisco history — just launched an attack on Clean Power SF. And the union’s business representative is having a hard time explaining exactly why he’s working with PG&E to try to undermine this modest step toward public power.”

- “PG&E union mounts attack on Clean Power SF,” *Tim Redmond, San Francisco Bay Guardian*, Sept. 11, 2012

We are one of the country’s largest purchasers of solar, including power from two significant projects on the Carrizo Plain....

several of the largest solar projects under construction in the world are under contract to PG&E.



More than half of PG&E’s electricity is generated from carbon-free sources.

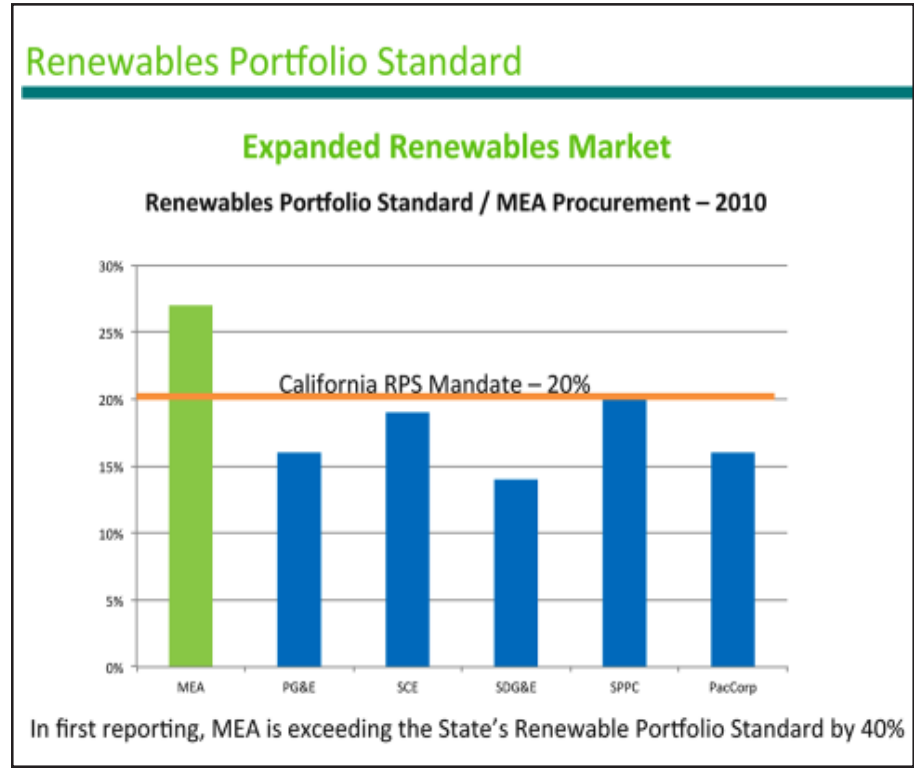
Translation: Less than 20% of PG&E’s power comes from renewable sources.

Diablo Canyon’s ability to deliver safe, carbon-free electricity around the clock....

Three false statements, and the sentence isn’t even done yet. For a critique of “safe,” see “The Utility that Didn’t Want to Know Too Much” on page 4. Nor do frequent planned and unplanned power outages and refuelings equal the delivery of power “around the clock.” And it’s remarkable that PG&E’s public relations playbook is still using the demonstrably false terms “carbon-free” and “zero emissions,” which are not accurate characterizations of the life cycle of nuclear power plants and nuclear fuel.

Solar...cannot generate electricity when the sun isn’t shining, just as wind turbines cannot produce power when the wind isn’t blowing.

As long as PG&E wants to keep repeating this tired canard, we’ll keep repeating the response to it: The integration and balancing of multiple renewable energy sources in the grid cancels out the “wind not blowing/sun not shining” critique. So do Germany, Denmark, and a dozen European cities and counties. Go to www.renewables100.org/pathways-to-100.



Upshot: PG&E appears to be very selective when it comes to the kind of renewable power it believes in. Locally owned Community Choice energy programs such as the Marin Energy Authority’s -- the long bar on the left side of this graph -- obviously “believe in the value of renewables” more than PG&E does, or any other private utility in California.



