



ENVIRONMENTAL DEFENDER

FALL 2001

EDC Halts Illegal Prison Expansion in Lompoc

LOMPOC - Through EDC's review of a proposed new 1,100-inmate prison in Lompoc, EDC discovered that the federal government was also working on a separate prison expansion project in Lompoc without notifying the public or analyzing the project's impacts to the Lompoc community. This \$5 million expansion of the Federal Correctional Institute in Lompoc could hold at least 500 new inmates, a significant increase in the current capacity of the federal facility. The expansion could negatively affect water, biological and cultural resources, traffic, housing and numerous public services, which are already strained in the community. After EDC, on behalf of the Citizen's Planning Association of Santa Barbara County, threatened to file a lawsuit based on the lack of environmental review, the Federal Bureau of Prisons directed the U.S. Army Corps of Engineers to immediately stop all work on the project.

Prior to that, for six months the Bureau of Prisons failed to respond to the EDC's requests for public documents describing the expansion project and its environmental impacts. After EDC sent a letter confirming that the Bureau had illegally withheld public documents and proceeded with a project without conducting environmental review, the Bureau finally responded.

On August 1, the Bureau released an Environmental Assessment (EA) that finds no significant impacts on the environment. The EA does a poor job of analyzing environmental impacts and completely ignores the cumulative effects from other proposed prison in Lompoc. However, despite the inadequacies of the EA, the Lompoc community now has an opportunity to review and comment on the project and its impacts, a legal right that the federal government attempted to deny.



Box Canyon in the Ventura Hills

Photo by Jim Shirley

City of Ventura to Present Hillside Protection Decision to Voters

VENTURA - In July, the Ventura City Council voted to place the Ventura Hillside Voter Participation Measure on the ballot in November 2001. This measure, if approved, would require that future development proposals in a designated 9100-acre hillside area north of Ventura, most of which is located outside the city's current boundaries, must be presented to the voters for approval. The measure is a response to preliminary plans by four major landowners to develop approximately 2000 homes in the hills and canyons of the hillside area. EDC will monitor the adoption of the Hillside Voter Participation Measure on behalf of our client group, the Ventura Citizens for Hillside Preservation, which is a community group of volunteers dedicated to the preservation of the remaining hillsides as open space in and around the City of Ventura.

Eye On North Coast

SAN LUIS OBISPO - As EDC continues to work on the public process surrounding land use decisions along SLO County's north coast, the Hearst Corporation has been quietly working to exploit a loophole in the Subdivision Map Act to further its plans to develop a resort on its scenic ranch at San Simeon that includes 18 miles of coastline. By researching land records, many dating back to 1852, Hearst is attempting to acquire an arcane document known as a "certificate of compliance" for 279 parcels to establish legal lots without going through a subdivision process. Hearst Corporation's immediate goal may be to create the threat of buildable lots to scare foundations and agencies interested in a conservation purchase to buy at a greatly inflated price. Unfortunately, the agricultural easement that Hearst is currently proposing to sell will do nothing to reduce their planned resort development.



woodcut by Elissa Pfost

In July, EDC participated in the Coastal Commission's review of the San Luis Obispo's Local Coastal Plan (LCP). The Commission made strong recommendations for important changes to the LCP, including the recommendation that the Hearst Development be limited to two already developed nodes. The County has a year to respond to the Commission's recommendations.

While Hearst Corporation searches for ways to have their cake and eat it too, EDC continues to advance the interest of our client group, Friends of the RanchLand, in protecting the natural legacy at the gateway to Big Sur.

"Hearst Corporation has been quietly working to exploit a loophole in the Subdivision Map Act to further its plans to develop a resort..."

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A Message from Armando



Y. Armando Nieto
Executive Director

Fall is a busy time in EDC offices throughout the tri-counties. Apart from ongoing casework, the SLO office celebrates its last TGIF of the season on September 21st, while Ventura revs up planning activities for a February 2nd *Victory for the Environment Dinner* to honor Ed Masry and Erin Brockovich. The Santa Barbara ChannelKeeper is planning its own kickoff event on January 27th, the first as an independent organization separate from EDC. SBCK begins operations as an independent 501(c)(3) organization on January 1st, and we couldn't be prouder of our part in launching this jewel in the network of more than 65 Keeper programs spanning the continental U.S., and beyond.

