



SIERRA
CLUB

July/August 2004
Volume 41, No. 7

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GENERAL MEETING

Come learn about the
Carrizo Plain!
July 20 @ 7:00 p.m.
Meadow Park Rec Center
San Luis Obispo

No meeting or newsletter
in August. See you in the
fall!

Hearst Alert

Stay on top of developments in
the Hearst Ranch conservation
deal and be a part of the Sierra
Club's efforts to get the best
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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

Minority Report

Marine Sanctuary Drowning in Crumbs of Compromise

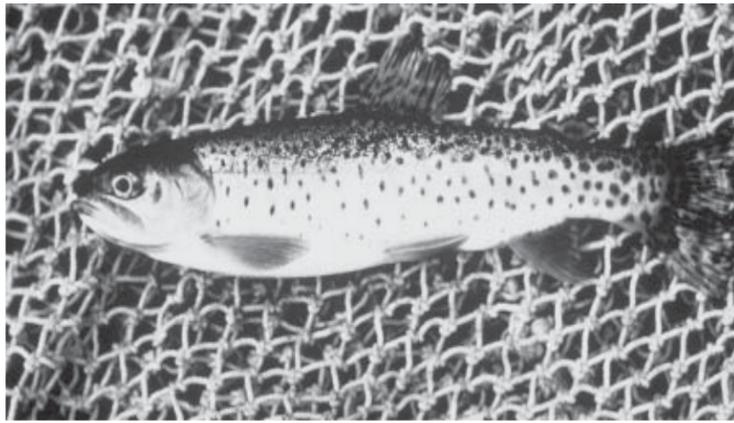


Photo by Bob Benke/USFWS

by Leslie Krinsk

(Editor's note: The Marine Interest Group of San Luis Obispo County is an advisory body convened in January 2003 to assess coastal marine resources and recommend actions to sustain and enhance the viability of local marine wildlife and habitat. When the MIG Working Committee issued its one-year progress report, the Committee facilitator refused to include the statement of at-large member Leslie Krinsk, who is also a member of the Conservation Committee of the Santa Lucia Chapter. This is the full text of her suppressed statement.)

I have been honored to be a member of the Marine Interest Group (MIG) Working Committee during the last year. Elected as a member-at-large, I sought to represent the interests of the people of San Luis Obispo County as a whole, and not any particular group. I believe that the American people literally hold in trust the marine life in the waters off our coast for the generations to come. We bestow upon some the privilege—not the right—to extract marine resources for the common good or to use those resources for personal satisfaction. Overarching this use must be the active principle that the responsibility to conserve the environmental health and ecological integrity of the ocean is our primary charge.

In the case of the Working Committee of the MIG, this charge was perverted by three factors: an atmosphere of forced consensus; dominance of the extractive/exploitive users; and a paucity of local coastal data, used as an excuse for “business as usual”. The three are related, as explained below.

I believe that the conservation perspective met with serious resistance from the consumptive users on the Committee, who perceive their use of ocean resources as an inalienable right that trumps the interests of the public. Members of the Committee were told point-blank that certain regulatory options, specifically the designation of our stretch of coast as a National Marine Sanctuary, would not be politically acceptable unless the

“No group ever volunteers to be regulated, and all point to lack of data as an excuse for delay”

fishermen went along with it. This view was held by even the most conservation-minded people who oversaw our activities and who had connections to Washington—home of the National Oceanic and Atmospheric Administration (NOAA), which is responsible for marine sanctuaries. This chilling pronouncement and the desire to reach some kind of consensus jeopardized, in my view, the fundamental integrity of the process

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Gimme Shelter from the Storm

by Jim Patterson, Supervisor-elect,
3rd District

The words of both Mick Jagger and Bob Dylan expressing the basic human need for shelter ring truer today than they did when first sung. Undeniably, the lack of affordable housing is the single most critical local issue facing residents of San Luis Obispo County. The lack of affordable housing in the cities and county of San Luis Obispo is having adverse impacts that permeate all sectors of our society. Whether the issue is education, jobs and the economy, health services, public safety, preservation of open space and agricultural lands, transportation or keeping our loved ones close by; nothing goes untouched by this problem. If we are to create a community with character and diversity and maintain the quality of life we currently enjoy, then we must work collectively and aggressively to resolve the affordable housing crisis.

Educational opportunities are lost as schools struggle with budget deficits that are a direct result of declining enrollments. Teacher layoffs and program closures fall victim to budget cuts. Recruitment and retention of qualified personnel also affects the quality of education and is a significant factor in providing adequate health services and meeting the needs of business and industry. We hear repeatedly from the business and health care communities that prospective employees resist coming to the area because they cannot afford the price of housing. In many instances, qualified employees leave the area because they cannot afford to buy a home. Several businesses have moved away because of the lack of a trained work force, a condition again attributed to the lack of affordable housing. Losing businesses is a trend

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—John Muir



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Outings, events, and

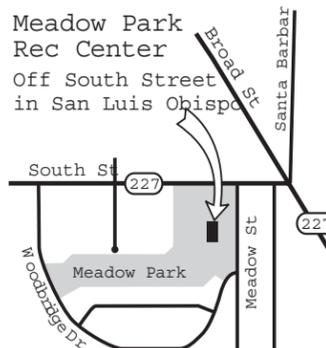
Santa Lucia Chapter General Meeting

CARRIZO PLAIN: WILDLIFE AND MORE

The Carrizo Plain is our Chapter's only National Monument. Far from any urban center, it is a lonely, beautiful basin bounded by the Caliente Mountain range on the west and the Tembor range on the east along the San Andreas fault. Within its boundaries is a rich variety of animals and plants from Soda Dry Lake to the top of Caliente Mountain. Come see pictures of this wildlife, particularly the photographs of graceful pronghorn antelope by researcher Alice Koch. The Bureau of Land Management is completing their Resource Management Plan for the Monument, and a member of the staff will present the plan and answer questions. Pat Veesart will also help us understand the complexities of the plan.

This will be a great meeting to learn about "our Monument." Sierra Club members and the general public are invited to this interesting and informative meeting. Bring your friends. Refreshments will be served.

Tuesday, July 20, 7:00 p.m.
Meadow Park Rec Center
San Luis Obispo



Save the date!!

Speaking Up for Carrizo

by Sarah Christie

On Saturday, May 22, the Carrizo Resource Advisory Committee (RAC) held a public meeting at the historic Washburn Ranch to discuss various proposed alternatives for protecting natural resources, Native American cultural sites, and public access on the 250,000-acre Carrizo Plain National Monument.

The Committee is charged with making recommendations to the Bureau of Land Management about how to proceed in updating the Resource Management Plan (RMP) to reflect the Clinton administration's designation of the area as a National Monument. The Monument is home to the highest concentration of Threatened and Endangered species in California and the RMP is the plan that will guide the BLM's management decisions in the years to come.

More than a dozen concerned citizens from the county and beyond attended the meeting and participated in a lively and well-informed discussion about Carrizo's future. The RAC took several decisive actions that reflected their commitment to protecting the Monument. After lengthy consideration and an impassioned and articulate argument from Native American Representative Michael Khus, the RAC voted to recommend closing the sacred Painted Rock site to the public, except for guided tours, until the BLM hires adequate numbers of staff to patrol the area. Vandalism at Painted Rock has greatly diminished since the BLM took over management, but still remains a concern.

The RAC also fended off an attempt by BLM staff to water down efforts to better control grazing on the monument. Of the four alternatives ranging from status quo to a total prohibition on grazing, they had previously favored "Alternative 3" as the "preferred alternative." This alternative would convert the traditional grazing leases, which have led to extensive over-grazing and erosion, to "free use" permits which would be managed by biologists to benefit native plants and animals. Selecting Alternative 3 would mean that, in the future, all grazing on the monument would be managed for biological purposes.

But at the meeting, BLM staff made a new proposal, Alternative 3a, which would make the conversion voluntary. This would have resulted in no change in current status, and was essentially worthless. The public unanimously supported Alternative 3, as did the Department of Fish and Game. "The benefits of this proposal are illusory," said RAC member Bob Binniwies. "We have endorsed Alternative 3 before and I don't see any reason why we would consider changing that."

Nobody else did, either.

The Bakersfield Field Office has a new manager, Ron Huntsinger, who appeared to be unhappy with the recommendations of the RAC. He attempted to justify the 3a proposal by saying that BLM attorneys have questioned whether or not the agency has the authority to convert grazing leases from one type to another. If the BLM ultimately takes this as an official position, it will likely face a legal challenge by environmental groups.

The Sierra Club does not support any grazing on public lands in areas of low rainfall. However, Alternative 3 may be consistent with this position, as it allows the monument managers the flexibility to make grazing decisions based on changing biological conditions. Several threatened and endangered species in the area like burrowing owls, kit foxes, blunt-nosed leopard lizards, mountain plovers, and giant kangaroo rats are dependent on bare ground or low vegetation for their survival. The proliferation of non-native plants in wet years poses a real threat to these species since their habitats have been significantly reduced. Grazing is a tool used to keep non-native plants under control.

The RAC also held strong on the question of road closures and protecting wilderness values on the monument. These recommendations will be conveyed to a group of BLM staff from Washington DC who are coming out to visit the Monument. After that visit, the BLM will release the Public Review Draft of the RMP. It will be up to the State Director to decide which alternatives are identified as the preferred alternatives in the document.

