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SANTA LUCIAN



**SIERRA
CLUB**
Santa Lucia
Chapter

Sept. 2016
Volume 53 No. 8

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

“You Guys Are In a Really Unique Position:

In Oregon, the oil trains had already started flowing. The terminals are already in Tacoma. Here, you can stop this before it starts. And it’s a hell of a lot easier to stop it now than once it’s been approved.”

- Arlene Burns, Mayor of Mosier, Oregon. SLO, July 9, 2016.



“It’s not a matter of if, it’s a matter of when.” Mosier, Oregon, Mayor Arlene Burns laid it out in Mitchell Park last July for all communities facing proposed crude oil train terminals.

Mayor Burns came to San Luis Obispo to tell us what it’s like when a train carrying combustible crude oil derails next to your town and you have to deal with the resulting fire and contamination of your water, as Mosier, Oregon, did in June. Did the SLO County Planning Commission listen? Find out on Sept. 22 (page 4).



PROTECTSLO.ORG

Rep. Capps: Please Say No to the TPP

The Trans-Pacific Partnership (TPP) — the controversial pact between the U.S. and 11 other Pacific Rim nations that could come before Congress this year — would be bad news for our air, water, climate, jobs, and communities. Here’s why:

New rights for fossil fuel corporations to challenge climate protections

The TPP would undermine efforts to address climate disruption and keep fossil fuels in the ground by empowering multinational fossil fuel firms to use the investor-state dispute settlement (ISDS) system to challenge environmental safeguards in private trade tribunals. Corporate lawyers, not judges, make the decisions in these tribunals, which are not accountable to any domestic legal system.

The TPP’s extraordinary rights for multinational corporations virtually replicate those in past pacts that have enabled corporations to launch nearly 700 cases against more than 100 governments. These corporations have challenged, for example, a moratorium on fracking in Quebec, a court order to pay for oil pollution in Ecuador, and restrictions on a coal-fired power plant in Germany. Trans-Canada is now asking an unaccountable ISDS tribunal to order the U.S. government to pay \$15 billion for rejecting the Keystone XL tar sands pipeline.

The TPP would extend ISDS rights to over 9,000 additional firms operating in the U.S. — roughly doubling the current number. This includes hundreds of fossil fuel firms, such as

the subsidiaries of BHP Billiton, one of the U.S.’s largest foreign investors in fracking and offshore drilling.

- The TPP would nearly double the number of multinational fracking corporations that could challenge new U.S. fracking restrictions in unaccountable ISDS tribunals.
- The TPP would enable oil and gas corporations with nearly 1 million acres’ worth of U.S. offshore drill-

ing leases to use this private tribunal system to try to undermine new offshore drilling restrictions.

Increased climate-disrupting emissions

Though trade can significantly increase climate-disrupting emissions, the TPP text fails to even mention the words “climate change.” The omission is alarming, given that the TPP would increase emissions by:

- Offshoring U.S. Manufacturing and Increasing Shipping: The TPP would shift U.S. manufacturing to countries like Malaysia and Vietnam, where production is two to four times as carbon-intensive as in the U.S. This also would increase shipping-related emissions.
- Escalating Tropical Deforestation: In TPP-member Malaysia, new oil palm plantations are the primary cause of tropical deforestation. The TPP’s elimination

of tariffs, or import taxes, on palm oil would encourage oil palm expansion and more climate-disrupting deforestation.

Encouraging fossil fuel exports and fracking

Under the TPP, the U.S. Department of Energy would be required to automatically approve all exports of liquefied natural gas (LNG) to all TPP countries

TPP continued on page 5



That sheep may safely graze. A local resident takes a stroll down Peachy Canyon Road, clearly hoping we can keep our rural areas rural.

By Save Adelaida!

Our effort to protect the rural, agricultural nature of the Adelaida area began when the County approved an Event Center on Vineyard Drive involving the construction of three buildings and a permit to host 25 events of 200 people each year.

The approval also included at least doubling water usage to enable processing of trucked-in olives and demolition of a charming, old, red agricultural barn.

We held neighborhood meetings. Initially, approximately twenty-five people

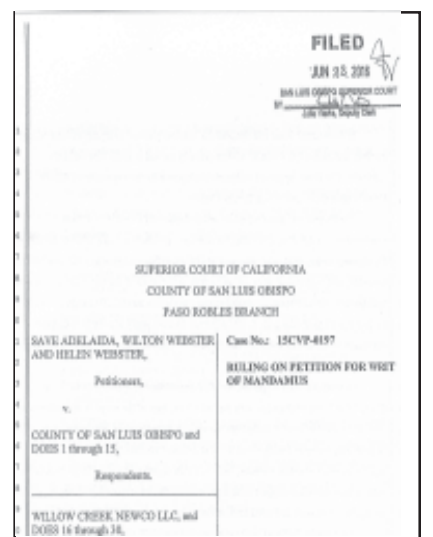
attended. Everyone expressed concern and love for that barn. But people also spoke of larger concerns that this project and related projects were posing for Adelaida’s rural community, including the traffic, the limited water supply, noise, trash, the destruction of wildlife, overburdening of Cal Fire and drunk driving.

No one objected to the local wine industry. However, everyone in attendance also noted there had been a significant change in recent years. The concern expressed was that the lo-

cal, rural area was in danger of evolving from moderate use to a level that would overwhelm the old farm-to-market roads. The Adelaida area was being seen by some as a prime investment opportunity for major outside commercially-focused corporations. Along with that trajectory, local residents felt County planners had ignored the area’s agricultural way of

Adelaida’s Significant Impact

Save Adelaida v. SLO County means hope for rural residents seeking protection from proliferating “event centers”



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Slow Speed Ahead on Regional Energy

by Kathryn Phillips, Director, Sierra Club California

On August 08, Governor Brown announced that his administration would not pursue legislation before the end of August to push through a regional electricity market made up of PacifiCorp (a large power company operating mostly in the Interior West) and the California Independent System Operator (the quasi-public agency that manages the flow of electricity through the wires that make up the grid in California).

There are some benefits to a regional market, including potentially more efficient movement of renewable energy throughout the West. However, the proposed merger with PacifiCorp, which is the largest coal-fired power producer in the West, raised some concerns about how to make sure the merger doesn't

result in extending the life of some coal-fired plants and actually does result in more renewables and reduced climate pollution.

Sierra Club was the first—and for a time, the only—environmental group raising these concerns last year. Over the last many months, others have raised similar concerns. Fortunately, the governor has taken the concerns seriously, hence the delay in legislation.

The additional time will allow the Club to participate in stakeholder efforts to make sure legislation introduced in January yields benefits for the state and the environment.

California Club staffers Travis Ritchie, Bill Corcoran, Gloria Smith, Edward Moreno, Marta Stoepker and Club staff outside the state, as well as a small army of volunteers, helped make this decision

happen. Additionally, both the Senate Leadership and the Assembly Leadership helped make sure the public interest was protected and that no bill could go forward without certainty that it would not result in backsliding on GHGs.

All are due congratulations on their efforts. Now we move to the next phase, which is to carefully, thoughtfully craft legislation that achieves the benefits of regionalization without creating new problems.

Sierra Club General Meeting

In Deepest Borneo

7-9 p.m., Wednesday, Sept. 21st

Randy Knight, retired Cal Poly professor, regales us with slides and memories of the first-ever Sierra Club trip to Borneo in 2011. With his wife and a dozen other adventurers, Randy rode, boated, and hiked past jungle rivers and deep rainforests, seeing much wildlife on the ground and overhead. In addition, his group connected with indigenous people resisting the widespread encroachment of palm-oil plantations. Environmental news begins the meeting.

Note change in location, this meeting only:
SLO Library Community Room, corner of Palm and Osos Sts, SLO.
Info: Joe Morris, 549-0355



Help Save the Sierra Club's Home in Yosemite

The Yosemite Conservation Heritage Center (YCHC) is a National Historic Landmark built by the Sierra Club in 1903. It is the first permanent Visitor Center in Yosemite Valley and home to the Sierra Club's oldest educational program. Featuring rough-hewn granite masonry, a steep-pitched wooden gabled roof, exposed hammer beams, and scissor trusses, the building lends itself to lofty thoughts and inspiration.

Many notable Sierra Club pioneers have guided the program and cared for the building including, Edward T. Parsons, Ansel Adams, Joseph N. LeConte ("Little Joe") and Marion Randall Parsons. Today, the Curator is highly regarded John Muir historian and author, Bonnie J. Gisel, Ph.D.