Watch it quick!
www.saverooftopsolar.com

The Sierra Club’s My Generation campaign has produced a parody of a corporate p.r. video that tells the truth about big utilities’ “belief” in solar power, provoking a cease & desist demand from Southern California Edison, which doesn’t think it’s funny.

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Classifieds

Next issue deadline is **September 13**.
 To get a rate sheet or submit your ad and payment, contact:
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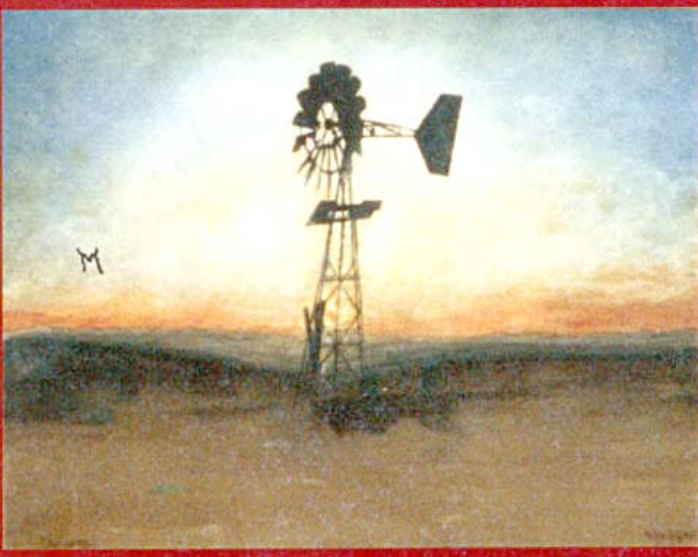
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Chapter of the Sierra Club and the Surfrider Foundation, available for \$10 postage paid, while supplies last. Mail your check to Sierra Club, P.O. Box 15755, SLO 93406.

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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, 549-0355. For information on a specific outing, please call the listed outing leader.

Sat., Sept. 14th, 9:30 a.m. Pt. Sal Road Hike. Your choice of a 5- or 10-mile hike. The 5-miler, moderately strenuous, ascends a hill to long views of the coast, cliffs, and pristine beach, lasting about 2 hours. The 10-mile hike, strenuous, continues on with some tricky hill scrambling, then down to the beach for some playing/relaxing time. Bring plenty of water, snacks, sunscreen, hat, and sweater in case of cool weather. Meet at main gate to Pt. Sal Park, the end of Brown Rd, 3.9 miles from Rt. 1. Leader: Andrea Ortiz, 934-2792.

Sun., Sept. 15th, 2 p.m. SLO City Walk: San Luis Cemetery. Guided stroll past gravesites of famous pioneer families like Murray, Sinsheimer, and Cass, headstones of Civil-War vets, the old "potter's field" for indigents, and, of course, the landmark pyramid. Hear the compelling stories of settlers in 19th-century San Luis Obispo. Duration about 1 1/2 hrs. Meet in south parking lot, adjacent to the



Drink up Pronghorn on the Carrizo Plain won extra protection thanks to a 2011 legal settlement between North County Watch, Carrizo Commons and Topaz Solar Farms.

Activities sponsored by other groups



pyramid, 2890 S. Higuera St. Leader: Joe Morris, 549-0355

Sat-Sun, Sept. 14th-15th. Indian Wells Canyon Service and Hike. Indian Wells Canyon, north of Ridgecrest and adjacent to the Owens Peak Wilderness has been damaged by erosion and illegal ORV trespass. Saturday, we will assist wilderness specialist Marty Dickes in putting up barriers, concealing illegal routes, and placing signs. If work finished sufficiently, we will hike on Sunday into the Wilderness and perhaps to Owens Peak. Ponderosa pine forest/chaparral areas are an early fall delight. Contact: Tom Budlong, TomBudlong@roadrunner.com or 310-476-1731. CNRCC Desert Committee.