To request a copy of the Draft RMP, call Monument Manager Marlene Braun at (661) 391-6119.

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The Executive Committee meets the fourth Friday of every month at 5:00 p.m. at the chapter office, located at 1204 Nipomo St., San Luis Obispo. All members are welcome to attend.

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Sierra Club's Grapes Are Just Fine, Thanks

by Tarren Collins, Chapter Chair

Though it has been a favorite trope of local op-ed writers, it is time to lay to rest the oft-repeated "sour grapes" charge leveled at the Sierra Club over our supposedly having been passed over for participation in the negotiation of a conservation deal on the Hearst Ranch. The Sierra Club is not a land trust. We never had any expectation of negotiating a deal with the owners of this land nor have we sought to do so. That's not what we do. Rather, we work to get the best deal we can for the public and the environment when such deals are proposed or negotiated.

The Sierra Club's position on the conservation of the Hearst Ranch, like all our policies, was arrived at via the democratic process, which means a majority vote of our membership or their elected representatives. Every one of our members doesn't always agree with every position we take, but the vast majority of Sierra Club members at every level - local, state and national - wholeheartedly support the position we have taken on Hearst Ranch. Tim O'Keefe, author of the latest "sour grapes" broadside to erupt from the Tribune, is, like any other Sierra Club member, entitled to his opinions. But it is not appropriate for anyone to cite their Sierra Club membership in an attempt to undermine specific positions, policies, and work of the Sierra Club. This is especially true of somebody in a leadership position in the Club.

For the record, our position on this important issue is that:

A transparent, meaningful public process should occur prior to closure of the proposed Hearst Ranch conservation deal;

there should be ongoing public involvement in, oversight of, and enforcement of the terms of the conservation easement;

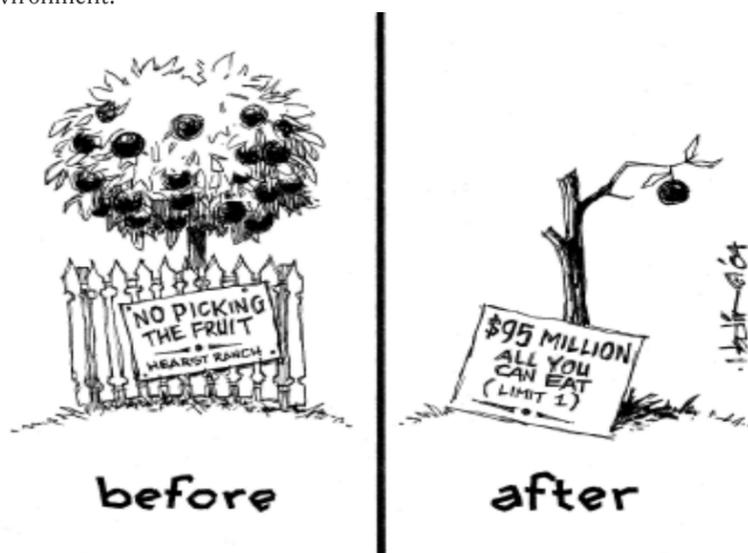
those terms should state in clear language that the purchase agreement and easement do not imply development potential or entitlements;

the easement language should specifically prohibit intensified agricultural uses and future subdivision of the ranch, and require rezoning of lands planned for intensive commercial development back to Open Space on the west side of Highway One, and back to Agriculture on the east side;

private beaches should be prohibited;

public access to the historic Mission San Antonio trail and to Fort Hunter Liggett should be preserved.

We believe these are the kinds of terms that should be included in a \$95-million deal that will consume a large chunk of the public's money and set the bar for land conservation nationwide for decades to come. On behalf of the public interest and in support of our mission — to explore, enjoy and protect the planet — we will continue to work for a good deal for the public and the environment.



by Russell Hodin

Details, Details; Promises, Promises

by Pat Veasart

The Tribune's editorial writer would never deliberately mislead his readers, so it must be that he is so seduced by the Hearst Corporation's siren song of conservation that simple details escape him. Case in point: "Is there a devil in Hearst details," an editorial that ran in the June 6 edition of the paper, following the announcement that a tentative deal on the conservation of Hearst Ranch had been reached.

The smitten scribe, surrounded by his barrels of ink, compared the Hearst Ranch deal to the State's purchase of the Ahmanson Ranch, Grizzly Creek, and Ballona wetlands, pronouncing Hearst a bargain - and omitting one small detail: Those other three conservation deals were land purchases. Californians now own that land.

What the Hearst Corporation is selling is 1,100 acres (that comes to about \$86,000 per acre) and a promise - a promise not to develop the remaining 82,000 acres (except for a 4,000-acre subdivision, a 100-room resort, and agricultural development) and a promise to protect resources. How do Californians know that this \$95 million promise will be kept?

That's what the details are all about.

It was nice to see that after a year and a half of defending this secret deal, the Tribune on June 6 finally asked to see those details, but that is not enough. The public must have adequate time to review the deal, real opportunities to comment on it, and assurances that their comments matter.

First GreenEarth Festival a Hit in SLO

1400 turn out for celebration of sustainability and activism



Kids take a break outside the June 5 GreenEarth Festival at the SLO Vets Hall, next to the solar panel array powering the event and a technological artifact from an earlier era.

The June 5 debut of the GreenEarth Festival brought out over a thousand attendees who took advantage of workshop and network opportunities with activists and local businesses promoting environmentally sustainable practices. Kudos to Lucinda Nichols of GreenEarth Promotions and Bob Banner's HopeDance Media for putting it together.

The theme of the day was summed up by event keynote speaker Kevin Danaher, co-founder of Global Exchange. "Every natural system on the planet is in a state of collapse, but it's easy to say 'everything sucks,'" said Danaher. "We are spending too much time talking about Them and not enough time talking about Us. We have all the components of sustainability, everything we need to make it happen right now. We've got to stop spending all our energy critiquing a sinking ship, build our own ship, pull up alongside, and I guarantee you people will jump off that sinking ship and onto ours without our having to say anything.

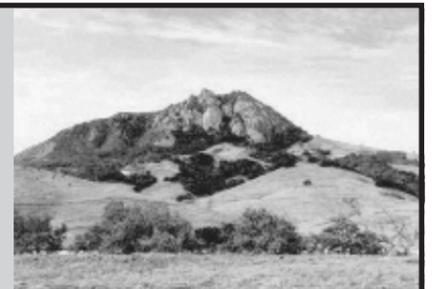
"The social justice and environmental movements are coming together. And that's what's got to happen. We've got to get together and make a movement; otherwise, we're nowhere."

Nominating Committee: Call for Members

Chapter elections will be held this fall. We are seeking volunteers to serve on the Nominating Committee, which will draft candidates to run for the chapter Executive Committee. The Nominating Committee will meet by e-mail and telephone through mid-September. Nominating Committee duties include naming a slate of nominees and preparing their biographies for the ballot. We also have available seats on the Election Committee, which runs the election. This can be a one-time commitment. Committee members will be appointed by Chapter Chair Tarren Collins and approved by the Executive Committee.

Members interested in serving on either the Nominating or Election Committee should contact Chapter Coordinator Andrew Christie, santa.lucia.chapter@sierrclub.org, 543-8717, or Nominating Committee Chair Letty French, LMfrench@tcsn.net, 805-239-7338.

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Minority Report

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and its goal of maximizing marine ecosystem protection. Despite the fact that poll after poll shows that Californians want more, not less, environmental protection, the politics of compromise and accommodation inevitably led to a lowest-common-denominator outcome. Our accomplishments were not entirely without merit, but far weaker than the shared hopes and goals of the Committee, as set forth in the majority report and on the MIG website, would logically have yielded.

The focus on satisfying the extractive users and keeping them at the table diverted our attention from the need to act protectively and proactively on behalf of all our citizens, now and in the future. The committee's strategic compromise diluted the fundamental mission of our charge, compromising both the principles we set as a beacon and the basic goals we wanted to achieve. In accepting the crumbs of compromise, as Coastal Commission Executive Director Peter Douglas has called the outcome of a politics of accommodation, we failed to confront the promoters of exploitation head-on. We also allowed the focus of fishing to dominate our sessions, sacrificing solutions that might benefit the marine ecosystem in order to accommodate the fishermen.

The fishermen told us there were plenty of fish for everyone and that fishing regulations imposed by both state and federal fishery agencies were extreme, unsupported by science, and excessively burdensome. I cannot believe that we can expect to have constant catches of fish in highly variable environments or



Photo by Commander John Bortniak, NOAA Corps.

“The politics of compromise and accommodation inevitably led to a lowest-common-denominator outcome”

that we can continue to remove upwards of 40 to 60% of a single population of rockfish or multispecies complex each year without catastrophic ecological consequences. Indeed, most of what I read of ocean research and ocean science over the last year, as well as what I heard from

the panels of experts who spoke to us, supported the findings of marine ecosystems in decline. Worldwide, nationwide—and that is the key, for we kept hearing from the extractive users that the data for our portion of the central coast is fragmentary, that we are a “black hole” as far solid knowledge of our ocean resources is concerned. Without data, we were asked, how can we assume protection is needed, and how can we propose a regulatory regime that might burden our fishing community?