Since 2002, Bonnie has developed a world-class program that is enjoyed by over 15,000 visitors per year.

"I envision community as a place that embraces an ideal of inclusiveness and brings forth the best in us as human beings to preserve and conserve natural resources, wilderness, and all things wild. Here at YCHC, we share that ideal with visitors from around the world and all walks of life."

Over 100 volunteers staff the Lodge during the summer season between May 1 and September 30. These Sierra Club members greet visitors and introduce them to the Club's vision of environmental stewardship. Elaine Gorman, Mother Lode Chapter, is one such volunteer. "Seeing the awe and joy on visitors' faces reminds me of the uniqueness Yosemite Valley, and the Sierra Club's activism to get the Valley added to Yosemite National Park in 1906."

A well-stocked library and children's corner are big attractions and all who enter marvel at the beautiful architecture of the building. Well-

attended evening programs are presented Friday and Saturday evenings offering a wide variety of topics including natural history, literature, music and photography. This year's interactive project, "Think Like a Tree" lets kids create an art project and take home information about the life cycle of trees and their importance to our ecosystem.

In 2016, Sierra Club Board of Directors voted to stop funding this unique program. Please help us Save the Sierra Club Home

in Yosemite National Park! We need to raise \$90,000 by October 1, 2016 to fund operations for 2017.

The YCHC is where the Sierra Club began its journey to become the influential environmental organization it is today. Now more than ever, we must remember our story. Please support this effort to save the YCHC for the future. If you are not able to donate, please share our message with others to support the efforts of dedicated volunteers.

To donate online:

<http://www.sierraclub.org/yosemite-heritage-center>

To donate by check

Please write "Restricted to LeConte Memorial Fund" and make payable to: The Sierra Club Foundation.

Mail to:
The Sierra Club Foundation
2101 Webster St., Suite 1250
Oakland, CA 94612

For more info contact: Michael Bryant at
michael.bryant@sierraclub.org
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Open
COUNCIL OF CLUB LEADERS

The Executive Committee meets the second Monday of every month at 5:30 p.m. 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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The Unlikely Activist

Some funny things happened on the way to closing the nuclear power plant

From the moment of its founding in 2005, the Alliance for Nuclear Responsibility has focused relentlessly on a single issue in the galaxy of concerns surrounding nuclear power: the economic case for shutting down California's last nuclear plants.

For the last two years, David Weisman, the Alliance's Outreach Coordinator, had planned to step down from his 11-year stint with the Alliance and return to civilian life at the end of June 2016. As fate would have it, his personal plans wound up coinciding with the Alliance's receipt of an invitation to a seat at the table that same month to negotiate the decision not to seek relicensing of the plant. The deal was announced ten days prior to the date of David's scheduled departure.

Real life seldom provides that kind of serendipity, so we invited David to look back over the last decade on a unique activist career. We sent him a few questions that eventually resulted in the following exchange.



How uncanny is the near-simultaneous timing of your retirement and the announcement that PG&E would not seek to relicense Diablo?

Well, as of this writing, the door is closing, but not closed. And I don't know that I would say I am "retired" from this issue. Unlike PG&E's offer to its workers, there was no "retention bonus" or severance package! (LOL). While I am no longer the full-time outreach coordinator for the Alliance, I will still make myself available to "consult" on such matters as A4NR wishes to explore, including any media work, which had been my specialty in the years before coming on board with this issue.

However, we had begun to see the writing on the wall or read the tea leaves for the ultimate non-relicensing decision on Diablo for the last three years, and specifically over the last year. We even posted our "evidence" for all this in a footnoted page of bullet points on our web site.

An op-ed we penned for the SLO *New Times* in December 2014 was eerily prescient, I can now say in retrospect. It reviewed "PG&E's consistently stymied attempt to relicense Diablo Canyon for an additional 20 years," evolving state policies, delays by the utility, and abrupt plant shutdowns in Florida and Wisconsin the year before, and concluded that this "should put the community of San Luis Obispo on notice: License renewal of Diablo Canyon—even continued operation until the end of its current license—is not a foregone conclusion." We wrote that concerned San Luis Obispanos would be wise to begin "holding workshops with

planners and community members."

Although some have questioned whether A4NR uses a crystal ball for prognostication, we had been following PG&E's financial trail for some time. From our attorney, John Geesman (a former bond trader), we learned to read the transcripts of the quarterly, SEC mandated 10-Q investor conference calls. John noticed a pattern of statements by PG&E's CEO Tony Earley that seemed to follow those of SCE's CEO Ted Craver as he began preparing investors for that company's decision to shutter San Onofre in the wake of their failed steam generator replacement project. As John once reminded me, "When bringing down a blimp, best to let the air out slowly." By the end of 2015, CEO Earley's statements on Diablo's relicensed future were less and less enthusiastic.

Furthermore, we had been using the California Independent System Operator (CAISO) report from 2015 that noted the continued reliance on inflexible baseload power from Diablo Canyon was an impediment to building a grid more reliant on intermittent renewable energy. Greater flexibility was the goal, and Diablo was unable to ramp up or down quickly to match the dispatch of renewables. As part of our discovery in the CPUC proceedings, we saw redacted (and our attorneys saw unredacted) copies of PG&E's internal reports which told them that load-following would not work at Diablo. Again, we shared all the public information with elected officials from SLO to Sacramento.

The Joint Proposal to phase out Diablo by 2025 must still be approved by the CPUC before December 2017. A lot can happen

between now and then and numerous parties will file in that case. That said, I don't think there is any way PG&E can "walk back" their commitment to phase out the plant. They have already publicly linked it to meeting the state's ambitious renewable energy goals, and PG&E appeared alongside Jerry Brown at the climate change talks in Paris, making a very public showing of their intent.

We knew that the State Lands Commission outfall permit was going to be a crucial part of this, and that date was set for June 28. One way or another, that decision would be the last straw on Diablo going forward and regardless of how it turned out, license renewal did not look viable. So I felt safe estimating that most of our work would be done by then, and I could leave my position feeling we'd accomplished a prime goal of our mission statement: prohibiting license renewal of aging nuclear plants on our fragile, seismically active coast.

What was your first exposure, shall we say, to nuclear power — the moment that led to the decision to devote a chunk of your life to doing battle with nuclear utilities?

I had never been "anti-nuclear" in my earlier life. I actually was intrigued by it as a kid in the 1970s—I made a diorama of a reactor in grade school and was fascinated by the atomic powered merchant ship *NS Savannah*. However, in the late 1990s I produced and directed a 28-part educational series on environmental technology as a PBS distance learning program and one episode was about nuclear waste. For that episode I traveled to Yucca Mountain and Carlsbad, New Mexico, and, of

course, based in Los Angeles, the closest place to film "spent fuel pools" was Diablo Canyon. We actually filmed there on May 8, 1998. Post 9-11, that would be quite impossible. Overall, that documentary experience opened my eyes, but then it is hard to make a film with your eyes shut.

I moved to Morro Bay in the spring of 2001 with a plan to mostly write poetry and paint (along with ongoing documentary video work). I noticed that the NRC was holding a preliminary meeting on the spent fuel installation at the Vets Hall in San Luis Obispo (SLO), and I thought, "Well, I've directed a TV documentary on the subject, maybe it would be a good chance to introduce my talents to the community—or possibly meet women." Clearly self-centered, nothing altruistic about that.

And that's sort of what happened. While it didn't lead to any video work, I did meet women...and they turned out to be the Mothers for Peace. The Mothers by then had decades of activism on this issue, and it wasn't long before I attended their meetings and by the end of 2002, I was already appearing on local TV as a spokesperson for the group.

What was the motivation for the formation of the Alliance, as distinct from other anti-nuclear groups?

Rochelle Becker was in the Mothers for Peace when, after George W. Bush's second election, she came to the realization that the federal government was going to be of no use in addressing our concerns. In fact, the Bush agenda heralded a "nuclear renaissance."

Rochelle also realized that attempting to get the Nuclear Regulatory Commission to do its job was an exercise in futility. Rather than continue to bang her head against that wall (she

already had migraines!), she had the very bold idea to take the idea to the state level, and to use state jurisdiction to achieve our goals. That's when she founded the Alliance.