Sat-Sun., Sept. 14th-15th, Bristlecone Pines Campout. Camp in beautiful White Mtns., Saturday hiking to ancient Bristlecone Pine Forest on a moderate 5-mile rt interpretive trail, followed by picnic lunch and a short, optional hike to a nearby old mining cabin. Evening—Happy Hour, potluck feast, and campfire. Sunday, pack up and head home. Group size strictly limited. To reserve, send \$8 check per person (made out to Lygeia Gerard), 2 large sases, H & W phones, email address and rideshare info to Leader: Lygeia Gerard, P.O. Box

Sat., Sept. 14, 1- 3 p.m. SLO Botanical Garden: Wildlife Gardening – Creating a Wildlife Habitat at Home. Meg Crockett, President of Pacific Wildlife Care, shows you how to turn your yard into a Certified Wildlife Haven. Learn about mycorrhizal fungal networks, the best time to plant California Natives, and how to keep hummingbirds coming to your garden year round. \$5 members/\$10 non-members, plus \$3 parking. Contact the Garden's Education Coordinator at education@slobg.org, or 805-541-1400 x304.

721039, Pinon Hills, CA 92372. Phone: 760-868-2179. CNRCC Desert Committee.

Sat., Sept. 21st, 9 a.m. San Simeon State Beach Hike. Moderate 4-mile loop hike, 200 ft. gain, through meadows, pine forest, wetlands, grassy mesa, and coastal scrub. Trail includes variety of footbridges and boardwalk, with expansive views of mountains, valleys, and ocean. About 3 hrs. Meet at Washburn Day Use Area, 2 miles north of Cambria on the right. Leader: Vicki Marchenko, ymarchenko57@gmail.com or 528-5567.


Fri.-Sun., Sept. 27-29 Carrizo Plains Service and Hiking Weekend. Visit this less known national monument, with an optional, scenic hike on Friday in Caliente Mts. Saturday is National Public Lands Day, when we will participate in trail maintenance work. Sunday, tour historic, prehistoric, and geological sites in the Monument. Leader: Craig Deutsche, craigdeutsche@gmail.com or 310-477-6670. CNRCC Desert Committee.

Sat., Sept. 28th, 9 a.m. Salmon/Spruce Creek Trails to Dutra Flat Camp. Moderate 8-mile hike in southern Big Sur, 2200 ft. elevation gain. Starting at the Salmon Creek trailhead, we will head through a canyon, view Silver Peak and arrive at Dutra Flat camp, site of an old home-stead. Possibility of poison oak and ticks. Bring lunch, snacks, water, and dress for the weather. Meet at Wash-burn Day Use Area at San Simeon State Park, 2 miles north of Cambria. Possible stop for eats after hike. Leader: Chuck Tribbey, 441-7597.


Sun., Sept. 29th, 9 a.m. Lopez Lake/Duna Vista Hike 7-mile hike, 1000 ft. gain, along side of Lopez Lake to Duna Vista lookout and continuing, with panoramic views of Pacific and Santa Barbara, to junction of two arms of Lopez Lake. Bring adequate water,



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.



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- Make new friends
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For further information contact:

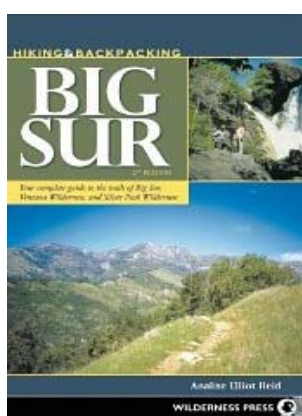
Joe Morris
Sierra Club
(805) 549-0355
dpj1942@earthlink.net



John Muir, founder of the Sierra Club, in Yosemite

snacks, hat, sturdy shoes, and dress in layers for the weather. Directions: drive toward Lopez Lake Recreation Area, and just before entrance, turn right on Hi Mountain Rd, then .8 mile to Upper Lopez Canyon Rd, turning left for 4 miles to entrance of French Boy Scout Camp on left side of the road, parking in the camp parking lot. Plants, animals, and local geology will be topics. Leader: Bill Waycott, 459-2103 or bill.waycott@gmail.com.

Lead an Outing, Get a Book



Our chapter deeply appreciates the continuing service to both local residents and the environment in the outings led by our Outings Leaders. As a special thank-you gift to those who led a chapter outing in the past twelve months, we sent them the 2013 edition of *Hiking and Backpacking Big Sur* by Analeise Eliot Heid. The 300+ page guide to the state and federal lands in the area, as well as the Ventana and Silver Peak Wildernesses, includes a handy classification of hikes and backpacks where you can best see wildlife, wildflowers, epic views, waterfalls, or various habitats like redwood forest, and many comments about the human and natural history of the area.



A keeper The view from the Machesna Mountain Wilderness in Los Padres National Forest.