In Santa Barbara, focus groups are developing the agenda for an Environmental Summit to launch EDC's 25th Anniversary activities in 2002.

Yet, for all the promise of 2002, we still have a ways to go in 2001.

We will likely remember 2001 as the roller coaster year when a new administration in Washington, D.C. made clear our challenge to preserve environmental quality of life on the central coast. It was also the year when the U.S. census verified what was widely assumed for years—that our state/region had achieved a level of diversity unprecedented in modern times. For many, the prosperity of the nineties came to a crashing end, the effects of which did indeed affect a much broader population.

As a result, nonprofit organizations across the state and throughout our region will end 2001 by regrouping and learning to live with dwindling resources.

At EDC, we view this state of affairs as a challenge and an opportunity.

Here in California the environmental movement is poised to welcome a much broader constituency of residents. In the tri-counties we will likely be the focus of the nation's attention as the question is asked, *at what cost gas and oil development?* Up and down the coast, legitimate pressures for housing provide cover for any number of development projects that outstrip resources, or take away scenic vistas, public access or critical habitat. We, as community, as stewards of our homelands, must hold one another accountable. And we must look to one another for support.

In this—and every—issue of the *Environmental Defender* you will find a reply envelope with which we hope to solicit your financial support. Today, I ask that you make a more significant contribution, and I am not necessarily talking about money.

Please take a moment and put a 34¢ stamp on the enclosed envelope, and whether or not you are able to make a financial contribution, send it back to us at EDC. If you like, fill in your name and address; or just write across the envelope, *"I'm with you, EDC."*

I want to receive thousands of envelopes. For the cost of a 34¢ stamp please step forward and declare your support for the preservation of our region. We'll count each and every envelope and let you know how many of your fellow residents share your commitment for environmental quality of life.

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About EDC

Since 1977, EDC has provided public education and legal services to environmental and community groups dedicated to environmental quality in California's Central Coast region. EDC's staff assists other nonprofit environmental groups to ensure that existing environmental laws are enforced. EDC represents clients in court and before governmental agencies, provides legal counsel and advice, and offers educational opportunities to the community on issues involving water quality, watersheds, biodiversity/endangered species, environmental health/justice, land use/open space preservation, offshore oil and gas, and public access.

EDC Welcomes New Board Members

EDC welcomes new Board members Larry Rogero, Virginia Clarke-Laskin, Lisa Nessel & Alyssa Firmin. (Pictured below, left to right)



Farewell to Jennifer Carnine

EDC bids a very fond farewell to Jennifer Carnine, who has brightened our Ventura office for the last year. Jennifer has left EDC to pursue other interests. We will miss her dearly!



Volunteer Opportunities at EDC

Have you been asking yourself "how can I lend a helping hand to EDC"? Here is one idea, volunteer! Our volunteer projects are diverse, including helping with mailings and TGIFs, general office tasks, fundraising, events and public outreach. Contact Eve Bailey at 963-1622 if you are interested in more information on any of our volunteer ventures.



Biodiversity Habitat

Oil and Gas Developments on the Central Coast

CENTRAL COAST - Despite a federal moratorium on new oil and gas leasing off the coast of California, the Central Coast remains heavily threatened by industry's plans to develop 36 existing leases in federal waters and several more leases in state waters (up to three miles offshore).

In June 2001, a federal district court ruled that the 36 federal leases had to be reviewed by the California Coastal Commission to ensure consistency with the state's Coastal Act. This decision was the result of a multi-year effort by EDC to enforce a 1990 federal law that allows states to review federal activities that may impact a state's coastal zone.

On August 17, 2001, the federal government appealed the court's decision. EDC will continue to represent eight environmental groups in the appeal. Our goal is to allow the state to review the leases, which could potentially result in the expiration of any leases that threaten harm to the coast in violation of the Coastal Act. Pending the appeal, plans to develop the 36 federal leases (representing 1 billion barrels of oil) remain on hold.