Her experience as a solo intervenor at the California Public Utilities Commission (CPUC) in Diablo's earlier history bolstered her knowledge of the state's jurisdiction to determine the cost and reliability of electric generation—and this was backed up by a very important Supreme Court decision from 1983. While the federal government and NRC had the final say over whether anything involving nuclear power was safe or unhealthy, the state had the sole right to determine if we needed those megawatts and how much we should pay for them. Rochelle had also been president of the board of TURN (The Utility Reform Network), a leading

ratepayer protection organization. Thus she was familiar with the CPUC as a venue. And that is why the Alliance subsequently did not stress or emphasize radiological or health issues with Diablo. If a safety issue was germane, it was couched as "how much will it cost ratepayers to make it safe?" rather than arguing whether the health or radiation standards were themselves adequate.

Armed with this revised approach, the Alliance then had to announce itself to a new field of players in Sacramento like the Energy Commission and the legislature. It was no longer a matter of waiting for the NRC to come to SLO once or

twice a year and "listen" to the public's concerns (but take no action). We brought the issues to Sacramento—ultimately on a monthly or even weekly basis—and then carefully explained how and why these decision makers were not exempted from questioning whether Diablo was needed or too expensive.

That was a long, slow process. Luckily we received an excellent and early reception from then Assemblyman Sam Blakeslee, and also from Bay Area representatives like Mark Leno and Santa Barbara's Hannah-Beth Jackson. We had some notable early failures because we underestimated the difficulty in passing legislation, but with the success of Blakeslee's AB 1632 (which started the seismic testing) we were able to build awareness.



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Explore, enjoy and protect the planet

Sierra Club Will Seek Intervenor Status in Diablo Canyon Hearings

Plant closure deal needs work

The Sierra Club will seek permission from the Public Utilities Commission to intervene in the proceeding in which the PUC will decide whether to approve the proposal that will ensure the Diablo Canyon Nuclear Power Plant shuts down by 2025.

In the Joint Proposal submitted to the PUC on August 11, PG&E proposes not to seek relicensing of Diablo beyond the expiration of its current permits in 2024-25, replace a portion of the plant's output with renewable energy, and provide community benefits to SLO County.

"This can and should be a robust model of how to replace a nuclear power plant with additional renewable power and energy efficiency," said Sierra Club senior attorney Matt Vespa. "The goal should be to ensure that greenhouse gas emissions do not increase when the plant shuts down as compared to continued operation. To that end, we would like to see the proposal amended to require a more robust and timely renewable energy component."

We are also advocating for the conservation of all the coastal lands surrounding the plant, about 12,000 acres of pristine potential parkland, including the Wild Cherry Canyon lands adjacent to Avila Beach that are currently targeted for development.

"Sixteen years ago, the people of San Luis Obispo County passed Measure A, the Dream Initiative, expressing their wish that the lands around Diablo not be sold off and subdivided after the plant closes," said Karen Merriam, Chair of the Santa Lucia Chapter. "PG&E expressed agreement with that goal at the time, but has recently become vague in their public statements on the subject. It would behoove the PUC to get PG&E's verbally expressed good intentions in writing on behalf of the people of California."

Public hearings on the Joint Proposal are expected to commence in October.



Their winning ways David Weisman, Rochelle Becker and Santa Lucia Sierra Club Chapter Director Andrew Christie with the Environmental Alliance Award the Sierra Club bestowed on Ms. Becker in 2007.

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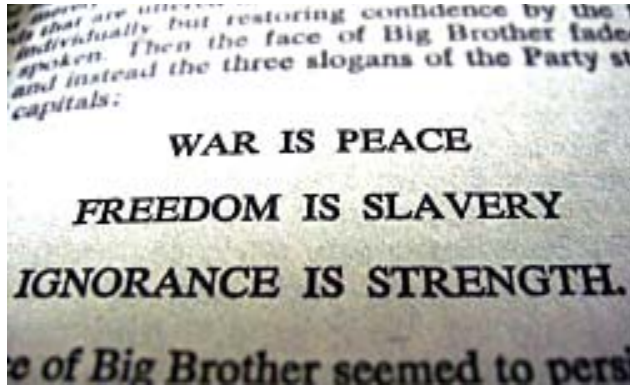
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Next hearing:
SLO County Planning Commission
 9 a.m. Thursday, Sept. 22
 County Government Center
 1055 Monterey St., SLO

Phillips 66 attempts to shove the words they want into the Planning Commission's mouth

At the end of its May 16 meeting on the proposed Phillips 66 oil train terminal in Nipomo, the County Planning Commission directed planning staff to get more information on the project from Phillips and draft tentative findings of approval and a "Statement of Overriding Considerations" for the commissioners to consider at their September 22 meeting.

While the request from the commission was peculiar – one does not normally request tentative conditions of approval for a project unless one has voted to tentatively approve the project, which the commission did not do – the response from the oil company raised the bar on "peculiar."

A Statement of Overriding Considerations is the key to approval of a problematic project. Under state law, a project that would impose significant, unavoidable environmental impacts – impacts that cannot be reduced to a level of insignificance no matter how many

mitigation measures are tacked onto the permit – cannot be approved without a legal finding that the project's benefits outweigh its impacts.

On August 15, Phillips 66 attorneys generously sent the County their own Statement of Overriding Considerations. It was ventriloquized, phrased as the official findings of the Planning Commission, to facilitate the ease with which it can be dropped into the Sept. 22 staff report.

Unsurprisingly, the document consists of all the arguments Phillips has been making on behalf of its project since hearings began in February -- arguments it made against Planning staff, the County's environmental consultant, and the Environmental Impact Report. Phillips has now declared itself the winner of those arguments over health and safety risks, off-site and on-site emissions, and sensitive habitat.

Many of the proposed "overriding considerations" predictably focus on the

economic benefits of the Santa Maria Refinery and the claim that the jobs and property tax revenues it provides will be threatened if the project is not approved. Planning staff has already determined that would not be the case, and Commissioner Jim Irving flatly refuted the "jobs" argument, with no dissent from his colleagues, at the May 16 hearing ("This is not about jobs. It's about profits.")

Also dangled is the allure of additional property tax revenues for the County should the oil terminal be built. For the County to agree that this is an overriding consideration would mean agreeing that the money it would make overrides the increase in cardiovascular disease and asthma cases the project would bring, the risk of tar sands oil befouled rivers, streams and coastline, and some local community's downtown eventually gutted by fire with attendant loss of life.

The document continues

to flog the favorite notion put forward by the oil company's lawyers in public hearings: that the project would result in improved air quality – that is, better air quality than exists now – because Phillips proposes to limit "the time of day during which crude oil train unloading and switching activities may occur...to reduce emissions during periods of calm meteorological conditions" (lending an eerily literal quote to the George Orwell quote reproduced below.)

The County's environmental consultant has dismissed this scenario as infeasible. One need only contemplate the likelihood of refinery managers dutifully throwing their schedule out the window, costing their company money, and refusing to unload an oil train because it isn't windy enough on any given day, and the likelihood that a County enforcer will happen to be on site at the time

if they don't.

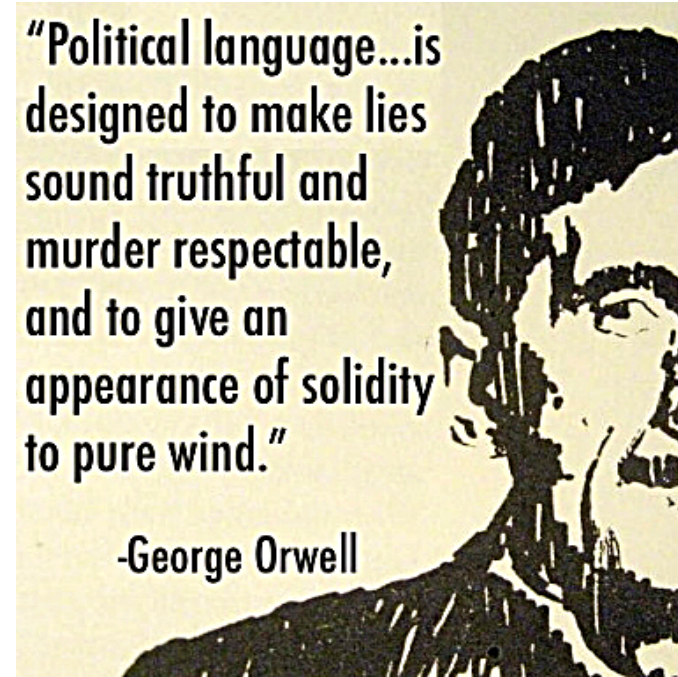
The document goes into omission overdrive in attempting to claim that the project conforms with the County's General Plan, employing the simple expedient of citing vague General Plan goals and objectives that it can claim alignment with ("promote a strong and viable economy... retain and enhance a diverse economy") and not citing the specific policies with which the project would be obviously inconsistent ("Preserve open space, scenic natural beauty and natural resources...Protect agricultural land and resources... Preserve, protect and improve the air quality of the county... Energy, fossil fuel, and related facilities will be sited, constructed, and operated in a manner to protect the public from potential hazards and significant environmental impacts... All development and land divisions within or adjacent to an Environmentally Sensitive

Habitat Area shall be designed and located in a manner which avoids any significant disruption or degradation of habitat values..." and so on.)

As the Final Environmental Impact Report notes at multiple points in its General Plan consistency analysis, "The proposed Rail Spur Project has the potential to result in oil spills and resultant fires that could impact agricultural land/natural resources/scenic areas/terrestrial habitats/coastal streams and riparian vegetation along the mainline rail routes."

Finally, the document attempts the most glaring omission of all: simply not mentioning the status of some twenty acres of the proposed rail spur site as aforementioned Environmentally Sensitive Habitat Area (ESHA) and stating "There are no significant, unavoidable adverse environmental impacts from project construction or operations on the refinery site." Throughout the hearings, the Coastal Commission has pointed out that Phillips' finely lawyered arguments and technicalities attempting to deny the physical reality of an Environmentally Sensitive Habitat Area does not make ESHA go away – nor is ESHA portable, hence the proposal in the suggested overriding considerations that Phillips will "compensate for the loss of habitat by creating new native habitat" is a non-starter.

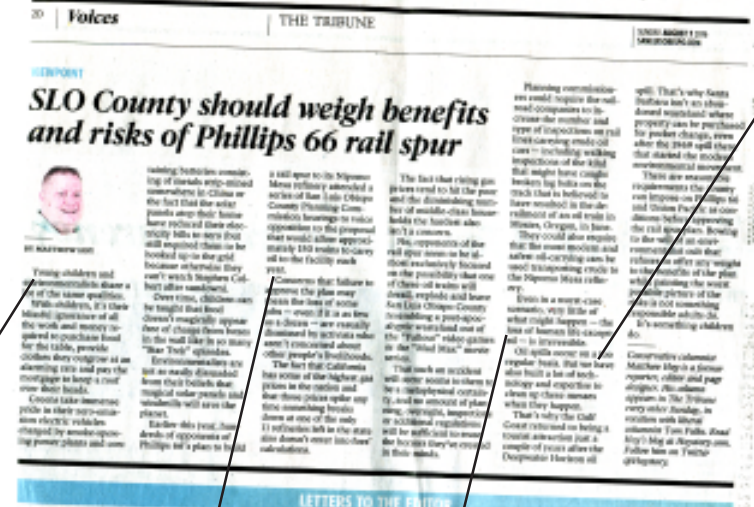
And so is industrial development in ESHA.



Taking Issue: Phillips 66 - What Me Worry?

Problematic environmental coverage & commentary in our local media
 "SLO County should weigh benefits and risks of Phillips 66 rail spur," by Matthew Hoy, *The Tribune*, Aug. 7, 2016.

Summary: Those opposed to the proposed oil train terminal at the Phillips 66 refinery are members of "an environmental cult" who don't understand that even if the worst potential impacts of the project come to pass, everything will be okay.



Mr. Hoy here launches into his main thesis: the Phillips 66 oil train terminal is opposed by naïve fools who don't understand that we are and shall forever remain dependent on fossil fuels for our energy needs despite our love for solar panels and electric vehicles; also, "rising gas prices tend to hit the poor...the hardest." The first argument is incorrect; the second is irrelevant: the oil that is proposed for transport to the Nipomo refinery by rail is part of an historic glut; a domestic oversupply of cheap oil that Phillips is aiming primarily at the overseas market, largely in the form of non-gasoline price-impacting petroleum products such as butane and propane.

This concern is dismissed by those who aren't concerned about oil industry propaganda. This includes the SLO County Department of Planning and the environmental consultants who prepared the Environmental Impact Report, which found that the denial of the project would not put refinery jobs at risk, Phillips is likely to have ample access to numerous local sources of crude oil in the future, and its pursuit of Canadian tar sands oil is a business strategy to seek out "advantaged crude" – the cheapest oil that can be sold for the highest profit.

Even in a worst-case scenario, very little of what might happen – the loss of human life excepted – is irreversible.

paragraphs ago that Mr. Hoy was scolding those who would "casually dismiss" concerns about lost jobs because they "aren't concerned about other people's livelihoods" – the loss of human life excepted...along with the spike in asthma and cardiovascular disease that the Environmental Impact Report determined the project's irreversible impacts on our air quality would bring.

Oil spills occur on a too regular basis. But we have also built a lot of technology and expertise to clean up these messes when they happen. That's why the Gulf Coast returned to being a tourist attraction just a couple of years after the Deepwater Horizon oil spill.

"Dr. Samantha Joye, a biogeochemist at the University of Georgia... estimated that 30 million gallons of oil from the BP spill remain in the Gulf – the equivalent of nearly three Exxon Valdez spills – and that about half of this amount has settled on the ocean floor, where its ecological effects could be devastating.... "When people say, "Oh, the oil spill is over," Joye told me, "they're not realizing that the full impacts are on a very long time scale of decades or more." -- "Thirty Million Gallons Under the Sea," Anthony Juhasz, *Harpers*, June 2015.

7 ways you can support your local Sierra Club chapter

1. BECOME A SIERRA CLUB MEMBER or give a gift membership.
2. DONATE TO OUR SUMMER MATCHING FUNDRAISER until September 15th and your donation will be matched dollar-for-dollar.
3. JOIN THE CAL FRENCH CIRCLE by making a sustaining donation of \$25 per month or more and join a network of well-connected environmental leaders from our community. Members are eligible for benefits, including invitations to special receptions of visiting experts.
4. SUPPORT US WITH A NON-TAX-DEDUCTIBLE GIFT that supports all our work in San Luis Obispo County, including citizen-based advocacy and lobbying.
5. SUPPORT US WITH A TAX-DEDUCTIBLE GIFT to The Sierra Club Foundation earmarked for the local Chapter's conservation and outreach work.
6. PLAN YOUR GIVING by designating funds to support the Chapter in a variety of ways, including bequests and charitable gift annuities. Naming us as a beneficiary in your will, living trust or other estate plans will provide a significant, meaningful and enduring impact to your Santa Lucia Chapter.
7. HAVE A BUSINESS? PLACE AN AD IN THE SANTA LUCIAN and support local conservation work while raising awareness of your business or event. The Santa Lucian reaches over 2,000 Sierra Club members and the public in San Luis Obispo County. For information about display ads, including rates, contact sierraclub8@gmail.com. The next issue deadline is September 16.

Go to www.santalucia.sierraclub.org and click the "Donate" button. Thank you for your donation!

Upshot: The Phillips 66 oil train terminal project has been under public review for almost three years. In that time, the number of oil train derailments across North America increased, and public understanding of the risks and environmental hazards inherent in the rail transport of this project's proposed cargo has improved over the course of two draft Environmental Impact Reports, a final document, and six exhaustive public hearings. Mr. Hoy's arguments display no awareness that any of these things have happened – making it appear that he has not heard the testimony from the County's health and air quality experts or read the environmental review or the protest letters from more than two dozen California cities, counties and school boards, or even the news stories in the local media reporting on them. Instead, he has formed a fixed idea in his mind that reflects a determined need for a single opponent and a simplified world, no matter how much objective reality threatens to intrude -- a quality the author shares in common with young children.

Oaks Win One

County stays on track for permanent oak woodlands protection

On August 16, the Board of Supervisors voted to extend the Native Woodlands and Agricultural pond urgency ordinances necessitated by the June clear-cut of some 8,000 oak trees on the property of Justin Vineyards after Justin was purchased by Beverly Hills billionaires Stuart and Lynda Resnick.

Hearteningly, the debate on the Board was not over if, but how long. They settled on nine months, putting planners under the gun to come back with permanent ordinances in less than a year, but not so much as the six-month duration proposed by Supervisors Arnold and Compton before they agreed to a compromise.

It is now crucial that planners and supervisors get input from other than just members of the Ag community between now and next spring when permanent ordinances will be drafted. They need to hear that our woodlands are part of the commons, not just the personal property of people who own the land, and must be protected as such.

There are dozens of ordinances the County can use as a model, but few counties have taken a woodland approach as opposed to protecting individual trees. Our county could become a model for others.



What we need Holly Sletteland, speaking for the Sierra Club at the June 21 board meeting where the urgency ordinances were first put in place, said the permanent Native Woodlands Ordinance must have penalties severe enough to deter violations and require adequate replacement planting and monitoring "that will sustain the woodlands we have left and recover some of what we have lost."

In a letter to the Supervisors, Janet Cobb of the California Oaks Coalition pointed out relevant County policy:

"We understand that you are balancing the goals set forth in the Conservation and Open Space Element of the county's General Plan with those set forth in the Agricultural Element... We suggest that the Conservation and Open Space Element's Biological Resources Policy 3.3: Oak Woodlands Preservation - 'Maintain and improve oak woodland habitat to provide for slope stabilization, soil protection, species diversity, and wildlife habitat' — serves to protect the vital ecosystem services that oak woodlands contribute to the agricultural landscape. These ecosystem services extend beyond property lines, and, when degraded have impacts beyond property lines."

We concur.

Adelaida

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life.

On top of that, the Event Center would have been the primary economic use of the property, but this commercial use would still be claimed as qualifying as agriculture so as to receive a major tax break under the Williamson Act.

New Times picked up the story of the Barn and our group became known collectively as "Save Adelaida!" Very quickly we grew to nearly one hundred concerned residents.

The project initially asked for approval of 25 events of 200 people each, enlargement of the tasting room, demolition of the Barn, and construction of a metal and glass "barn-like structure." Additionally, county planners had ministerially approved the olive oil production facility to be considered a "winery," even though they did not produce wine or grow grapes. This enabled the applicant to qualify for additional County wine events and privileges, including production of 5,000 cases of wine and

waiver modifications of design standards and setbacks.

Over our objections, the project was approved with minor modifications on January 2, 2015. We filed an appeal, accompanied by the mandatory \$850 fee.

It became readily apparent that there had been faulty notification of residents. In fact, the next-door neighbors to the project had somehow never been notified.

Due to the non-compliant notification, the developer's consultant advised the County to properly notify residents and Planning to reschedule a hearing.

At that time, we thought the only thing necessary was the correction of faulty information provided to the County. However, the second hearing seemed merely perfunctory. It became clear the presiding Hearing Officer had been the same person who had overseen part of the project's planning process. Nevertheless, the project was approved with five fewer events and a revised, earlier time for noise abatement.

We re-filed our appeal, this time joined by a second

appeal from the next-door neighbors to the project, who were, again, never notified.

We were also very troubled by the County's Mitigated Negative Declaration; we found that there were several areas of concern. The Mitigated Negative Declaration had not mitigated or even fully analyzed potential significant impacts to traffic, fire concerns, noise, water use and wastewater generation. Further, the County had not addressed the project's potential significant cumulative impacts, the combined results of past, current and future activities.

The Save Adelaida! group rallied to speak in front of the Board of Supervisors. Many people took time off work to voice their objections to the project. Each person was allowed three minutes to talk. Nevertheless, we managed to present substantial evidence of potential impacts, supported by both citizen and expert testimony.

Supervisor Frank Mecham noted that this area had reached a "tipping point." Supervisor Arnold said that she would not like

this next door to her. But objections to the project were overruled and the Board of Supervisors again approved the project, 5-0.

On July 9, 2015, we filed a lawsuit alleging violations of CEQA, the Williamson Act, and County land use regulations. On June 23, 2016, Superior Court Judge Ginger Garrett ruled in favor of Save Adelaida! and said that indeed, an Environmental Impact Report (EIR) was required to consider water, noise, traffic, and the cumulative effects of this project.

Meanwhile, San Luis Obispo County Planning and Building continues to approve new similar projects with apparent disregard for the concerns of residents and neighbors. It is our hope that the efforts involved in limiting this development will bring attention to the concerns of local people and help preserve the rural, agricultural nature of Adelaida, as well as similar areas in the county and throughout the state.

It is very important that concerned citizens become active and voice concerns before the next inappropriate development is approved. Action is required!



Capps

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— including Japan, the world's largest LNG importer. This would facilitate:

- Greater global dependence on a fossil fuel that causes significant climate pollution;
- More construction of fossil fuel infrastructure, which would lock in the production of fossil fuels; and
- Increased fracking, leading to greater air and water pollution and increased health risks.

Conservation threats, not protections

Environmental provisions, while broad, are generally

very shallow. In some respects, they take a step back from past trade deals. The TPP even includes new threats to animals and ecosystems.

- Threats to Endangered Animals: Rather than banning commercial whaling and shark finning — major issues in TPP countries — the TPP would encourage increased trade in shark fins by eliminating the tariffs that major shark fin importers like Vietnam and Malaysia impose on major exporters like Mexico and Peru. The deal also would eliminate tariffs on certain elephant ivory, undercutting efforts to ban all ivory trade to protect endangered elephants.
- Multilateral Environmental

Agreements (MEAs) Roll-back: All U.S. free trade deals since 2007 have required trade partners to "adopt, maintain, and implement" policies to fulfill their obligations under seven core MEAs. Yet the TPP only includes this requirement for one of the seven MEAs. This regression contradicts U.S. law for fast-tracked trade deals and would allow TPP countries to violate critical environmental commitments to boost trade or investment.

• Weak Conservation Rules: While the TPP environment chapter mentions various conservation issues, the deal mostly includes weak obligations for countries to address these

challenges. Rather than prohibiting trade in illegally taken timber and wildlife, the TPP only asks member countries to "combat" such trade at their "discretion." • A Failed Enforcement System: Even if the TPP's conservation terms included stronger obligations, there is little evidence to suggest that they would be enforced. The U.S. has never once brought a case against another country for violating environmental commitments in a trade deal, even amid widely documented violations under trade deals with the same enforcement mechanism as the TPP.

Instead of subjecting the world to yet another dangerous trade deal, we need a

new model of trade that protects communities and the environment.

TAKE ACTION

On August 12, the White House alerted Congress that it will attempt to implement the increasingly unpopular TPP in the post-election lame duck session, despite opposition by environmental organizations, labor unions, the Democratic nominee for President, and millions of Americans.

The day before, speaking at a rally in Michigan, Hillary Clinton said "I will stop any trade deal that kills jobs or holds down wages, including the Trans-Pacific Partnership."

"Issued just a day after the Democratic Presidential

nominee doubled down on her strong opposition to the reckless corporate trade deal, and when the TPP clearly does not have the votes to pass in Congress, this maneuver is all for show," said Ilana Solomon, director of the Sierra Club's Responsible Trade Program. "The TPP threatens our jobs, our communities, and our climate, and it must be stopped."

Ask Rep. Capps to add her voice to those of Hillary Clinton and Nancy Pelosi opposing the Trans-Pacific Partnership.

Rep. Lois Capps
Washington, D.C.:
Phone: (202) 225-3601
Fax: (202) 225-5632

San Luis Obispo:
Phone: (805) 546-8348
Fax: (805) 546-8368

Try the TRADE Act, Mr. President

"The answer isn't to turn inward and embrace protectionism. We can't just walk away from trade. In a global economy where our economies and supply chains are deeply integrated, it's not even possible."

- President Obama, *Washington Post*, Aug. 1, 2016

Per Public Citizen, the Trade Reform, Accountability, Development and Employment (TRADE) Act outlines a way forward to a new trade and globalization agenda that could benefit more Americans.

It's been around for years, under one name or another, most recently in the 2009-2010 Congressional session, where it was re-introduced by Rep. Mike Michaud with 106 cosponsors, including nine committee chairs and representation from the entire range of Democratic caucuses and classes. The fact that nearly half of the House Democrats supported this legislation from the start should have sent a clear signal to

the Obama administration that only the strong, specific trade reform agenda of the TRADE Act would gain support in Congress.

The TRADE Act was supported by a broad array of labor, consumer, environmental, family farm and faith groups, and required a review of existing trade pacts, including the North American Free Trade Agreement (NAFTA), the World Trade Organization (WTO) and other major pacts, as well as setting forth what must and must not be included in future trade pacts.

It provides for the renegotiation of existing trade agreements and describes the key elements of a new trade negotiating and ap-

proval mechanism to replace Fast Track that would enhance Congress' role in the formative aspects of agreements and promote future deals that could enjoy broad support among the American public.

The TRADE Act translated into action the specific commitments for trade reform made by many members of Congress over the course of recent election cycles and by President Obama during his 2008 campaign.

The bill's provisions regarding what must and must not be in American trade agreements captured the reforms promised in the 2008 Democratic platform and the campaign commit-

ments made by President Obama and the 71 House and Senate members elected in 2006 and 2008 who replaced those who had voted for NAFTA and the World Trade Organization (WTO). By moving Congress and the public beyond the rut of repeated fights against more-of-the-same trade pacts, the TRADE Act can help avoid the divisiveness and political fallout that such fights invariably bring.

The premise of the TRADE Act was that America's trade agenda must be brought into conformity with America's domestic agenda of good jobs, a clean environment, safe food, quality and affordable medicines, and

essential services. By removing provisions that limit imported food and product safety and financial service regulation, provide foreign investors with rights to attack domestic environmental and health laws, and incentivize the offshoring of jobs to low-wage countries -- and adding effective labor, environmental, health and safety standards to provide the floor of decency necessary to ensuring trade agreements benefit more people -- the road map provided by the TRADE Act would lead to trade agreements that could enjoy broad public support.

This legislation offered the White House a path around an ocean of political

quicksand because it was a road map for trade expansion that Democrats could support, with fixes for the key conflicts between the current NAFTA/TPP-style trade pacts and the Democratic Party's core agenda.

The White House should have considered taking that path in 2009. Since it didn't, it should introduce the TRADE Act in the next Congressional session.

What it should not do is pretend that the alternative to the TPP and the corporate "free trade" model is no trade at all.



Activist

continued from page 3

Living through the legislative process turned out to be way more intense than what I remembered from those “how a bill becomes a law” lectures from high school social studies.

In the end, the Alliance’s suppositions were correct: It was economics that doomed Diablo Canyon—dollars, not disaster, brought an end to the facility. I had said for years that “it won’t be Geiger counters but bean counters that will shut Diablo,” and this seems to be the case.

PG&E has never wavered in its position that “the plant is safe.” Are you convinced yet?

What we’d say is there are conflicting analyses of the seismic footing and design resilience of the structures. Then we’d get the state legislature to ask the question for us. As Dr. Blakeslee did with AB 1632, the concern is phrased in the bill as the need to:

...determine the potential vulnerability, to a major disruption due to aging or a major seismic event, of large baseload generation facilities of 1,700 megawatts or greater, including a specified analysis of the impact of a major disruption on system reliability, public safety, and the economy.

The “reliability” and “economy” part of that speak to our direct concerns. The “public safety” would ask, “how much will it cost if anything happens that could impact public safety” but does not delve into any prohibitions or prescriptions for ordering changes at Diablo Canyon—only the NRC can do that.

What we have seen so far, in response to AB 1632 and later studies, is that PG&E’s scientific methods in asserting their certainty of seismic safety were subject to voluminous critique by the geophysical community, as anyone knows who saw the lively workshops of the post-Fukushima seismic re-evaluation by the Senior Seismic Analysis Committee, known by the acronym SSHAC. We still don’t know how much seismic retrofits to Diablo will cost, because the NRC has not yet tendered their final evaluation of the SSHAC report. But again, it’s those anticipated costs over which the state has control. The NRC may say in their evaluation that the plant is safe with only some minor retrofits. The CPUC, on the other hand, may decide that the cost of those retrofits is not warranted and refuse to grant ratepayer money to PG&E to do the work. Without ratepayer money, there is very little that PG&E will do. They are in business. Taking ratepayer money is what they do.

What’s your opinion of the fashion choices of the average SSHAC participant, specifically their taste in head gear?

Ah yes, the hats. The SSHAC process involved bringing seismic scientists into a workshop where, theoretically, all points of view would be heard. However, it turns out that some perspectives were marginalized. The problem was PG&E’s own admission that the field of seismic scientists surrounding structures like nuclear plants is so small and incestuous—their word—that finding enough scientists to serve as witnesses for the different theories and as “impartial” arbiters of the results was impossible. So some participants served both roles,

which of course, to us, raised the issue of cognitive bias. How could they take a paycheck from PG&E to defend their seismic theory and at the same time evaluate it fairly in light of contradictory evidence?

PG&E’s solution was simple: They invested in dozens of colored hard-hats; red, white and blue, each designating the “role” the wearer was playing. By changing their hat from a “proponent” to a “referee,” some magical force was unleashed that changed years of internal programming, yielding impartial results. We sat through days of this process, though within the first hour we were aware that this was a travesty of science. As a filmmaker, I knew there was

To be ambushed like that at a meeting was now referred to as being Diablo’d. Hooray, we’d become a verb!

potential, but just how much didn’t become clear until I reviewed the hours of videotape from the event. I had the idea to edit together all the switching of the hats—some less graceful than others—to the tune of The Mexican Hat Dance. It was a long process to deliver the 90 seconds of milinery chicanery, but I think the point was made. The video is on Youtube at: <https://youtu.be/CGUP3CljzFM>

Describe your contributions to the archives of the NRC and their staff training program.

I think the incident you reference here came in June 2004, near the end of my tenure with the Mothers for Peace, and before A4NR was formed. It certainly reinforces A4NR’s decision to move away from the NRC as a venue for addressing our concerns. It probably remains my most visible endeavor in the field of “agitprop” activity.

In December 2003, a 6.5 quake erupted on a previously unknown thrust fault east of Paso Robles, known as the San Simeon quake (but not on the San Simeon fault—yeah, I know, it’s confusing!). Long story short, the NRC got around to holding their public inquiry on this event in June 2004. Before that meeting they issued their annual report on Diablo, which uses a color coded grading system to judge safety: Green is good, yellow means caution and red is bad. I noticed that in the category of “emergency alert and notification” Diablo got a “green” for “good.” But in another part of the report, I also saw for the first time that at the moment of the quake, nearly half the emergency sirens in our county lost power, because they were connected to the same grid as the plant and the community. I’d always assumed (incorrectly) that the sirens must have had some form of backup power for emergencies such as earthquakes. It turns out the NRC does not require backup power for sirens. If the earthquake had caused enough damage to merit an evacuation, how would many of us have known? With this knowledge, how could the “emergency response” get a green rating, since backups had yet to be added to the siren system, nor did they say the sirens were repaired?

The NRC’s answer was simplicity itself: The report looks at each quarter of the year. There are 2,190 hours in each quarter. The sirens were only inoperative for a few hours during that quarter—the hours when they would have actually been



Come to order Rochelle Becker and David Weisman, right, convened the first meetings of the Alliance for Nuclear Responsibility in January 2005 at the old Marsh Street offices of ECOSLO and the Sierra Club in SLO.

needed. Therefore they were 99.7% available, which merits a “green” rating. Clearly the NRC needed some help with their “color coordination.” On the way to the meeting at the Embassy Suites Hotel

in SLO that night, I stopped at Smart & Final and purchased 100 sets of red, yellow and green paper plates, and brought them into the meeting. Then, during public comment I offered the foregoing observations, reiterating how nonsensical the NRC’s approach was. Removing the plates from my bag, I announced that we’d pass out the colored plates to any who wanted them, and that for the rest of the evening we would be subjecting the NRC to our color-coded judgment. If we felt they were telling the truth, we’d show green; if we felt they were prevaricating, we’d show yellow, and if we felt lied to, we’d show red.

There was minor pandemonium in the audience. Many plates were passed around. By the time the next presenter from the NRC spoke he prefaced his statement with, “Well, you’d might as well get your red plates ready, because you’re not going to like what I’m going to say.” Plus, the community access television videotape of the meeting clearly showed the sea of red plates. The NRC’s credibility for the night was ruined.

During a break that followed the brouhaha, I was occupying a stall in the hotel restroom when I heard a couple of the NRC staff people enter.

“They told me this was going to be an easy meeting and the scenery was beautiful,” said the first.

His colleague replied, “Yeah, and I was at the meeting outside Chicago last week, and the whole audience was in favor of nuclear power...these people are hostile!”

The postscript to the story is that many of the NRC employees that night faced severe scrutiny upon their return to the office for having let the meeting get “out of control.” I am told by a former NRC employee that the videotape from the evening was later shown to staff in a lecture entitled “Don’t let this happen to your meeting.” The same former employee told me that a new word entered the NRC lexicon. To be ambushed like that at a meeting was now referred to as being Diablo’d. Hooray, we’d become a verb!

Finally, I was told that some of the confiscated paper plates made their way back to NRC headquarters, where they were displayed as a warning to others.

Chip Cameron, who was the NRC facilitator that night, impressed me by sincerely reaching out to me after the fact and wanting to engage in a dialog in order to understand how and why the agency was failing to communicate in a meaningful way with the public. I

think he made a noble attempt to understand the “stakeholders” point of view, and did so despite often receiving chilly responses from his superiors at the agency. He was a rare bird in that otherwise stodgy bureaucratic environment, and we subsequently had many productive conversations over the years.

What’s your fondest memory as a CPUC intervenor?

Involvement with the CPUC is about as byzantine a labyrinth as I have ever negotiated. In response to PG&E’s November 2009 announcement that they would seek relicensing from the NRC, Rochelle decided that A4NR would oppose them when they went to seek ratepayer funding to pay for the relicensing process. This follows A4NR’s strategy of seeking a state recourse, rather than challenging the federal NRC. In January 2010 PG&E did seek (through the CPUC) \$85 million for the relicensing process. That seemed like a lot of money to push some papers across a desk and then get them under the NRC’s ever-ready rubber stamp of approval.

I would say the most whimsical moment in one of these cases came during cross-examination of a utility witness by Rochelle Becker. I had written out questions to be asked, in detail, with follow up questions based on either a “no” or a “yes” from the witness. I also included parenthetical notes, much like a composer adding “allegro con brio” to the sheet music. In her zeal, she read all of it, something like, “Well then, if you are unable to meet the deadlines, how do you expect to get the permit, emphasis added?” At which point I whispered in her ear, “Um, Rochelle, those are the stage directions....” I looked up at the bench and quickly added, “Your honor, can those words be stricken please, she was reading the stage directions.” There was a bit of good-natured chuckling from the other lawyers and the judge, himself a Diablo veteran from the 1980s. A lot of our early work at the CPUC was based more on zeal and righteous indignation than on established legal practice!

There was an instance when Rochelle went into a lengthy preamble when questioning an Edison witness. Finally the utility’s frustrated lawyer stood up and said, “Objection, your honor, she’s not asking a question, she’s making a speech!” To which that same judge replied, “Overruled! I’ve heard many a professional attorney do far worse. You may proceed, Ms. Becker.”

We actually prevailed in those cases, in spite of our non-professional legal skills. Still, it was a great relief when John Geesman, a superior attorney of deserved renown, agreed to represent A4NR. But he

later admitted that it was our diligence and determination in those early cases that impressed him enough to wish to support our efforts. We, of course, were most grateful. But I am very glad to have gone through that miniature version of law school. The challenges helped me grow, and the discipline it required has hopefully refined my research and analytical skills.

What’s your take on the local media’s coverage of Diablo issues?

I have on my shelf about a two-foot wide collection of three-ring binders with photocopies of all the news stories featuring or relevant to A4NR from its inception in January 2005. So, if size matters, I would say we’ve been afforded ample press coverage. That alone does not tell the entire story. I believe the most in-depth local analysis has been done by the weeklies—the *New Times* of SLO and the *Independent* of Santa Barbara. Perhaps because they don’t have to cover daily breaking news stories, they can devote more column inches to these complex issues. Reporters like Colin Rigley and Matt Fountain at the *New Times* did some remarkable digging into the records and wrote excellent pieces covering the seismic issues. Likewise, Nick Welsh of the *Indepen-*

advocate,” and while the weekly papers quickly adopted that nomenclature, it was slow in coming to the *Tribune*. Perhaps with the closing of Diablo now a definitive event, things will change.

It goes without saying that the *Santa Lucian* has been generous in its coverage of this issue, given that the Chapter itself is a product of the great Diablo debate that fractured the Club in the 1960s. Of particular note, the “Taking Issue” feature of the *Santa Lucian* has provided a meta-critique of the local media through its “he said—she said” counterpoint and fact-checking.

From our formation in 2005 up through about 2011, A4NR was invited onto KCBX by host Guy Rathbun about every four to six months to do an update on our perspectives for his program “Issues and Ideas.” After 2011, KCBX underwent a major management and programming change. Guy—who had covered the Diablo conflict from its earliest days—left the station. In the years since, A4NR’s voice has been heard only once on KCBX, for thirty seconds in 2015.

Up through 2015, A4NR was a more frequent visitor to the Dave Congalton radio program on KVEE. Those were lively, hour-long broadcasts with a wide (but very predictable) array of callers and concerns. Dave was a fair host, and I believe he respected that when presenting our argument I always supplied actual

How could they take a paycheck from PG&E to defend their seismic theory and at the same time evaluate it fairly in light of contradictory evidence?

dent had an especially astute ear for the politics surrounding Diablo. Smaller papers like the *Times Press Recorder* (South County) and the *Bay News* (Tolosa Press) have run stories that, while infrequent, were accurate and relatively thorough.

As for the paper of record, the *SLO Tribune*, the results are mixed. The editorial department has done an excellent job of covering Diablo issues over the past decade, and A4NR has had many of our op-eds placed in their “Viewpoint” column. The news department has not been as open to A4NR’s perspective. When breaking Diablo news does occur, their reporter has seldom contacted A4NR for comment, and although we have submitted press releases on these occasions, their content seldom made it into the *Tribune*. In addition, the *Tribune* took the longest to catch on that A4NR was different from the Mothers for Peace, often lumping all opposition to Diablo as “the anti-nuclear activists.” We worked very hard to make sure that our self-identified role was that of “ratepayer

documents, transcripts and other original sources of information rather than second-hand accounts and hearsay. I recall one instance when an irate caller was adamantly denying that the NRC could have possibly done what we claimed it did, to which Dave responded, “Sir, I am reading the actual NRC document right on their own letterhead” before cutting him off the air.

Although perhaps not considered “local media,” there is one organization that I believe has provided the most important in communication and outreach on Diablo issues since my arrival in SLO: AGP Video, the providers of local community access programming. AGP provides live streaming and archives of county government as well as NRC meetings, seismic workshops and the Diablo Canyon Independent Safety Committee. There is nothing as powerful as using someone’s own words as evidence—and we’re not talking here about inadvert-

ACTIVIST cont. on page 8



Back in the day Mark Skinner, Paula Daillak, Rochelle Becker and David Weisman of the Alliance for Nuclear Responsibility with exhibits they entered into evidence at a June 20, 2006, PG&E ratepayer case in San Francisco. Sierra Club and the Alliance were co-intervenors in the case, filing to oppose PG&E’s request for \$19 million in ratepayer funds for an in-house study of the potential renewal of Diablo’s operating permit. A court ruling earlier that month, in which the judge agreed with Mothers for Peace, Sierra Club and former Supervisor Peg Pinard that the utility could not ignore the possibility of a terrorist attack on Diablo’s planned dry cask storage facility for spent fuel rods, played a role at the PUC.

Surfrider's Carol Georgi Receives Bill Denneen Award



In gratitude CHNMS panelists P.J. Webb, Andrew Christie and Fred Collins look on as Carol Georgi accepts the Bill Denneen award.

Following an August 9 panel presentation on the Chumash Heritage National Marine Sanctuary at the SLO Unitarian Universalist Fellowship, Carol Georgi, a volunteer with the San Luis Obispo Chapter of the Surfrider Foundation, received the Bill Denneen Environmental Award.

The award recognizes individuals who have made significant environmental contributions on California's Central Coast. In 2009, Carol founded the alliance that eventually drafted the proposal for the nomination of the Sanctuary, including Surfrider, Sierra Club, the Northern Chumash Tribal Council and local coastal advocates.

"Receiving the award fills me with gratitude for working with so many dedicated volunteers toward achieving a new national marine sanctuary for the generations to come," she said. "We need to believe the CHNMS will become a reality."

For more information on the Sanctuary campaign, go to chumashsanctuary.com. Add your name to the petition at tinyurl.com/CHNMSpetition.

Classifieds

Next issue deadline is **September 16**. To get a rate sheet or submit your ad and payment, contact: Sierra Club, P.O. Box 15755, San Luis Obispo, CA 93406 or sierraclub8@gmail.com

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The 3-day **Deep Ecology Collaboratory** takes place October 21-23, 2016 at the Rancho El Chorro Conference and Retreat Center, which sits on a beautiful 250-acre nature reserve in the heart of San Luis Obispo County. Participants will address the biodiversity crisis, overpopulation, and globalization through the lens of Deep Ecology principles.

Topic Leaders Include:

- Robert Gifford** – professor at University of Victoria, BC Canada, environmental psychology researcher
- Matt Ritter** – author, editor, and professor of botany at Cal Poly, San Luis Obispo, CA
- Derick Jensen** – author of *Deep Green Resistance: Strategy to Save the Planet*
- Stephanie Mills** – lecturer, activist, and author of *Whatever Happened to Ecology?*
- Dave Foreman** – activist, author, and co-founder of Earth First! and The Wildlands Project
- Eileen Crist** – educator, author of *Images of Animals*, and editor of *Gala in Turmoil*
- William Ryerson** – founder and President of the Population Media Center
- Joe Bish** – Director of Issue Advocacy at Population Media Center
- Jerry Mander** – Program Director at the Foundation for Deep Ecology
- Bill McKibben** – author, educator and founder of 350.org
- Kelly Sorenson** – Executive Director of Ventana Wildlife Society

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Outings and Activities Calendar

Santa Lucian • Sept. 2016

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., Sept. 18th, 2-3:30 p.m. Historic Walk of Old-Town Cambria. Guided stroll past Victorian houses, 1880s storefronts, saloons, cemetery, and Chinese temple in Cambria's East Village to learn stories of early pioneers. Meet in front of Olallieberry Inn, 2476 Main St.. Leader: Joe Morris, 549-0355

Fri-Sun, Sept. 23rd-25th. National Public Lands Day in Black Rock Desert. Join us in this beautiful, remote desert area about 100 miles north of Reno for a work project one day and play another. For further information, call David Book, 775-843-6443. Great Basin Group/CNRCC Desert Committee.

Sat. Sept. 24th, 8:30 a.m. East Cuesta Ridge/Lopez Canyon Trail. Walk Mt. Lowe Rd. (E. Cuesta Ridge) 4.6 miles from gate near highway on trail where all morros can be espied on a clear day, further if group desires, then back. Prepare for an all-day hike or you have option of turning back early on an out-and-back trail. Bring water, lunch, and sturdy hiking shoes. Meet at Santa Rosa Park to carpool to top of grade, or those from north county can meet us there at 8:45 a.m. If hot weather expected, hike will be postponed to another date. Leader: Carlos Diaz-Saavedra, 546-0317.

Sierra Club's CLAIR TAPPAAN A GATHERING OF FRIENDS TO ENJOY AND SUPPORT THE LODGE SEPTEMBER 16-18, 2016



*Saturday Afternoon
Guitarist
Stephen Holland,
Wine and Cheese*



*Saturday and
Sunday Morning
Hikes*



Swim in a High Sierra Lake

*Sierran Panoramic
Slide Show, Raffle,
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S'mores, Art Sale*

*Friday - Sunday, September 16-18
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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.

Activities sponsored by other organizations

Sat., Sept. 24, 12-2:30 p.m. SWAP Annual Celebration. The Small Wilderness Area Preservation board of directors is excited to have Daniel Bohlman, Conservation Director of The Land Conservancy of San Luis Obispo, as Annual Celebration speaker. He will talk about and show photos of the Land Conservancy's recent acquisition, the beautiful Pismo Preserve, and the Eagle Ranch 3,255 acre easement donation in Atascadero. Come for an informative and enjoyable presentation, good food, and a chance to chat with fellow lovers of the Elfin Forest. Free. Morro Shores Mobile Home Park Community Room, 633 Ramona Ave., Los Osos.

In Memoriam

Our thanks to Howard and Elizabeth Steinberg for their generous donation in memory of Harry Woolpert.

Island Hopping in Channel Islands National Park

Sept. 25-27, Oct. 23-25. Join us for a 3-day, 3-island, live-aboard cruise to the Channel Islands. Hike windswept trails bordered with blazing wildflowers. Kayak rugged coastlines. Snorkel in pristine waters teeming with colorful fish. Swim with frolicking seals and sea lions. Look for unusual sea and land birds. Watch for the endangered island fox. Or just relax at sea!

All cruises depart from Santa Barbara. \$650 cost includes an assigned bunk, all meals, snacks and beverages plus the services of a naturalist-docent assigned by the national park to help lead hikes, point out items of interest and give evening program. For more information, contact leader: Joan Jones Holtz; 626-443-0706; jholtzhl@aol.com.

To hold a reservation, mail a \$100 check to Sierra Club, and send to Joan Jones Holtz, 11826 The Wye St., El Monte, CA 91732.



Activist

continued from page 6

ent "bloopers" or carelessly offhand Twitter comments—these are legitimate, "on the record" events. A4NR has made extensive use in transcribing or transmitting pertinent statements and videos to relevant state and federal agencies—and other advocates. AGP's videos provide an invaluable archive of the Diablo history as it unfolded in real time. Having studied television at New York University under professor George Stoney, who is credited as the father of community access television, I can say that AGP's work truly fulfills his democratic vision of what community television could be used for when the concept emerged in the late 1960s.

Most of A4NR's video appearances have been placed on our Youtube channel, A4NR. <https://www.youtube.com/user/A4NR>

What's your favorite piece of legislation backed by the Alliance?

There are now pretty close to a half-dozen bills sponsored or backed by A4NR that made it part way or all the way through the legislative process—another byzantine experience. I would say that AB 1632 (Blakeslee), which started the seismic studies rolling back in 2006, was perhaps the most important. Dr. Blakeslee deserves credit for expressing his concerns well before Fukushima. Again, his motivations were economic. Before Fukushima there was the Kariwa-Kashiwazaki incident. The world's largest reactor complex, it was damaged by a severe earthquake in 2007. While it didn't trigger a nuclear disaster, it crippled a large source of generation and would have required billions to repair. It was these potential economic consequences and losses that made AB 1632 even more relevant to California.

On a personal level, the bill that took the most time and energy from me was SB 418 (Jackson). That bill was prescient then (2013) in the way Senator Monning's current SB 968 is now: It asked for full economic analysis of all the costs that

license renewal would entail, over the entire 20-year extended life of the plant. What additional components would need replacing? What would the cost be if the NRC changed regulations? I worked—literally day and night—with Hannah-Beth Jackson's staff person to respond to every inquiry, providing detailed foot-noted answers to every charge and claim made against the legislation, and then distilled those answers down to "bullet points" as the committee chairs requested. In the end, it was for naught. In spite of the support we thought we'd garnered, the IBEW lobbyist came into the hearing and declared that the bill wasn't about economic analysis but was just another way to put his clients out of work and shut the plant down. He banged his fist on the table a few times, excoriated the committee, and the bill died.

Of course, we now know "the numbers" SB 418 requested would not have penciled out—three years later, PG&E has come to its own conclusion and decided to halt license renewal. But our state and

those PG&E workers would have had a head start on the process if the legislation had passed.

In 2015, AB 361 (Achadjian), which kept the SLO Office of Emergency services funded through the end of Diablo's current license, was quite a roller coaster ride. It ended up being given a final (and unanimous) vote from the full legislature on the night of the last day of the session. Since we had been told it would pass early in the week, we came to Sacramento prepared for one day. We ended up (and I'm not proud of this) wearing the same clothes for the remainder of the week. At one point, I borrowed a necktie from the desk manager at the Holiday Inn so I could break up the monotony of my wardrobe.

When the bill finally passed at 10 p.m. on Friday night, Rochelle and I were so exhausted, slumped on a bench in the Capitol hallway, that we found it impossible to manage anything but a forced and unenthusiastic "high five." We trudged back to the Holiday Inn without even stopping for a celebratory drink.

Which brings me to two

conclusions: one personal, one political. Politically, we had great—nearly unanimous—success with Republican sponsored legislation in a Democratic majority state, proving as we had hoped that nuclear policy could be a bipartisan issue. Much of that credit goes to our elected officials, and some of it may go to A4NR's strategy of distilling the issue down to its core (what does this cost us?) and leaving any other baggage attached to the subject of nuclear power out of sight. We did not discuss the broader issues of nuclear power and climate change, or what was being done in Europe or elsewhere, or the potential for advanced thorium reactors, but kept focused on the fate of two aging facilities on our seismically active coast. All politics really is local.

My personal note reflects only my experience and may not be translatable to anyone else engaged in this type of work. I remember the day Rochelle and I

learned (via email) that we had prevailed in our first CPUC case to stop relicensing funding. We had ordered the lunch special at the Chili's in Arroyo Grande. She got the email just about the time they served us.

We read it, there was a weird silence followed by "OK, wow, I guess we did it?" And then we went back to our enchiladas. No jumping up and down, wild embrace, joyous exclamation. Ultimately, I noted that for myself our subsequent victories (including the closing of San Onofre) seemed almost anticlimactic; matter-of-fact, even bittersweet.

The defeats, on the other hand, continued to sting long after the battle was over. Perhaps it's my own skin that's too thin with regard to the losses. I can accept that. But I was surprised that winning did not deliver the exuberant jolt I'd expected.

Well, I guess I have some time to ponder that now. One of these days, I might even have that drink.



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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
dpj1942@earthlink.net**