



**SIERRA  
CLUB**

September 2003  
Volume 40, No. 8

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### GENERAL MEETING

Recap of the California Coastal Trail Expedition!  
Sept. 23, 7 p.m.

Next General Meeting Program to be announced  
Oct. 28, 7 p.m.

### Conservation Committee Meetings

Oct. 14 & Nov. 11, 7 p.m.

### San Luis Obispo Creek Day Booth & Clean Up

Sept. 27, 9 a.m.-3 p.m.

### California Coastal Cleanup Day

Sept. 20, 9 a.m.-noon  
26 different beaches in SLO County,  
[www.slocleanup.com](http://www.slocleanup.com)



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# Santa Luciana



*Protecting and  
Preserving the  
Central Coast*

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

## Coastal Commission Tries to “Guide” Recalcitrant County of SLO to Update LCP

by Tarren Collins, Chapter Chair

In October 1997, the Coastal Commission first heard requests by SLO County citizens to update the County's Local Coastal Program (LCP). In response, the Coastal Commission conducted a Periodic Review of SLO County's LCP. While the Coastal Act requires Periodic Reviews every 5 years, SLO County's Periodic Review is the very first Periodic Review of any LCP under the Coastal Act.

Now, six years after our requests to update and amend our County LCP to provide more coastal resource protections, and 2 years after the Coastal Commission adopted 165 recommended changes to our LCP, the County has refused to implement any substantive changes, and has responded to only 65 of the Commission's 165 Periodic Review recommendations.

The Coastal Commission plans to send a letter to the County of SLO, setting forth priorities for LCP changes, and giving the County some deadlines. I will attend the Coastal Commission hearing on Sept. 10 in Eureka to urge the Commission to approve staff's draft letter and avoid further delays in the Periodic Review process.

As Friends of the RanchLand president Doug Buckmaster writes: “We are extremely concerned that the County of San Luis Obispo has stonewalled the Commission for over six years regarding bringing the county's Local Coastal Plan into compliance with the Coastal Act.”

Following, please find the Environmental Defense Center's comment to the Commission in full:  
July 11, 2003

Steve Monowitz  
California Coastal Commission  
725 Front Street, Suite 300  
Santa Cruz, CA 95060-4508

Re: San Luis Obispo County Periodic Review – Priority Amendments & Timeline

Dear Mr. Monowitz:

The Environmental Defense Center is a nonprofit, public interest law firm that represents Friends of the Ranchland on issues related to the Periodic Review of San Luis Obispo County's Local Coastal Program (“LCP”).

As you know, on June 12, 2003 the California Coastal Commission

(“Commission”) directed its staff to meet with San Luis Obispo County planning staff for the purposes of identifying priority LCP amendments and establishing timelines for submittal to the Commission.

To assist in this process, we have identified the following priorities that we believe are crucial to the preservation of the County's coastal resources. In addition, we have set forth a reasonable timeline for these priority amendments. Please consider these priorities and timelines to ensure that the County adequately and promptly responds to the Commission's Periodic Review recommendations.

### I. Priorities for Future LCP Amendments

To date, the County has responded to only 65 of the Commission's 165 total Periodic Review recommendations. We are disappointed in the County's progress to date, and agree with Commission staff that the County has thus far issued a “low level of response.” In order to improve the quality and promptness of future LCP amendments, we urge Commission staff to require the County to immediately begin work on the following 54 priority amendments:

#### A. Development

- 2.04 – Reduce Development Potential on Urban Edges
- 2.09 – Update North Coast Area Plan to Protect Resources of the Hearst Ranch
- 2.10 – Require Resource Capacity Studies Before Major Development Proposals
- 2.13 – Address Cambria Short-Term Development Constraints
- 2.16 – Cambria Long-Term Development (Buildout Reduction)

*continued on page 5*

## Below the Surface: Is Desalination the Best Option?

by Pamela Heatherington

Given current growth projections for California, new sources of water will undeniably be needed in the coming years. Current projections indicate that California's population may grow by another 25 million people by the year 2040. While some may be ready to eagerly move forward with the capabilities of ocean and brackish desalination, there are still issues and concerns that need to be addressed before desalination is widely embraced and accepted.

Back in September 2002, California Governor Gray Davis signed into law AB2717, adding amendments to the California Water Code. This new law designated the Department of Water Resources to establish a Desalination Task Force to make recommendations related to potential opportunities for the use of seawater and brackish water desalination. Costs of desalination, environmental concerns, educating the public, overarching management objectives and the role of the State in furthering the use of desalination are all issues currently being reviewed by the task force.

While desalination, under certain conditions and in comparison to other alternatives, does show promise as a water supply source for California, many questions remain unanswered. At the top of the list is whether water is a basic human right, “guaranteed to every human being, or an economic good available only to those who can pay?” The implications are real. Not only are we looking at environmental and public policy issues but also the likelihood of privatization of water under international trade agreements.

Environmental concerns are many. Two huge impacts to marine life and water quality

*continued on page 4*

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## Santa Lucia Chapter General Meeting

At this month's chapter meeting, Nancy Graves, San Luis Obispo County coordinator of the Coastal Trail Expedition (CTE), shares her experiences and lessons learned from this summer's coastal walk. CTE included a group of nine individuals who hiked from Oregon to Mexico to publicize the continuous California Coastal Trail. Come hear how the group fared during their trek through SLO County and how you can help support the California



Coastal Trail.

Tuesday, September 23, 7:00 p.m.

Meadow Park Rec Center

San Luis Obispo

**Save the date!!**



## Santa Lucia Chapter Annual Potluck Picnic



From left to right: Darlene and Gary Felsman and Ross Pepper enjoy the picnic.

A good time was had by all at the Santa Lucia Chapter annual potluck picnic at Cuesta Park on August 23rd. The theme was "Pirates of the Caribbean," and a treasure hunt was just part of the festivities. Good music was provided by Craig Nuttycombe and friend. Most importantly, the day was filled with fun, great food, and good fellowship. Hope to see you next year!

## 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 1st of the month prior.

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## SLO County Supervisors Say No to Early Renewal for Diablo

by Pete Wagner

On August 20 the San Luis Obispo County Board of Supervisors enacted a resolution opposing any effort by PG&E to renew its operating license at Diablo Canyon Nuclear Power Plant 20 years before the present license expires. Their action is a major victory for the environmental community in general, and specifically for the Mothers for Peace and the Santa Lucia Chapter. It is a significant shift in the approach of the BOS, which, on a related issue, refused to contest a Nuclear Regulatory Commission ruling that excluded it from status as an intervenor in PG&E's application to build a huge outdoor facility for storing used nuclear fuel. As the highest elected body representing the community which houses Diablo, the BOS opinion can be expected to exert a material influence the Nuclear Regulatory Commission in deciding on license renewal.

Power plants nationwide are being encouraged by the NRC to apply for 20 year renewal within the next few years, irrespective of the time remaining on their existing licenses. PG&E has not yet applied but is expected to do so in the near future. As one Conservation Committee member, Henriette Groot, suggested at a recent public hearing, if PG&E can do it, why shouldn't she ask the DMV for a 20 year driver's license renewal now, several years before her present license expires?

The resolution grew out of a draft submitted to the BOS by the Mothers for Peace at the August 12 meeting with our chapter's support. Chairman Mike Ryan refused to add it to the agenda for August 19 but did point out that he could be reversed by a majority vote. He was overruled by a majority vote, thanks to Supervisors Pinard, Bianchi, and Achajian. The resolution was then considered on the 19th and, after some modification, adopted, the same three voting for and Supervisors Ryan and Ovitt voting against. All three carefully explained their reasoning; neither Ryan nor Ovitt made any effort to justify their opposition.

The basis for chapter opposition to premature license renewal was the large number of unresolved issues, including the status of the Independent Spent Fuel Storage Installation, the as yet unrenewed operating permit to continue to use once-through cooling, the absence of any visible effort to plan for a potential terrorist strike, the vulnerability of the spent fuel liquid storage pools to overhead attack, and the undecided site for very long term storage of spent fuel. Supervisor Pinard pointed out that there is no need to renew this soon when power generating technology and waste nuclear fuel handling methods may change radically over the next two decades.

The Chapter continues to advocate continuation of plant operations after 2006, when the existing liquid storage is filled to capacity, only if a socially satisfactory and safe long term storage strategy has been found by then. Otherwise, the plant should shut down. We also urge much more emphasis on electricity conservation and on benign generation, which could eliminate the need for Diablo's 2200 Megawatts. The full resolution follows:

### RESOLUTION NO. 2003-284

WHEREAS, the Nuclear Regulatory Commission staff stated on July 15, 2003 that it expected ALL nuclear utilities to file license renewals in the next few years; and WHEREAS, Pacific Gas and Electric Company (PG&E), owner and operator of the Diablo Canyon Nuclear Power Plant, has begun feasibility studies regarding applying for a license renewal for an additional twenty years of operation; and WHEREAS, the County Board of Supervisors previously filed its concerns in the NRC licensing proceedings for a Pacific Gas and Electric application for expanded storage of nuclear waste at the Diablo Canyon Nuclear Power Plant site; and WHEREAS, after the events of September 11, 2001 all nuclear power plants must be considered as potential targets for acts of terrorism or war; and WHEREAS, the citizens of San Luis Obispo County need assurances from the NRC that all necessary steps are being taken to protect Diablo Canyon Nuclear Power Plant from attack.

NOW, THEREFORE, BE IT RESOLVED that the San Luis Obispo County Board of Supervisors, in the interests of public health and safety, calls upon the NRC to review with great care any licensing proposals submitted for the Diablo Canyon Nuclear Power Plant; and

BE IT FURTHER RESOLVED that the NRC is urged not to approve such licensing requests until the above stated concerns have been resolved; and the Clerk of the Board of Supervisors forward the text of this resolution to the County's State and Federal representatives, the Nuclear Regulatory Commission, all relevant oversight agencies and the Pacific Gas and Electric Company so that the intent of this Board is widely known.

Upon motion of Supervisor Achadjian, seconded by Supervisor Bianchi and on the following roll call vote: AYES: Supervisors Achadjian, Bianchi, Pinard NOES: Supervisors Ovitt, Chairperson Ryan, the foregoing resolution is hereby adopted.

## Conservation Committee Report

by Pete Wagner

Most of the Conservation Committee's recent actions have dealt with Diablo Canyon nuclear power plant. Action on a resolution submitted to the Board of Supervisors by the Mothers for Peace against premature relicensing of Diablo is reported elsewhere in this issue. On August 23 we submitted to the California Public Utilities Commission our analysis of a brief by the Diablo Canyon Independent Safety Committee which opposed any expansion of the Committee or change in its role. Their brief was in rebuttal to a petition by the MFP, with our support, which sought to add a fourth DCISC committee member who would be responsible for keeping the public informed about safety issues at the plant. No active outreach program is now carried out by the DCISC. The petition also asked the DCISC to establish a physical presence in the San Luis Obispo region; the office is now in Monterey.

Conservation Committee members spoke at a hearing convened on August 27 by an Administrative Judge to invite public opinion on the PG&E bankruptcy settlement which is now under consideration. The judge encouraged comments on any matter associated with Diablo in addition to the bankruptcy settlement. Speakers brought up the DCISC petition, the terrorist issue, and several matters directly related to settlement funds, such as the protection of retirees' pensions.

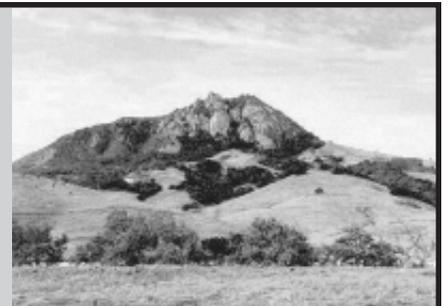
We have also decided to examine the desal issue in depth. Pam Heatherington is taking the lead. Representative issues associated with desal include larval killing at the intake, disruption of marine life at the discharge point for the brine, electricity use, encouragement of sprawl, and dangers inherent in possible private ownership of desal plants. On the other hand, desal could potentially take pressure off of methods for obtaining potable water such as overpumping coastal aquifers to the point of salt water intrusion.

Members may have received a Sierra Club mailing which contains a postcard to send to Mike Reilly, Chair of the Coastal Commission. It urges the Commission to "...carefully scrutinize and eliminate all environmental and marine impacts ..." of desalination and to insure public ownership of desal plants.

It is a complicated subject, and we don't expect a committee recommendation until we have studied the issues further. A 55 page Coastal Commission staff report, Seawater Desalination and the California Coastal Act, August 2003, is a good starting point for the reader and is available at their website.

In the next issue, Committee member Leslie Krinsk will bring us up to date on the Working Committee of the Marine Interest Group. We are troubled by a possible shift in emphasis that would remove marine sanctuaries from consideration. Stay tuned.

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## Desalination

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will be seawater intake systems and brine discharge systems. Coastal Act Policies will be important in assessing the effects of desalination on marine biological resources and water quality. Also of concern is the variety of chemicals and compounds used to treat the water and clean the equipment that enter the discharge stream.

Because recent changes in desalination technology have reduced concerns about the usage of energy. Some believe the energy issues associated with desalination can be solved by co-locating desalination facilities with coastal power plants and acquiring energy from sources other than the grid. Others are concerned about tying desalination too closely to coastal power plants, using once-through ocean water-cooling systems, due to ongoing efforts to minimize or eliminate these facilities.

Here locally, a desalination plant under consideration near Morro Bay, the first for-profit facility in the state, is facing serious regulatory obstacles. Problematic concerns include the killing of fish and crab larvae and the potential to encourage growth in the coastal zone. San Luis Obispo County currently has two desalination plants, one providing fresh water for Diablo Canyon nuclear power plant and the other is used as a backup source in Morro Bay.

It's imperative that we take the time now to further research the ramifications of this water source provider. Is it the best possible option? Is it environmentally sound? What does privatization mean in the global marketplace? These questions and many more still need to be addressed before moving forward on a grander scale.

On the surface desalination looks like a quick fix for California's water woes. Lurking below the surface you will find a quagmire of human rights and environmental health issues that need full public discussion before we move ahead with any of the proposed desalination plants along the coast of California. ECOSLO recommends we proceed with great caution. We need to start the conversation now in light of the new generation of international "trade" agreements that could transform water from a public resource to an open market commodity with Wall Street calling the shots.

We also need to question why we need to look to the ocean for a new source of drinking water. As long as we continue to grant waiver after waiver to the Clean Water Act agriculture and industry will continue to pollute our existing fresh water supplies and groundwater reserves. The argument is often that it is too expensive to clean up the pollution. The buck must stop here before the opportunity to further pollute the ocean is handed over to private industry.

Currently the California Coastal Commission has a Draft Report on **Seawater Desalination and the California Coastal Act** available on their web site at <http://www.coastal.ca.gov/energy/Th9b-8-2003.pdf>. The State Water Resources Board has draft position papers on their web site <http://www.swrcb.ca.gov/index.html>. Read these documents. Make comments to the appropriate agencies. Ocean water is a public trust resource and must be protected for the benefit of present and future generations.

## Help Lead the Sierra Club into the Future (Join the Executive Committee)

The Santa Lucia Chapter of the Sierra Club is now searching for candidates to serve on Executive Committee (ExCom, or Board) for the year 2004. Members of the ExCom play an important role for the Chapter by making local club decisions on important issues, establishing the direction the Sierra Club takes in the future on a wide variety of issues from conservation, politics, programs for members and the general public, and other day-to-day and fun activities.

We have hired a staff person to help with many of these tasks. All that is necessary is for the board to give direction when needed.

Below is a brief description of how the ExCom's duties have been split up in the past. The actual task defined for the ExCom are set up by the ExCom members themselves.

The Executive Committee is made up of a seven members as described below:

**Chapter Chair** - Responsible for keeping general issues and priorities in order and making contact with other chapters as required.

**Vice Chair** - Responsible for setting up programs 9 times a year with help from other existing members lending support.

**Secretary** - Keeps the minutes of the Executive Committee meetings and may write correspondence to others if required.

**Treasurer** - Keeps track of the clubs funds, writing checks for club expenses and help plans the budget for the upcoming year.

**Fifth, Sixth, and Seventh Officers**, are general members at large and may be a representative for the Outings Group, Conservation Committee, Political Committee or other committees if they are formed.

If you or someone you know wants to help direct the club's future, please contact Terri, Chapter Coordinator, at 543-8717, or via e-mail at [santa.lucia.chapter@sierraclub.org](mailto:santa.lucia.chapter@sierraclub.org)

# Volunteer Opportunities

Call our office at 543-8717 or e-mail us at [santa.lucia.chapter@sierraclub.org](mailto:santa.lucia.chapter@sierraclub.org) to volunteer.

**San Luis Obispo Creek Day Booth and Cleanup.** September 27, 9 am-3 pm. Mission Plaza, San Luis Obispo. Help pass out information or show up first thing to pick up trash along the creek.

**Office Help.** Our Chapter Coordinator needs help providing information on Sierra Club activities to our members. Can you help answer the phone? Work with the volunteer database? Coordinate events? The office is open from 10 a.m. to 2 p.m., Monday through Friday.

**Conservation Committee Members.** The Sierra Club would love to have you join us on the many conservation issues in our local area and beyond. Currently we are concentrating on protection of the San Simeon Area, Diablo Canyon Nuclear Power Plant Permit, Duke Power Plant at Morro Bay, National Estuary Program at Morro Bay, and the Marine Interests Group. See details below.

- **Diablo Canyon Nuclear Power Plant**, where we are co-intervenors with the Mothers for Peace on PG&E's application to the NRC to construct an outdoor site for storage of used nuclear fuel rods. We are Parties in the Central Coast Regional Water Quality Control Board's hearings on PG&E's permit to continue to use ocean water for once-through cooling. We are also participating with the MFP in a petition to the California Public Utilities Commission to reconstitute the Diablo Canyon Independent Safety Committee in order to add public outreach to its responsibilities. We need people to read, analyze, attend meetings, and write letters.

- **Duke Power Plant at Morro Bay**, where we are working with the Coastal Alliance on Plant Expansion on eliminating the high mortality of estuarine larvae and eggs that are sucked into the cooling water intake. We are urging the use of dry cooling which uses no estuarine water at all. This will likely end up as a statewide Sierra Club effort to eliminate once through cooling for all new or reconstructed plants in California. Again, volunteers to read, analyze, attend meetings, write, and lobby.

- **National Estuary Program at Morro Bay**, where we participate in key committees that deal with an extensive MBNEP program to reduce sediment input to Morro Bay, to monitor Bay water quality and marine life, and to educate the public. Interested volunteers can help out the program by signing up for field sampling in the Bay and tributary streams, and serving as guides in the newly formed museum.

- **Marine Interests Group**, a recently formed body for which we serve on a Working Committee that is attempting to bring together all the marine interests on the central coast and create a long term program for protection of the coastal region along the lines of a marine sanctuary or equivalent organization. We need volunteers to attend its meetings and report to the Conservation Committee.

**Membership, Programs and Special Events.** We strive to provide quality information to our members and the general public. We are looking for individuals to help set up, coordinate and arrange upcoming events with the Sierra Club. A sampling of events we need help for include our monthly general meeting program, annual summer picnic, Creek Days, Earth Day Fair, SLO Botanical Garden Festival, Christmas in the Plaza, Farmers Market and many more.

**Chapter Fund Raising for Saving Special Places along the Central Coast.** The Sierra Club has created two special accounts on the Central Coast: The Morros Preservation and SLO Land Preservation Fund. In order for these funds to be most effective, we need help in raising money for these for different projects along the Central Coast. As funds are acquired, we can then offer local organizations grants for much larger amounts.

**Outings Leaders and Leader Assistants.** The Santa Lucia Chapter is looking for individuals to help organize, lead and assist our current outings program. Help is needed for the Sierra Singles, Singles Coordinator, Canoe/Kayak Section, Sierra Campers with Kids, and our regular outings program. No experience is necessary, we will provide the necessary information and training to help you get started.

**Trail Watch Volunteers.** With today's declining budget the Forest Service, State Parks, and County of San Luis Obispo continue to look toward volunteers who travel many of the local trails surrounding San Luis Obispo. The volunteers coordinated through the Sierra Club or other trail organization may make reports on current trail and camp conditions or may be asked to help with building new trails or maintaining existing ones.

If you would like to volunteer, help organize the Trail Watch Volunteers, or just be put on a mailing list for future events, call our office at (805) 543-8717 or e-mail us at [santa.lucia.chapter@sierraclub.org](mailto:santa.lucia.chapter@sierraclub.org)

More information is available on our Trail Watch Section of the Sierra Club Web Page.

**Newsletter Mailing Help.** Come help with labeling and mailing our newsletter once a month. Call our office at (805) 543-8717 or e-mail us at [santa.lucia.chapter@sierraclub.org](mailto:santa.lucia.chapter@sierraclub.org)

**Political Committee Members.** Come help the Club review proposed legislation, review the positions of candidates for various offices, and contribute opinions for recommendation to our Executive Committee! Contact Colby Concho Crotzer at [colby@fix.net](mailto:colby@fix.net) or at 772-9253.

## LCP Update

continued from page 1

- 2.17 – Prohibit Creation of New Development Potential in Cambria and Los Osos
- B. Water Quality
  - 3.2b – Modify Grading Ordinance Exemptions for Agricultural Activities
  - 3.3 – Area Plan Updates
    - 3.6a – Prohibit Subdivision Grading on Slopes Over 30%
  - 3.6b – Expand Criteria for Requiring a Sedimentation and Erosion Control Plan
  - 3.6c – Require Water Quality Control Plan
    - 3.7a – Provide Framework for Comprehensive Watershed and Water Quality Protection Component
- C. Environmentally Sensitive Habitat Areas
  - 4.1 – Revise the LCP's Definition of ESHA<sup>1</sup>
  - 4.2 – Revise and Update ESHA Combining Designations
  - 4.3 – Update Requirements for Biological Investigations and Reports
  - 4.8a – Expand Application of Rural Area SRA Standards
    - 4.8b – Evaluate all Alternative Locations that Avoid and Minimize ESHA Impacts
  - 4.9 – Thoroughly Review and Aggressively Pursue Project Alternatives that Avoid Impacts to ESHA
  - 4.14 – Coordinate Review of Projects that Pose Impacts on Listed Species with DFG, USFWS, and NMFS
  - 4.15 – Specify Mitigation for Development Within and Adjacent to ESHA
  - 4.18 – Delete the Exemption for Stream Diversion Structures Associated with Agricultural Stock Ponds that Impact Stream Habitat
  - 4.19 – Analyze Streambed Alterations for Conformance with CZLUO
  - 4.26 – Incorporate Additional Standards for Stream Diversions
  - 4.32 – Prohibit Variances to Wetland and Other ESHA Protection Standards
  - 4.33 – Develop Standards for the Breaching of Coastal Lagoons
  - 4.36 – Coordinate the Management and Protection of Open Space Easements
  - 4.38 – Aggressively Pursue Project Alternatives That Avoid Tree Removal
  - 4.39 – Increase Tree Replacement Requirements
  - 4.41 – Provide Greater Incentives for Participation in the Cambria TDC Program
  - 4.43 – Reduce Buildout Potential
  - 4.44 – Identify all Urban Habitat Areas and Apply ESHA Standards
  - 4.49 – Refer to Recent Commission Findings on Oceano Dunes OHVRA
  - 4.50 – Update Provisions for Development Activities at Oceano Dunes OHVRA
  - 4.53 – Designate as ESHA All Habitat for Western Snowy Plover and Least Tern
- D. Agricultural Resources
  - 5.1 – Require Agriculture Viability Report for Any Rezoning of Ag Lands
  - 5.2 – Expand Factors Considered in Viability Studies of Ag Rezoning
  - 5.3 – Expand Contents of Agriculture Viability Reports for Ag Rezoning
  - 5.4 – Expand Criteria for Lotline Adjustments on Agriculturally Zoned Lands
  - 5.7 – Consult with Commission on Certificates of Compliance
  - 5.8 – Develop Standards for Residential Development on Agricultural Land
  - 5.9a – Expand Definition of Supplemental Uses of Agriculturally Zoned Land
  - 5.9b – Require Economic Analysis for Supplemental Uses
  - 5.9c – Require Agricultural/Open Space Easements for All Supplemental Uses
- E. Public Access
  - 6.4 – Provide Direct Dedications of Access and Evaluate Performance Standards
  - 6.5 – Document and Pursue Prescriptive Rights
- F. Coastal Hazards – check to see if BOS removed any of these from Phase I
  - 7.7 – Strengthen Measures to Ensure No Future Armoring
  - 7.8 – Adopt Areawide Shoreline Management Plans
- G. Scenic & Visual Resources
  - 8.1 – Enact Critical Viewshed Protection Policy for North Coast Area
  - 8.2 – Designate all Highly Scenic Areas as Sensitive Coastal Resource Areas<sup>2</sup>
- H. Cultural Resources
  - 9.1 – Update Cultural Resources Overlay Maps
  - 9.4 – Prohibit Permit Exemptions When Cultural Resources May Be Impacted
- I. Implementation
  - 12.4 – Revise Permit Exemptions Under CZLUO 23.03.040
  - 12.9 – Update Permit Application Requirements
  - 12.15 – Expand Standards for Approval of Variances

### II. Timeline for Completion

During the Commission hearing on June 12, 2003, the County presented a timeline for completing a response to all 165 Periodic Review recommendations. The County predicted that it would not submit Phase II LCP amendments to the Commission until *July 2004 at the earliest*, Phase III amendments until *January 2005 at the earliest*, and an updated North Coast Area Plan until *October 2004 at the earliest*. The County must not be allowed to further delay the implementation of Periodic Review, and should set more ambitious goals to quickly bring its LCP into conformance with the Coastal Act.

The following fair and reasonable timeline would enable the County to adequately complete the remaining Periodic Review priorities listed above:

**Administrative Actions – Complete by January 2004.** These represent minor changes to County procedures, including improving permit processing, updating permit application forms, and improving coordination between the County and other interested state and federal agencies. These changes can be quickly achieved through additions to the County's Policies and Procedures Manual. Such routine administrative actions should be completed quickly and no later than January 2004.

**Policy/Ordinance Amendments & New Programs – Submit to Commission by March 2004.** These include amendments to the County's LCP, Coastal Zone Land Use Ordinance, Grading Ordinance, and other policies and codes. The County Board of Supervisors authorized the County to begin work on several of these changes on May 6, 2003. Since these changes require only a relatively small amount of staff time to draft, and since in many cases Commission staff provided appropriate ordinance language in its Periodic Review document, the County should be able to submit these amendments to the Planning Commission by October 2003. Planning Commission approval would follow in December 2003, and approval by the Board of Supervisors would follow in February 2004.

**North Coast Area Plan Update – Submit to Commission by June 2004.** The County currently anticipates submitting its North Coast Area Plan ("NCAP") update to the Commission in late 2004 or sometime in 2005. However, the County already performed a substantial amount of work on the NCAP update in the late 1990s. We therefore believe that a more appropriate timeline would require the County to present an updated NCAP to the Planning Commission in January 2004, followed by Board of Supervisor approval in May 2004 and a June 2004 submission to the Coastal Commission.

As you know, the County previously attempted to update its North Coast Area Plan ("NCAP") in 1996 and 1997. Citing several inconsistencies with the Coastal Act, the Commission in January 1998 unanimously denied the County's NCAP amendments, and presented the County with a detailed framework of suggested modifications designed to bring the NCAP into compliance with the Coastal Act. Since the County will not be "starting from scratch" as it continues its work on updating its NCAP, we believe that a June 2004 submission to the Commission is reasonable.

This timeframe also provides the County with an excellent opportunity to address the NCAP update in a comprehensive manner. Currently, the County intends to bifurcate the NCAP update by first updating the portion of the NCAP affecting "urban" areas, and indefinitely postponing any work on NCAP updates affecting "rural" areas. On May 6, 2003, the County Board of Supervisors endorsed this bifurcated approach and authorized the County to begin work on the "urban" policies. The County's bifurcated approach not only violates the California Environmental Quality Act (which prohibits "piecemealing" of projects), but would also make difficult or impossible the Commission's evaluation of cumulative environmental impacts.

The County has adequate resources to complete a comprehensive NCAP update by June 2004. Due to the significance of the NCAP update, and since five years ago the Commission provided the County with detailed recommendations on the NCAP update, it is reasonable to expect that the County could submit a draft NCAP Update to the Planning Commission by January 2004, to the Board of Supervisors by April 2004, and to the Coastal Commission by July 2004.

**New Studies & Maps – Complete by January 2005.** Several priority Periodic Review recommendations require the County to update maps (such as ESHA and SRA overlays), perform studies, and undertake biological inventories. The County should begin laying the groundwork for these new studies and maps to ensure that these maps are updated and completed in a timely manner. In addition, Commission staff and the County should prioritize these new studies and maps to ensure compliance with the above timelines.

Thank you for considering our recommendations to ensure that the County completes its implementation of periodic review in a timely and effective manner.

Sincerely,

Jeff Kuyper  
Legal Analyst

cc: Charles Lester, Deputy Director, Central Coast District Office, California Coastal Commission

John Euphrat, Principal Planner, Coastal Planning & Permitting, San Luis Obispo County

Doug Buckmaster, Friends of the RanchLand

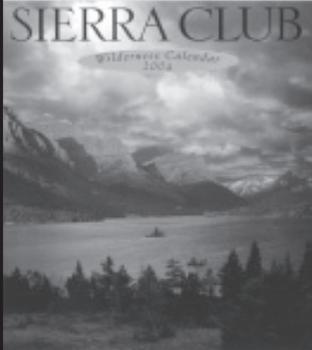
### (Footnotes)

<sup>1</sup> The County originally addressed Recommendation 4.1 in the recently-approved Phase I amendments, but at the last minute, the County Board of Supervisors removed the revised ESHA definition from consideration due to landowner concerns over expanding the Coastal Commission's appeal jurisdiction.

<sup>2</sup> The County Board of Supervisors removed SRA designations from Phase I under pressure from the Hearst Corporation.

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## Sierra Club Supports City Acquisition of Ahearn Ranch

by Neil Havlik

The 611-acre Ahearn property is a rugged, scenic property on the slopes of the Santa Lucia Mountains about four miles from the City of San Luis Obispo. Being physically bisected by US Highway 101 as it descends the Cuesta Grade from Cuesta Summit to the upper end of the San Luis Valley, the property provides much of the scenic character that travelers enjoy as they drive up or down the Grade. Purchase of the property for public benefit purposes would create a wide variety of recreation and habitat enhancement opportunities, including:

- **Addition to Los Padres National Forest.** About 85% of the Ahearn property lies within the boundaries of Los Padres National Forest (LPNF), and the remainder is forested land adjacent to the Forest. The property would be transferred into the ownership of the Forest Service, subject to arrangements such as a management agreement or certain portions remaining with local agencies, allowing local entities to build and maintain recreational features of the site. These would include trails that would provide recreational connection between the East and West Cuesta Ridge portions of LPNF, to the Anza Trail, and to the trail system of Cal Poly University, which adjoins the property on the west. The property includes a large tunnel under Highway 101 used to drive livestock from one portion of the property to the other, and this tunnel is large enough to allow pedestrians, bicyclists, and equestrians to safely cross under the highway. The property includes significant grassland, coastal brush, and forest and several important local streams which are appropriate additions to the National Forest.
- **Preservation of Scenic Character of a Length of the Juan Bautista de Anza National Historic Trail.** Acquisition of the property would ensure preservation of the scenic character of this portion of the Juan Bautista de Anza National Historic Trail (NHT). This is a project of the United States National Park Service being done in conjunction with local and regional organizations. A county road (Stagecoach Road) which connects to Highway 101 at the bottom and at the top of the Cuesta Grade is the adopted route of the NHT in this area. The property therefore provides a significant benefit to the NHT by preserving the rural and scenic character of the trail surroundings, which are presumably not that different from what would have been experienced by the de Anza Expedition in 1769.
- **Preservation of Scenic Character to a Federal Highway, and Preservation of Portions of Former Highway Traces.** This area has a long history as an important pass through the coastal mountains, and it contains the aboriginal routes, the so-called Padre's Route (Anza NHT), and portions of two earlier routes of the current major highway crossing the pass. Nearby is the railroad crossing of the pass, built in 1894.
- **Enhancement of Habitat for Southern Steelhead and for California Red-Legged Frog, both Federally-Listed Endangered Species, and Other Species of Concern.** Acquisition of the property offers significant habitat conservation opportunities involving a number of rare local species including the red-legged frog, southwestern pond turtle, Central Coast newt and the southern steelhead which inhabit San Luis Obispo Creek. In addition, important raptors, such as golden eagle, red-tailed hawk, and even occasional California condors can be found on or near the property.
- **Opportunity for Water Quality Improvements in Support of the Clean Water Act.** The project would provide opportunities to enhance water quality in San Luis Obispo Creek by the installation of detention basins to capture storm runoff from the Highway and cleanse that runoff by detention and biofiltration before discharging it into San Luis Obispo Creek. Sediment has been identified as a significant impairment to water quality in the San Luis Obispo Creek watershed, and much of the silt problem is associated with storm runoff from the Highway.
- **Opportunity for Significant Partnering Between the Federal, State and Local Governments.** Local funds for the project total approximately \$300,000 and State funds about \$600,000 at this time. Another \$300,000 is currently being pursued at the local and State level. This will make a total of \$1,200,000 from local and State sources. Combining this with \$1,500,000 from the Federal government would achieve the purchase price of approximately \$2,700,000 and provide for initial development of recreational use and resource enhancements at the site. It is expected that a management agreement would be created between the Forest Service, representing the Federal government, and a consortium of local agencies and nonprofit organizations to implement maintenance and development activities there. As a result there would be only very minor administrative costs that would burden National Forest staff in dealing with the property. The partnership includes the following anticipated funds:

City of San Luis Obispo funds	\$300,000
State Habitat Conservation Fund	\$100,000
State Coastal Conservancy funds	\$500,000
Wildlife Conservation Board funds	\$300,000
Federal funds	\$1,500,000
TOTAL	\$2,800,000

Citizen and group pledges such as from the Sierra Club indicate the importance the public places on this project and the level of support it enjoys.

The Santa Lucia Chapter of the Sierra Club has already pledged \$1,000 of its local funds towards this project and is seeking to making a larger contribution. To do so, we need help of members and the general public by making a donation to Sierra Club Foundation SLO Land Preservation. All donations are tax-deductible. For more information on the project call Gary Felsman at 473-3694, or Neil Havlik at 781-7211.

## Canoeing and Kayaking with Mozart

by Jack Beigle

Talk about a first class outing! This one has to be one of the best. We launched 20 boats on a beautiful summer day. The wind was light and the tide was rising, giving us a boost as we paddled from the marina toward Baywood. We enjoyed watching a flight of white pelicans fly overhead. They make flying look so easy and effortless.



When we arrived in Baywood we anchored our canoe off the end of the Baywood Pier and most of the other boats paddled their bows up on the beach by the pier to get a front row seat. We ate our gourmet picnic lunches in our boats while the brass quintet got ready for their performance. It was a great performance that ranged from Mozart to The Little Brown Jug and the theme from the Pink Panther.

There were lots of people on the beach and I counted 50 canoes and kayaks in addition to several sailboats and rowboats. As an added benefit, the Baywood Navy provided free cookies for everyone. After the concert, as we paddled around the Baywood Point and headed back to the marina, we had a good feeling to be part of such a large fleet of small boats. It was truly an outstanding outing.

## Baywood for Lunch

Every summer we schedule a paddle from the Morro Bay State Park Marina to Baywood where we beach our boats and walk into town to buy lunch at various establishments. (We usually work up a good appetite while paddling.)

Some of us bring a picnic lunch to eat on the pier while keeping an eye on the beached boats. After lunch we compare notes on the quality of the various menus and we burn off a few calories as we paddle back to the marina.

We launched our boats and paddled out of the shallow water in the Baywood cove. Before we reached the deeper water one of our group said that she thought that she saw a shark fin close to our boats. I watched the water surface and the fin came up again, but it wasn't a shark. There were two fins, about 4 feet apart. They were the wing tips of a large bat ray. As we paddled we saw we were following a school of 6 bat rays that were swimming away from us. As we gained on them we could see their wing tips breaking the surface all around us. It was very exciting.

There is nothing like a little serendipity to brighten-up an outing.

Check the outing schedule and join us on the water.

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Call us about available homes 800-489-8715  
or visit [www.OakCreekCommons.org](http://www.OakCreekCommons.org)



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Classified ads are \$10 and are limited to 20 words. They are due by the first week of the month of publication (next deadline is October 1). Please submit your ad and payment to:

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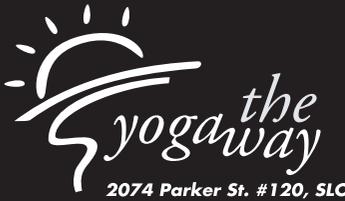
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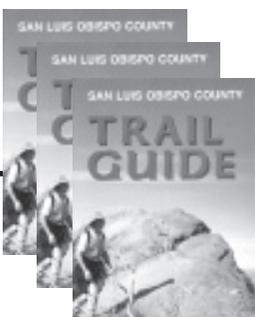
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# Outings and Activities Calendar

All of our hikes and activities are open to all club members and the general public. 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 Leader Gary Felsman (473-3694). For information on a specific outing, please contact the outing leader. Outings Leaders please get your outings or events in by the 10th for the next month's outings.

## Hiking Classifications:

**Distance:** 1 = 0-2 mi., 2 = 3-5 mi., 3 = 6-9 mi., 4 = 10-12 mi., 5 = 12 mi. or more.

**Elevation Gain:** A = 500', B = 1000', C = 1500', D = 2000', E = 2500', F = 3000' or more.

**Sat., Sept. 13, POTLUCK HIKE AT POINT SAL ROAD:** Moderate 5-mi. RT hike with uphill most of the way to our lunch destination and mostly downhill on the way back. Bring a daypack with food to share, as well as a plate, utensils, and water for yourself. Meet at the Lompoc Pizza Hut parking lot at 9:20 am or Hwy 1 and Brown Road at 10 am. Hikes change, always contact the leader. PEGGY 733-2340 (AR)

**Sun., Sept. 14, 9:00 am, Salmon Creek Trail to Estrella Camp.** Join the leader on this late summer hike in southern Big Sur. The hike is about 6 miles in length with 1700 ft of elevation gain. There will be great views of the coastline and Spruce Camp is a lovely place to take a short break by the streams. There is a possibility of ticks and poison oak. Bring water, snacks or lunch, good hiking shoes and dress for the weather. Meet at the Moonstone Antiques' parking lot in Cambria. To get there take a left on Windsor, which is the third stop light in Cambria and then take an immediate right on Moonstone Beach Drive. The antique store will be on your left. For info, contact Chuck at 927-3769.

**Sun., Sept. 14, 9:30 am, COAST NATURE HIKE:** We'll enjoy a remote area of the Nipomo Dunes on a 4 mile nature hike away from civilization/engines/people in the tradition of HDThoreau. For location check a few days before. Confirm a few days before at 929-3647 or bdenneen@slonet.org

**Wed., Sept. 17, 5:30 pm, Mystery Hike Revealed, San Luis Mountain.** Meet at the Maino Open Space Area at the Marsh Street onramp in SLO. Details call Gary 473-3694

**Sat., Sept. 20, 8 am, LOPEZ LAKE HIGH RIDGE:** We will take the High Ridge trail and then wend our way around the lake and back. (10 miles, 500 ft elev. gain). Meet at the Lompoc Pizza Hut parking lot at 8 am. Hikes are subject to change, always contact the leader. DEAN 736-6685 (AR)

**Sat., Sept. 20, 9:30 am, CANOE/KAYAK MORRO BAY Sand Spit Clean Up.** Help us improve the estuary by cleaning a section of the Morro Bay Sand Spit. See what rare and unusual treasures you can find. After lunch we will have a short business meeting to discuss future outings. Bring your boat and equipment, PFDs, picnic lunch, gloves and binoculars. We will provide trash bags. For details call Jack at 773-2147.

**Fri.-Sun., Sept. 19-21, Car Camp, Quinn Canyon Range, Eastern Nevada:** Friday morning we will meet at Cherry Creek Campground then visit with some locals and learn about the environmental effects of fire suppression on the pinyon-juniper woodlands common in Eastern Nevada. Saturday will be day hikes in the North Quinn Canyon Range. John Hiatt will lead a hike to the top of Troy Peak (11,298'), while others will join Stan Weidert on a 5-8 mile hike that will do mostly nature observation. Saturday night we will either return to Cherry Creek or relocate to lower Schoefield Canyon. Sunday there will be an

optional short hike before leaving for home. For more details contact Ldr: Stan Weidert (530) 474-3180; [sweidert@c-zone.net](mailto:sweidert@c-zone.net), or Asst. Ldr: John Hiatt (702) 361-1171; [hjhiatt@anv.net](mailto:hjhiatt@anv.net). CNRCC Desert Com/Toiyabe Chapter

**Sun., Sept. 21, 10:00 am, BLACK LAKE:** Jack is the leader. Call SLO Land Conservancy for details 544-9096

**Wed., Sept. 24, 5:30 pm, Mystery Hike Revealed, Location to be determined.** Check web site for details, [www.santalucia.sierraclub.org](http://www.santalucia.sierraclub.org). Details call Gary 473-3694

**Sun., Sept. 28, 9:30 am, KAYAK OSO FLACO LAKE:** Meet at lake with kayak, PFD and mechanism to move kayak to lake. Bring binoculars for bird watching. Confirm 929-3647 or bdenneen@slonet.org. Rain cancels.

**Wed., Oct. 1, 5:30 pm, Mystery Hike Revealed, Location to be determined.** Check web site for details, [www.santalucia.sierraclub.org](http://www.santalucia.sierraclub.org). Details call Gary 473-3694

**Sat., Oct. 4, NIPOMO CREEK DAY:** Clean up the watershed. The big enviros social event for Nipomo with demonstrations, tables, food music etc.

**Sun., Oct. 5, 9:30 am, BICYCLE GUADALUPE to OCEAN:** Meet at Dune Centre parking lot with bike and helmet. An easy, educational tour of Guadalupe and then to ocean. Confirm with Bill at 929-3647 or bdenneen@slonet.org

**Wed., Oct. 8, 5:30 pm, Mystery Hike Revealed, Location to be determined.** Check web site for details, [www.santalucia.sierraclub.org](http://www.santalucia.sierraclub.org). Details call Gary 473-3694

**Sun., Oct. 12, 9:30 am, PISMO DUNES PRESERVE:** Meet at Melodrama in Oceano 0930. Hike the most beautiful dunes to a Dune Lake via a secret passageway. Listen to HDThoreau. Confirm a few days before at 929-3647 or bdenneen@slonet.org



Photo by Joaquin Palting

**Wed., Oct. 15, 5:30 pm, Mystery Hike Revealed, Location to be determined.** Check web site for details, [www.santalucia.sierraclub.org](http://www.santalucia.sierraclub.org).

Details call Gary 473-3694

**Sat., Oct. 18, 10 am, CANOE/KAYAK Morro Bay Estuary.** Come explore the Morro Bay Estuary with Jack Beigle and friends. Every day is different on the bay. It should be a beautiful fall day. Bring your boat and equipment, PFDs, windbreaker, warm clothing, and a picnic lunch. Meet at Morro Bay State Park Marina. For details call Jack at 773-2147.

**Sun., Oct. 19, 9:30 am, POINT SAL HIKE:** Meet at end of Brown Rd. 0930. Bring optional Mt. Bike for fast ride back down hill. The first 2.5 miles is uphill (1,000 ft). We'll stop a lot going uphill to botanize, solve all the planet's problems and give a GOF a rest. Bring lunch, water, fit dogs that do not chase cattle. Confirm just before event: 929-3647 or bdenneen@slonet.org

**Wed., Oct. 22, 5:30 pm, Mystery Hike Revealed, Location to be determined.** Check web site for details, [www.santalucia.sierraclub.org](http://www.santalucia.sierraclub.org). Details call Gary 473-3694

**This is a partial listing of Outings offered by our chapter.**

**Please check the web page at [www.santalucia.sierraclub.org](http://www.santalucia.sierraclub.org) for the most up-to-date listing of activities.**