However, plans are proceeding to develop several existing state leases off the Santa Barbara County coast. Torch has submitted an application to slant drill from a federal platform (Irene) into state waters offshore Pt. Arguello; POOI/Carone proposes to develop three leases offshore Carpinteria; Molino/Benton proposes to produce sweet gas offshore the Gaviota Coast; Samedan wants to develop two leases west of Goleta; and Venoco seeks to expand its lease offshore UCSB to allow additional production. EDC currently represents four local organizations in opposition to the Venoco plan, which would violate a settlement agreement forged by its previous owner, ARCO, and the State Lands Commission, County of Santa Barbara and Sierra Club. EDC represents the Sierra Club and three other groups in an effort to enforce the settlement agreement and also to ensure compliance with County policies that require new oil and gas processing facilities to be sited at designated locations.



Oil platforms in the Santa Barbara Channel

Navy Facility Receives Another Rebuke from Coastal Commission

PT. HUENEME - In August, the long struggle to give the state some authority over the Navy's Surface Warfare Evaluation Facility (SWEF) at Port Hueneme continued at the California Coastal Commission. EDC represents The Beacon Foundation in advocating a greater scope of public review of the SWEF, a facility containing several high powered radio installations that was constructed in the mid-1980s. In August, the Coastal Commission considered the Navy's compliance with environmental commitments offered to the Commission in April 2000. The Commission concluded that the information and monitoring data submitted by the Navy regarding the SWEF failed to honor these commitments. EDC and the Beacon Foundation have asked the Commission to reopen its evaluation of the entire SWEF, which has never been subject to a public environmental review process.



Mission Creek

Commission Demands Better Protection for Mission Creek

REDONDO BEACH - On August 9, the California Coastal Commission (CCC) sided with EDC and Santa Barbara ChannelKeeper (SBCK) in their concern about the City of Santa Barbara and Corps of Engineers' proposed Mission Creek Flood Control Project, demanding additional measures to protect the creek, endangered species, wetlands and water quality. In an unprecedented action, the Commission invoked new guidelines in order to require the Corps to return at a later date with plans for new protective measures.

EDC and SBCK sought denial of the project, unless significant improvements were made, due to inconsistencies with the California Coastal Act. EDC & SBCK presented scientific evidence illustrating that the project could eliminate all the endangered tidewater gobies in the creek, increase sedimentation and decrease water quality.

The CCC approved the project in concept, but not before requiring a series of conditions that must first be met before the project can move forward. Used for the first time in Coastal Commission history, the Commission's vote to "conditionally concur" requires the Army Corps, the County and the City to develop and implement: 1) a management plan for the endangered tidewater goby and its estuarine habitat; 2) a native tree planting program for the creek banks; 3) a revised creek maintenance plan that de-emphasizes herbicides and bulldozing; and 4) a new low flow channel in the creek to support steelhead and other species. The CCC will revisit this issue at a future public hearing to determine if these new measures sufficiently protect Mission Creek.



Action Alert Mission Creek at City Council

The Santa Barbara City Council will consider the Mission Creek Flood Control Project September 25. Please contact EDC if you can attend the hearing or write a letter asking that the City adopt measures to protect the creek's resources before approving the project.



Action Alert Say NO to Venoco's Production Facility at Ellwood

On October 15, the Santa Barbara County Board of Supervisors will hold a hearing to discuss the Amortization of Venoco's Ellwood Onshore Processing Facility. Please write letters and/or attend the hearing in support of closing Venoco's aging Ellwood Facility for the sake of both public and environmental health. Call EDC for more information, talking points, or sample comment letters.



Honors, Acknowledgment

Interns, Law Clerks & Volunteers

What did you do this summer? Was it eventful? Was it fulfilling? If you were an EDC law clerk, intern or volunteer, you would have answered "yes" to these questions. We have been incredibly fortunate with the quantity and the quality of our volunteers this summer.