Simply follow this thread: the more fish we take, the more we risk disruption of the marine environment. The trade-off is between fish for human consumption and fish for the rest of the ecosystem. According to the Department of Fish and Game, the population of California has increased from about 7 million in the 1940s to about 37 million today; and 80% of us live within 50 miles of the coast. Human population increase leads not only to greater demands on fish and other natural resources, but also to greater impacts on the ocean through pollution, habitat alteration, urban and agricultural runoff, toxic and dredge materials dumping, and a plethora of other shocks we are asking our ocean to absorb. Moreover, the growth in consumer demand for fresh fish, competition and ocean resource depletion from fish farms, and innovations in fishing gear and technology have led to a twenty-fold increase in the landings and value of live finfish caught in California in recent years—from fewer than 50,000 pounds valued at about \$100,000 in 1993 to over one million pounds valued at almost \$4 million in 2001.

Yet, the Committee failed to acknowledge in any meaningful way the overriding role human beings play as the dominant species in the ecosystem, with our Pac-man capacity for consumption and our propensity to procreate in excessive numbers. In the debate about possible causes for the apparent worldwide decline of the marine environment, human consumption and depredation—indeed, our competition with other predators for some share of the fish—was barely discussed. The eco-sociologist E.O. Wilson tells us that “for hundreds of millennia those who worked for short-term gain within a small circle of relatives and friends lived longer and left more offspring—even when their collective striving caused their chiefdoms and empires to crumble around them.” Political expediency forestalled discussion of what tradeoffs we humans are willing to make to continue our increasingly reckless and selfish exploitation of the public resource.

Instead of focusing on resource protection, the Committee allowed the inadequacy of the data used to manage marine resources to be the major focus of the MIG. The extractive users insisted that the conservation and restoration of our fishery must await more robust data. Some would even eliminate current regulatory curbs on their extractive activities. However, while data unique to the ocean directly off the SLO coast are sparse, data collected elsewhere in California waters appear highly relevant and suggest caution. For example, we now know that some rockfish species have life spans approaching 100 years and reproduce later and at much lower rates than other finfish. Data recently collected by members of the MIG on recreational fishing vessels, while indicating little change in populations of some rockfish species from 15 years ago, show declines in other species and more alarmingly, average catch sizes below the age when fish reproduce.

Which is not to say we bipedal land dwellers are the sole cause of the problems our ocean faces or of the disruptive transitions it experiences. For example, we learned that warm water conditions and disease have led to poor reproduction and recruitment of many marine species, contributing to their statewide decline. The relative roles of natural and anthropogenic causes in

worldwide ocean decline are still not known and, ironically, this lack of knowledge has served as an excuse for putting off strong, decisive action. The plethora of data collected from oceans worldwide that show a general decline in the health and diversity of our oceans was dismissed by the committee as not relevant to our slice of paradise. How arrogant!

I believe sparse data requires a different, more cautionary approach. Rather than placing the burden of proving harm on the regulators before a certain activity can be curtailed, the high uncertainty that stems from sparse data calls for a higher degree of caution to buffer the risk of over-exploitation of the ocean. The burden of proof must shift from the resource managers to the resource extractors/exploiters, who should be required to convincingly demonstrate that a fishery or a power plant or an LNG terminal or an agricultural runoff pipeline will not have unacceptable repercussions on either target species or associated resources. I certainly support the acquisition of more data and applaud the diligent efforts of the Committee members who are organizing and engaging in data gathering. Better data will strengthen the scientific basis for effective ocean management. Until we have that data, I support low fishing mortality rates and low catch levels, since intense fishing can only add to the destabilizing influences of natural ecosystem flux. Because public “wins” are temporary while public losses, including lost opportunity to avoid harm to public resources, are invariably permanent, I believe that there is no substitute for strong government regulation to safeguard the health, integrity, diversity, and vitality of our common ocean.

As senior legal counsel for a government regulatory agency, I can attest to the fact that no group ever volunteers to be regulated, and all point to lack of data as an excuse for delay. But without the luxury of perfect knowledge and infinite time, ocean protection must proceed from the perspective of serving the public trust, conserving what we most likely will never be able to regain if we lose it. To shrink from strong regulatory protection in the name of political expediency is to risk losing everything.

For those reasons, I continue to advocate inclusion of our ocean in a National Marine Sanctuary—a designation that is supported by the might and dollars of the federal government, yet tempered by the prominent participation of a local Sanctuary Advisory Committee (SAC). The National Marine Sanctuary Act was enacted precisely to address the crucial needs of our unique and treasured ocean ecosystems. Sanctuary designation would provide a forum and funding for concentrated research; outreach and education; conservation; and cohesive management—in coordination with, not domination by, state and federal fishery agencies. A vibrant, diverse, dedicated, and effective group of local SAC members is currently advising the sanctuary manager of the Monterey Bay National Marine Sanctuary whose southern border ends in Cambria. The expansion of that Sanctuary to include our county is under active consideration. We should not forego the opportunity.

Motocrops?

by Eric Greening

On May 25th, a bare majority of our County Board of Supervisors voted to move toward a General Plan Amendment allowing commercial motorcycle and other off-road vehicle racing as a permitted use in agriculturally zoned land in the unincorporated area. The issue will come back to the Board during or after September, after a newly-formed committee of “stakeholders” develops recommendations.

It is already legal for farmers and ranchers and informally invited guests to use ORV's to traverse their agricultural holdings. However, there is a growing demand for open space where ORV'ers can stage and practice for large “events.” Irv McMillan, who runs cattle in Gillis Canyon east of Shandon, testified that when such an “event” occurred near his property, his cattle stayed back in the hills and refused to come down to water. Since vineyardists and strawberry growers are unlikely to allow their planted acreage to be torn up, it is our county's rangeland, which accounts for much of our wildlife habitat, that would bear the brunt of this policy change. The agricultural community is split on the issue. While many farmers and ranchers seek to defend their production against incompatible intrusion, there are those who call for “flexibility” to seek out other sources of income on their lands. Many of us in the environmental community have come to learn that the word “flexibility” means trouble.

In addition to impacts on livestock and wildlife, this amendment would promote the erosion of topsoil and movement of sediment into streams, and would be seriously inconsistent with the remainder of our General Plan. Most of the implementation of county agricultural policy on visitor-serving uses deals with wineries, which have been the main attractants of visitors to agricultural lands. While it can be argued that bed and breakfasts, tasting rooms, winemaker dinners, etc. are merely incidental to agriculture, they can be defended as part of the marketing strategy for a crop. What crop is being marketed through ORV racing? If we had rubber plantations, perhaps “burning rubber” could be considered parallel to wine tasting (one hopes not on the same day!), but as it stands, any amendment to permit ORV events on ag land makes a mockery of stated goals of protecting habitat values and agricultural production.

The vote to authorize consideration of this proposal was supported by Ovitt, Bianchi, and Ryan, and opposed by Achadjian and Pinard. Supervisor Bianchi often heeds the advice of the Water Resources Advisory Committee, which will be discussing this issue on August 4th, and the WRAC is likely to focus on the threat to water supply and quality from the sedimentation created by this proposed use.

By the time you read this, the ad hoc “stakeholders” committee should be wrestling with these issues. Watch for their recommendations to reach the Supervisors come September. If you value agriculture, wildlife, topsoil, clear streams, and peace and quiet, be ready for action!

Shelter

continued from page 1

we must reverse if we are to maintain a viable local economy.

The housing affordability crisis did not occur overnight nor is it unique to San Luis Obispo County. Many communities have been grappling with this issue for years with varying degrees of success. There is no single, simple solution. Some have suggested that market forces alone will solve the problem. I am convinced that market forces will not resolve but only exacerbate the problem. Community residents, public officials and the building industry must work cooperatively to find creative solutions to this growing problem.

There are a number of reasons given for the lack of new affordable housing starts. Most common among them are the high cost of land, lack of appropriately zoned land, an arduous and time-consuming permitting process, environmental regulations, adverse public opinion about increased density and high demand for more profitable larger single-family homes. There are many tools available to address these issues, and the county and several cities have begun to implement some them.

Perhaps the most widely used program to date is the inclusionary housing ordinance. Programs of this type, while varying in detail, give builders incentives to build affordable units. The incentives often include permit streamlining, fee reductions or waivers, density bonuses and exemptions from the growth caps. To maximize the effectiveness of these programs, cities have made them mandatory for all residential developments of a certain size. Other criteria to improve the effectiveness of inclusionary housing programs include the assessment of in lieu fees when the units are not constructed, the construction of units off site, donation of land by the developer for affordable housing, deed restrictions to insure the long-term affordability of the units and requiring that preference is given to buyers that work or live in the area.

Following is a list of several additional programs being used by various jurisdictions to promote the construction of affordable housing.

- Increased density. More units per area bring the cost of construction down as the land and infrastructure costs are spread among more units.
- Affordability by design. Building smaller units that are appealing to single professionals, young families, first-time homebuyers and seniors looking to downsize.
- Reduced development fees and permit streamlining. Helps reduce development costs and gets the units built more quickly.
- Allow for mixed use in areas not previously zone for residential development. A common example is putting apartments over retail stores and offices.
- Seek state and federal grants to help defray the cost of infrastructure and development and impact fees.
- Seek state and federal grants and loans to assist builders and homebuyers with financing and purchase costs.
- Support community-based non-profits and other agencies that advocate for and provide low cost housing. Examples include People's Self-Help Housing and the Housing Trust Fund.
- Encourage institutions such as Cal Poly and Cuesta College to develop housing for their students and staff.
- Have commercial development help financially or otherwise with the costs of developing affordable housing.
- Exempt affordable housing from growth caps.

The variety and number of options available to address the affordable housing crisis is limited only by our imagination. We can use this opportunity in a positive way to shape the future of San Luis Obispo County. To succeed, we must engage in the process that leads to the decisions on how we will grow, who can live here and where they will live. Building livable communities that integrate the needs of society with those of the environment is our challenge. The future will measure our success.

New Zealand's Wild Places

December 9-23, 2004: Join the Palos Verdes - South Bay group on an unforgettable Sierra Club journey to premier hiking destinations in New Zealand's North and South Islands during the summer season "down under." Experience lush native rain forests, dramatic volcanic formations, emerald lakes, snow capped mountains and glacial formations. The trip leader lived in New Zealand for 10 years and has extensive hiking experience there. You can choose short hikes (2-4 miles) or longer hikes (6-12 miles) during the trip. You may arrange optional activities on your own, such as visiting museums and galleries, kayaking, trout fishing and jet boating. Depending on exchange rates, trip price is about \$3,300. Includes: round-trip airfare from LAX; motels w/bath (double occupancy); some meals; all transport within NZ; and group hikes. Refunds require a suitable replacement. To reserve a place on the trip, send 2 SASEs and a \$250 check made out to PVSB Sierra Club to Robert Baldwin, 7500 Wystone Ave. Reseda, CA 91335. Ldr: Judy Shane judyshane@aol.com. 310-379-1111 Co-Ldr: Robert Baldwin rbaldwin@unex.ucla.edu. (Contact leaders for an itinerary and for more information about an optional trip extension to Australia.)



Sierra Club Summer Potluck Picnic & Hike



Photo by Don Hoffman

12 Noon, Saturday, August 21
Montana de Oro State Park
Contact Sierra Club @ 543-8717

Come and join the Sierra Club for a fun day in the sun at Montana de Oro State Park. This is an opportunity to meet others, have fun and enjoy great food. Everybody is invited, so bring your family & friends to this outdoor extravaganza.

The Sierra Club is providing drinks. Please bring your own place setting and a dish to share as listed below, per your last name:

A - I, Main Dish
J - O, Salad
P - R, Bread
S - Z, Dessert



Directions to Montana de Oro:

- heading South on Highway 1: Take the Los Osos/Baywood Park exit, drive south on South Bay Blvd. Turn right on Los Osos Valley Rd. out to the coast; turn left on Pecho Valley Rd., drive five miles to Montana de Oro State Park hq.
- heading North on Highway 1: Take the Los Osos/Baywood Park exit; turn left on South Bay Blvd. Turn right on Los Osos Valley Rd. out to the coast; turn left on Pecho Valley Rd., drive five miles to Montana de Oro State Park hq.

Do you like to plan parties? We can use your help with planning and setup. To lend a hand or for more information on the picnic, call Andrew at 543-8717.

Housing Element Update

by Jan Marx

Due to the hard work and testimony of the Housing Committee of the Santa Lucia Chapter in collaboration with ECOSLO and Residents for Quality Neighborhoods (RQN), the San Luis Obispo City Council has revised the draft Housing Element, removing many harmful policies promoted by the building industry.

The draft actually would have resulted in *fewer* affordable housing units built, and limited the time those units would have remained affordable. It would have eliminated inclusionary housing in-lieu fees for residential and commercial projects. It would have exempted "moderate income housing (almost all the housing built in the city) from the 1% growth cap and exempted such housing from impact and in-lieu fees as well. It would have subjected existing neighborhoods to "retroactive rezoning," producing crowded conditions with no improvements to the infrastructure. It would have made numerous unspecified changes to the general plan, including ending the crucial policy that "development must pay for itself."

The City Council wisely decided not to undermine the City's longstanding growth management policies, and, to a large extent, heeded the Sierra Club's advice. The final version of the Housing Element maintains most of the policies promoting affordable housing, making development pay for itself, protecting the neighborhoods and preserving the environmental protections of the City's General Plan.

The Housing Committee, comprised of Jan Marx, Carla Saunders and Richard Schmidt, has disbanded. Its work is done, until the Housing Element is revised again in another five years.

Lobbyist for a Day

by Andrew Christie

Want to be a lobbyist?
(Don't answer yet!)

Here's all you have to do:

Step one: Fly/drive to our fair state's seat of government – or more precisely, the offices of Sierra Club California, about four blocks east.



Before: Getting lobbying tips and role-playing with staff.

Step four: Hit the ground running with your designated group on Monday morning and spend the day hustling support from senators and assembly members — or their legislative staff and secretaries (You are not expected to pay for the pleasure: You are reimbursed for the cost of travel, meals, and lodging.)

Somebody's gotta do it. Specifically, the Sierra Club's gotta do it because the guys in the \$1000 suits with unlimited expense accounts are doing it all day, every day, on behalf of legislation we very much want to go away and in



The few, the proud, the environmental lobbyists.

veterans and newbies — reported for duty at Sierra Club California's Sacramento offices. And we're glad we did!

TAKE ACTION

- Sierra Club's next Sacramento Lobby day is Monday, August 9, with training on the Sunday before. Contact Legislative Aide Marianne Batchelder at batchelder@sierraclub-sac.org

- Join Sierra Club California's Legislative Action Network <http://cal-legalert.sierraclubaction.org>
You, too, can be a Sacramento Insider! Get up-to-the-minute Action Alerts on pending legislation and breaking news from the State Capitol.

- Meanwhile, your state legislators spend every Friday in their home district. Call to make an appointment. Then call Sierra Club California for talking points. In politics as in life, no form of contact beats the live, in-person kind.

SC California Election

The Sierra Club California Convention was held the weekend of June 5-6. Every California Chapter financially supports the legislative work of our Sacramento office through the direction of the Sierra Club California Executive Committee.

At the forum to introduce the candidates for Sierra Club California Executive Committee and Chair (left to right): Alan Carlton, Margaret Pennington, Judy Anderson, John Wilks, Richard Miller, Andy Sawyer (standing); Richard Miller (standing), Michelle Perrault, Gayle Eads, Steve Bloom and Michael Lewis.

Congratulations to winning candidates Alan Carlton (Chair), Judy Anderson, Steve Bloom, Michelle Perrault, Richard Miller and Andy Sawyer.

The ExComm will meet on October 3, 2004, after the California-Nevada Regional Conservation Committee meeting in San Luis Obispo at Rancho El Chorro.

Sierra Club California Sponsors Clean Water/Wetlands Bill

by Jim Metropulos, Legislative Representative,
Sierra Club California

Sierra Club California is co-sponsoring a major clean water and wetlands bill to fill in a huge gap created recently in the federal Clean Water Act. Senate Bill 1477, authored by Senator Byron Sher (D- Palo Alto), will require the State Water Resources Control Board to regulate fill and discharges into non-navigable, intrastate waters that are no longer federally protected. Those waters include California's seasonal rivers, streams and lakes, vernal pools, more than half of the state's wetlands, many of the streams and lakes in the Sierras, and the drinking water sources for more than half of all Californians.

Following a very narrowly worded Supreme Court decision in 2001, the U.S. Environmental Protection Agency issued a "guidance" to its field offices that virtually eliminates federal protection for almost 20 million acres of sensitive wetlands and thousands of miles of streams. In response to overwhelming public and state opposition, the EPA dropped its formal rulemaking process to codify the change, but did not withdraw the "guidance" to its field offices to eliminate protection of these waters, in effect leaving the enormous and very dangerous loophole in place. Several states, including New York, Wisconsin and Ohio, have introduced legislation to fill in the gap.

California has as much or more at stake than other states. Because California receives most of its rain and snow during the winter, many of its streams and lakes are dry for much of the year. Many others are simply not navigable. Many of these wetlands provide pollution protection and additional sources for some or all of the drinking water for more than twenty million Californians. These non-navigable waters are no longer provided the basic protections of the Federal Clean Water Act.

SB 1477 passed out of the State Senate at the end of May. Heard in two Assembly committees during June – Water, Parks & Wildlife and Environmental Safety and Toxic Materials – the bill hopefully will have reached the Assembly floor by the time you are reading this. However, the bill has attracted a long list of opposition, including developers, realtors, water agencies and the Farm Bureau.

Please help Sierra Club California pass SB 1477 by contacting your state Assemblymember and urging them to support SB 1477. One way to do so is by joining our online California Legislative Action Network. Anyone can sign up by going to our website, <http://www.sierraclubcalifornia.org> and clicking on the red "take action" button on the left hand side. Once signed up, you will receive occasional email alerts on key environmental legislation and administrative actions. By following the link in the alert to our Action website, you will find information on the issue and an editable letter that can be emailed or faxed to your representative.

Legislation to Recycle Mercury in Fluorescent Lamps Passes Senate, Faces Tough Test in Assembly

by Bill Magavern, Senior Legislative Representative,
Sierra Club California

Fluorescent light bulbs provide excellent energy efficiency and longevity, so Sierra Club encourages their use. But they also contain mercury, a toxic substance, so we need to make sure they are collected for recycling, not trashed, when they burn out. That's the goal of the California Mercury Lamp Recycling Act, SB 1180, authored by Senator Liz Figueroa and sponsored by Sierra Club California and Californians Against Waste. The bill has passed out of the State Senate, but faces opposition by business lobbyists in the Assembly.

Mercury is a persistent and toxic pollutant that bioaccumulates in the environment and in the food chain. A recent analysis by the U.S. Environmental Protection Agency nearly doubled – to 630,000 – the number of children born annually in the U.S. with unsafe levels of mercury in their blood. Scientists at the Harvard School of Public Health have found that mercury contamination in seafood can cause heart damage and irreversible impairment to brain function in children.

Because they contain mercury, safe handling and collection of fluorescent lamps discarded at the end of their useful lives is critical; when lamps are thrown into dumpsters they often break, and mercury escapes into the air and, eventually, water.

This bill would place a small advance recycling fee on the sale of mercury-containing fluorescent lamps by manufacturers or distributors. The fees collected would then be disbursed to recyclers, local governments and retail and wholesale sellers that collect, transport and recycle fluorescent lamps.

Please take action by writing a short letter to your Assembly Member asking for a vote in favor of SB 1180. All Assembly Members can be addressed at: State Capitol, Sacramento, CA 95814.

SIERRA CLUB CALIFORNIA was established in 1986 to represent the Sierra Club's approximately 200,000 members and 13 chapters in California before the state legislature, state agencies, and the governor's office. Visit our new website at: <http://www.sierraclubcalifornia.org/>. Please sign up to receive our web-based legislative action alerts at: <http://cal-legalert.sierraclubaction.org/>.



Last Chance for California Forests

Your comments due August 11

by Dave Chipping, Conservation Director, California Native Plant Society

The Draft Environmental Impact Statement (DEIS) for the management of the four National Forests in Southern California – Los Padres, Angeles, San Bernardino, and Cleveland — is open to public comment until August 11. It is absolutely critical that everyone comment on these plans, as the Forest service has selected a “preferred alternative” plan for the Los Padres, San Bernardino and Angeles forests that is absolutely the very worst as far as the protection of the environment is concerned.

Of the six potential plans, the Sierra Club-backed option is Alternative 6. The preferred Alternative 4 of the Forest Service “emphasizes recreation” and “includes the most backcountry motorized acres” of all the alternatives. One has to dig into the tables at the end of the DEIS to uncover the effects, as there is no qualitative comparison of the actual impacts to species in the text.

Out of a total 197 animal species, Alternative 4 is assessed as a threat to 80 species, or 40% of all listed species. Under Alternative 6, five species are potentially impacted. In a threat assessment of impacts to plant species of conservation concern, the Alternative-4-vs.-Alternative-6 score is 136 to 0.

A special horror planned for Los Padres: An OHV route to connect Cuddy Valley (along I-5) with Ballinger Canyon, near the Highway 33/166 intersection. This road would cross the drainages on the south side of Mt. Pinos and subject all crossed canyons with vehicle trespass. This also crosses the highly sensitive and erosion-prone Cuyama Badlands, even though the Forest Service notes that there is a major existing problem with illegal OHV use, trash, graffiti, firearm use, partying, fires, parking and closure violations on the land they are currently managing. They note similar enforcement problems on Strategy-64 along the Santa Barbara mountain front, indicating vehicle trespass, trash dumping and other issues associated with a lack of law enforcement presence. Why should they aggravate this problem by opening up even more country, while attempting to manage it with a budget-constrained staff?

The Forest Service is clearly abrogating its responsibilities to protect forest resources, and violates its own mission statement for “ensuring long term ecosystem health, biological diversity and species recovery.”

- Sending in your comments on the Forest Service draft plan is *the most important thing you can do right now* to win stronger protection for our Southern California National Forests—the Cleveland, Angeles, Los Padres and San Bernardino. The Forest Service will review your comments in preparing their final management plans for the four national forests in our region.
- A convenient way to make comments is to visit the Southern California Forests Campaign web site at <http://www.sierraclub.org/ca/socalforests>.
- Everything you need to make effective comments will be provided, including background materials and key points to make. Click on “comments” to email written comments directly to the Forest Service from the web site. It should take less than 5 minutes.
- You can also visit the Forest Service web page at <http://www.fs.fed.us/r5/scfpr/> to read the plans themselves. You can FAX comments to (801) 517-1015 or mail comments to: Southern California Forest Plan Revisions, USDA Forest Service Content Analysis Center, P.O. Box 22777, Salt Lake City, UT 84122
- By taking a few minutes now, you will influence plans that will guide the future of the forests for 15-20 years.
- Contact John Monsen at john.monsen@sierraclub.org or 213-387-6528 x203 if you have any questions or need assistance with comments.

A Forest Service Open House

by Letty French

The Forest Service Planning Team held an open house on 19 May in Arroyo Grande to provide information on the Los Padres National Forest portion of the Forest Service Land Management Plan for four Southern California National Forests.

In conjunction with staff from Los Padres, the Service had a comprehensive guide available on understanding the planning process, and large maps of all 6 alternatives. Susan Harvey and I spent a long time looking at maps and talking with the planning team. We were surrounded by large groups primarily of young men who were engrossed in their concerns: Their vehicles and various routes. Guess we were engrossed also. My concerns were protection of sensitive areas, recognition of proposed wilderness areas, restriction on invasive uses such as mining, timber, and unlimited Off Highway Vehicle use. With the increasing urbanization surrounding these National Forests, we must keep as much as possible as *natural* forests, for any forest to survive. The pressure will be tremendous to utilize these areas as playgrounds and private concession activities. This planning process is the best opportunity to keep a real forest with real trees, real flowers, and real animals.

The planning team reassured us that lumbering activities are not planned for Los Padres. It's not suitable for timber production on a large scale. Oil development is a threat. They flatly stated that all OHV use will have to be on designated trails; that this is the new Forest Service policy. However, too much of the land is designated “open,” which would allow vehicular access. This option is preferred for fire-fighting reasons.

I was pleased to see that in Alternative 6, the potential wilderness areas that Gary Felsman surveyed and we proposed for wilderness to the California Wilderness Coalition, several areas are designated for wilderness protection. These include Black Mountain area and small additions to the Manchesca and Garcia Wildernesses. Wild and Scenic River status protection appears in alt. 6 for the San Antonio River above the lake. Only in this Sierra Club-proposed alternative are all these wilderness and wild and scenic river protections included.

One limitation on the local open house format was that maps and materials were available only for the Los Padres National Forest. However, the last station in the room was a summary area where Forest Service people made sure that everyone knew how to turn in their comments. Comments via e-mail are preferred, and they provided a four-page guide on how to do it. The website for the Forest Plan was well publicized and, CDs of the Land Management Plan available for those (like me) who do not have DSL access. I will be able to look at my areas of concern in the San Bernardino National Forest by using the CD.

I was impressed with the huge amount of work that went into this planning and the intense effort to educate forest users about the plan. Also impressive was the turn-out of many forest users. The challenge to support good planning to keep a natural, healthy forest was very evident.



A Beautiful Day on Morro Bay

by Jack Beigle

This has been the windiest spring that I can remember. The weatherman forecast a calm day but fifteen minutes before launch time the wind picked up from the northwest. This was about two hours earlier than we expected. We changed our float plan and paddled into the wind across the estuary.

We found a spot for lunch in the lee of a large sand dune. Out of the wind, it was warm and cozy. After a good picnic lunch and good conversation several paddlers suggested that we all recline on the dune and soak up this wonderful sunshine. It was warmer than the average summer day in Morro Bay.

A paddler mentioned that she had seen a colony of living sand dollars in a cove just north of our lunch spot. We all launched our boats and headed for the sand dollars. We found them by the hundreds. A living sand dollar is purple and sits vertically in the sandy bottom as it filters food from the water. The water was about two feet deep and we had a clear view as the wind blew our boats across their bed. It was beautiful!

When we turned to return to the marina, the wind was at our backs. The leisurely paddle gave us time to savor the great day. Most of our paddlers (including myself) had never seen a bed of living sand dollars before.

Check the outing schedule and join us on the water.



The Club's California Solar Project Coming Soon



Installing solar shingles

by Carl Zichella and Woody Hastings

The Sierra Club's "California Solar Project" (CSP) is coming to the Santa Lucia Chapter. If you've ever considered installing a solar power system on your home or building, now is the time to act. California currently offers rebate and tax incentives that make installing a system economical, and the Club has partnered with labor unions to offer high-quality, union-built systems to Club members. The CSP will assist you in obtaining these rebates and with other aspects of installing a solar power system.

The CSP is a combined effort of the Sierra Club, International Brotherhood of Electrical Workers, Service Employees International Union, and the Union of Needletrades, Industrial & Textile Employees (UNITE!). It's a blue/green alliance that was initiated in the spring of 2002 when a strong coalition of labor and environmental leaders came together to take action against global warming in a way that creates good quality employment. Its mission is to increase and expand union representation in the solar industry by installing solar power systems on labor union-owned buildings and member homes.

Why is the Club involved? For starters, every kilowatt of solar electrical power produced displaces between 2 to 3 lbs of CO₂ from the atmosphere when displacing coal-fired power, according to the U.S. Department of Energy, and coal accounts for 52% of U.S. energy production. In addition, on the employment front, for every megawatt of solar power installed, about 35 full-time jobs are created for a full year according to the Renewable Energy Policy Project. Sierra Club members, as early adopters of this technology, help on both of these fronts by advancing the viability of the solar photovoltaic market.

Why go solar? Although solar power for home applications has been around for over thirty years, cost has kept it largely something used for folks who live outside of urban power grids, where there is no choice. State law passed in the late 1990s established incentives for solar and allows homeowners to legally tie into the grid, turning the utility into a huge "battery" for the solar home, where the homeowner/producer "sells" the power produced during the day back to the utility. These programs have increased the number of systems installed in urban and suburban areas, but even so, when you ride your bike around your neighborhood, you don't see panels on every roof, or even every tenth roof. It is still a pioneering thing to do to install a system and every system installed helps drive the market. Furthermore, for your personal benefit, when you install solar power on your home, you become your own energy producer, greatly reducing your energy costs over time. Solar is a wise investment that will ultimately save you thousands of dollars in energy costs.

Through the CSP's operations partner, the National Photovoltaic Construction Partnership (NPCP), the CSP optimizes the power of bulk purchasing from arguably the best manufacturer in the business, IBEW-organized Sharp Solar, and offers bridge financing via Amalgamated Bank to minimize out of pocket up front costs, and long-term low-interest financing for the balance. NPCP was founded in 2002 to help facilitate solar electric construction nationally. All of the CSP's installations are performed by IBEW workers, which ensure the highest possible construction standards, offer quality workmanship by a highly trained and skilled workforce that gets the job done right the first time, within schedule.

Please check with the Chapter office for upcoming presentation dates on the California Solar Project. This will be your opportunity to learn the details of what the CSP has to offer and to schedule a site visit to determine your solar potential. We hope that you are able to attend and urge you to take advantage of the opportunities provided by the California Solar Project.

If you just can't wait for the presentation, or if you know of a Sierra Club event at which the California Solar Project should have a presence, please contact Woody Hastings, CSP Project Director, at 415-681-1110, or e-mail: whastings@californiasolarproject.org

A Beautiful Place to Live: For People and Birds

by Letty French

Lush meadows with grazing cattle next to green cottonwood riparian areas cover the floor of the South Fork of the Kern River upstream from Lake Isabella. Our CNRCC outing visited Audubon's Kern River Preserve both to find birds and to find out about the conservation activities happening in this idyllic valley. A classic dichotomy exists here between residents desire for peace, quiet, a natural surrounding and a continuation of their rural lifestyle; and their interest in having a local Wal-Mart. Leadership towards land planning comes from the Audubon folks and local government. Additionally, valuable habitat is quietly



being acquired by cooperation with many groups, like the Ca Dept of Fish and Game. While walking the fields at sunrise we were excited by the site of a large land purchase from the flat meadow far up a north running canyon. A potential exists for the purchase of the Onyx Ranch which stretches in a checkerboard fashion 18 or so miles south to Butterbrecht Spring. As habitat, this land is invaluable. Migratory birds are funneled up past the Spring, a rare water source in the desert environment and then into the food-rich flood plain of the S. Fork Kern.

I know it's a flood plain after seeing it in flood. A couple of Novembers ago, we visited directly after a storm. The river had surged out of its banks, flooding roads and shaking bridges that were underwater. The Kern River Preserve had a foot of water covering the nature centers stilts. Excellent for the cottonwoods, which need flood, waters to help germinate new little cottonwoods.

After our morning's walk, and enjoying sightings of many birds, we traveled south down the Kelso Valley Road, then drove up dirt roads into the Jeffrey pine forest of the Mt. Piute area. Camp was an open forest area near French Meadow. By now a chill wind whipped through the trees. We drove, then hiked the last mile to Inspiration Point and looked out on proposed wildness areas with Lake Isabella in the far distance. Joe Fontaine, former chair of the Sierra Nevada EcoRegion, pointed out the various wilderness proposals: Kern River, Domeland additions, Brightstar additions. These southern Sierra are wild, steep mountains, certainly deserving of wilderness designation. They are threatened by logging, as evidenced by traces of old logging roads all over the place; and Off Highway Vehicles, as both 4x4s and motorcycles roared noisily past on the road (in this case). Both mountain residents and visitors primarily from Jawbone Canyon enjoy this area, to the consternation of other visitors and the Forest Service. These proposed wilderness areas will require a lot of support to become wilderness; Joe is working very hard with Kern County supervisors and everyone to achieve this goal.

We stopped by an old mine and investigated several pieces of equipment, speculating on how they functioned. Private land and fences dot this non-wilderness area where we camped.

Early the next morning we traveled farther south to Butterbrecht Spring. Cold wind became a warm breeze and we enjoyed the sunshine. Multitudes of birds flew through the cottonwoods and willows including all kinds of flycatchers. We had a wonderful look at 3 great horned owl juveniles lined up on a branch watching us. Another thrill was a good look at a rosy boa.

Sadly, after lunch it was time to leave. We continued south down into Jawbone Canyon, a State Off-road Vehicle Site. The hillsides are channeled with trails in all directions. It is a devastated area. Many groups were camped in the canyon bottom with their wheeled weapons of destruction. We continued to Highway 14 as fast as possible.

We had traveled the distance from a threatened valley with wonderful biological resources to high mountain wilderness possibilities to dry desert motorized recreation. Hopefully, there can be places for people to recreate without the destruction of nature.

For more information about the Kern River Preserve and its many activities, go to the Audubon-California's website at www.kernriverpreserve.org

To get involved with the wilderness campaign, become a member of the California Wild Heritage Campaign. Website: www.californiawild.org. Telephone: 559-226-2570. Outings leaders are needed; we need to get lots of people to visit these areas and understand the value of wilderness. Letters to Senator Feinstein and your local representative are also valuable.

Classifieds

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 August 1, 2004). Please submit your ad and payment to:
 Mariko Fujinaka
 1416 Vine St.
 Paso Robles, CA 93446
 mariko1@pachell.net

Local Government Meetings

City of SLO: 1st & 3rd Tues., 7:00
 Arroyo Grande: 2nd & 4th Tues., 7:00 pm
 Atascadero: 2nd & 4th Tues.
 Grover Beach: 1st & 3rd Mon., 6:30 pm
 GB Planning Commission: 2nd Tues.
 Morro Bay: 2nd & 4th Mon.
 Paso Robles: 1st & 3rd Tues., 7:00
 Pismo Beach: 1st Tues. 5:30 pm
 Los Osos CSD: BOD - 1st Thurs. & 2nd Mon., may vary
 California Coastal Commission: 3rd Tues., may vary.
 SLO County Board of Supervisors: every Tues.
 SLO Council of Governments: SLOGOC Citizens Advisory Committee: 1st Wed. every other month, 6:00 pm
 SLOCOG Board: 1st Wed. every other month, 8:30 am



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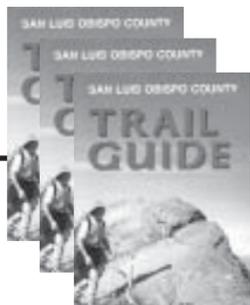
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Fee-Demo: The Malady Lingers On

by Scott Silver

Authorized in 1996 as a rider to the Interior Appropriations Bill, the Recreation Fee Demonstration program was to have been a three-year test. Seven years and many extensions later, fee-demo still festers, threatening public lands and wild places with a sepsis Ed Abbey called "Industrial Tourism" and "Wreckreation."

The good news is, this issue may be resolved before the end of the year. The bad news is, it may not be resolved to your liking. For better or worse, fee-demo is in political play with legislators hoping to resolve this issue before they adjourn. Toward this goal, Congress has recently held three fee-demo hearings. The Senate has already

passed legislation that would make recreation fees permanent for the National Park Service only (S.1107) while a more wide-ranging and much more harmful bill (H.R.3283), received minimal support in the House.

Meanwhile, the Bush Administration is applying maximum pressure to ensure that permanent interagency fee authority is granted to six federal agencies. Likewise, the recreation industry, lead by the American Recreation Coalition, is pressuring Congress to authorize an entirely new 'Phase Two' demonstration program: a program of 6-year duration intended to maximally commercialize, privatize and motorize the Great Outdoors.

To complicate the situation, several powerful Western legislators have emerged in strong opposition to charging basic access fees for use of the public lands while several Eastern legislators are lobbying for enhanced fee authority to support ever more Disneyfied outdoor recreation and tourism.

Some legislators are concerned that fee-demo discriminates against low-income persons and creates a barrier separating the public from their lands. Others look favorably upon the possibility of selling recreation products as an alternative to resource extraction. Some are eager to see fee-demo bring about increased recreational development and public-private partnerships. Others are insisting upon solid guarantees that fee-demo will not be used to perpetuate the "build it and they will come" attitude which pervades the land management agencies.

The motorized recreation community speaks with many voices. While a growing number of users and user groups oppose the pay-to-play concept, most industry associations actively support fee-demo, believing that the more economic value that can be attributed to their sports, the more access motorized recreation will be granted.

The non-motorized recreation community is no less conflicted. Those who enjoy the public lands have witnessed the failure of fee-demo to produce meaningful benefits. They have seen congressionally allocated funding disappear only to be replaced with revenues generated by fees. On the other hand, organizations which benefit from Congressional largess or look upon themselves as 'agency partners' passively accept fee-demo, fearing that to oppose the program might cost them a seat at the table or a share of the spoils.

The environmental community is more cohesive on this issue. Over 200 grassroots organizations are opposed to fee-demo, though many of the big greens have failed to weigh in one way or the other. The Sierra Club and American Lands Alliance are among those national organizations that have opposed fee-demo from the earliest days.

In spite of this confused and confusing situation, the fate of recreation user fees may soon be settled. Whether it is settled to your satisfaction could depend upon whether you have made your desires known.

As I write these words, House and Senate staffers are trying to draft compromise language that will be acceptable to all parties. Chances are low that their bill will be as bad as H.R.3283 or as good as S.1107. Chances are low that the Bush Administration or the commercial recreation industry will get all they want. Chances are low that the wilderness community will get exactly what it wants or that the non-motorized recreation community will do any better. But the chances are high that some fee legislation will be passed this year and the chance of that legislation being something you can live with can be increased by your participation in the political process.

Every person who cares about wildness should contact their Congressman and both Senators to tell them why they oppose fee-demo. But please show some sensitivity and restraint. Telling your conservative official that you oppose fee-demo because it confers advantage to high-impact recreational uses may not be the right tack to take. Calling the



program "double taxation" and mentioning how the federal agencies have mismanaged the fee-moneys they've collected and how the costs of overhead, collection and administration have negated the value of the program will likely be more effective.

The fee-demo program is not the beauty spot its ideological and profit-motivated promoters claim. It is a blight upon the face of public land management. The longer this program is allowed to fester, the greater are the risks of its infection spreading. And where it is true that in polite circles you do not point to such blemishes, in political circles the rules of engagement require that you do. In politics, decisions are made by those who show up and no-shows suffer the consequences.



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The Nuclear Regulatory Commission That Couldn't Shoot Straight

by Andrew Christie

The structural engineer had had enough.

Seated on a folding chair alongside twelve colleagues from the Nuclear Regulatory Commission, facing nearly 200 locals in various stages of irritation and outrage, he had been getting pummeled for the last twenty minutes or so by Rochelle Becker of the San Luis Obispo Mothers for Peace, relentless critics of the Diablo Canyon Nuclear Power Plant and all its sins. Becker and the other 200 local citizens turned out for the June 9 town hall meeting on Diablo Canyon safety and security issues — the first of its kind anyone could remember — with a few questions.



Diablo Canyon, awaiting action. Photo courtesy ECO SLO.

She wanted to know why the NRC has licensed PG&E's proposed expanded nuclear waste dump without the benefit of any hearings on the durability of the storage caskets, rated for only 20 years of life, or on the adequacy of site security against potential acts of terrorism. Why, before they picked out their nuclear waste site, had they chosen to rely on 13-year-old seismic data rather than information gleaned from last December's San Simeon earthquake and four other large quakes since Diablo was granted its operating license? She ran through a list of questions that had been asked previously, along with the NRC's previous inadequate responses.

The 13 technocrats arrayed before her had been assembled here this evening largely to make up for the NRC's last attempt at a public meeting on Diablo Canyon issues four months prior, at which a lack of subject specialists had led to vagueness and a marked lack of answers to pointed questions like these.

The NRC structural engineer had been combative from the beginning of the meeting. Now it was time to smite the foe. He rose to his feet.

"I have to say," he intoned, "I take serious exception with your statement that the San Simeon earthquake was caused by a blind thrust fault. I do not know where you could have gotten such information, and I must question your conclusion."

At the podium, Becker held up the paper she had been reading from. "I didn't say that," she replied, "you did. I'm quoting from the NRC. That was one of the answers the NRC gave us in its May 28th response. This is the information your agency is putting out."

There followed a few moments of mild chaos as several of his colleagues started talking at once in a rescue attempt, the hapless engineer repeated several times that objected to was from his own agency, and growing ripples of laughter spread from the crowd.

Becker's conclusion was wrong, Becker repeated several times that the conclusion he

The NRC's attempt at a friendly public face comes in the midst of the 9th Circuit Court's hearing of a historic case filed by Mothers for Peace, the Sierra Club, and local residents in response to the nuclear establishment's disdain for public process, public hearings, and the public in general in taking the position that PG&E and the Feds need no local permission to continue the build-up of spent nuclear fuel at Diablo Canyon, wherever and however they may see fit. The appeal is supported by the Attorneys General of California, Massachusetts, Utah, and Washington.

Each day, Diablo Canyon produces high-level radioactive waste on an earthquake active coastal zone. For years the public has been promised this lethal waste stored in pools would be a temporary situation. Now PG&E and the NRC are seeking to expand storage of nuclear waste on California's coast, knowing full well that a safe, permanent radioactive waste storage site does not exist. Even if it did, over 7 million Californians live within one mile of proposed nuclear transport routes.

"The NRC issued a statement last week that announced the Yucca Mountain [central storage facility] deadline to open has 'slipped' again," said Santa Lucia Chapter Chair Tarren Collins on June 9, "so we need to plan on this radioactive waste being stored here forever...that is, of course, unless the storage facility is destroyed by terrorists. As it is currently proposed, 138 casks will be above ground in a bowling pin formation, a perfect target for jet-liner-hijacking terrorists. But despite all of the evidence to the contrary, the NRC has concluded that the "possibility of a terrorist attack [on a proposed nuclear facility]...is speculative and simply too far removed from the natural or expected consequences of agency action to require a study under NEPA."

High-level radioactive waste, the Achilles heel of the nuclear industry, is recognized by the administration, the NRC, nuclear utilities, and the public as more vulnerable today than when these plants were licensed. The NRC is increasing nuclear risks while ignoring the public's substantial concerns. It is our children and grandchildren and generations for the next 100,000 years they are placing at risk.

This point was underscored at the town hall meeting, shortly after the faux pas of the hapless engineer who attempted to confront Becker on the accuracy of his own agency's statement, when an NRC deputy administrator rose to say in patient, measured tones that he wanted to reassure everyone that the nuclear fuel dump at Diablo Canyon would simply be a temporary facility and that the fuel rods would be moved to an off-site central storage location. He was met with a room-filling roar of derision, spiked by shouts of "when?!" "where?!" from an audience obviously aware of the problem.

A few minutes later, an NRC safety inspector met the same fate, when, in response to the point that the San Simeon quake had put nearly half of Diablo Canyon's warning sirens out of commission for three to five hours, he attempted to explain that the sirens actually had a good record because, you see, their performance is reviewed every quarter, and they were, in fact, available and functional for most of the fourth quarter of 2003...except for when they were knocked out by that earthquake, and that was only for about five hours. So, expressed as a ratio, it really was not so bad.

At that point, derision started mixing with incredulity, then turned to murmuring dismay when the NRC staff seismologist, Yong Li, took the floor. In response to a question from Collins, he asserted that the Hosgri Fault that runs past the plant can generate an earthquake in the range of 6.0 to 8.0 on the Richter scale. Ten minutes later, he said the Diablo Canyon plant was built to withstand a "worst case scenario" quake of magnitude 7.2. One of his colleagues attempted to correct him in stating that Diablo Canyon was built to withstand a 7.5 quake. Another later said the Hosgri Fault was rated as capable of generating a quake no greater than a magnitude of 7.2 to 7.5.

An audience member asked Dr. Li if, in view of the fact that the presence of the Hosgri Fault was not even detected until nearly ten years after the Diablo Canyon plant was built next door to it, he could guarantee another fault would not be found? And did he believe the seismically active coast of California was the best place to build a long-term nuclear waste dump? Yes or no?

Dr. Li blinked and swallowed and the NRC facilitator smoothly stepped in. "He can't be forced into a yes or no answer," he said, "let's take a question over here."

Just before a break in proceedings, a local resident stood up to say that he wasn't terribly interested in another evening of being "listened to" by the NRC, and would rather hear how PG&E and the NRC were going to materially address their concerns. A County Supervisor followed with the comment that it was nice that the NRC was being so attentive, but after you've done all your listening, will you be coming back to tell us what you're actually going to do?

The deputy administrator replied that any questions not answered that evening would have answers posted on their website.

"Fine," said the County Supervisor, "but what will you do?"

"We'd be happy to come back for another meeting," the administrator said.

Expanded Storage for Diablo Canyon's Waste Appealed to Coastal Commission

Expanded storage of high-level nuclear waste at Diablo Canyon will violate at least seven sections of the California Coastal Act and is a clear violation of the Coastal Commission's mandate "to preserve, protect, and where possible, to restore the resources of the coastal zone for the enjoyment of the current and succeeding generations."

The appeal of Pacific Gas & Electric's permit to expand waste storage was filed May 25, 2004, on behalf of the San Luis Obispo Mothers for Peace and the Santa Lucia Chapter of the Sierra Club.

"There is no doubt that the waste currently in overcrowded and vulnerable pools could be stored in a much safer manner, but the expanded nuclear storage site should be limited to existing nuclear waste inventory," said Rochelle Becker of Mothers for Peace. "Local and state agencies in Minnesota, Vermont, Connecticut and Wisconsin have courageously protected the health, safety, environment and economy of their

citizens, ignoring utility threats of preemption. We believe the California Coastal Commission should follow their example."

In October 2002, the Executive Director of the Coastal Commission wrote to the NRC that "We feel that the conservative, precautionary approach of requiring ISFI (Independent Spent Fuel Installations) and MRS (Monitored Retrievable Storage) installations to meet the same design standard as a nuclear power plant is most appropriate.... A finding must be made that the proposed ISFI will minimize risks to life and property in areas of areas of high geological hazard and assure stability and structural integrity of the proposed development."

The definition of "temporary" is "lasting for a limited time." By definition, a project to store high-level radioactive waste on our coast, which will impact generations of residents, is not temporary. PG&E's nuclear waste storage must be limited until a permanent nuclear waste facility is open and is operating safely" asserted Fred Frank, local Sierra Club representative.

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 1st 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.

Sun., July 4, 8 a.m., Hazard Peak. Join us for this 3 hour, 6 mile roundtrip hike with over 1,000 feet of elevation gain. Bring water, sturdy hiking shoes, and dress for the weather. Everyone is welcome, but beginners will fall behind due to the elevation gain of the hike. Meet at the junction of Pecho Valley Road and the Horse Camps dirt road turnoff, 1/10th of a mile beyond the entrance to Montana de Oro. Do not meet at the Ridge Trailhead, as we will be hiking the back route to the peak. Leader Al (534-0462) **(3B)**
Wed., July 7, 14, 21, 28, 5:30 p.m., Informal 2-hour hikes around San Luis Obispo. Check website at <http://santalucia.sierraclub.org/index/index.html>, or e-mail gfelsman@onemain.com for meeting location.

Sat., July 10, 5 p.m., CANOE/KAYAK MORRO BAY DINNER PICNIC. This is an evening paddle on the bay and a beach dinner picnic with friends. It should be a romantic evening for a gourmet picnic. Bring your boat and equipment, PFDs, windbreaker, warm clothing, flashlight and a picnic dinner. LOW TIDE: 11:32 a.m. 1.8'. LAUNCH AT MORRO BAY STATE PARK MARINA HIGH TIDE 6:28 p.m. 5.2'. Put in 5 p.m. Jack Beigle 773-2147

Sat., July 10, 9:30 a.m., Valencia Peak Hike. Come take a 5-mile hike with 1,200 foot elevation gain to the top of Valencia Peak. We will then turn via the Oats Peak trail to the Visitor Center. Bring water, snack, non-skid shoes, and dress for the weather. Meet at the Valencia Peak Trailhead 100 yards past the Visitor Center in Montana de Oro. Details call Gary at 473-3694.

Sun., July 11, 9:30 a.m., MOUNTAINS to SEA TRAIL. This will be an exploratory hike going from the Dunes Center to the Pacific. Meet at Dune Center ready to explore. Bring lunch, water, windbreaker, compass and a desire to see new places. Confirm a few days before at 929-3647 or bdenneen@slonet.org

Sun., July 18, 9:30 a.m., PISMO DUNES PRESERVE. Meet at Melodrama in Oceano. Drive about a mile to a secret way to spectacular dunes to a remote dried-up lake. Total distance about 4 miles. Slide down steep dune faces. Confirm a few days before at 929-3647 or bdenneen@slonet.org

Sun., July 25, 9:30 a.m., MUSSEL ROCK. Meet on Guadalupe Beach with bins, water, lunch, windbreaker. Dogs are not allowed at this time of year. We'll hike along beach to MR. Turn around point depends on the group. Confirm a few days before at 929-3647 or bdenneen@slonet.org

Sun., Aug. 1, 9:30 a.m., POINT SAL. Meet at the end of Brown Road. Hike 2.5 miles to 'saddle' and then decide: hike to ocean, Point Sal or turn around. Bring lunch, water, dogs that do not chase cattle, windbreaker and optional Mt. Bike. Confirm a few days before at 929-3647 or bdenneen@slonet.org

Wed., Aug. 4, 11, 18, 25, 5:30 p.m. Informal 2-hour hikes around San Luis Obispo. Check web site at <http://santalucia.sierraclub.org/index/index.html>, or e-mail gfelsman@onemain.com for meeting location.

Sat., Aug. 7, 8:30 a.m., LOPEZ LAKE HIKE/WATERSLIDES: Enjoy the Lopez Lake waterslides in the morning, have lunch, then hike the Turkey Ridge and Blackberry Springs trails (2 mi. loop, 420 ft. elev. gain). Meet at the Lompoc Pizza Hut parking lot at 8:30 a.m. Bring lunch, water, and money for waterslides, carpool gas, and entrance fees. San Luis Obispo residents call for meeting time and place. Confirm with CONNIE 735-2292 (AR)

Sat., Aug. 7, 9 a.m., False Alan Peak. Enjoy a wide variety of terrain and habitat and bag the highest peak in Montana de Oro SP on this 10 mi., 1,400 ft. loop hike. Meet at Oats Peak trailhead (approx. 400 ft. east of the visitor center). We will return via Coon Creek and the bluffs. Leader Bob (441-9508) rws_usa@yahoo.com (4C)

Sun., Aug. 8, 9:30 a.m., COAST HIKE: To a remote area of dunes with Chumash midden, coreopsis, flowers, and steep dunes. Confirm

a few days before and details at 929-3647 or bdenneen@slonet.org Bring lunch, water, bins, compass, windbreaker.

Wed-Sat. Aug. 11-14, Backpack the High Monitor Range. A 15-20 mile backpacking trip in central Nevada. This begins up Cottonwood Ck, and we return by way of Barley Ck. Elevation with packs range from 8,000 ft to about 9,500 ft. A side trip with day packs to about 10,500 ft on Table Mountain. Miles of quaking aspen. Lots of water. No car shuttle needed. To get on trip send a \$20 deposit made to Sierra Club to David Hardy, Box 99, Blue Diamond, NV 89004, hardyhikers@juno.com, (702 875-4549). *Toiyabe Chap/CNRCC Desert Com*

Sat., Aug. 14, 10:45 a.m., CANOE/KAYAK TO A MOZART CONCERT. This leisurely paddle leads to the Baywood Pier but this time we anchor off the pier, or run our bows up on the beach, to eat lunch while we listen to a Brass Ensemble play Mozart. Bring your boat and equipment, PFDs, windbreaker, warm clothing and a picnic lunch. HIGH TIDE: 11:29 a.m. 4.2' LAUNCH AT MORRO BAY STATE PARK MARINA. LOW TIDE: 4:22 p.m. 2.2' Put in 5 p.m. Jack Beigle 773-2147.

Sun., Aug. 15, 9:30 a.m., PISMO DUNES PRESERVE: Meet at Melodrama in Oceano. Drive about a mile to a secret way to the spectacular dunes. Total distance about 4 miles. Slide down steep dune faces. Confirm a few days before at 929-3647 or bdenneen@slonet.org

Sun., Aug. 22, 9:30 a.m., BICYCLE GUADALUPE to OCEAN: Meet at Dune Centre Parking lot with bike and helmet. An easy, educational tour of Guadalupe and then to Pacific. Confirm a few days before at 929-3647 or bdenneen@slonet.org

Fri-Sun., Aug. 27-29, White Mountains Carcamp: Escape from the heat and the crowds. We will stay at Grandview Campground, spend one day visiting Bristlecone Pines at Shulman Grove, spend another day touring out to the Patriarch Grove and (roads and vehicles permitting) visiting the Cottonwood Basin area. Sunday's plan will depend upon wishes of the group (backroad driving, dayhike, or leisurely return through Owens Valley). Views from these mountains are spectacular. Cameras are a necessity. For info and reservations contact: Ldr: Craig Deutsche, deutsche@earthlink.net, (310-477-6670). *CNRCC Desert Com*

Sun., Aug. 29, 9:30 a.m., POINT SAL: Meet at the end of Brown Road. Hike 2.5 miles to 'saddle' and then decide: hike to ocean, Point



Photo by Joaquin Palting

Sal or turn around. Bring lunch, water, dogs that do not chase cattle, windbreaker and optional Mt. Bike.

Sun., Aug. 29, SUNSET/ MOONRISE HIKE AND POTLUCK AT MONTANA DE ORO: We'll hike to the top of Valencia Peak, then down to the bluffs for a potluck dinner while the full moon comes up and the sun goes down a few minutes later (6 mrt, 1,300 ft elev. gain). Bring a daypack, food to share, as well as a plate, utensils, and water for yourself. Meet at the Orcutt Long's Drugs parking lot at 3:30 p.m. SLO residents call leader for meeting time and place. Hikes are subject to change, always contact the leader. JIM 937-6766 (AR)

Sun., Sept. 5, COAST HIKE: To a remote area of dunes with Chumash midden, coreopsis, flowers, steep dunes. Confirm and details a few days before at 929-3647 or bdenneen@slonet.org Bring lunch, water, windbreaker and a desire to explore.

Sun, Sept. 5, 8 a.m., Valencia Peak Southern Route Conditioning Hike. This is a 2 hour, 4.5 mile hike with over 1,200 foot elevation gain. Bring water, sturdy hiking shoes and dress for the weather. Everyone is welcome, but this is a vigorous conditioning hike. It is intended who want to maintain a high fitness level. It is not for those who want to get into shape, as they are likely to be left behind. Meet at the Coon Creek Parking area at the very end of Pecho Road in Montana de Oro. Leader Al (534-0462)

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

Please check the web page at www.santalucia.sierraclub.org for the most up-to-date listing of activities.