



April 2015
Volume 52 No. 4

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Don't Miss:

April 19
Earth Day Fair
El Chorro Park

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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

It's Crunch Time for Los Osos

Residents need to speak up for a groundwater basin plan that will actually save the basin

Underneath all the skirmishes fought in the Los Osos Sewer Wars – literally underneath – was a larger issue: the impact of the project on the Los Osos groundwater basin, multiple interlocking aquifers that are rapidly being devoured as salt water flows in to fill the void because too much fresh water is being pumped out.

Residents who preferred not to get involved when the sewer wars were raging need to get involved now that the County is preparing to implement the Los Osos Basin Plan. Simply put, if the County and the water purveyors get the Basin Plan wrong – and they are currently getting it wrong – the only residents of Los Osos who will be served by the new water recycling system will be those able to afford both an impressive monthly sewer bill *and* the cost of 100 percent imported or desalinated water to replace a destroyed groundwater basin. (The Basin Plan estimates it would cost more than \$100 million to replace the main drinking water aquifer with a desalination facility or imported water, on top of the \$180-million sewer.)

But people at that income level are unlikely to choose to live in a withered coastal desert, largely bereft of the natural environment that is the chief attraction of the area.

So if a Basin Plan is put in place that fails to implement effective conservation measures and curb sea water



intrusion, the only future residents of Los Osos are likely to be tumbleweeds.

Here's the problem

The new Basin Plan would be fine, if this were 1975. If adopted then and implemented by the 1980's, it might have headed off the severe problems we see today and allowed the Basin to weather the drought and adapt to climate change. However, with the major impacts the Basin now faces, conservation, reuse, and infrastructure mitigation measures must be maximized immediately to have a reason-

able chance of saving the Basin.

The seawater that has moved into the Basin since the 1970s has permanently destroyed much of it. Although the Plan incorporates conservation and recycled water use programs stipulated for the Los Osos Wastewater Project (LOWWP), the current programs are not nearly as strong as they could be. The Plan predicts yield will go up, build out is possible, and seawater will be reversed mainly by moving wells, but the model does not consider

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What's the Plan for Water?

Question marks abound in state's Sustainable Groundwater Program

by Sue Harvey, President, North County Watch

On March 13, I attended a meeting in Sacramento hosted by the Department of Water Resources. DWR had agreed to meet with the members of the NGO Collaborative to discuss DWR's draft Strategic Plan for Implementing the Sustainable Groundwater Program.

North County Watch is a participant in the collaborative, which formed around the nucleus of the groups that opposed the passage of

AB 2453, the fundamentally undemocratic bill allowing the formation of an acreage-based management district for the Paso Robles groundwater basin. The NGO Collaborative is comprised of more than forty local, state, national and international organizations working to encourage the meaningful participation of impacted communities in local groundwater planning efforts, and

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Earth Day SLO Celebrating 25 Years

2015 marks the 25th Anniversary of Earth Day in San Luis Obispo County!

The Earth Day Alliance invites you to be part of this year's San Luis Obispo County Earth Day Fair and Music Festival on Sunday, April 19, at El Chorro Regional Park from 10 a.m. to 5 p.m.

For 25 years, Earth Day in SLO County has educated county residents about a wide range of issues and created a forum for conversations about how we can make this a better place to live for ourselves and future generations.

There are a myriad of environmental issues for which San Luis Obispo County residents have reason to be concerned; our water, air, land and ocean are all being threatened. Earth Day is when environmental and community reach out to the public about these issues. Cities and towns are able to show residents what they have been doing to make San Luis Obispo County a better, cleaner place to live. Schools and students, from kindergarten to Cal Poly, share their projects and educate more people. Green businesses showcase their products and services.

The event will feature Dairy Creek Zero Waste Park Tour, Clean Energy Zone, Kid's Korner, Eco Marketplace, Health & Well-being Center, food court, beer & wine and SLO and Botanical Garden Tours. Enjoy live music from two stages throughout the day. The main stage will feature some of the best music on the central coast.



Park for free at Cuesta College. Shuttle buses will take visitors to and from the park or visitors can walk in and out across Highway 1. Limited disabled parking is available inside the park; permits are required.

Earth Day 2015 is hosted by Earth Day Alliance, Inc. and San Luis Obispo County Parks. Go to www.earthdayalliance.com.

Hit 'em With the "NIMBY" Stick

All sentient beings will act to defend their home. If you find a place you love, you will fight to protect it. And when you do, it's a given that sometime, someone will seek to re-frame and trivialize this fundamental tenet of existence by calling you a NIMBY.

Last December 25, *New Times* printed its year-end round up of local news stories. Due primarily to stories centering on environmental issues and land use, *New Times* dubbed 2014 "the Year of the NIMBY."

They defined NIMBYism thusly: "As Americans, we like stuff, but we like stuff more when it's somewhere else."

The proposals for the Las Pilitas quarry and the Phillips 66 Santa Maria refinery were proffered as some of the prime examples of NIMBYism. The idea is that attempts by citizens to protect their environment will deprive us all of oil and gravel that our economy needs to prosper.

Opposing the quarry project to protect the community of Santa Margarita is supposed to result in a shortage of aggregate, crimping the efforts of builders to get building materials and worsening the deteriorating state of our roads. Except that it won't, as opponents of the project have painstakingly pointed out, relative to the output of existing quarries and actual projected need.

For the Phillips 66 rail terminal, the company wants to cash in on the glut of tar sands oil. The "NIMBY" opposition -- including thousands of people across the state, about half a dozen school districts, fourteen California communities and counting -- would seem to constitute an awfully big backyard, requiring an extension of the NIMBY frame to include cities, counties and thousands of miles of rail route. In addition, as we have noted, the refinery project would subject virtually the entire county -- and the

population in the vicinity of the Rodeo Refinery in Contra Costa County -- to the air quality and health impacts from the refining of highly hazardous tar sands crude oil.

New Times can serve as a local media corrective between the often pallid he said/she said of *The Tribune* and the hyperventilating libertarian scandalmongering of *Cal Coast News*. But it is susceptible to the lure of the lazy framing device.

No doubt, *New Times* saw tossing all contentious issues (*Diablo Canyon! Agenda 21! Immigration!*) into the NIMBY basket as both retaining that alternative newsweekly "edge" and their journalistic objectivity. The problem with that: once you deploy the word "NIMBY," you have taken a side.

It's the side that believes that citizens who make use of the tools provided to protect their health and homes, tools written into law by their elected representatives to provide at least some kind of balance when faced with what would be unchecked corporate rapacity otherwise, giving at least some power to the people and taking some account of the need to protect the land, air, water and wildlife... well, those folks are making a fuss. They're being cranky. They now exist inside a frame in which they can be seen as unrealistic hypocrites who like stuff, but like stuff more when it's somewhere else.

Our local newsweekly was attempting to cast the Phillips 66 oil-by-rail project as a NIMBY issue at the same time that an oil industry p.r. flack was floating the notion that "outsiders" are mucking about in an issue that should be left to local folks...and a large oil company (see "Taking Issue -- Extra," January). The light and

NIMBY continued on page 9

In Memoriam



Acknowledging the generous donation of Lisa Wallender in memory of Scott Reckefus. Scott was a long-time Sierra Club volunteer whom we lost in November. He is survived by his companion of 36 years, Monica Tarzier, our Chapter webmaster.

Santa Lucian

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

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

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Printed by University Graphic Systems
 Cal Poly, San Luis Obispo. Mailing
 services courtesy of Silver Streaks.

CCA OMG

California communities seize control of their energy futures

By David Roberts

published in Grist, Feb. 25, 2015
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An energy revolution is breaking out in California and a few other states, one that could radically increase the amount of renewable energy available to citizens and end the tyranny of foot-dragging utilities. Outside of the rapidly falling costs of solar power, it's just about my main source of domestic optimism these days.

I'm talking about community choice, or, in the horrid legalese, "community choice aggregation." I've discussed it before in passing, but it's starting to seriously catch on, so I want to take a closer look.

Say a town, city, or county is dissatisfied with the power it gets from its utility — it's too expensive, or too dirty. One option would be for each municipality to leave its utility and form its own "municipal utility." That has its advantages, but it's a pretty huge step, since the municipality would have to take over not only power procurement but grid operation and maintenance, billing, customer service, etc. In many smaller towns, it's not practical.

The other, emerging option is community choice aggregation, whereby a county or municipality takes over only the job of buying and selling power, leaving grid management and billing to the utility.

It aggregates customers from every participating city, town, and county and uses their collective purchasing power to procure exactly the kind of electricity it wants.

The two main motivations to opt for CCA are cheaper power and cleaner power. At least to date, those two goals have not come into conflict. In most cases, CCAs get power that's cheaper and cleaner than what they were getting from their utility. (Whether those goals conflict in the future will be of keen interest.)

CCA must be enabled by legislation and it has been in six states: California, Illinois, Massachusetts, New Jersey, Ohio, and Rhode Island.

According to the website Local Power, which tracks these things: Today, 5% of the U.S. population is under CCA service for electricity in 1,300 municipalities, including well-known population centers like City of Chicago, Cincinnati, Cape Cod, Sonoma County as well as hundreds of less known small towns and rural counties. CCA formation by municipal ordinance or local election is allowed and provided for under state laws governing 25% of the U.S. electricity market.

California has been particularly on the ball. Marin County started the state's first CCA program — it now serves 125,000 customers. Sonoma County has followed suit. San Mateo County is considering it; county supervisors just voted to do a study of the proposal. The mayor of San Francisco, who's running for reelection this year, has reversed his previous opposition to the city joining a CCA.

CCA continued on page 7



Groups Mount "Epic" Energy Push

Interactive video marking Fukushima anniversary allows visitors to experience three different energy futures

The week before the fourth anniversary of the Fukushima reactor disaster, five organizations fighting for America's clean-energy future — Friends of the Earth, Greenpeace, the Nuclear Information and Resource Service, Public Citizen, and the Sierra Club — unveiled the interactive online video, "Our Epic Future: Create It With Clean Energy."

Available at www.MakeNuclearHistory.org, the entertaining, fact-filled video allows visitors to explore three scenarios in the "Epic Energy Labs" with very different future outcomes: one dominated by fossil fuels, another in which nuclear power is the focus, and a third relying on renewable energy.

After viewing the video, visitors can get involved in clean energy campaigns of the five groups, including urging the Nuclear Regulatory Commission to put in place post-Fukushima safety measures at U.S. reactors and petitioning Congress to reinstate the Production Tax Credit support for wind energy.

The Make Nuclear History web site explains: "There is a way to power our lives without fossil fuels. There is a solution to climate change without nuclear energy. There is a future where we can solve the climate crisis and power our lives from 100 percent renewable sources and energy efficiency."

"Choosing between clean energy and dangerous fuels like coal and nuclear isn't difficult," said Sierra Club Executive Director Mike Brune. "Nuclear has proven time and time again to be too expensive, too slow to build, and far too dangerous. Meanwhile, burning fossil fuels is making our families sick and making the climate crisis worse. That's a huge part of the reason our clean energy economy is growing by leaps and bounds, creating jobs while keeping pollution out of our air, our water, and our communities."



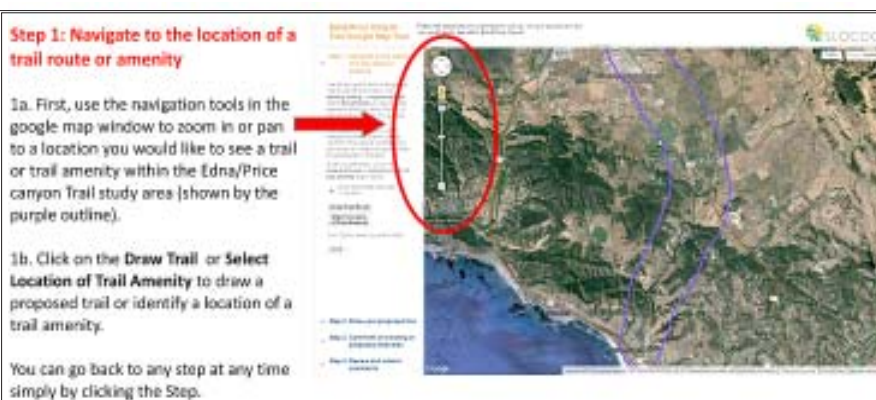
How Cool is the Edna - Price Canyon Trail Online Tool?

Have you tried out SLOCOG's Edna/Price Canyon Trail Google Map Tool? You should.

The San Luis Obispo Council of Governments is preparing a Master Plan for a multi-purpose Edna - Price Canyon Anza Trail between San Luis Obispo and Pismo Beach through Edna Valley and Price Canyon. The long-range planning study will be used to identify biological, cultural and other considerations in the area. It will identify possible trail alignments, initial design of the trail, and segments that have potential to be built in the near future.

The Google Map tool is designed to obtain feedback from the public regarding trails or trail amenities you would like to see in the Edna-Price Canyon Trail study area. The Google Map navigation tools let you identify the location of a walking, biking, or equestrian trail and/or trail amenity you would like to see in the study area. You can zoom in, pan around, upload a picture, and click on the "draw trail" button to draw the route of a walking/biking/equestrian trail that you would like to see within the study area. You can create more than one route.

Your input on the map will not be viewable to others. SLOCOG will use the input from the website and public workshops to create trail options to be presented in the study. Go to slocog.org/edna-price-canyon-trail-online-tool.



Letters send to: sierraclub8@gmail.com, or Sierra Club, P.O. Box 15755, SLO, CA 93406. Letters may be edited for space.

Dear SLO Sierra Club:

Considering the disastrous consequences of global warming, I, like you, am very concerned about the future of our children, and all life on this planet. This global warming has been linked to human activity, in particular the accelerating release of CO2 and other greenhouse gases into the atmosphere from manmade sources.

You are working toward closing down the reactors at Diablo Canyon in California, which does not produce significant CO2 emissions. So I started wondering what energy source will replace the energy produced by the Diablo Canyon nuclear facility. I found that renewable resources such as wind or solar are intermittent, and are not reliable as a source of baseline [sic] energy. Furthermore, existing renewable sources are already accounted for in current production, so to replace the Diablo Canyon production, additional renewable sources would have to be constructed, and it would take a very long time to construct enough to replace Diablo Canyon production. So when Diablo Canyon is shut down, the energy to replace it can only come from two sources: coal or natural gas, both of which emit substantial amounts of CO2.

Mark Henry
San Luis Obispo

Thank you for your letter and accompanying draft essay elaborating on it. Both documents proceed from the premise that the only alternative to nuclear power is coal-fired or natural gas energy generation and therefore Diablo Canyon must remain open.

We are familiar with the argument, which has remained static as the price of renewable energy has declined and distributed grid and energy storage technologies have advanced. Worthy of note: On March 6, an Administrative Law Judge at the California Public Utilities Commission rejected a proposal to build a natural gas plant to replace the shuttered San Onofre Nuclear Generating Station. The ruling noted the need for consistency with California's Loading order, a policy of fossil fuel demand reduction "requiring the utility to procure preferred resources and energy storage to the fullest extent possible."

As we noted in our January issue, "Continuing to keep Diablo on line, the CEC has calculated, would actually require reducing the output of renewable energy, scaling back the state's projected renewable energy goals in order to keep from overloading the grid."

You argue that building new renewable sources "would take a great deal of time and money," which some people might consider to be signs of a healthy economy, especially residents of Germany (which met peak demand last May with 74% renewable energy) and Denmark (on track for 50 percent renewables by 2020, aiming for 100 percent by 2050).

Regardless, the cost of wind and solar power is steadily dropping, and many financial analysts predict that solar PV and wind will reach grid parity by the end of the decade. Renewables and distributed power have overtaken nuclear power in terms of megawatt-hour generation worldwide.

There is a growing consensus among energy experts that the best mix for reductions in greenhouse gas emissions in the near term, based on cost and level of commercialization, are renewables, energy efficiency, distributed power, demand response, and energy storage. Nukes need not apply.

Cambria CSD Reaps First Installment on the Whirlwind

Desal plant hit with 11 Water Code violations out of the gate, Community Services District says everything's fine

The editorial cartoon in the March 5 edition of *The Cambrian* depicted a gnarled hand clutching a note reading "Whoever is not with me is against me" — Matthew 12-30," and was captioned "In which it is reassuring to know that the CCSD is being run with biblical guidance."

The reference was probably to the sudden removal of Cambria's fire chief from the Cambria Forest Committee by his boss, Cambria Community Services District General Manager Jerry Gruber. Committee co-chair Crosby Swartz told *The Cambrian* that Gruber "was really adamant that there's no room for discussion.... He feels that because this board welcomes representatives from a number of public agencies and private individuals, some members tend to be critical of what the CCSD is doing."

That bunker mentality and sensed need to protect themselves from the citizens they are supposed to serve has long been the hallmark of the CCSD.

What the CCSD now needs to protect itself from is the consequences of the construction of Cambria's long-sought desalination plant and brine disposal pit-- aka Emergency Water Supply Project -- which trashed the normal oversight and review of a public permitting process and cut environmental corners in some of the most sensitive habitat on the north coast.

Those consequences began with the February citation of the CCSD by the Regional Water Board for a chlorine spill into Van Gordon Creek, unauthorized creek and waste pond reservoir discharges, sprayed waste water blowing onto San Simeon Creek Road and into surrounding habitat, and noise levels so high that wildlife fled the area and a horse was injured and had to be euthanized.

San Simeon Creek is already listed as "impaired" by the state of California due to high levels of nitrates, chloride and sodium.

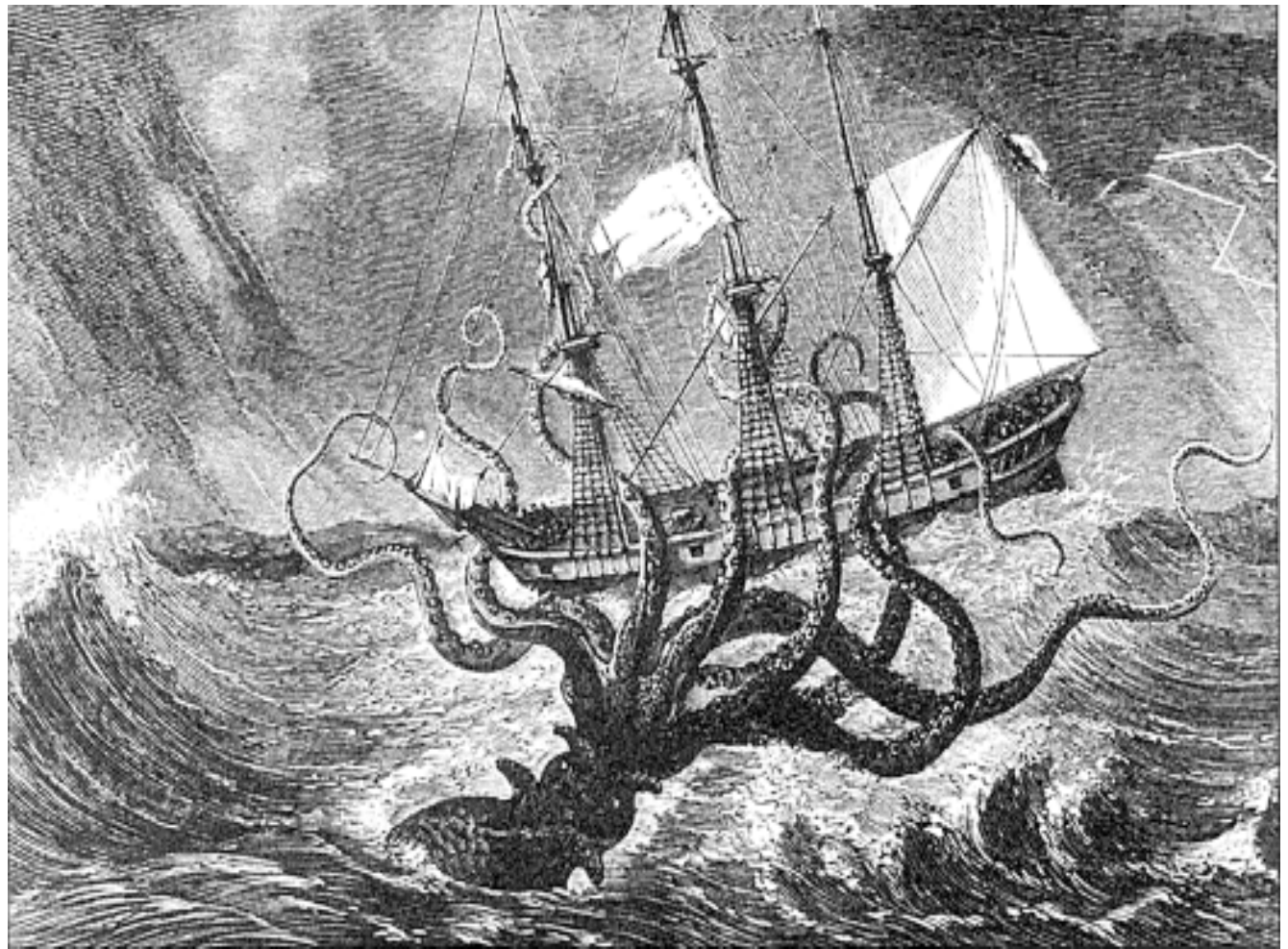
These violations came after the hastily conceived public works project was hastily constructed without environmental review or mitigation for its likely impacts. The project is sending water to San Simeon Creek for the public to consume, but has never passed a required "tracer test" to prove the water is safe to drink.

Cambria Greenspace stalwart Mary Webb alerted the Coastal Commission to the chlorine discharges into the creek during the public comment section of the Commission's February 13 Pismo Beach meeting. Commissioner Mary Shallenberger immediately instructed staff to alert the Regional Water Board to the potential violations in progress. The Water Board cited the CCSD on February 27.

As it observes the arrival of the first of its chickens coming home to roost, the CCSD is maintaining that it has no idea whose chickens those are, and besides, this is surely a brief layover and they'll be flying away soon (see "Taking Issue," page 10).

That's unlikely.

Last August, California Coastal Commission staff warned the CCSD that the project as proposed would likely "cause long-term harm to sensitive habitat," recommended the District work with "the key resources



Release the kraken! As the fates and multiple regulatory agencies foretold, Cambria's S.S. *Desal* is sailing into trouble on a sea of unstudied environmental issues.

agencies to identify needed changes," and pointed out that it would behoove them to get the answers to the large environmental questions looming over the project "before locking into a long-term project and its associated liabilities."

The same day they received that

warning, the CCSD's directors voted to proceed with a \$13-million permanent facility and worry about all the environmental stuff later.

Last month, LandWatch San Luis Obispo County amended its October lawsuit against the Cambria Community Services District, adding San Luis

Obispo County, the State Water Resources Control Board Division of Drinking Water, and the Governor's Office of and Planning and Research to the list of agencies being sued for failing to do their jobs and allowing

CCSD continued on next page

Cambria's Other Emergency: Twelve Years After

Hey, all you hep kats and kittens! Remember 2004?

Michael Vick played his second Pro Bowl.

The Electric Prunes released their "California" album after a three-decade hiatus.

Hurricane Ivan generated the highest storm waves in recorded history.

And the Cambria Community Services District tried to push through a major public works water project in environmentally sensitive habitat on an "emergency" Coastal Development Permit, and wound up in court..

Yes, everything old is new again. Relive with us now this blast from the past.



"Tanks!" - from the *Santa Lucian*, January 2005

First, outgoing Chapter Chair Tarren Collins alerted the California Coastal Commission to the issuance of a peculiar "emergency permit" to the Cambria Community Services District.

Then, thanks to determined Commission staff and the state Attorney General's office, the California coast dodged a bullet and a dire precedent on December 17 when a San Luis Obispo Superior Court judge upheld the Coastal Commission's cease & desist order and issued a preliminary injunction against the District. The CCSD wants to build new water storage tanks in an Environmentally Sensitive Habitat Area.

The District had invoked eminent domain to seize private property in an ESHA protected by a conservation easement managed by the Nature Conservancy, and claimed it had obtained an emergency permit to cut down 60+ endangered Monterey pines in the ESHA. If this were allowed, all future developers could potentially claim an "emergency" to trump conservation easements and/or develop on the coast. Counsel for the Attorney General, Coastal Commission, San Luis Obispo County, and the Cambria CSD spent the day in court arguing over the legality of the Coastal Commission's cease & desist order,

the propriety of San Luis Obispo rescinding its original emergency permit at the Commission's behest, and the nature of Cambria's "emergency" (potential future earthquakes and fires).

The Court ruled that the Cambria Community Services District is not exempt from the requirements of the Local Coastal Plan and the Coastal Development Permit process; the County's original emergency permit had been properly rescinded; the Cambria CSD was not entitled to a second emergency permit because its requirement for new tanks may be

12 YEARS continued on next page

CCSD

continued from previous page

violations related to the District's construction and operation of its desalination plant.

Landwatch of SLO County, represented by a Stanford Law School legal team headed by Deborah Sivas, contends that the construction and operation of this major public works project was conducted without environmental review and without a valid development permit -- over the objections of several state and federal agencies.

After trying unsuccessfully for over a decade to get a permit an environmentally problematic permanent desalination facility, the District used the specter of "projected water supply shortages by the end of summer 2014" to exempt its water supply project from the state's environmental laws under the guise of a sudden, unexpected "emergency." Past efforts were unsuccessful because the District continued to locate proposed projects in protected areas where development is prohibited or severely limited under ordinary circumstances.

While construction of the project over the summer and fall of 2014 adversely affected the environment in and around the footprint of the new facility, its ongoing operation will cause much more significant adverse impacts on ecological resources and nearby land uses.

Extracting 400 gallons of water per minute from the San Simeon Creek

aquifer, the new facility's operation is likely to lower creek levels critical to endangered and threatened species, expose nearby campers and residents to aerosolized toxic brine waste, and violate a long list of state coastal protection policies.

The 180-day emergency permit issued by the San Luis Obispo County Planning Department last May and expired in November. It required the District to submit a completed application for a permanent coastal development permit by June 14, 2014. The district failed to submit a completed application. This permanent permit process is critical because it must be accompanied by full environmental review, by appropriate environmental mitigation, by public disclosure and hearings, and by an opportunity for appeal and California Coastal Commission review. But the District has now begun operating the project without having completed its application for a permanent Coastal Development Permit, in violation of the California Coastal Act, the California Environmental Quality Act, and the San Luis Obispo County Code.

The District's new water supply project lies just east of Highway 1 and includes operations within 100 feet of both San Simeon Creek and Van Gordon Creek. It's within the coastal zone and thus subject to the requirements of the Coastal Act, which was enacted to permanently protect "valuable natural resource of vital and enduring interest to all the people."

The Act requires new development to

be carefully planned consistent with the Coastal Act policies. Permanent protection of the state's natural and scenic resources is a paramount concern, based on the necessity "to protect the ecological balance of the coastal zone."

The purpose of an Environmental Impact Report is to alert the public and its responsible officials to environmental changes before they have reached the point of ecological no return. It is intended "to demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its action."

To avoid the mandatory review requirements associated with such a major public works project, the District suspended public contract bidding requirements and declared a "Stage 3 Water Shortage Condition" on January 30, 2014.

In April, the District applied to the County for an "emergency" Coastal Development Permit. The District justified its need for an emergency permit by telling the County that Cambria would very soon run out of potable water, claiming that "uncertainty" over future summer creek flows "could result in CCSD well levels dropping at an accelerated rate during the late summer to early fall," and that "the consequences of inaction or significant delay in constructing this emergency project are potentially disastrous for the community of Cambria."

Based on these representations -- which were not supported by the evidence, as well levels were consistent with other years -- the County issued a six-month emergency Coastal Development Permit to construct a brackish water treatment system.

The District proceeded to construct the Project over the summer and fall and began operating the facility in January 2015 -- months after the 2014 dry season the "emergency" plant was supposed to address.

The residents, visitors, and wildlife of the San Simeon Creek watershed should not be used as guinea pigs in the District's evolving lab experiment.

TAKE ACTION

Early in March, a dead bird was found in the surface impoundment. The California Department of Fish and Wildlife is investigating. They are interested in evidence of wildlife impacts following the Water Board's Notice of Violation to the CCSD. Fish and Wildlife should be notified of any dead wildlife found in the creek or lagoon. Cambrians should also keep track of the algal blooms in Santa Rosa Creek.

If you see any dead birds or fish in the creek or vicinity, call State Parks Associate Ecologist Mike Walgren at 610-1931 immediately.

Permits, Shmermits



Lynne Harkins

On February 25, the Cambria CSD, feeling the heat from public complaints about potential permit violations at its desal facility, dispatched two consulting biologists into San Simeon creek, inside the State Park.

Park Rangers discovered them slogging through the creek with sample bags and poles, and asked to see their required Scientific Collection Permit, as must be issued either by the California Department of Fish and Wildlife or State Parks.

They didn't have one, so the rangers escorted them out of the park.

Not to belabor the point: While under investigation for multiple permit violations, the CCSD endeavored to engage in data collection pertaining to those permit violations without a permit.



Guess what you are? The residents, visitors, and wildlife of the San Simeon Creek watershed, as seen by the Cambria Community Services District.

Water?

continued from page 1

integrate environmental and community impacts and the benefits of sustainable groundwater management into decisions about basin prioritization and groundwater management plans. Members include the Sierra Club, Union of Concerned Scientists, Nature Conservancy, Center for Biological Diversity, Natural Resources Defense Council, Audubon, Planning and Conservation League, California League of Conservation Voters, environmental justice and clean water advocates, indigenous peoples' organizations and numerous local non-profits.

Representatives from about twenty organizations attended the Sacramento meeting in Sacramento with dozens more participating by webex conferencing.

A common concern repeatedly expressed was the need for access by small communities to the planning process for developing Groundwater Sustainability Agencies and environmental mindfulness as DWR develops guidelines and policies for GSAs and

Groundwater Sustainability Plans.

DWR was given a budget of \$100 million for various tasks associated with developing guidelines, including extensive plans for outreach and coordination. The March 13 meeting ostensibly qualified as "outreach to environmental and social justice groups," but attendees were not very encouraged by what they heard about major areas of concern: access to the planning process by economically disadvantaged communities, protection of environmental resources, coordinating surface and groundwater use, and incorporating protection for watersheds in GSPs.

When pressed for specifics on all of the above, DWR repeatedly demurred that they "do not have that authority."

By far the biggest point of contention was DWR's Practitioners Advisory Committee. When first conceived, this was called a Technical Advisory Committee and appearances indicated that it would be a broad-based committee that would include environmental and other members. The new name says it all. Membership will include the largest water users, whose ruinous policies have brought us the current crisis: unsustainable water use compounded

by severe drought.

After the meeting, I asked one of the NGO coordinators "Will DWR look carefully to ensure that groundwater sustainability plans that rely on importation of water to balance the basin will result in balancing a basin that the water is there to import?" The reply was "DWR is all about moving water around. Only adjudicated basins will be protected" from a plan that requires reliance on imported water.

The State Water Project has promised five times more water than is available to the system. Let's hope that DWR's culture of 'big water' management and movement can be reined in by a realistic assessment of how much water California actually has and what is the best use of it.

TAKE ACTION

DWR is seeking comments on the draft Strategic Plan for Implementing the Sustainable Groundwater Program by June 1. Send comments to: sgmps@water.ca.gov or mail to P.O. Box 942836, Sacramento, CA, 94236, Attn: Lauren Bisnett.

The draft can be accessed at: <http://www.water.ca.gov/groundwater>.

12 Years

continued from page 4

urgent but is not an emergency as defined by statute; and the Coastal Commission was entitled to a preliminary injunction to halt the project. The court ordered the injunction and instructed all parties to work together to come up with an acceptable plan.

The Cambria CSD backed down from previous threats to haul out the chainsaws and proceed with construction regardless of what the Court ruled, and agreed to abide by the injunction. (But it is appealing the Court's decision regardless, evidently determined to spend even more of Cambria's money on legal maneuvers instead of reinforcement of the existing water tanks.)

Thank you, Coastal Commission!

That was then, this is now. The astute reader may wonder what's changed since the last time the Coastal Commission -- now absent -- intervened to save Cambria from the Cambria CSD. So do we.

Some questions & answers on

Oil by Rail

County planners are taking their time in preparing a Final Environmental Impact Report and scheduling a Planning Commission hearing on the Phillips 66 rail terminal project that would introduce Canadian tar sands crude oil to SLO County. Meanwhile, some questions come to mind:

How Bad is a tar sands oil spill?

On July 25, 2010, an Enbridge Oil pipeline carrying tar sands crude -- aka diluted bitumen or "dilbit" -- ruptured into the Kalamazoo River in Michigan.

Two years later, InsideClimate News reported: "The cleanup of the Kalamazoo River dilbit spill was unlike any cleanup the EPA had ever tackled before. Instead of remaining on top of the water, as most conventional crude oil does, the bitumen gradually sank to the river's bottom, where normal cleanup techniques and equipment were of little use. Meanwhile, the benzene and other chemicals that had been added to liquefy the bitumen evaporated into the air."

The clean-up was expected to take six months and cost \$5 million. After five years and cleanup costs exceeding \$1 billion, approximately 20 percent of the dilbit is still there and the river and wetlands are damaged beyond repair.

But Isn't Tar Sands Crude safer than Bakken shale crude?

Phillips 66 has made two attempts to produce a legally defensible Environmental Impact Report to serve as the basis for its permit application. The biggest single difference between their first and second tries was the abandonment of Bakken shale crude oil and the inclusion of a semi-admission that the trains would be carrying Canadian tar sands crude to SLO.

At the time, it was thought that the then novel phenomenon of exploding oil trains was exclusive to Bakken crude, not bitumen -- the heavy, tar sands crude that was believed to be non-flammable even in a derailment scenario.

In the explicitly titled "Why bitumen isn't necessarily safer than Bakken," the *Railway Age* website burst that bubble with a February 25 post, shortly after an oil train carrying tar sands crude -- in new, upgraded tanker cars -- derailed, exploded and burned in Ontario:

"Why did the bitumen ignite and explode in Ontario's -40°C weather? The reason, based on research consulted by *Railway Age*, is that the diluent added to make bitumen flow into and out of tank cars makes the blended lading quite volatile.



What Do firefighters think?

Letter to the *Philadelphia Inquirer* February 26, 2015:

Plan for inevitable

As a retired Philadelphia firefighter captain, I applaud the *Inquirer's* continued coverage of the risks of transporting oil through the region ("Danger on the rails," Feb. 22). But the focus on the population in areas through which oil-trains pass must also consider the much larger work-day population in areas the trains traverse. Even a minor incident in the vicinity of the large University City hospitals, for instance, would pose a major risk to high-risk patients, not to mention staff and visitors.

It's also important to consider target hazards, which emergency managers consider high-risk facilities that pose difficult challenges. A crude-oil shipment itself would be considered a target hazard, as would a refinery, schools, hospitals, and similar facilities.

The Fire Department lacks sufficient resources to easily handle a major incident involving an oil train. Cut-backs over the years would severely limit firefighters' ability to mobilize sufficient resources to control a major incident. There aren't enough battalion chiefs or engine companies to exceed five alarms. And if city firefighters lack the resources to effectively combat one of these incidents, how can suburban departments, mostly volunteer, be expected to handle them?

City emergency management officials need to disregard the political consequences and recognize the severity of the problem, the likelihood of a major incident, and the Fire Department's capabilities, and work now to prepare for it. The question is not if but when and where an incident will occur.

Joseph P. McCool, Feasterville

What Part of "Boom" does the Arroyo Grande Chamber of Commerce not understand?

A March 3 *Tribune* Viewpoint by the Arroyo Grande and Grover Beach Chamber of Commerce asked the City of San Luis Obispo to reconsider its request to the County Planning Commission to deny the permit for the crude oil rail terminal sought by Phillips 66 for its Santa Maria Refinery.

The Chamber would like SLO -- and, one must assume, everyone else -- to refrain from weighing in on the project until the County has completed a Final Environmental Impact Report (EIR). The Chamber wants SLO to look at the proposed project "through your neighbor's eyes."

The question is not if but when and where an incident will occur.

The project would bring a significant increase in crude oil tanker train traffic into the county, along with an increased risk of derailment, spills and fires. In so doing, it would introduce Canadian tar sands crude oil -- one of the dirtiest fuels on the planet -- into the county for refining at Phillips' Nipomo Mesa facility.

That increased risk and environmental hazard applies to all the communities the oil trains would travel through in which a substantial number of residents live within the Department of Transportation's designated "potential impact zone," extending a mile from either side of the Union Pacific main line. In our county, that includes San Miguel, Paso Robles, Templeton, Atascadero, Santa Margarita, San Luis Obispo, Pismo Beach (and the Pismo Preserve), Grover Beach and Oceano.

It also includes all residents who would breathe the air polluted by the increased diesel emissions and the toxic tar sands crude and its diluent -- which leak from the tanker cars even



with no mishaps encountered -- and all residents who value our local rivers and creeks that a derailment and major spill could irreparably damage.

Here, as of this writing, are the other communities that feel they know enough about the project based on the

first and second iterations of its draft EIR and have decided that the pros-

pect of SLO County granting the Phillips 66 a project permit is so dire that the elected officials of these communities must speak out now on behalf of their citizens and ask the County to deny the project:

Richmond, Oakland, Albany, Martinez, Davis, San Jose, Moorpark, Oxnard, Simi Valley, Sacramento, Camarillo, San Leandro, the City of Ventura, Ventura County, Santa Cruz County and Santa Barbara County's 3rd District.

Also asking for denial of the project permit are the **San Leandro Unified School District, Ventura Unified School District, Pleasant Valley School District, and the Oakland School Board.**

We urge the Arroyo Grande and Grover Beach Chamber of Commerce to pay attention to the news -- five oil train derailments and infernos nationwide in the five-week period between February 14 and March 7 -- listen to all their neighbors, and look at this project through their eyes.

Aren't the Feds upgrading safety standards?

Replacing puncture-prone DOT-111 tanker cars -- unsafe to carry crude oil because they easily derail, spill, and catch fire -- with a safer model will take six years or more. And the industry is heavily lobbying for a cheaper, less protective model than the most protective proposed model. And new "safer" cars were involved in the most recent derailments and fires.

Meanwhile, oil and railroad lobbyists are also pressuring the White House not to approve a proposed requirement to improve the braking system for oil trains because it would cost too much. On March 10, David Dayen wrote on Salon: "There's reason to believe that no tank car is safe enough to carry something this volatile, and that the risks exceed what the public should reasonably bear."

What About California?

Union Pacific is one of several railroads suing California to repeal a new state law requiring railroads transporting crude oil to obtain a certificate of financial responsibility from the state as proof that they have enough money to clean up oil spills and cover damages.

BAKKEN continued on page 10

FIREFIGHTERS continued on page 10

Attention Bookkeepers!

Have you always wanted to volunteer for the Sierra Club, but weren't sure exactly what you could contribute? Wonder no more! We have an opening for the vital volunteer position of bookkeeper. It's a few hours a month, you get to work with our charming Treasurer, and learn about the fascinating fiscal workings of a 123-year-old environmental organization. Must be fluent in QuickBooks. Contact Lindi Doud at 534-9177 or lindidoud@gmail.com, after March 31.

OIL continued on page 10

CCA
continued from page 3

Now he says his only objection was that there wasn't enough local power required!

Perhaps the most interesting battle is happening in San Diego. Whereas San Francisco represents only about 5 percent of utility giant PG&E's customer base, San Diego represents over 40 percent of San Diego Gas & Electric's. That's a big chunk to lose! CCA is a key part of San Diego's Climate Action Plan, which among other things commits the city to a legally binding target of 100 percent renewables by 2035. There is effectively no way for it to hit that target if it has to accept whatever power SDG&E sees fit to buy for it.

There have been various efforts to kill CCA at the state level, some supported by the state chapter of the International Brotherhood of Electrical Workers (IBEW), many of whose members work for utilities. The local San Diego chapter of IBEW, however, supports the city's 100 percent renewables target. The fate of the San Diego climate plan, or at least CCA's place in the plan, remains uncertain. If it did go through, it would represent something of a watershed for the CCA movement.

CCAs vary from place to place, but Cali's share a few common features. They are opt-out rather than opt-in — customers can choose to remain with the utility, but they have to affirmatively indicate as much. That alone ensures high participation rates.

There are tiers of participation: in Marin, you can choose a base level 50 percent renewables or pay a premium for 100 percent renewables; in Sonoma, it's 33 percent or 100 percent. Some also include a premium option for 100 percent local renewables. The tiered system allows low-income customers to choose an affordable option while more eco-minded or well-off residents can indulge their aspirations.

It completely cuts through the utility Gordian knot — the tangle of restructured and unstructured regions, corrupt PUCs and broken business models, obscure political maneuvering and big-money deals — and puts power directly in the public's hands.

CCA can also give a huge boost to a bunch of other policies that utilities typically fight or slow-walk, including net metering, feed-in tariffs, and efficiency programs. In addition to the basic benefit — giving those consumers more choices in energy — the Sonoma County CCA also has 30 percent lower emissions than the utility, and it boasts rates that are 5 to 8 percent lower than the utility's (depending on the tier).

Sonoma's CCA features a robust net metering program, "NetGreen," that compensates solar customers better than the utility. It features a version of my own favorite policy, feed-in tariffs, in the form of "ProFiT," which guarantees clean energy developers favorable terms for the power they feed into the grid. It has doubled the amount of solar in Sonoma County's energy mix and established power purchase agreements for 70 megawatts of new solar. And it will bring the level of geothermal in the county's mix up to around 23 percent by 2018.

Perhaps best of all, enrollment in the plan's phase-one rollout was much higher than expected: 85 percent of customers stayed with the CCA.

Not every CCA is going to spur all those policies. But that's kind of the point: they will enable the exact mix of policies that best expresses the needs

Whoa, Avila!

If it's Tuesday, this must be traffic



On September 10, 2013, at the very end of a board meeting, the County Supervisors voted to authorize a General Plan/Local Coastal Plan Amendment by Chevron that will change the land use category for Fossil Point — aka Avila Point, aka the Avila Tank Farm — from Industrial to Recreation, and add standards for future development. (See "Why Are We Still Talking About a Hotel on Fossil Point?," October 2013.)

Meanwhile, ABR Properties is requesting a permit for a golf course project that would allow them to "construct a lodge, hotel, cottages and amphitheater and thereby increase the current square footage of buildings from 30,000 square feet to 260,000 square feet." See the Avila Beach Advisory Council website under GOLF COURSE MEGA PROJECT (avac-avila.org/current-issues).

The Harbor Terrace project, with 180 visitor accommodations, including 80 RV spaces and no evaluation of visitor season traffic, has been approved by the Port San Luis Harbor Commission. The report by the County Department of Planning for the required coastal development permit contends that visitor traffic should only be evaluated for non-visitor season impacts.

An undeveloped property between Avila Beach and the Harbor Terrace site is designated by the General Plan

for 50 cottage units. Undeveloped properties within the Avila Valley corridor have been granted recreation and commercial development.

Not to mention the Wild Cherry Canyon proposal: 1,500 homes, plus commercial & recreational, tripling the size of Avila Beach.

Even without these properties being developed, County residents and visitors who have sought access to Avila's treasured coast know that traffic is increasingly an impossible obstacle.

The Harbor Terrace project is a case in point for the County's traffic myopia. The only traffic evaluation was for p.m. commute time on the first Tuesday in May. Augmentation of that traffic study to also evaluate visitor season impacts is imperative. The selection of a date on which to perform traffic counts and determine an estimated average to establish "level of service" should be about setting traffic fees for capital improvements, not evaluating impacts of projects intended to draw visitors. Project permit review under the California Environmental Quality Act is supposed to be about evaluating and reasonably mitigating traffic impacts whenever they occur during the year. Mitigating traffic impacts is *not* just about contributing funds to future capital improvements.

Now seems like a good time to examine the community's vision for

Avila Beach and issues like carrying capacity and a multi-lane road expansion.

An update to the 1988 San Luis Bay Area Plan — which made projections up to the year 2000 — should happen before consideration of incremental amendments for large projects that would contribute heavily to visitor season traffic. An area plan update involves community consensus for revisiting the vision for Avila.

Before amendments to the General Plan for extensive Avila Beach projects are authorized for processing — and before a project for which a land use category change has been authorized proceeds — a hold on development is warranted until the Area Plan is updated. The developers seeking massive changes to Avila could fund that update, as was done for Shandon and elsewhere.

TAKE ACTION

Supervisor Adam Hill will be meeting with Avila Beach residents and other concerned citizens who want to discuss all of the above on April 9 at 6:30 p.m. at the Avila Beach Community Center, 191 San Miguel Street. Make your voices heard.

and values of their customers. It will give consumers some power and agency in the process, something they haven't had for some time.

Is CCA power really cheaper? At least in California, at least so far, yes....The Marin and Sonoma CCAs are charging slightly lower rates than the utilities they left behind, despite providing substantially more clean energy.

How do they do it? First, CCA represents competition for utilities, putting pressure on them to keep costs down and keep customers happy. (Utilities aren't used to competition, to say the least.) An alternative energy provider behaves differently than a utility. CCA programs, for example, have used the political and legal process to advocate for lower transmission and distribution charges, utility fees and rates in general. You're not going to see that kind of advocacy from utilities, who must serve shareholders, or regulators that are struggling with proper oversight. ("Struggling with proper oversight" is a rather charitable characterization.)

In other words, CCA provides not just an economic and environmental but a civic counterweight to utilities. It enables electricity consumers to organize on behalf of their interests and values. Why, you could almost call it democratic.

Naturally California utilities hate this. Just hate it. In all the stories I read, this passage was the most poignant:

A PG&E representative did not respond to a request for comment. A 2011 law prohibits the company from using ratepayer revenue to market against community choice aggregation.

Aww. I doubt utilities will be similarly restrained in other states. Watch for them to go after CCA with even greater fury than they've attacked net metering. It is a strike directly at the heart of their business model.

For all the same reasons utilities hate CCA, I love it. It completely cuts through the utility Gordian knot — the tangle of restructured and unstructured regions, corrupt PUCs and

broken business models, obscure political maneuvering and big-money deals — and puts power directly in the public's hands. It opens up opportunities for all the talk about Utilities 2.0 to become reality, to start experimenting in the real world.

Most of all, it enables citizens who want clean energy to get it. That seems like the kind of thing Americans could rally around.

Streamlining Safely

Fixing the Renewable Energy Streamlining Program

To get to a clean, renewable, fossil-fuel free economy, it's necessary to ramp up renewable energy generation without sacrificing essential wildlife habitat and threatening already threatened species.

That's the premise behind the County's Renewable Energy Streamlining Program (RESP), as approved by the Board of Supervisors on March 10. The program will exempt renewable energy projects in certain land categories from full public review, issuing ministerial permits for those projects that meet certain criteria for exemption.

Getting to that approval without inviting the potential sacrifice of large chunks of our natural landscape required some determined work by the California Native Plant Society, Sierra Club, and longtime local government watchdog Eric Greening to change the draft text of the program into a more balanced document.

We succeeded in scaling back the size of exempt projects from 160 acres to 40 acres; requiring that neighbors and advisory councils receive notice of proposed projects; adding the California Native Plant Society to the list of agencies to which biological reports will be referred; and barring permit streamlining for land that constitutes potential habitat for sensitive species.

The Sierra Club leaned particularly heavily on the need to retain the word "potential" — as opposed to just "currently occupied" — because the loss of such land to any type of development could largely preclude the County's ability to implement climate change adaptation measures, i.e. preserving land not currently occupied by threatened species as those species lose their current habitat to climate change. That would be an ironic unintended consequence of a measure intended to combat climate change.



Room to move The Sierra Club preserved potential habitat for the California red-legged frog and other threatened and endangered species in the County's Renewable Energy Streamlining Plan.

Taking Issue

problematic environmental coverage & commentary in our local media

“How the word ‘fracking’ is used as a political scare tactic,” by John Peschong, *The Tribune*, Feb. 22, 2015.

Summary: A Republican political consultant with oil industry clients wants us all to know that fracking is nothing to be concerned about, aside from a mountain of evidence to the contrary.

How true. See, for example, “We can’t afford new regulations,” by John Peschong, in the Sept. 25, 2011, issue of *The Tribune*, in which Mr. Peschong attacked The EPA’s proposed smog regulations by citing, without disclosing his sources, bogus industry “studies,” discredited by serious economists, that predicted economic Armageddon as the cost of compliance with the new regulations.

While reasonable people can disagree, too often policy discords get turned into dishonest attacks.

There is no way to know if fracking is happening here now. Companies that are experts in fracking have oil reserves in Central Coast counties that could only be exploited through the use of these techniques. Companies are also experimenting with high concentrations of acid in oil fields. Related techniques like high-intensity steam injection have all the same problems as fracking and are ramping up here.

In the past election cycle, ballot measures advertised as “fracking bans” started showing up in city and county elections throughout California. The fallacy of these ballot measures is that there wasn’t any hydraulic fracturing in these communities.



[In rejecting a fracking ban,] amazingly, our Board of Supervisors looked at the facts: 1. There is no fracking happening in San Luis Obispo County, and 2. California already has the most stringent laws in the nation to regulate oil production.

Unamazingly, our Board of Supervisors overlooked the facts: 1. It is clear that an increase in high-intensity, high-risk oil extraction techniques to access unconventional shale oil on the Central Coast is a current and emerging threat, which is why

proponents rushed to get Measure P on the ballot in Santa Barbara last year and a long list of community groups, environmental organizations and elected officials backed it, and 2. About two weeks before Mr. Peschong’s opinion piece appeared, the Associated Press discovered that California, alleged home of “the most stringent laws in the nation to regulate oil production,” has issued permits for more than 200 fracking fluid injection wells that put federally-protected aquifers at risk of being permanently contaminated, rendering the water unusable for consumption or even agricultural irrigation. Eleven of those wells are in the Price Canyon area. (See “Oil in Your Water,” March.)

About a week after Mr. Peschong’s confident claims saw print, the *L.A. Times* reported that oil producers in Kern County have been dumping fracking fluid wastes into pits without any permits at all, and without “linings that would prevent toxic chemicals from infiltrating groundwater.” Such linings are not required by regulators. Fracking wastewater contains benzene, arsenic, chromium-6 and radioactive elements. There are 933 oil waste pits in California. The EPA has called California’s lack of oil production oversight and pollution controls “shocking” and determined that the state’s oil field wastewater injection program does not comply with the federal Safe Drinking Water Act.

Mr. Peschong was part of the oil-industry funded campaign that defeated Santa Barbara’s Measure P, which would have banned only future high-intensity oil extraction projects on unincorporated County land, including fracking, acidizing, and cyclic steam injection. It did not apply to existing operations, approved projects or conventional drilling. The false claim to the contrary was the centerpiece of the “No on P” campaign.

Instead of only banning fracking, these often deeply flawed ballot measures deceptively ban all oil production — including traditional methods that have been safely used in counties across California for more than a century.

Safe and regulated oil production has continued to receive bipartisan support in Sacramento as even stricter regulations are set to go into effect in July with Senate Bill 4 — a new law that is specifically designed to set up a regulatory structure for natural resource extraction.

The State Legislature has not enacted meaningful legislation to safeguard the public from the hazards of fracking and other high-intensity petroleum operations. SB 4 will lead to more studies of fracking. And it does nothing to address the impacts and

risks posed by cyclic steam injection. Even if regulations such as water testing were put in place for all these techniques, what we learn after our water has been contaminated will be too late.

It is typical for the industry to threaten lawsuits in order to intimidate voters and elected officials. While lawsuits were threatened in the 200 communities in New York that banned fracking -- before it was banned statewide -- there were only four actual suits filed and all of them failed. The local communities did not have to pay anything and are now protected from the water, air and health impacts of fracking. A Colorado Supreme Court ruling supports ballot initiatives to accomplish this goal. Cities and counties in California that have successfully banned fracking include Los Angeles, Beverly Hills and Santa Cruz. In total, 430 communities in the United States have taken action against fracking.

Just ask San Benito County [about the potential for lawsuits against communities that ban fracking], which passed a measure in November 2014 and is currently being sued for takings (mineral rights) and damages in the amount of \$1.2 billion.

Upshot:

Mr. Peschong, a conservative political p.r. consultant, is no stranger to the task of carrying water for the oil industry, so to speak, having crafted a “public awareness campaign” for the Koch Brothers-funded organization Americans for Prosperity.

Three weeks after Peschong’s extractivist world view got a workout in the *Tribune*, the Natural Resources Defense Council, Center for Biological Diversity, Sierra Club and Los Angeles Waterkeeper submitted 107 pages of comments on the Draft Environmental Impact Report for Well Stimulation in California, prepared by the Department of Conservation’s Division of Oil, Gas and Geothermal Resources (DOGGR).

Our evaluation, as well as that of two independent experts retained by NRDC, concluded that fracking and related forms of well stimulation will result in significant environmental impacts that have not been disclosed or mitigated in the state’s draft EIR, putting California communities at risk of surface and groundwater contamination, fresh water depletion, air pollution, greenhouse gas emissions, induced seismicity, land degradation, wildlife habitat fragmentation, and a host of other harmful consequences -- the reassurances of fact-challenged p.r. flacks aside.

“Shakedown cruise’ necessary to identify EWS issues,” by Jerry Gruber, *The Cambrian*, Mar. 5, 2015.

Summary: As the Water Board investigated multiple permit violations by the Cambria CSD in relation to the operation of its “emergency” desal plant -- including discharge of chemical additives, discharges of brine pond waste, switching discharge points, and failure to inspect, monitor and report -- the CCSD’s general manager tried to explain it away in the local paper.

Even the most exhaustive environmental impact reports and engineering studies won’t catch every bug.

And the *least* exhaustive reports and studies – or, in this case, none at all – won’t catch

any bugs whatsoever. General Manager Gruber here is in the unenviable position of dismissing the nonexistent findings of studies the CCSD did not conduct, and claiming to know that whatever the findings of those studies might have been, they would not have avoided the problems the plant is now encountering.

How dare the local newspaper actually report the news?! And even more annoying, in a “lengthy” story!

In its lengthy Feb. 26 article “Water Project Issues Surface,” The Cambrian describes everything it could find that is going wrong with the Emergency Water Supply Project.

In what was probably an act of unintentional editorial cruelty and unfortunate timing, *The Cambrian* published Mr. Gruber’s opinion piece in the same issue as their follow-up to the story he was commenting on. Subsequent to Mr. Gruber’s submission of his response to the paper’s original article, the Water Board concluded its investigation and issued the CCSD a notice of 11 violations of the state Water Code, spanning all of the CCSD’s permits – a fact available to the reader ten pages away from Mr. Gruber’s ill-fated attempt at spin.

I count three confirmed issues in the story....



[Y]ou don’t really know what evaporation blowers sound like, and how the sound carries, until you turn them on.

Scientists and engineers -- aka people who really know what evaporation blowers sound like -- have provided us with tools

to estimate the noise levels of mass-produced noise-emitting industrial equipment. Science also is able to accurately predict how far that sound energy, measured in what is known as “decibels,” will travel through the air, and what those received sound level will be at any given distance from the source — unless, of course, no such studies are carried out before installing the things and turning them on.

...the brief release of treated, chlorinated water upstream of the San Simeon Creek Lagoon.

Mr. Gruber’s certainty regarding the duration of the plant’s discharge of harmful levels of

chlorine into environmentally sensitive habitat would have been of interest to the Water Board at the time Mr. Gruber made his public assurance of brevity. In its Feb. 27 Notice of Violation, the Water Board required the CCSD to “document the dates, durations and volumes of all discharges to Van Gordon Creek or any other surface water body....” Mr. Gruber did not share that information with readers of *The Cambrian* or otherwise document the claim that the plant’s discharge into the creek and lagoon was “brief.”

A better question: Where would Cambria’s water be coming from *now* if the CCSD hadn’t put a large, distorting thumb on the scales to favor desal over every other option in its Water Master Plan (see “Cambria’s Water Plan is All Wet,” Jun. 2008), and had instead spent the last seven years retrofitting their wastewater treatment plant to produce and distribute tertiary treated recycled water, a drought-proof water supply that could have taken significant pressure off the region’s aquifers?

If the EWS had been shunted to the usual permitting timetable for public works projects in California, it would still be on the drawing boards. Then where would our water come from? Good question.

NIMBY

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shadow thrown off by those seemingly clashing narratives somehow intersected in the same place: in the realm of troublemakers. Obstructionists. The lovers of divisiveness. The irrational inhibitors of progress.


In that same NIMBY issue of *New Times*, The Shredder made mock predictions for 2015, including this one: “unicorn feces will replace nuclear power.”

The problem with that: buying into the lazy frame that There Is No Alternative to nukes ignores a lot of

reality. Per our response to Mark Henry’s letter on page 3, The Shredder could look into the global movement pushing for 100 percent renewable energy by 2050, and the cities, regions and nations that are on track to achieve that goal. He might take note of the fact that California has overbuilt its fleet of power plants and will be awash in surplus energy for decades to come, and keeping our last nuclear plant up and running for another thirty years would actually require a reduction in state targets for bringing clean, renewable energy on line.

It looks like pragmatic, tough-minded realism to say that the opponents of destructive projects are NIMBYs, or that critics of nuclear power are advocating for some mythical energy source to replace it.

It *looks* realistic. But in reality, it’s just easy, lazy and wrong.



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Basin

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drought impacts, the EPA study of climate change impacts on the Basin, or short-term sewer impacts -- all of which can destroy the Basin.

Virtually all Basin recharge is from rain, either as surface percolation or creek seepage. Seawater intrusion continues to accelerate despite a major cutback in pumping. That cutback reduced the overdraft over the last 15 years, but a reduction in recharge due to the drought means the Basin continues to be in severe overdraft.

The Basin Plan recognizes the need to maximize mitigation programs and to take "bold, decisive, and immediate" action, but it doesn't maximize programs or commit the Parties to immediate action.

Here's the solution

The Los Osos Basin Plan must be significantly improved if the Los Osos Basin is to be saved. The County has a unique responsibility and a one-time opportunity and to save the Basin. Here's how:

1. Indoor and outdoor conservation measures must be maximized within one year.
2. The recycled water program must be maximized within one year of project start up, which requires infrastructure improvements now.
3. Infrastructure Programs A, C & D must be implemented within one year.
4. Special measures to deal with the drought must be included in the Basin Plan and implemented immediately.
5. Measures to address climate change impacts (sea level rise, higher temperatures, and less rainfall) must be included in the Basin Plan and implemented within one year and ongoing.
6. Conservation and well monitoring outside the wastewater service area

must be mandated by County ordinance. The County is implementing mandatory conservation within the wastewater service area, and the Basin Plan says that accurate private well production is essential to avoiding harm to the Basin.

7. A lower targeted Basin yield (under 2000 AFY) must be set and achieved within one year.

8. Time specific, enforceable objectives for implementing the above measures should be set.

Despite overwhelming evidence that all reasonable actions should have been taken, including some granted by the Sustainable Groundwater Management Act, (mandatory well monitoring, mandatory conservation, restrictions on pumping, and even a funding mechanism), the Parties have shied away from using them.

TAKE ACTION

On March 17, the Board of Supervisors agreed to a public review of the Los Osos Basin Plan.

Get ready to tell the Board:

- The Basin Plan should commit the Parties to taking all reasonable actions available to save the Basin, including implementing ordinances and using the powers granted under the Sustainable Groundwater Management Act.
- As a party to the adjudicated Basin and lead agency developing the LOWWP under a Coastal Development Permit, the County is responsible for implementation of groundwater programs that maximize the sustainability of the Basin and related resources.
- As a Party to the Basin Plan, the County has the authority to enact an ordinance that requires stronger programs, including mandatory conservation and well monitoring outside the wastewater service area.

One For the Pelicans

The Santa Lucia Chapter is supporting the efforts to protect the Brown Pelicans from manmade hazards and outreach to the Port San Luis Harbor District and the Morro Bay Harbor Department to modify or replace their outdated fish cleaning stations. These open air cleaning stations attract seabirds and some, like the Brown Pelican, can become contaminated or mortally wounded because of this interaction.

On March 11, we sent letters to Port San Luis and Morro Bay asking their harbor boards to work with local wildlife experts from Pacific Wildlife Care, Morro Coast Audubon Society and Willow Tree Wildlife to improve or replace the Harford Pier fish cleaning station in Port San Luis and the Morro Bay fish cleaning station in Tidelands Park.

The recent designation of Avila Beach as a bird sanctuary is a perfect opportunity to make the Harford Pier safer for the Brown Pelican. The pier's fish cleaning station is poorly designed and allows, and even encourages, fisherman to dump fish waste and carcasses directly into the water below. Birds compete for the carcasses, with hazardous results. Pelicans, which normally eat small, soft-boned fish such as sardines and anchovies, can be injured attempting to swallow large, bony carcasses.

In Morro Bay, the placement of the dumpster is too far from the cleaning station and allows birds easy access to the dumpster's contents. These birds can easily become contaminated with fish oil while scavenging inside the dumpster, destroying the insulation of their feathers. Sea birds contaminated with fish oil are in danger of hypothermia and starvation.

Both stations should be completely enclosed, allowing fishermen to process their catch safely without worrying about losing it to a hungry pelican or gull.



No favors The fish cleaning stations in Port San Luis and Morro Bay turn pelicans from hunters into scavengers and endanger their lives.

TAKE ACTION

The Morro Bay Harbor Department is asking for design ideas for retrofitting their fish cleaning station at Tidelands Park to make it more wildlife friendly. If you have, or know someone who has, the interest and skills to help draw up some rough design plans, please contact Mark & Susan Garman at (510) 501-7010.

Don't Trade Away Climate Progress!

Tell Congress to oppose Fast Track

Beginning April 13, Congress will consider taking up "Fast Track" authorization to pass the Trans Pacific Partnership, which would weaken our environmental standards, open the floodgates to more fracking, and empower corporations to attack climate and environmental policies in secret trade tribunals.

Tell Congress "no thanks." Send a message at www.sierraclub.org/trade.



Did You Forget?

We've looked everywhere for your response to our March appeal.

In March we sent out an appeal to each of our members, asking for contributions directly to your Chapter. These contributions really do make a difference to us, and are an important part of our Chapter's budget. When you make a donation to the Chapter, you support the Sierra Club's work in your own backyard. You allow us to continue our work to protect wilderness and wildlife, to improve the quality of life in our cities, and to promote the enjoyment of nature. Please be as generous as you are able—remember, these funds directly affect your way of life in your neighborhood. Thank you.



Explore, enjoy and protect the planet

Oil

continued from page 6

Won't the County

Make sure any problems are fixed before they consider approving the permit?

See "What about California?" Any attempt by SLO County to require measures to reduce the hazards involved in the rail transport of hazardous materials through the county will be met with a legal challenge requiring the nullification of any such measures because only the federal government can impose such requirements. If the County wants to avoid those transport hazards, its only option is to deny the land use permit for the rail terminal.

Firefighters

continued from page 6

Following a near-miss in July 2014, when three tanker cars, each carrying 27,000 gallons of Bakken crude oil, derailed at a rail yard under Seattle's Magnolia Bridge, the Washington Fire Chiefs association sent the BNSF Railroad a letter requesting documentation that the railroads are not legally required to provide to communities at risk from the soaring number of trains transporting crude oil across the country:

"1. Your railroad's own calculated Worst Case Scenarios for a potential crude oil train emergency in urban and sensitive environmental locales. What is the potential impact of a crude oil

disaster in Washington communities?

2. Evidence of the levels of catastrophic insurance coverage your railroad has purchased relevant for potential serious releases in Washington State. For what level of potential disaster is your railroad covered?

3. Your high hazard flammable train Comprehensive Emergency Response Plans, both generic and for specific locations in Washington, urban and rural. Is there any credible emergency response to crude oil train disasters except evacuation? Please provide such plans covering all counties with crude train routes.

4. Your route analysis documentation and route selection results for Washington State., pursuant to 2007 Public Law 110-53 on urban hazmat safety

and security routing, with the currently covered cargoes, especially chlorine and ammonia, as well as for the newly-recognized 'key trains' of crude oil and ethanol. How have you weighted the 27 federal routing factors and whatever interchange agreements your railroad has struck with others to avoid high-risk areas?"

Bakken

continued from page 6

This blend of bitumen and petroleum-based diluents, known as 'dilbit,' has a low flash point. Thus, the widespread belief that bitumen from Alberta's northern oil sands is far safer to transport by rail than Bakken crude is, for all intents and purposes, dead wrong. This may be disruptive news for bitumen shippers, carriers, and regulators."

In other words, the stuff that needs to be added to the gunk in order to make it sufficiently fluid to be pumped into and out of a tank car also makes it explode.



Classifieds

Next issue deadline is **April 13**. To get a rate sheet or submit your ad and payment, contact:
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P.O. Box 15755
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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.

Wed., Apr. 8th, 10 a.m. Los Osos Plant Walk. On an easy one-mile walk through a unique ancient oak forest, identify dozens of wildflowers and native plants. Meet in parking lot of Los Osos Oaks Reserve, on Los Osos Valley Rd., across from Eto Rd. Leader: Vicki Marchenko, 528-5567 or vmarchenko57@gmail.com.

Fri.-Sun., Apr. 10th-12th. Carrizo Plains Car Camp and Hike. Car camp (no charge) at Selby Camp. Saturday 9 a.m., carpool to Caliente Ridge for out-and-back, all-day hike to Caliente Peak with views of wildflowers. This is a strenuous hike of 16 miles, 1200 ft. gain, but option of going part-way and returning. Bring your own food, water, and needed camping gear. Do call leader if first time in this area: Carlos Diaz-Saavedra, 546-0317.

Fri.-Mon., April 10th-13th. Mojave National Preserve Outing. Meet Friday noon at Amboy Crater for hike up crater and lunch. Primitive camping Friday night near Granite Pass. Saturday, hike at Kelso Dunes, and Sunday visit Kelso Depot and lava tube, with camping at Midhills campground. Monday, option of hiking to Cima Dome on the way out. All hikes are moderate. Saturday night, we will have a potluck. No services in the preserve. Contact leader: Carol Wiley 760-245-8734 or desertylily1@verizon.net for more information. Mojave Group/CNRCC Desert Committee.

Sat., April 11th, 10 a.m. SLO Historical Walk: San Luis Cemetery. Guided stroll past gravesites of famous pioneers like Angel, Murray, Sinzheimer, and Civil-War vets, plus the "old potters field" for indigents and the landmark pyramid. Learn the compelling stories of the 19th-century founders of San Luis Obispo. Duration

about 1 1/2 hrs. Meet in south parking lot adjacent to the pyramid, 2890 S. Higuera St. Leader: Joe Morris, 549-0355.

Sun., April 12th, 10 a.m. Trekking-Pole Hike at Johnson Ranch. "Polecats" dedicated to leading local Sierra Club day hikes and modeling the benefits of using trekking poles. Hike through Johnson Ranch, 2.2 miles, 150 ft. elevation change. Trailhead located after lower Higuera goes under Hwy 101, becoming Ontario Rd. Need to confirm beforehand with Leader: David Georgi, 458-5575 or hikingpoles@gmail.com.

Sat., April 18th, Machesna Wilderness Hike, 8 a.m. All-day outing, strenuous, 12-15 mile hike, 2400-3400 ft. gain from American Canyon campground to pond and Machesna Mt. cutoff, then down Coyote hole and descending Machesna. Bring lunch, plenty of water, snacks, and dress for the weather. Meet at the Pacific Beverage Company in Santa Margarita. Advance registration required, not for beginners. For details, call Leader: Gary Felsman: 473-3694.

Thu.-Sat., Apr 23rd-25th Death Valley Wilderness Restoration. Help clean up a old cabin site in the Panamint Mts. Meet Thursday near Ballarat and drive up Pleasant Canyon (requires 4WD) to our camp site. Work that afternoon on an as-yet-to-be determined project. Friday, a two-mile, moderately strenuous hike to the work site, and a full day's work there. Saturday we will either continue working or do a hike in the area. Leader: Kate Allen, kj.allen96@gmail.com, 661-944-4056. CNRCC Desert Committee

Sat.-Sun., Apr. 25th-26th, Service in the Carrizo Plains National Monu-


ment. Our service on Saturday will remove or modify sections of fence to facilitate the mobility of pronghorn antelope. Sunday will be, at the choice of the group, either a hike in the Caliente Range or a tour of popular viewing areas in the plains. This is an opportunity to combine car camping, day-hiking, exploring, and service in a relatively unknown wilderness. Contact leader for details: Craig Deutsche, craig.deutsche@gmail.com, 310-477-6670. CNRCC Desert Committee

Fri.-Sun., May 1st-3rd. Manzanar/Lone Pine Lake Trip. Creekside camp in high desert near Lone Pine. Six-mile hike, moderate hike from Whitney Portal to Lone Pine Lake on Saturday, followed by happy hour, potluck, and campfire. Sunday caravan to Manzanar, WW II Japanese internment camp and museum near Lone Pine. Group size limited. Send \$8 per person, plus email, phone no., sase, and rideshare preferences to Leader: Lygeia Gerard, P.O. Box 721039, Pinon Hills, CA 92372, 760-868-2179 or Goody2shz@yahoo.com Mojave Group/CNRCC Desert Committee.

Sat., May 2nd, 7:30 a.m. Santa Lucia Trail to Pimkolam Junipero Serra) Peak. Very strenuous, 12-mile out-and-back hike, 3300 ft. gain from Indian Station trailhead in Los Padres. Pass through oak and pine forest, meadow to summit. Poison oak on trail. Bring plenty of water, snacks, and lunch, and dress for the weather. Meet at rideshare point at Las Tablas Rd in Templeton, west of Hwy 101, then 90" carpool to trailhead. Bring ID, vehicle registration, and proof of insurance for passage through Ft. Hunter Liggett. Extreme heat cancels. Need to confirm beforehand with Leader: Chuck Tribbey, 441-7597.



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.




The Sierra Club Needs You!

Become an Outings Leader

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

For further information contact:
Joe Morris
 Sierra Club
 (805) 549-0355
 dpj1942@earthlink.net



John Meade, a member of the Sierra Club, in Yosemite

Activities sponsored by other organizations

Sat., April 4th, 9:30 a.m. and Sat., May 2nd, 9:30 a.m., Citizens' Climate Lobby. Citizens' Climate Lobby meets at the Unitarian Universalist Fellowship, 2201 Lawton Ave, SLO. Join us and learn what you can do to slow climate change and make a difference in our community. Become a climate activist and part of the solution to the most pressing issue of our time. For more information email: citizensclimatelobbyslo@gmail.com.

Sat. April 11, 9 AM-11 a.m. Audubon Bird Walk at SLO Botanical Garden. Meet at the Garden's purple entrance bridge for a walk through gentle terrain while learning how to identify resident and migrating birds. You're bound to see dozens of different species. Bring binoculars, or borrow some from our birders! Walk is \$5 for Garden members/ \$10 for public. More info at slobg.org/bird. San Luis Obispo Botanical Garden, 3450 Dairy Creek Rd.

Sun. April 19, 10 a.m.-5 p.m. Earth Day Festival, El Chorro Park. Come celebrate at the 25th annual SLO County Earth Day Festival. Enjoy live music, displays, kid-zone, great food and beverages at this fun and FREE event! Special kids' events will take place in the Children's Garden from 12pm - 3pm, including planting and crafting. Learn more about the festival at earthdayalliance.com or slobg.org/earthday. San Luis Obispo Botanical Garden, 3450 Dairy Creek Rd.