As a UCSB masters student at the Bren School of Environmental Science and Management I have been studying human impacts on the environment. EDC has allowed me to turn my studies into action. This summer I have been performing legal and political measures to protect our natural resources. I worked on the opposition to the "Rigs to Reef" Senate Bill, drafted an Energy Efficiency Fact Sheet, and researched both Clean Water and Coastal Zone Management Acts. Thank you EDC for letting me learn what I could not get from the inside of a classroom.

— Andrea Cohen



My experience with the EDC this summer has been invaluable. In working with Brian Trautwein on the Lower Mission Creek Flood Control Project, I was able to get a number of experts to comment on the environmental impacts of the project. As a result of the experts' recommendations, the EDC was successful in requiring additional mitigation measures before the project can be approved. It is a wonderful feeling to know that I can make a difference. Thank you for the opportunity.

— Susan Erickson



Our summer law clerks were Bryan Dempsey in San Luis Obispo and Justin Massey in Santa Barbara. Two Bren School students, Susan Erickson and Andrea Cohen, joined us as interns. EDC was also blessed with the help of several volunteers and interns who worked on everything from legal projects to events. We are very grateful to all of them for their support.

EDC is constantly seeking law clerks, interns and volunteers. Law Clerks are current law students who assist with EDC's legal cases and receive school credit. Interns may come from a variety of different backgrounds and work on EDC cases, assist with community outreach and advocacy, public relations, media activities, grant writing, and event planning.

EDC is always seeking volunteers whom we match to assignments based on their abilities, interests and time limits. EDC also works with other local groups such as the Sanctuary Psychiatric Centers of Santa Barbara and Citizens Planning Association in developing and working with volunteers.

Thank you to all of our law clerks, interns and volunteers.

Special Thanks

EDC is very fortunate to have the support of our wonderful donors. We would like to thank Drs. Carol and Mike Behrman for opening their home on May 20th, and Karen and Gary Kledzik for opening their home on July 27th, to hold gatherings in support of the Challenge Opportunity. These house parties were great opportunities for EDC supporters to meet each other, learn about the 2001 Community Challenge Opportunity, and commit to getting involved. Thanks to all who participated.

Thanks from SLO

Thank you to Linnaea's Cafe, Salsitas Cafe, Cafe Roma, and Central Coast Brewing for hosting EDC events. EDC also recognizes our stellar volunteers in SLO: Chef Bob Shanbrom, Avra Metzger, George Griffin, Ann and Ron Alers, Patti Taylor, Judy Jennings, Joan Carter, Cynthia Hostetter, Kurt Vavra, Pat Harris, Maya Andlig, Barbara Bell, and Carol Berger.



Art Imitating Life

On Friday, August 3rd, the Ventura office kicked-off a week-long environmental art show with a tremendously successful TGIF. Over 50 pieces of environmentally themed art, as well as Ikebana flower arrangements from the Sangetsu School, were displayed at Art City, with 35% of all sales being donated to EDC. More than 70 individuals attended the event and enjoyed fine art, wonderful desserts, delicious wines, and beautiful classical guitar by Russ Baggerly. The event, sponsored by Friends of the Santa Clara River and Timothy & Patricia Malloy, gave EDC the opportunity to present much-deserved awards to Dale Zurawski and David Rolland.

- A. Suman Ceramics
- Access to Lifelong Fitness, Inc.
- Airport Animal Hospital
- Ramon and Julia Alcerro
- Aldo's Ristorante
- All About Pets
- Anacapa Dive Ctr.
- Janice Ander-Foltz
- Anderson Camera & Art Supply
- Andrea Slevin Hypnotherapy
- Anomaly Imports
- Aquasports
- Art Essentials
- Arts and Letters Cafe
- Anastasia Artwill
- Avalon Chiropractic
- Aveda
- Anna Bass
- Beachside Bar Cafe
- BeBop Burgers
- Stephan Bedford, Katie O'Hara
- Bellagio
- Bruce Bernson
- Best Western Pepper Tree Inn
- Larry and Jamie Bickford
- