



June 2012  
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# Inside

Can SLO still thrive?	2
How to fight the Man	4
Fibbing about Sanctuary	5
No nukes, all action	6
Beach bum makes good	8
Classifieds	11
Outings	12

## Don't Miss

**Morros Mania Day!**  
- see page 12



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# SANTA LUCIAN

*Protecting and Preserving the Central Coast*



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

## Beyond Oil and Gas

*Fossil fuels have no part in America's energy future – coal, oil, and natural gas are literally poisoning us. The emergence of natural gas as a significant part of our energy mix is particularly frightening because it dangerously postpones investment in clean energy at a time when we should be doubling down on wind, solar and energy efficiency.*

—Robin Mann  
President, Sierra Club

At the May 15 County Board of Supervisors hearing on Excelaron's quest to gain permit to drill for oil in the Huasna Valley (see "Just One Spill," page 3), company reps sought to assure the Board of Supervisors that if they got their drilling permit there would be no hydraulic fracturing — aka fracking — in our future. This is the violent process that dislodges oil and gas deposits from



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### Coal is the New Tobacco

The Sierra Club is drawing attention to the elaborate efforts of coal industry executives to mislead the public. We're reaching out to a wide new audience — and you can help!

Watch the videos at [sierraclub.org/mrcoal](http://sierraclub.org/mrcoal) and post them to your Facebook and/or Twitter accounts to help spread the word.

And check out [thatssocoal.com](http://thatssocoal.com).

You can make up your own funny coal story with animated gifs and then share over social media. Mix and match pictures of Mr. Coal Guy to share your own coal story.

Together we can use a little humor to push back against the world's most absurd public relations campaign and expose the ridiculous lengths the coal industry's multi-million dollar advertising blitz will go to in its effort to hide the dirty truth about coal.



shale rock using an undisclosed cocktail of chemicals, known to contaminate drinking water, pollute the air, and trigger earthquakes.

Excelaron told the Supervisors that because the Monterey Shale under the Huasna Valley is already fractured, there was no need for fracking; they'd be pouring nothing more suspect than hot water down their oil wells.

Project opponents immediately pointed out that several large oil fields in the state are also situated on already fractured Monterey Shale, and they are fracking. Whether oil and gas shale is fractured or unfractured,

fracking increases yield and profits, and "if it will make them more money, they'll do it."

That's why fracking for oil and gas has become the unregulated wild west and great gold rush of the fossil fuels industry. The May 9 *L.A. Times* noted that the lack of fracking regulations "has been a sore point for legislators who have said that rules are long overdue for California,

the fourth-largest oil-producing state." Rules to regulate out-of-control fracking in California won't be finalized until 2014, prompting Assemblyman Jared Huffman (D-San Rafael) to observe "It's hard for me to imagine that we won't have a meaningful, reliable regulatory safeguard in place for fracking for at least a year, and yet we are plunging into expedited permit project mode on projects that involve fracking." The *Times* also quoted Assemblywoman Nancy Skinner (D-Berkeley), saying in response to the standard industry line that fracking is carefully done, perfectly safe, no harm has been proven in the state, etc. "If we haven't been inspecting and we don't have an adequate set of criteria, then we don't know yet if there's harm. We want to

ensure that we've caused no harm to date, and if any harm has been caused, that we can remedy it as soon as possible and that we don't cause any harm in the future."

Americans consume 25 percent of the world's produced oil, yet we have less than 3 percent of the world's

*GAS & OIL continued on page 4*

### Sierra Club Launches "My Generation" Campaign for Local Clean Energy

**Campaign calls on Governor to step up support for rooftop solar power, clean energy jobs**

On May 2, the Sierra Club launched a new statewide clean energy campaign in California.

Utility companies are preventing California from realizing its huge potential for local clean energy development. They are fighting proposals to expand access to local clean energy and proposing costly and unnecessary rate increases for solar customers. The My Generation campaign will showcase the vast public demand for local clean energy, particularly rooftop solar power, and is calling for 30% of the state's electricity needs to be met by local clean energy sources by 2020.

"Across our state, big utilities are denying California families the opportunity to save money, create local jobs, and reduce the enormous health problems that come from dirty



*MY GENERATION continued on page 8*

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

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Memo to the San Luis Obispo Land Use and Circulation Element Task Force:

# Read “Thrive,” Chapter 5

## And feel free to borrow our copy of the 1995 “Vision for Sustainability in San Luis Obispo”

As the City of San Luis Obispo’s good ship *Land Use and Circulation Element Update* sets sail on a two-year voyage — already listing heavily toward business interests (see “If You’re Not at the Table, You’re on the Menu,” January) — this is a good time to recall the local civic history vividly captured by Jim Buettner in his 2010 book *Thrive*, the book that put SLO on the map as the happiest city in America.

Certainly for folks hereabouts, nothing in the book is more relevant than the chapter in which Buettner interviews Cal Poly architecture professor emeritus, former planning commissioner and five-term SLO Mayor Ken Schwartz.

Buettner recounts how, over the course of the 1970s, Schwartz overcame a “reactionary business community” to transform a city that was “Anyplace, U.S.A.,” under the control of “a few powerful property owners and conservative business leaders.”

“By the time Schwartz left office” Buettner writes, “the winds had changed, and San Luis Obispo had moved to the forefront of an American planning renaissance.”

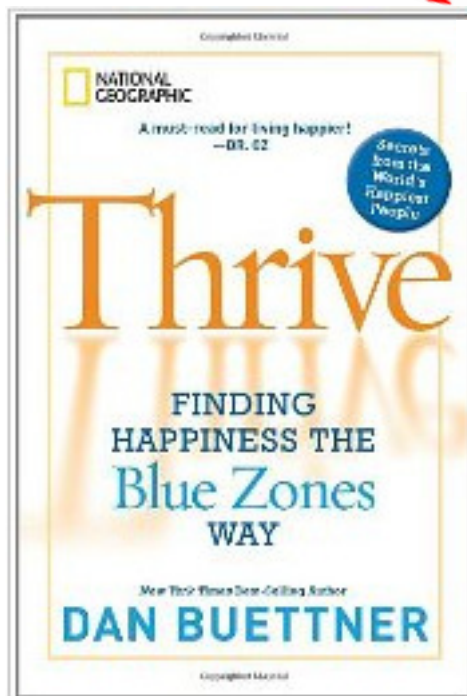
This history has considerable bearing on the process now underway to update the City’s General Plan. For the edification of the Land Use and Circulation Element Task Force charged with shaping that process, we present here some of the noteworthy content, beginning with the momentous idea of closing Monterey Street in front of the Mission.

“It was that Mission Plaza that changed everything,” designer Pierre Rademaker recalled. “Businesspeople opposed it hugely, but it turned out to be a bonanza for them.”

Buettner writes, “By 1968, this idea had gained momentum and sides were being drawn for and against, with most of the public, including Schwartz, in favor of closing the street and creating what was now being called Mission Plaza. However, most of the downtown merchants and the council majority favored keeping the street open. In fact, by 1967 the council had declined to reappoint Schwartz to the planning committee because of his position.”

The downtown business community wanted a parking garage there, not a plaza, and Mayor Clell Whelchel was their man.

Schwartz vividly describes the city council meeting where the pro-business mayor tried to shut down a group of Schwartz’s architecture students who were presenting the concept for Mission Plaza. When he failed in that goal, Whelchel announced the meeting was over and walked out. The public shockwaves that meeting produced resulted in a



citizens’ referendum to close Monterey Street, which was spurned by the city council, went to a vote of the people, and passed by a margin of nearly two to one. “The downtown business community was in a state of shock, and in 1969 Schwartz was elected mayor of San Luis Obispo. You didn’t need to suck on a finger to know which way the wind was blowing now.”

That “taught everybody a lesson about citizen empowerment” and was the birth of broad-based civic activism in SLO, which led inexorably to the city becoming “the first municipality in the world to pass a smoking ban in workplaces, including bars” in 1990 (opposed by the business community), followed by a ban on drive-through fast-food restaurants, and an “aggressive greenbelt plan, as well as an ordinance limiting housing growth to one percent a year.”

Buettner concludes that “San Luis Obispo offers a clear example of how an American community can proactively change itself to create an environment where people live longer, happier lives.... With more citizen participation, the town’s focus shifted away from optimizing the business environment to maximizing quality of life.”

If *Thrive* errs anywhere in its narrative of local history, it is in the implication that the winds of change that blew SLO from its reactionary past into a progressive present actually blew away those elements that *did* want to keep the focus on



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

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# Dear Governor Brown...

There are 9 ways you can create a clean energy future that works for all of us. Local clean energy and energy efficiency programs have the potential to meet our growing energy needs, protect our health and environment from the harmful effects of fossil fuel pollution and save Californians billions of dollars! But utilities are dragging their feet and attempting to slow our progress toward a clean energy future that benefits all of us. We need to be investing those dollars in clean energy and jobs here in California.

Local clean energy, from rooftop solar to energy efficiency programs and more, has a long and successful track record of providing benefits to Californians. Local clean energy saves money for homes, businesses, schools and government, and creates billions of dollars in economic growth, while reducing air pollution and improving public health.

In order to increase these benefits and ensure that important climate protection goals are met, we call on the state to adopt local clean energy policies based on the following rights:

**1. Universal Access:** Every Californian has the right of access to local clean energy; unnecessary barriers to the widest possible use of local clean energy should be removed. Customers should not be locked into dirty sources of energy when increasingly cheaper, safer, and cleaner energy options exist.

**2. Healthy Communities:** Local clean energy is vital to providing a healthy future for our children and a healthy economy for our communities. Clean energy in our communities will keep our air and water clean while creating local family-sustaining jobs and economic prosperity.

**3. Low Income Communities & Communities of Color:** Low income communities and communities of color suffer disproportionately from the effects of dirty energy; we have an obligation to reduce the harm caused by our energy use, especially in these communities.

**4. Right of Self Generation:** Californians should be able to generate, own, and use local clean energy in their homes and in their communities, without unnecessary obstacles and red tape, or fear of being penalized by government or utilities with unfair rules, fees or penalties.

**5. Right to Earn Money:** Californians should have a right to earn money from the sunshine that falls on their roofs and the wind that blows on their land.

**6. Equitable Benefits:** Local clean energy should expand in a way that is equitable, supported by policies that ensure all Californians benefit from the clean energy economy.

**7. Energy Efficiency:** Efficiency is the largest and most affordable form of local clean energy. While dirty energy rates rise, customer bills need not follow this path. The state has a responsibility to insure that well-designed programs help Californians waste less energy and lower their bills through energy efficiency.

**8. Community Participation:** Decisions about energy should be transparent and encourage community participation. Communities have a right to participate in decisions about their energy supply, and to have a choice about where they get their energy.



**9. Energy Security:** Local clean energy is necessary to protect people from the risk of rising fossil fuel costs and helpless dependency on vulnerable energy supplies. Californians have the right to use local clean energy to provide for their own energy security and to offset their own rising energy bills.

## TAKE ACTION

Unless we show the Governor there is strong statewide support for clean energy, utilities will do what they have always done. Urge the Governor to sign this Clean Energy Bill of Rights for a clean energy future that works for everyone.

Governor Jerry Brown  
c/o State Capitol, Suite 1173  
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Phone: (916) 445-2841  
Fax: (916) 558-3160  
E-mail: [http://gov.ca.gov/m\\_contact.php](http://gov.ca.gov/m_contact.php)

And visit our website to find out more about the Sierra Club's My Generation campaign. We need as many people involved as possible to help grow clean energy and jobs in California. Go to [www.beyondcoal.org/solutions/california](http://www.beyondcoal.org/solutions/california)

## ...and about that budget

By Kathryn Phillips, Director  
Sierra Club California

As of May, Governor Brown's proposed 2012-13 state budget expects a shortfall for the year of \$15.7 billion.

Environmental programs or issues that are affected include the following:

**The State Department of Parks and Recreation.** The governor's proposal does not change planned cuts to the department's budget, which will result in closure of up to 70 state parks in July.

**The Department of Toxic Substance Control** will lose funding for nearly 84 staff. Another 52 positions will be shifted from other programs within the department to focus on consumer products work driven by the evolving Green Chemistry effort.

New funding will be developed to support timber harvest plans logging companies must produce, and various state agencies must review and monitor, to ensure that logging is done in a way to reduce environmental impacts.

All Californians will be disappointed that the state's budget shortfall is much larger than anticipated. The shortfall isn't good for any public effort in California, including environmental quality and public health.

We're disappointed that state parks closures remain in the budget. State parks play a role in education, recreation and physical health for millions of Californians. They also support the state's tourism industry and local and regional business.

Closing parks will cost the state more than keeping them open, but the governor and his Department of Finance refuse to budge.

State parks would have been a smart investment for the funds the governor is proposing to lend to the General Fund from the Motor Vehicle Account. Every dollar invested in state parks more than doubles its value to the state's economy.

Californians shouldn't have to wonder how much poison they are exposed to each day. The Department of Toxic Substance Control is one entity that helps identify and reduce Californians' exposure to toxics. We are alarmed by the number of positions the governor is proposing to cut from a department that in recent years hasn't been able to keep up with demand for its services.

We look forward to seeing details about the governor's proposal to develop new revenues to support timber harvest plans. These plans are often all that Californians can rely upon to make sure the environmental services that private forest lands provide society—habitat for wildlife, collection areas for snowpack and water, soil and hillside stabilization—are not wiped out by reckless logging. But the agencies that review and enforce the plans have been understaffed and need new funding.

*Sierra Club California is the legislative and regulatory advocacy arm of the Sierra Club's 13 chapters and more than 150,000 members in California.*

# Just One Spill

## Supervisors will decide Huasna Valley's fate on August 21

On May 15, Excelaron LLC went to the County Board of Supervisors to appeal the Planning Commission's denial of a permit to drill for oil in the Huasna Valley.

Over the course of five hours, company reps dangled \$300,000 in property taxes before the board, 35 permanent jobs, and the creation of a "solar to schools" program and donations thereto in the amount of \$1 per barrel of oil extracted.

Meanwhile, residents of Huasna Valley and Arroyo Grande, armed with exhaustive research, the Planning Commission's denial of the permit, and the findings of planning staff backing up that denial, and led by the formidable Huasna Valley Foundation (see "Huasna Rising," Sept. 2008), laid out the case against the project.

In addition to an Environmental Impact Report that found the project would have multiple significant impacts that can't be mitigated, project opponents hammered home two main points: this project has been a moving target, with a description

that seems to constantly change, and it represents the camel's nose under the tent. Once Excelaron gets a permit to drill, they can vastly expand operations and switch to techniques more profitable and more environmentally damaging than the ones they're proposing to use now.

The Sierra Club zeroed in on the threat of a spill. In our comments on the Draft EIR, prior to the Planning Commission's denial of the permit, we referenced the Yellowstone River oil spill, the occasion on July 1, 2011, when a ruptured pipeline spilled 1,000 barrels of oil into that essential waterway.

In response to that comment, the EIR consultants expressed puzzlement that we would bring up that spill by way of comparison to the possible impacts of a spill from an oil drilling operation in the Huasna Valley, because Yellowstone was a pipeline spill, and this would be a tanker truck operation.

*HUASNA continued on page 9*

# Rights vs. Wrongs

Corporations want what they want, and keep coming at communities until they get it. Here's a modest proposal.

What if someday some community tossed aside the regulatory system that allows corporations to build Wal-Marts and oil derricks and trash incinerators where they feel like it – a system that sometimes compels the selection of a design or scaled-back project that results in a somewhat slowed rate of destruction of our air, water, land and neighborhoods — and stood up and told that corporation “You don’t have the right to despoil this land; this community has a right not to endure such impacts on their quality of life, and the ecosystems you would harm have the same right. Our right to be free of such harms supersedes the laws that allow you to inflict them. Goodbye, and good riddance.”

It would be something of a revolution in self-governance. And that’s exactly what it has been for the 150 communities across the country which have done just that. Weary of constantly fighting off the latest corporate hog farm or cement factory or sludge-spreading proposal to come down the pike, year after year, they figured out what the problem was and passed laws asserting their right of self-governance. In those communities, a corporation no longer has a right to demand that it will always get some form of what it wants.

And so far, it’s largely worked out just fine, for one good reason: As scary as it is for a community to go up against a 200-year edifice of state and federal statutes designed to funnel every legal advantage toward large concentrations of wealth and disenfranchise individual citizens, its even scarier for the custodians of that edifice to challenge the concept of local self-governance and start a brushfire of similar revolts.

With such information, Shannon Biggs held a full house rapt at SLO’s Ludwick Center on May 16 (and again at Cal Poly the following night) when the Global Exchange community rights organizer dropped by at the invitation of Transition Towns to

address an assembly of “Eaarth” activists – an affiliation of local affinity groups that named themselves after the book by Bill McKibben, the founder of 350.org and one of the nation’s strongest voices in the fight to maintain a livable world in the face of climate change. They were inspired to get together when McKibben came to speak at the Fremont Theater last October, sponsored by Clergy and Laity for Justice.

Biggs wove together the rights of communities and the rights of nature when faced with the corporate profit imperative and the legal system it’s based on, and introduced her listeners to the idea of “re-localizing” a system that’s been drifting farther and farther toward global economic decision-making. “The problem is not corporations,” she said, “it’s our own structure of laws.”

Those 150 communities that have passed laws punching the ticket of corporations and asserting their own right to self-governance have decided they’re “not going to sit at the back of the democracy bus anymore” said Biggs.

Global Exchange and the Pennsylvania-based Community Environmental Legal Defense Fund help communities write and file such ordinances, shepherd them through the process, and defend them in court if subject to legal challenge.

Biggs recounted the saga of Packer Township, Pennsylvania, which in 2010 declared that “Corporations and other business entities shall not be recognized as possessing any legal rights, privileges, powers, or protections which would interfere with the right of the people of Packer Township to govern themselves and their municipality,” and further declared null and void “State laws which



**So here's an idea** Shannon Biggs of Global Exchange laid out the concept of self-governance and rights-based democracy before a packed house at the Ludwick Center.

prohibit the people of Packer Township from adopting more stringent environmental, labor, and economic standards.”

When the Attorney General of Pennsylvania informed the Packer town council that it had to rescind that ordinance and that the township had “no right of self-governing authority,” six outraged neighboring townships passed similar ordinances within a week, and Packer added a clause to the effect that “No State official, including the Pennsylvania Attorney General, shall have any authority or power whatsoever within the Township of Packer to enforce State laws which prohibit the people of Packer Township from adopting more stringent environmental, labor, or economic standards within the Township.”

Since that brushfire broke out, there has been no further challenge to Packer Township’s right of self-governance, or the proclamation of the rights of the half-dozen surrounding townships that the original challenge inadvertently triggered.

“Telling a community it has no right of self-governance is like pulling back the curtain on the

Wizard of Oz,” said Biggs. “That’s when everyone gets it.”

The range of possible subjects for such ordinances is wide. A dozen communities, including Pittsburgh, have passed rights-based fracking bans.

“Rosa Parks did not act alone” said Biggs. “She violated local, state and federal laws, and did so several times before she finally got results. That’s been the history of movements for rights. People say ‘I’m going to act like I have the right to do this.’”

And then, suddenly, they do.

For more information, contact:  
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## Gas & Oil

*continued from page 1*

proven oil reserves. Our addiction to oil puts the entire nation at risk, and leaves our economy vulnerable to price shocks. Oil is a leading source of smog and other toxic pollution that contributes to tens of thousands of deaths each year. Oil spills poison our drinking water, pollute our communities and destroy ecosystems.

Replacing one fossil fuel addiction with another is not the way out of our predicament. Current state policy requires large increases in renewable energy, rooftop solar, energy efficiency and peak demand reduction. Natural gas power plants increase air pollution in regions of the state that are in non-attainment for air quality, and particularly affect the neighborhoods where they are sited. And gas fracking has been wreaking environmental havoc.

“From its inception, hydrofracking has been an outlaw enterprise,” writes Waterkeeper Alliance President Robert Kennedy Jr. “The industry was born in a provision drafted in secret by oilman Dick Cheney’s clandestine energy task force specifically exempting it from the Safe Drinking Water

Act.” If drillers can’t extract natural gas without destroying landscapes and endangering the health of families, then we should not drill for natural gas.

To achieve state mandated reductions in greenhouse gas emissions and to meet the required 33% Renewable Portfolio Standard by 2020, Sierra Club California opposes licensing new natural gas-fired electrical generation power plants in California larger than 50 MW. We don’t oppose licensing of alternative technologies using natural gas fuel -- such as cogeneration plants, renewables with natural gas backup, large fuel cell facilities and biogas -- if they significantly reduce fossil fuel consumption and carbon emissions and protect air quality.

The state already has a very large amount of natural gas power. The California Energy Commission has permitted so many new natural gas plants that dozens have not even been built due to lack of sufficient demand.

There are numerous alternatives to large natural gas plants for meeting grid reliability that will not contribute to global warming, including rooftop solar, battery storage, demand reduction and renewably powered

“peaker” plants. If current efficiency requirements are implemented, demand should actually shrink.

Each additional 500 megawatt natural gas power plant that is built will emit approximately two million tons of carbon dioxide (plus other greenhouse gasses) for at least thirty years. The cost of inaction against global warming will be

## TAKE ACTION

The Bureau of Land Management (BLM), the largest manager of oil and gas resources in the country, just released a set a rules for fracking on federal lands. The rules leave plenty of room for improvement, and we need you to tell the BLM they can do better.

Tell the BLM we need the strongest possible safeguards for fracking on public lands.

The improvements are common sense: diesel fuel (a known carcinogen) should be banned from use in fracking, open pits of toxic chemicals

devastating to California and the world.

The Sierra Club’s Beyond Oil and Beyond Gas campaigns aim to cut America’s addiction to the oil and gas patch by stopping destructive, dirty fossil fuels and promoting real solutions such as smart transportation systems, clean cars, and clean, renewable energy that won’t run out.

are not safe, fracking should not take place on our most sensitive lands, and people should know what chemicals are used in fracking before drilling takes place, not 30 days after the fact.

The BLM is looking for your input. Tell them the measures that actually **protect our public health and public lands from fracking** are the most important measures to include in any proposed rules.

Mike Pool, Acting Director, BLM  
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# Let's Clear Up a Few Things About National Marine Sanctuaries

by Andrew Christie, Santa Lucia Chapter Director, Sierra Club  
 Brad Snook, Chair, Surfrider Foundation San Luis Obispo  
 P.J. Webb, former member, SLO County Marine Interests Group

For the last three months, readers of the *SLO Coast Journal* ([slocoastjournal.com](http://slocoastjournal.com)) have been witnessing a full-court press against the idea of National Marine Sanctuary status for the Central Coast. A local fisherman has been given unlimited space in which to voice the fears and allegations that local fishermen -- and their friends on the Morro Bay City Council and the Port San Luis Harbor District board -- have long been voicing to block National Marine Sanctuary protections for the Central Coast.

Whenever we see these arguments, we recall the efforts by the Bureau of Reclamation to run a pipeline from the San Joaquin Valley to dump toxic, selenium-tainted ag waste water into Estero Bay. An alternative proposed route for the pipeline about ten miles north would have dumped that toxic load in the waters off Cambria. This option was rejected for one reason: that site would have been within the boundaries of the Monterey Bay National Marine Sanctuary -- no toxic dumping allowed.

No political season for the foreseeable future will be complete without some variation of "drill, baby, drill" or some other way to phrase the expansion of off-shore oil drilling, accompanied by solemn promises by oil companies not to spill another drop (or if they do, they'll clean it right up, no problem, you betcha). But in the waters around the Channel Islands, as well as Santa Cruz and Monterey up to the Gulf of the Farallones, the marine life need not worry. They are within the boundaries of national marine sanctuaries -- no more drilling allowed.

Guess who's the hole in that doughnut?

There's only one thing that can protect the waters of the central coast from these threats; only one permanent federal designation, not blown by political winds or otherwise subject to whatever party happens to be in

power at any moment: National Marine Sanctuary designation.

The above examples are things national marine sanctuaries actually do, not projections about what a sanctuary theoretically might do, but hasn't done. Which brings us to the campaign of Mr. Tom Roff to convince readers of the *SLO Coast Journal* that the SLO Coast does not need what Monterey Bay, Santa Cruz and the Channel Islands have.

In his articles, Mr. Roff attempts to depict research, such as the Monterey Bay National Marine Sanctuary's Essential Fish Habitat review, as regulation. In frequent references to "our community" and "the local communities" allegedly banding together to reject the idea of a marine sanctuary off SLO County, Mr. Roff is actually referring to the success of commercial fishing interests in exerting political pressure, as when it ensured that "the Morro Bay City Council voted not to support an expansion of MBNMS to our area."

Mr. Roff repeatedly cites the work of the SLO Marine Interests Group (MIG), which existed from 2003-2011, as though it were a popularly elected parliamentary body that enacted the will of the people. It wasn't. The MIG was stacked with seats for every conceivable subset of the fishing industry, which resulted in a sufficient number of votes to turn the attentions of the MIG from consideration of sanctuary expansion. (MIG member Leslie Krinsk wrote that the work of the MIG "was perverted by three factors: an atmosphere of forced consensus; dominance of the extractive/exploitive users; and a paucity of local coastal data, used as an excuse for 'business as usual.'")

Even so, Mr. Roff's repeated statements to the effect that the MIG concluded "that MBNMS was not suited to manage our area" and "wasn't in the best interests of our communities" are false. In his articles,



Mr. Roff supplied a link to the Jan. 20, 2004, Marine Interests Group Progress Report, which he offered as support for the conclusions he attributes to the MIG. But this document does not contain any such statement, and the MIG never issued such a statement. The document does, however, state that the MIG's Working Committee concluded that "the MBNMS has not directly impacted fishing regulation." In a MIG poll of the members on "options considered for pursuing selected actions," the options for "extension of the Monterey Bay National Marine Sanctuary" and "creation of a new National Marine Sanctuary for the San Luis Obispo County area" collectively received more first-place votes than any other option proposed to "best fulfill the Shared Hopes for the Future of the Marine Resources."

Mr. Roff asserts that the "County Board of Supervisors aren't interested [in a National Marine Sanctuary]." In reality, it is the official policy of San Luis Obispo County to work with federal officials and agencies to study the possibility of expansion of the Monterey Bay National Marine Sanctuary. The most recent update of the County's General Plan, approved by the Board of Supervisors in 2010, includes a provision to secure permanent protection and management of the County's ecologically and economically significant marine resources using the National Marine Sanctuary, National Estuary, or other programs and legislation as vehicles for protection and management.

Mr. Roff points out that the central coast is different from Santa Cruz and Monterey. Indeed it is. That's why the County of San Luis Obispo, when it formally submitted a proposal that central coastal waters be included in the National Oceanic and Atmospheric Administration's evaluation list of suitable sites for future sanctuaries, noted this region's unique ecological and biological characteristics and productivity; an ecosystem with a mixture of marine mammals, fish, shellfish, and plant species that is found nowhere else in the Pacific Basin. They also noted that terms of management and protection are negotiable and that the sanctuary designation process unfolds across the full range of issues -- habitat, species protection, fisheries and other resource issues, aesthetic concerns, tourism and scientific research. Considerable public input would be included in drafting a management plan in which terms of oversight and protection for habitat and resources would be established.

There's another way in which Monterey and Santa Cruz differ from San Luis Obispo, as pointed out by Dr. Chris Harrold, Chair of the Sanctuary Advisory Council, at the February 25 marine sanctuary panel discussion in Avila Beach. The Monterey Bay National Marine Sanctuary provides opportunities for two dozen marine science facilities, which employ about 2,000 people, with a combined budget of over \$200 million.

The ways in which the central coast

is the *same* as Santa Cruz and Monterey include the need for basic protections from toxic discharge into the marine environment; disturbance of, construction on the seabed; disturbance of cultural resources; and new development for production of oil, gas, or minerals. Sanctuary designation provides this. And, as SLO County stated in its original proposal to grant sanctuary status to the waters off the Central California coast, "Sanctuary designation offers integrated management, a means of resolving issues, and promotion of education and research."

Mr. Roff, cherry-picking quotes and interpreting for the reader what was said at the February 25 marine sanctuary panel in Avila Beach, asserts that Dr. Harrold said "that the Monterey fishermen were no longer on board" with the Sanctuary.

Here's the context for what Dr. Harrold said, after pointing out that the Sanctuary has never imposed any regulations on fishing:

"There is I think a growing feeling, especially among younger fishermen that have a different perspective [and are] willing to step out of the old paradigm that 'the Sanctuary is going to hurt us,' [that] the Sanctuary is actually a positive benefit for them. The main problem with the commercial fishing industry is they are just getting hammered from so many different directions. There's been a 70 percent reduction in the number of fishing vessels in the Monterey Bay National Marine Sanctuary from 1992 to the present. Fishermen that come from Sicily and Italy and are in their seventies and eighties look at that and say 'Look what the Sanctuary did to us!' I've heard this. I heard this in a city council meeting: 'Look what the Sanctuary did. Before they came here, there were a hundred boats and now there's less than thirty.' So there's this view that 'the Sanctuary is the federal government, federal government is regulation, regulation hurts us, therefore it's the Sanctuary's fault.'... I think if an objective person investigated this idea, they'd see that sanctuaries are actually friends of commercial fishing."

An objective person can go here for a snapshot of the economic effects of national marine sanctuaries on fisheries nationwide: [sanctuaries.noaa.gov/news/features/1211socio.html](http://sanctuaries.noaa.gov/news/features/1211socio.html).

To listen directly to what was said at that highly informative Avila Beach panel discussion, go to [santalucia.sierraclub.org/](http://santalucia.sierraclub.org/).

And for an even more expansive picture of the full benefits of National Marine Sanctuary designation, of course, nothing beats going right to the source: <http://montereybay.noaa.gov/>.

We urge the readers of the *SLO Coast Journal* to seek out reliable sources of information on this subject. When they do, we believe they will support the goal of national marine sanctuary protection for the Central Coast.

## Now a Word From Our Founder



**Muir speaks** Lee Stetson (left) still in costume as John Muir, chats with Santa Lucia Chapter Outings Chair Joe Morris in the SLO Library Community Room after the sold-out May 11 performance of "The Tramp and the Roughrider," a dramatization of the 1903 Yosemite camping trip taken by Muir and President Teddy Roosevelt. Morris invited the touring production to SLO for a Sierra Club-sponsored performance.

# Sierra Club “No Nukes” Summit Exceeds Expectations\*

By Jennifer Robinson, Conservation Program Coordinator, Sierra Club Angeles Chapter

The weekend of May 5, as Sierra Club’s No Nukes Team hosted a summit in Washington, D.C., Japan’s last running nuclear reactor was turned off, leaving Japan without nuclear power for the first time since 1966.

Though of course the No Nukes Team did not cause this, it represents a sea change in public sentiment as a result of the meltdown at Fukushima Daiichi and is a harbinger of what could happen here in the United States (which has 23 Mark 1 reactors of similar design to those at Fukushima).

I participated in the Summit as a facilitator, and as with most meetings with passionate activists, there was some herding of cats, but overall, it exceeded my expectations. I believe it also exceeded the expectations of

**The industry is bragging about how the new plants are much safer than the old ones. We need to turn it around and focus on how dangerous the old ones are.**

- Dave Freeman

most participants, including the core team leaders.

The weekend combined learning from experts (Friday night and Saturday) and campaign planning (Sunday) — more than 80 people came for at least part of the weekend, including several directors and staff. On Sunday, about 50 people participated in a campaign planning session led by Lawson Legate, Eastern Region Organizing Director.

The Summit kicked off with a tribute from Sierra Club President Robin Mann to longtime anti-nuclear activist Dr. Judith Johnsrud.

The lineup of experts at the Summit was impressive enough that a two-person video crew came out from California at their own expense to film it. Among the speakers:

● Dave Freeman, former head of the Tennessee Valley Authority, and now a

prominent anti-nuclear spokesperson (“Anyone who would substitute plutonium for carbon is an idiot”)

● Arjun Mahkijani, president of the Institute for Energy and Environmental Research and recent candidate for the Sierra Club board

● Marvin Resnikoff, a nuclear physicist and former chair of the Club’s nuclear energy subcommittee in the late 1970s

● Arnie Gunderson, a licensed nuclear reactor operator, who is now chief engineer for Fairewinds Energy Education (“No plant has been stopped because it’s unsafe, but because safety issues made it too costly”)

● Diane D’Arrigo, an expert on low-level nuclear waste, core team leader of the Club No Nukes Team, and staffer at Nuclear Information and

Resource Center

● Robert Alvarez, former DOE staffer, now senior scholar at Institute for Policy Studies, an expert on the economics of nuclear power.

Leslie March, who coordinated the summit, said,

“We were hanging out with the rock stars of the movement. We had people calling us to get on the program.”

Almost all participants paid for their own travel and accommodations, though there were ten scholarships. At least ten people joined the Club to participate in the Summit!

On Sunday, Lawson broke the participants into four “outcome topic” groups — stopping new nukes; shutting down existing nukes; addressing radioactive waste (low-level/high level); and addressing the “front end,” including mining, milling, and enrichment — with the goal of identifying meaningful outcomes that could be achieved in the next six months to a year. The idea was to start drafting a campaign plan that uses the same language (i.e., outcomes, pathways, tactics) and templates as the priority campaigns like Beyond Coal.

On Monday, a delegation of more than a dozen participants in the summit went to Capitol Hill for meetings with senators and congressmembers from California, Ohio, Michigan, Oregon and Tennessee.

I am committed to helping the core team do the necessary follow-up to craft a serious, ambitious, but achievable campaign plan. Annette Rizzo from the D.C. staff, who has written many campaign plans, has also agreed to help. The opportunity to inspire and engage people on this issue is ripe.

This team has come a long way. They have a strong committed and knowledgeable core team — Susan Corbett, Diane D’Arrigo, Brian Paddock, Steve Sondheim, Leslie March, Edgar Freud, Linda Modica,



Pat Marida, and Jane Feldman (who was not able to come). They deserve kudos for the experts they pulled together, the participants they recruited to come, the inspiring weekend, and the commitment to develop a serious campaign plan.

## Letters

send to: [sierraclub8@gmail.com](mailto:sierraclub8@gmail.com), or Sierra Club, P.O. Box 15755, San Luis Obispo, CA 93406. Letters may be edited for space.

### More on our worst mistake

In “Between Diablo and the Deep Blue Sea” (May), one of the “drips of irony” was characterized as “The Sierra Club’s karmic debt.” In other words, that the choice between [seismic] ignorance and harm to sea life can be blamed on the Sierra Club’s own acceptance of the Diablo Canyon site for a nuclear power plant 46 years ago.

I highly recommend visiting the Summer, 1992 issue of *California History*. This entire issue is of interest, being called: “A Century of Environmental Action: the Sierra Club, 1892-1992.” Of particular interest to people of the Central Coast would be the article by Susan R. Schrepfer called “The Nuclear Crucible: Diablo Canyon and the Transformation of the Sierra Club, 1965-1985.” We all know about the split engendered by the Diablo Canyon controversy; about the subsequent departure of Executive Director David Brower, and the lingering effects on the Club. What is rarely discussed is that actual language of the resolution that the Club passed in May of 1966:

The Sierra Club reaffirms policy that the Nipomo (Oceano, Santa Maria) Dunes should be preserved unimpaired, for scenic and recreational use under state management, and considers Diablo Canyon, San Luis Obispo County, a satisfactory alternative site to the Nipomo Dunes for construction of a PG&E generating facility, providing that (1) marine resources will not be adversely affected, (2) high-voltage transmission lines will not pass through Lopez Canyon, and (3) air pollution and radiation will not exceed licensed limits.

The three caveats no doubt made those approving the motion feel better about their action. After all, they weren’t going to tolerate adverse impacts on marine resources, were they? Absent from this resolution was any way of guaranteeing protection of those marine resources, and we all know how much damage is done every day just in routine operation of the generating facility. To have an actual protective effect, this language would have had to be enforceable by some agency. In actual application, it was useless except to convince reluctant people to support the resolution.

Three days after it passed, PG&E announced their decision to construct the nuclear plant at Diablo Canyon. The damage to marine resources began over a decade later, and the Sierra Club’s useless objection to it was completely forgotten, as it has remained up to the present day.

The lesson for today is obvious. Again and again, environmental organizations are encouraged to be pragmatic, to not be “against everything,” to accept tradeoffs. Again and again, the discomfort with acceptance of high-impact projects is justified as better than some alternative, and protestations are made that we truly don’t want this or that to happen, as if by so stating, in a futile gesture, the organization can absolve itself of responsibility for endorsing that very harm. Such protestations are as useless as the “reluctant” ayes we hear when horrible projects are approved by public bodies. The only way to make a stand for marine life or anything else is to make support for any project that could threaten it *conditional* on *enforceable* protections that endure for the lifetime of the project.

It would be interesting to know if any of the board members who approved this resolution subsequently learned of the severe damage to marine life spawned by the project for which they greased the skids. It would be interesting to know if they found any way to gain traction in trying to halt the damage, or if they had simply “moved on.” We probably all need to be better at learning not to “move on” so easily!

By the way, how is that unimpaired preservation of the Nipomo Dunes under state management working out?

Eric Greening  
Atascadero

## \*...So Let’s Help Meet Them

By Linda Seeley, Santa Lucia Chapter Executive Committee Member

With the support of national Sierra Club, the Santa Lucia Chapter, and SLO Mothers for Peace, I took part in the No Nukes Activist Summit in Washington, DC, over the weekend of May 4-6, 2012. What an experience!

Eighty participants from all over the United States collaborated to create a coherent No Nukes strategy for Sierra Club to adopt and activate within the year. Eighty dedicated activists can come up with some very creative thinking when they put their minds to it!

Aided by inspiring presentations from some of the most knowledgeable anti-nuclear experts in the world, I joined the team that focused on shutting down existing plants within five years. We developed a vision, pathways, and measurable outcomes that could be presented to the Club. I have strong hopes that the Sierra Club will find the funds and the motivation to commit its resources and considerable influence to the eradication of the most toxic form of power generation ever known.

### TAKE ACTION

Please ask the national Sierra Club to focus on raising the funds needed to support a national “Beyond Nuclear” campaign. Contact:

**Michael Brune, Executive Director**

Sierra Club  
85 Second Street, 2nd Floor  
San Francisco, CA 94105  
Phone: 415-977-5500  
Fax: 415-977-5797  
[michael.brune@sierraclub.org](mailto:michael.brune@sierraclub.org)

# Safety is Their Worst Priority

PG&E's favorite motto is belied by its history

For several years, PG&E dug in its heels and denied that a detailed 3D seismic study of the area surrounding the Diablo Canyon Nuclear Power Plant was something that should be done prior to applying for a 20-year renewal of the plant's operating permit — a position they took in opposition to the wishes of the California Energy Commission, the Public Utilities Commission, the State Legislature and more than a few residents of San Luis Obispo County.

Post-Fukushima, with the writing on the wall and bleeding into the ground (and after an adverse ruling from a CPUC administrative law judge), PG&E finally acquiesced to the notion that a full seismic survey was something they needed to do prior to applying for relicensing.

Throughout, the utility's representatives have publicly proclaimed that safety is their first priority; that they are constantly on alert for any seismic hazard, always gathering data on any conceivable earthquake threat, and would shut the plant down immediately should they discover any information that points to a potential risk in continued operation.

On February 10, 2012, Dr. Douglas Hamilton, a certified engineering geologist who conducted surveys of the area for PG&E when the Diablo Canyon plant was being built, testified at the California Public Utilities Commission on behalf of the Alliance for Nuclear Responsibility. Dr. Hamilton also assisted in formulating the geology component of PG&E's Long Term Seismic Program (LTSP) in 1985 and worked on that program for three years.

PG&E's attorneys chose not to cross-examine Dr. Hamilton on his eye-opening testimony, allowing all of it to enter the record uncontested.

Herewith, some relevant excerpts:

“The Diablo Cove fault ...was exposed in the Diablo Creek south headland, where it was first recognized and mapped in 1966 by PG&E's geologic consultant Professor R.H. Jahns. Subsequently, when PG&E had excavated exploratory trenches crossing the Units 1 and 2 layout for the (then) proposed DCNPP complex, Jahns mapped faulting in the Obispo Formation bedrock exposed in the walls of the trenches in the Unit 1 area.... Both the Jahns site-specific geologic data and the Hall open-file regional geologic map were presented in the 1973 DCNPP Final Safety Analysis Report (FSAR) and Supplements extending through 1975. The Units 1 and 2 foundation excavation geologic map was then included as a figure in the PG&E Direct Testimony for the 1978-79 Operating License ASLB hearing. This was the last presentation that included the Jahns geologic data or any mention of the Diablo Cove faulting. This information essentially vanished and might never have existed so far as the LTSP Final Report of 1988 was concerned.

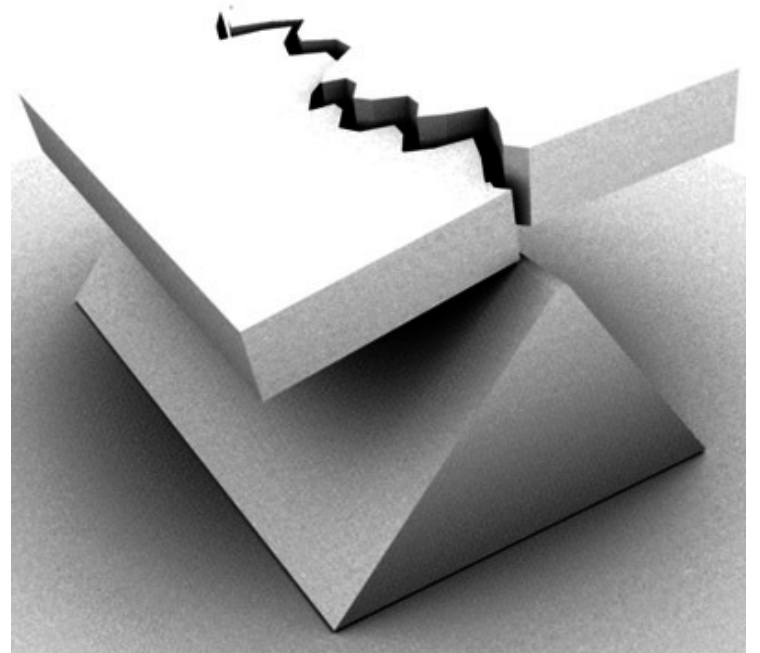
“the geologic and seismologic data now available clearly show that the San Luis Range is a ‘pop-up’ wedge

being uplifted above a northeast-dipping master thrust and a southwest-dipping backthrust (the Los Osos fault) and that this seismically active thrust system impinges on the seismically active Shoreline fault at shallow crustal depths. This means that the Diablo Cove fault and the DCNPP are situated above the leading edge of an active thrust fault and that the stress environment in this area is affected by both the San Luis Range/‘IOF’ [Inferred Offshore Fault] thrust and the Shoreline fault.

“Update presentations on progress in studying the newly recognized Shoreline fault both by the USGS (supported by PG&E) and by PG&E staff and private consultants were presented to the NRC in June of 2009 and on January 5 of 2010. However all of these presentations, either by inadvertent omission or design, avoided touching on the issue of the thrust fault-defining pattern of earthquake hypocenters beneath the Irish Hills immediately adjacent to the Shoreline fault....

“As part of PG&E's presentation for the California Energy Commission Workshop of July 26, 2011, they show slides entitled ‘Spent Fuel Pool Supplemental Water Sources’ and ‘DCPP Design Overview.’ Each slide presents information concerning the DCNPP emergency cooling systems, and each identifies the two 2.5 million gallon raw water storage reservoirs at the site as supplemental or backup sources of emergency cooling water.... The effect of earthquake-induced seiches that were widespread in the San Francisco Bay area as effects of the 1989 M6 Loma Prieta earthquake was that swimming pools

SAFETY continued on page 10



## Mothers For Peace Demands NRC Consider Post-Fukushima Risk Assessment at Diablo

On April 27, San Luis Obispo Mothers for Peace (SLOMFP) took action to ensure that the Nuclear Regulatory Commission's consideration of Pacific Gas and Electric Company's application for renewal of the Diablo Canyon operating license will include post-Fukushima accident risks and measures for protecting against them.

SLOMFP asserts that PG&E's environmental report for renewal of the reactor license should discuss the results of a new seismic study to be conducted in the next three years. MFP also argued that the environmental report must present a range of alternatives for meeting new post-Fukushima safety requirements.

SLOMFP spokesperson Jane Swanson noted that the NRC had ordered the earthquake investigation to be completed within the next three years, but it did not require the results of the earthquake investigation to be taken into account in the license renewal decision. “SLOMFP took action because that approach

makes no sense,” said Swanson. “Recommendations of the NRC Near Term Task Force, resulting from its studies of the Fukushima accident, document the importance of applying up-to-date information about earthquake risks to the decision of whether to allow Diablo Canyon to operate another twenty years.”

Swanson said that Mothers for Peace expects PG&E to compare the costs and effectiveness of a range of alternative measures for making post-Fukushima safety upgrades.

In the year since the Fukushima Daiichi disaster, the Nuclear Regulatory Commission has placed additional safety requirements on all 103 nuclear power plants in the United States. These requirements are designed to address what the NRC calls “beyond design” events — those that the NRC had previously judged so unlikely that there was no need to take them into account when spelling out safety requirements for operating reactors. Fukushima showed the folly

of ignoring the possibilities of multiple events happening simultaneously, of one event triggering another, and of multiple reactors being disabled at the same time. It showed the vulnerabilities of spent fuel pools, all the more important because at most U.S. plants, including Diablo Canyon, the pools are more densely loaded than were the pools in Fukushima. The more densely packed the pools, the greater the possibility of fire in case of a partial loss of coolant, according to Robert Alvarez, Senior Scholar at the Institute for Policy Studies.

The need for back-up sources of power that are not all in the same location and of the same design was also made apparent by the Fukushima events.

In its orders for improved safety requirements, the NRC does not require the fulfillment of all new requirements until after two refueling cycles or by December 31, 2016, whichever is earlier.

# What a Giveaway

By Athan Manuel, Sierra Club Public Lands Director, Sierra Club Compass

Every year, massive oil companies like Exxon and Chevron make headlines for the billions in profits they rake in at the expense of our environment, our economy and the health of our families. And every year, those exact same companies reap the benefits of tax giveaways that are expected to total more than \$110 billion over the next decade.

On May 10, Senator Bernie Sanders (I-VT) and Representative Keith Ellison (D-MN) offered a solution, backed by a coalition of environmental and taxpayer groups. These two environmental champions introduced the "End Polluter Welfare Act" in the House and Senate, calling for a halt to this economic absurdity with the most comprehensive legislation to end tax subsidies for oil companies to date.

Sierra Club proudly supports this common sense bill and -- as Rep. Ellison noted -- so do a vast majority of Americans. 80 percent of Americans agree: it's time to put an end to tax giveaways for big polluters.

"The fossil fuel industry considers us their servants," said Sanders at a press conference held outside the Capitol Building. "They don't deserve it."

While oil executives roll in record profits, they're demanding tax handouts to support the very industry that puts the health of our kids at risk. There is no reason why American taxpayers should be forced to invest in the bloated dirty energy industry of the 19th century when the clean energy economy is already creating tens of thousands of new American jobs while protecting our families. Rather than supporting dirty, outdated fossil fuels, we should be investing in efficient technologies that will benefit every American -- not just a handful of billionaire CEOs.

Big Oil has fought tooth and nail to protect their subsidies before, and they're guaranteed to fight this legislation, too. That's why Rep. Ellison says the fight is just beginning.

"We have to work together to get the rest of the voices of the American people heard," he said. "Spread the word - the coalition is not yet big enough."

## My Generation

continued from page 7

fossil fuels," said Evan Gillespie, My Generation Campaign Director. "Rooftop solar is better for our kids' health, better for our wallets, and better for jobs. It's time utilities got out of the way of local clean energy."

Local clean energy refers to various forms of clean and renewable sources of power, such as rooftop solar, energy efficiency, combined heat and power, and energy storage programs. All of these offer immense benefits -- such as energy savings and cash back -- for homeowners and families. Additionally, local clean energy investment presents enormous jobs benefits over investments in fossil fuel based energy. According to a recent report by Next 10, employment and business opportunities in clean energy infrastructure grew by 14% while the state's overall job market shrunk by 7%.

Communities across the state are already reaping the benefits of local clean energy. In Hemet, a homeowner was able to reduce her monthly energy bill from over \$200 a month to one dollar by installing rooftop solar. And in Oxnard, the local school district will save \$36 million by moving its six schools onto local clean energy.

"Now more than ever, people across California need jobs," said Alex Avila, officer of 4e Institute, a major new youth focused organization emerging in San Bernardino. "Local clean energy policies that promote rooftop solar, energy efficiency and more are bringing good paying jobs, economic investment, and progress to local communities. As we prepare members of our community for a good career in these industries, it's crucial that our state leaders stand up to special interests that would halt future progress."

The campaign launch comes at a time when the Public Utilities Commission is considering approval of a proposal that would boost renewable energy use by homeowners, schools and businesses and lower energy costs for ratepayers. The state currently has limits to cap the amount of local renewable energy at 5%. Utilities' stated calculation artificially lowers the total cap, putting further restrictions on the growth of local clean energy and the jobs, savings and other benefits associated with the expanded use of rooftop solar.

"Too many utilities are stuck in the past and fighting the inevitable growth of local clean energy in the economy rather than embracing it," said Danny Kennedy, President of Sungevity. "The solar industry, with tens of thousands of jobs at stake in California, should get behind the My Generation campaign and demand that our public officials ensure Californians access to more affordable clean energy."

The campaign has released the "Clean Energy Bill of Rights," which establishes the foundational principles for California's local clean energy future, such as universal access to local clean energy, increased access for low income communities and communities of color, to the right to earn money from the sun that falls on your roof. As part of the statewide effort to move California onto 30% local clean energy, "My Generation" is also urging California Governor Jerry Brown to stand with California families and schools by signing the "Clean Energy Bill of Rights" (see page 3) and creating a plan for a local clean energy future. Go to [sierrclub.org/mygeneration](http://sierrclub.org/mygeneration).



## Thrive

continued from page 2

"optimizing the business environment." That element was less than thrilled with that lesson about citizen empowerment that everybody learned in the late sixties.

In fact, that element is still here, and the non-business representatives on the Land Use Update Task Force need to keep that fact in mind.

A March 29 community workshop presentation on the new San Luis Obispo Economic Development Strategic Plan included a SWOT analysis -- Strengths, Weaknesses, Opportunities and Threats. In the category "Harmful to Achieving Economic Goal" were included the "threats" of "local no-growth sentiment" and the "growing culture of ballot-box policy making" -- i.e. the reason why there's a plaza and not a parking garage today at Mission San Luis Obispo.

As we reported in January when the city council elected not to appoint an Environmental Quality Task Force to inform the Land Use and Circulation Element update, it was the creation of an EQTF the last time the Land Use and Circulation Elements were updated in 1993 that resulted in the report "A Vision for Sustainability in San Luis Obispo," which begat that "aggressive green-belt plan" and most of the other health and happiness generators that made SLO the happiest city in America. The same "reactionary business community" that opposed the creation of Mission Plaza -- and was supposedly blown away by the winds of change twenty years previously -- vigorously opposed the creation of that environmental task force and that report.

In 2012, city staff ensured that the Economic Development Strategic Plan will inject early input to "inform the update of the Land Use and Circulation Element." This represents the voice of the Chamber of Commerce, the Economic Vitality Corporation and the Downtown Association, whose representatives also sit on the Land Use and Circulation Element Update Task Force, thereby getting double input into the process.

For all of the above reasons, we urge the members of the LUCE Task Force to read *Thrive*.

It is interesting to speculate on whether the SLO business community has actually read *Thrive* -- the favorite book of the SLO Chamber of Commerce -- wherein the part they play as staunch opponents of the transformation of "Anyplace, U.S.A." into the present-day Happiest City in America is not exactly positive.

But some two years hence, when it will be time to vote on the update of the city's Land Use and Circulation Elements, the important question will be: has the SLO City Council read *Thrive*?



**Getting bigger** Representative Keith Ellison drums up support for the End Polluter Welfare Act, cutting off government subsidies for big oil companies.

# Thank You, Beach Bum

A cliff swallow (right) continues to nest (center) at 435 First Street in Avila Beach, unobstructed by anti-swallow netting (left), installed after the Sierra Club wrote to Beach Bum Properties last March to note that

completed nests had been vanishing from their building during nesting season, contrary to federal law. This nest may be removed and netting extended after the chicks have fledged.

Good move, Beach Bum!



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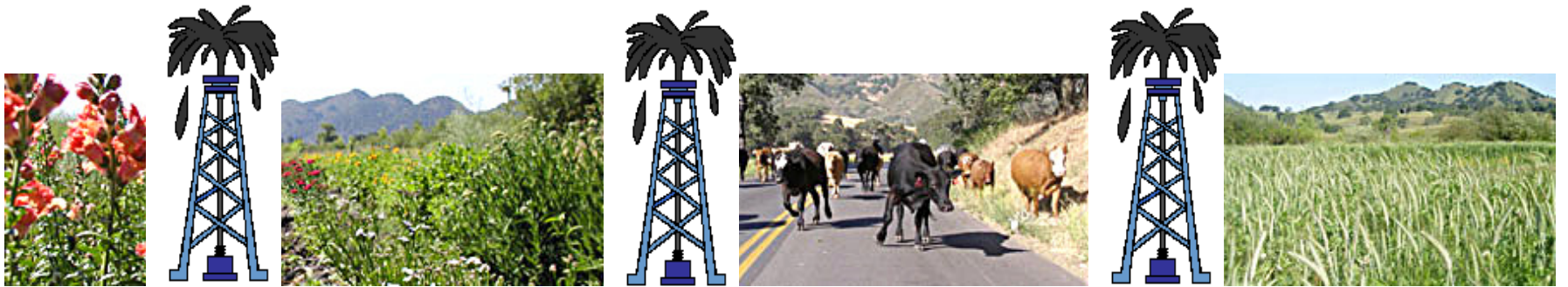
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**Huasna**  
continued from page 3



We told the Board that we were puzzled by the EIR consultant's puzzlement, as pipelines are clearly proposed to run between Excelaron's proposed oil rig pads and shipping site – and the presence of said pipelines, the EIR notes, means that in the “event of a spill the oil and produced water could enter the ephemeral and intermittent tributaries that are in close proximity to the pipelines.” (“Produced water” is the heavily contaminated water that comes out of the ground with the oil and must be separated from it and disposed of.)

In the case of the Yellowstone Spill, the pipeline had recently been reported as meeting “all regulatory requirements,” the pipeline operator had a spill response plan in place, and the operator in question was Exxon/Mobil, a company with more resources at its command than any other company in history. The upshot of all those advantageous circumstances: the company initially reported that the oil was contained in a ten-mile stretch of the river near the pipeline; the next day, company officials insisted that oil had been sighted no more than 25 miles away;

the day after that, oil was reported 240 miles downstream. Two days later, ExxonMobil said cleanup had proven more difficult than expected and could go on for several more months, with numerous sites taking longer. Federal documents revealed the company took far longer than it claimed to seal off the pipeline after it ruptured.

The spilled crude had spread deep into the woods and across farm fields, making it difficult to find and remove. “Nobody would have guessed how hard it would be,” said ExxonMobil Pipeline Company vice president Geoff Craft.

Excelaron is proposing to store produced water on site. The hazards of that water entering the watershed are as great as the hazards of an oil spill. The potential hazards of a wastewater spill are insufficiently analyzed in the EIR, as the County Health Commission has pointed out, relative to the EIR's lack of any assessment of a “field lifetime accumulative impact” for “the inevitable oil/produced water spill, which will add high concentrations of dissolved solids into the ground water of the Huasna River tributaries adjacent to

the proposed production areas. These higher concentrations of dissolved solids have a health impact to humans...animals, and riparian species.”

At the May 15 hearing, all discussion of spill hazards centered on tanker trucks. But the EIR admits that “The most likely spills from the facility would involve crude oil and/or produced water prior to reinjection.” For potential mitigation, it points to the implementation of “oil spill prevention plans and measures” in the form of an impressive looking list of industry policies and federal regulations...all of which were in effect at the time of, but did not prevent or adequately contain, the Yellowstone River spill.

The response to the Yellowstone spill came down to crews picking their way through hundreds of acres of underbrush, per the Associated Press, “lopping off oil-stained plants and tree branches with hand clippers and hauling the material away in plastic bags.”

Again: this was ExxonMobil, world's richest company, with access to resources Excelaron can only dream of; the spill didn't happen in ice floes above the Arctic Circle nor a mile beneath the Gulf of Mexico, and this was the best they could do. Exxon was mistaken in its belief of how quick and easy cleanup would be, and was thwarted in its efforts. Its response came down to a series of attempts to minimize and downplay — followed by admissions that it was “more difficult than expected,” “nobody would have guessed,” it would take longer than they claimed, it was bigger than they thought. That's par for the course.

We told the Supervisors that issuing Excelaron a permit would require that the County find that the economic benefits of the project are an overriding consideration outweighing its unmitigatable significant environmental impacts, and they cannot make that finding. In fact, it would be an oxymoron if they did, because the economic impacts of a spill and its death sentence for the valley's agricultural operations would cancel out the benefits of \$300,000 in tax revenues and 35 jobs.

The impacts of a catastrophic fire, and the non-reducible response time required, poses a risk of environmental damage of equal or greater significance.

Excelaron dumped significant changes to its project description and impact mitigations on the Supervisors over the course of the hearing. County Counsel Tim McNulty politely requested “something in writing” so staff could assess just how much the latest changes have moved Excelaron's moving target, and if the

changes were significant enough to merit an amended and recirculated EIR. The hearing and the vote were continued to August 21, with Excelaron granted three private meetings before then in which to work on planning staff and try to find some way to push some version of their project through.

Supervisor Gibson asked staff to come back with answers to questions about exactly what the claimed financial benefit of the project to the County would be, and noted that the potential oilfield in the Huasna Valley is substantially larger than the area the applicant is proposing to explore. Hence, the County needs to know “whether there would be a cumulative impact” from possible expansion of the wells over a larger area via the “pretty clear suggestion that others with mineral rights would certainly be interested in the development of their mineral rights.”

Gibson also raised a question raised by the Sierra Club in our comments on the Draft EIR concerning the restriction of the calculation of the project's greenhouse gas impacts, and wanted to know if supervisors should also be considering the impacts from subsequent refining and burning of the oil, rather than analyzing only the direct emissions related to getting the oil out of the ground.

The wildlife, fisheries, and environment of the Yellowstone River are expected to suffer long-term consequences from last summer's spill. Conservation biologist Charles Preston of the Draper Museum of Natural History told CNN “It could take years to really understand the impact of the spill.” In addition to fish kills, the many water-fowl and birds of prey were particularly vulnerable because of their fish-dependent diets, and toxins may also kill off insects that are critical food for both.

What was true for the Yellowstone is true here. It is not worth it. The Board of Supervisors needs to protect the Huasna Valley, uphold the General Plan, and deny this permit.

## Historical Virginia Trip Sept. 23-30

If you always wanted to see some of the most famous historical spots in and around the State of Virginia, this is the trip for you. We will fly into Washington Dulles Airport, then bus to the restored Revolutionary Era Town of Williamsburg; Jamestown, the site of the first English settlement in America; and the Yorktown Battlefield. We will tour such historical sites as Appomattox Court House where Lee surrendered to Grant, and Monticello, home of Thomas Jefferson. We'll take in the Shenandoah Valley, Skyline Drive and the Appalachian Trail, Harpers Ferry, Gettysburg Battlefield, and finish up with Fort McHenry, the City of Annapolis, the U. S. Naval Academy and maybe even a cruise on the Chesapeake.

8 days, 7 nights. \$1250 for SC members (\$1350 for non-members). Includes all lodging costs, transportation to and from Dulles Airport and while on the trip, all admission fees to scheduled locations and all breakfasts. Lunches and dinners and airfare to and from Washington Dulles not included. \$500 will reserve your spot on the trip, with the remainder due July 1. For info, call (949-768-610; [mikesapp@cox.net](mailto:mikesapp@cox.net)), or write Mike Sappingfield at 26352 Via Juanita, Mission Viejo, CA 92691. If you prefer postal delivery to email, please include 2 self-addressed stamped envelopes (SASE). To register, send \$500, made out to Sierra Club, with the application forms to Mike at the above address. Outing leaders: Mary Morales, Mike & Patty Sappingfield.



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## Safety

continued from page 7

and other open-water basins lost much of their water as it sloshed out of the basin. This occurred not only in close proximity to the earthquake epicenter in the Santa Cruz Mountains west of San Jose, but at points at least as far distant as Walnut Creek, nearly 100 km from the epicenter. The likely occurrence of similar seiche-induced loss of water from the two open raw water storage basins identified as sources of 5 million gallons of cooling water by PG&E would appear to cast some doubt on the validity of this aspect of its emergency planning.

“PG&E has failed to consider or acknowledge any seismic implication from the progressive late Quaternary uplift of the Irish Hills, and the occurrence of frequent small earthquakes in the crust beneath these hills, as is demonstrated by the absence of any meaningful discussion of this issue in any document or

### **This interpretation suited PG&E's evident need to constrain the length, magnitude and capability of the Hosgri fault.**

presentation known to the writer. This has resulted in non-recognition or non-acknowledgment by PG&E of what may well be the controlling seismic hazard to the seismic safety of DCNPP, i.e., the southwest vergent San Luis Range/IOF active thrust fault that available seismologic data suggests underlies the DCNPP site at shallow depth. This has the likely consequence of putting the safety of the plant, the electricity it provides to the State power grid, and potentially the health and safety of the public and its property at risk.

“PG&E has sponsored the collection of various forms of high and low energy seismic reflection data, according to a program of its own design that apparently partly responded to the requirement mandated by AB1632 for a 3D seismic reflection survey.... None of this data provided any information useful for significantly improving understanding of the seismic hazard to the DCNPP and nothing in the planned additional surveys, both onshore and offshore, offers any prospect for any result beyond marginal improvement to what is already known.

“During the 43 years since PG&E submitted the PSAR for a Construction Permit for DCNPP Unit 1 to the AEC, it has made a series of submittals with representations regarding geologic and seismic conditions that concern the seismic safety of the nuclear power plant. The submittals and testimony...essentially all originated with PG&E's consultants.... Representations of potentially more adverse seismic conditions presented by intervenors and some academics,

however, were generally countered by PG&E with support by the AEC/NRC even though with 20/20 hindsight it has since become evident that many of those intervenor concerns were valid.

“From its inception the Long Term Seismic Program (LTSP) was very tightly controlled by [PG&E geologist Lloyd] Cluff and his principal lieutenants. This resulted in a study that was wide ranging and impressive, with the benefit to PG&E that nothing in it indicated any hazard to the seismic safety of the DCNPP that exceeded that already accounted for. The LTSP results thus fulfilled the license condition that had mandated the program, validated the seismic safety of the plant to the satisfaction of the NRC, and showed PG&E to be on the cutting edge of state-of-the-art geologic and seismic research. Or so it appeared. However, retrospective review reveals several noteworthy deficiencies in the LTSP, as are described below.

“The best known of the deficiencies in the LTSP findings is the failure to recognize the Shoreline fault.... Much of the seismologic evidence used by Hardebeck to identify the Shoreline fault in 2008 was available to but not acknowledged as significant by PG&E in 1988. In addition to this seismologic evidence, PG&E prepared an Onshore-Offshore Geologic Correlation Map (LTSP Plate 19)58 which included exact delineations of the scarp along the Shoreline fault as it is now known and the offshore trace of the Diablo Cove fault (but not the onshore trace as precisely delineated on PG&E's previous PSAR and FSAR submittals). The Shoreline fault scarp however was represented by a symbol for “Lineament related to old shoreline” and the Diablo Cove offshore trace by a symbol simply described as “Moderately defined lineament.” Both features were therefore conveniently harmless, and the Plate 19 map was later cited by PG&E in its response to an NRC Request for Information, arguing that there was no fault along the shoreline.

The real basis for this request by the NRC reviewers was an interpretation by a participant with the NRC-sponsored UNR (University of Nevada at Reno) team directed by UNR Professor David ‘Burt’ Slemmons, also by Dr. Robert Brown of the USGS, to the effect that the neotectonics of the Irish Hills/San Luis Range required the existence of a fault in the near offshore parallel to the Irish Hills range front. This interpretation was documented in an MS thesis completed by UNR graduate student Steven Nitchman in May 1988, but was known by PG&E several months earlier.

However, Nitchman's shoreline-parallel reverse (thrust) fault, later referred to as an Inferred Offshore Fault [IOF], was dismissed by PG&E. Instead, the undeniable tectonic requirement to explain the level uplift of the Irish Hills was replaced with a vaguely defined ‘Southwest Boundary Zone’....

This zone conveniently omitted any ‘IOF’ and its only component extending into the offshore opposite the DCNPP site was the ‘Pecho’ fault, which was shown as parallel to but slightly more than 4 km from the Irish Hills shoreline. This safely

distant ‘Pecho’ fault — PG&E's rationalization for the southwest side level uplift of the Irish Hills — was not accorded the importance of an earthquake magnitude assignment....

However, when the Shoreline fault was identified in 2008, part of the data used to define the surface expression of the Shoreline Fault also showed that there was no ‘Pecho’ fault. So, with the ‘Pecho’ fault now ‘disappeared,’ PG&E has yet to provide a replacement tectonic explanation for the southwest side level uplift of the Irish Hills. Additionally, to the best of this writer's knowledge, PG&E has never acknowledged, either in the 1988 LTSP or the 2011 Shoreline fault investigation, even a possibility that the pattern of earthquake hypocenters beneath the Irish Hills has any implications for either the uplift of the hills, or the earthquake hazard to the DCNPP.

“During the LTSP of 1985-1991 and the following Shoreline fault investigation of 2008-2011, [the ‘Cambria Stepover’] was preserved in PG&E's representations of the relationship between the purportedly separate San Simeon and Hosgri segments of an overall San Gregorio-Hosgri regional fault. This interpretation well suited PG&E's evident need to constrain the length, hence the magnitude, capability and possibly also the slip rate, of the Hosgri fault. By ending the north end of their representation of the Hosgri at a point opposite the ‘stepover’ area, they were able to limit its overall length to around 110 km and therewith its maximum magnitude to M7.2. And when, during its review of the LTSP report, the NRC asked for documentation of the existence and nature of the Cambria



**The man who knew way too much** Dr. Douglas Hamilton (right) on the job at Diablo Canyon in 1972.

Stepover, PG&E responded with a supplemental study that showed an extensional pull-apart basin bounded by the Hosgri on the west and the San Simeon fault on the east, opposite the shoreline south of Cambria.

This was clearly at odds with a USGS-backed investigation by then UC Santa Cruz graduate geophysics student Rob Leslie

[that showed] there was no ‘stepover’ structure and that since there was unbroken continuity between the San Simeon and Hosgri faults, these fault names simply referred to northerly and southerly reaches of the same approximately 150-km long fault. ...

PG&E's application requesting ratepayer funding to conduct yet another investigation of the ‘Cambria Stepover’ by its geology and geophysics consultants is an unnecessary expenditure given the exhaustive body of work in this area already completed by the USGS, and represents resources that could better be focused on the under-explored areas of concern previously identified in this Testimony.

“From the establishment of PG&E's Geosciences Department in 1985 through its presentations at its SSHAC workshop in late 2011 [the Diablo Cove Fault, a] previously well-documented zone of faulting extending through the foundation of DCNPP Unit 1, has never been mentioned.”

*The Sierra Club has submitted the full 75-page text of Dr. Hamilton's testimony to the State Lands Commission with our comments on the Draft Environmental Impact Report for PG&E's Central Coast Seismic Imaging Project. See [santalucia.sierraclub.org/news/news.html](http://santalucia.sierraclub.org/news/news.html)*

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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.

**Sun., June 10, 1 p.m. City Walk: The Mill St. Historic District.** An easy, guided stroll through neighborhood of splendid century-old homes to reveal SLO in the era of Hearst, coming of the railroad, WW I, and the twenties. Learn the stories of both the rich and the not-so-famous who shaped the city of today. Duration about 1 1/2 hrs. Meet at corner of Monterey and Johnson Sts, SLO. Info.: Joe Morris, 549-0355.

**Fri-Sun, June 15-17, Santa Rosa Wilderness Trail Maintenance.** Join the Friends of Nevada Wilderness to build an enclosure on a spring near Mahogany Creek, north of Winnemucca and the Black Rock NCA, not

far from the Summit Lake reservation. This is a family-friendly event, and all meals except lunch are included. For details, contact Leader Graham Stafford, 775-686-8478 or graham@grahamstafford.com Great Basin Group-Toiyabe Chapter.

**Fri-Sun, June 29-July 1, Emigrant Trails in the Black Rock Desert.** On Friday, come to Double Hot Springs, about 30 miles north of Gerlach, Nevada, to meet up with Trails West people surveying the Emigrant Trail between Double Hot Springs and Mud Meadows, about 20 miles north. Get in some hiking, driving, and time in the hot springs. Probable visit to Hardin City ghost town. No RVs or

trailers allowed. 4 WD strongly preferred. Sign up 6/15-6/27 with Leader: David Book, 775-843-6443. Great Basin Group-Toiyabe Chapter.

**Fri-Sun, July 13-15, Sheldon National Wildlife Refuge.** Work with U.S. Fish & Wildlife to remove old barbed wire fence, which is a threat to native pronghorn antelope and sage grouse. This is a family-friendly event, and all meals except lunch are provided. For details, contact Graham Stafford, 775-686-8478, graham@grahamstafford.com or Pat Bruce of Friends of Nevada Wilderness, pbruce@nevadawilderness.org Great Basin Group-Toiyabe Chapter.



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

## Morro Mania Day!

### Hike the Five Morros, Saturday, June 9th.

Join botanist Bill Waycott, Andrea Ortiz, and Joe Morris for a unique, one-day ascent of the five publicly accessible morros, near San Luis Obispo and Morro Bay. You're invited to hike all five morros in succession or select one or more of them to suit your preferences. Each has a beautiful, but different vista—from city to grassland to the seashore.

Round-trip distance for all five is about 13 miles, with 3,500 ft. elevation gain. Please realistically assess your hiking skills and plan accordingly. No reservations taken. Bring plenty of water (store extra water in your vehicle), lunch and snacks, and dress in layers for changing weather. The day is likely to start and end cool, but be quite warm at mid-day. A hat, sunscreen, and sturdy hiking shoes are essential. For more information, call Bill at 459-2103 or email: bill.waycott@gmail.com.

#### Morros hike schedule:

**7:30 a.m. Islay Hill,** 2 miles, 500 ft. gain, moderate. The easternmost of the morros, with views of five others. To trailhead, take Tank Farm Rd. east past Orcutt Rd, then south on Spanish Oaks Dr., then east on Sweet Bay Lane to end.

**9:30 a.m. Cerro San Luis,** 4 miles, 1,100 ft. gain, moderately strenuous. Has knockout views of SLO. Trailhead at the end of Marsh St., just before onramp to Hwy 101 south.


**12:30 p.m. Bishop Peak,** 3.5 miles, 950 ft. gain, moderately strenuous. Highest of all the morros. Hike begins with lunch at 12:30, then up the trail at 1 p.m. From Hwy 1, go west on Highland Dr. (opposite Cal Poly entrance), then right on Patricia Drive. Park at trailhead on Patricia Dr just before reaching Anacapa Circle.


**4:30 p.m. Cerro Cabrillo,** 2.5 miles, 800 ft gain, moderate. 360-degree views from the Santa Lucia Mts. to the coastline. Meet at Quarry Trail trailhead on South Bay Blvd, 1.4 miles south of Hwy 1 or .4 mile north of Turri Rd.

**6:30 p.m. Black Hill,** .5 mile, 100 ft. gain, easy. Ocean views from Montana de Oro north to San Simeon. From South Bay Blvd, drive into Morro Bay State Park, turn right at first fork onto Park View Rd., then right onto Black Hill Road to end.

If you have never done the Morros, or if you have, do join us for this day to remember.








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

*For further information contact:*



**Joe Morris, Outings Chair**  
Sierra Club, Santa Lucia Chapter  
(805) 549-0355  
dpj1942@earthlink.net

John Muir, founder of the Sierra Club, in Yosemite



## Island Hopping in Channel Islands National Park

**July 8-10, August 12-14, September 9-11**

Explore the wild, windswept islands of Channel Island National Park. Enjoy the frolicking seals and sea lions. Train your binoculars on rare sea and land birds. Hike trails bordered by blankets of wildflowers and plants found in no other place on earth. Kayak or snorkel the pristine waters—or just relax at sea. All tours depart from Santa Barbara aboard the 68' twin diesel Truth. \$590 fee includes an assigned bunk, all meals, snacks, beverages, and the services of a ranger/naturalist who will travel with us to lead hikes, call attention to items of interest and present evening programs. Proceeds will go to benefit Sierra Club California's political programs. To make a reservation, mail a \$100 check, payable to Sierra Club to leader Joan Jones Holtz, 11826 The Wye St., El Monte, CA 91732. Contact leader for more information, 626-443-0706; [jholtzhl@aol.com](mailto:jholtzhl@aol.com).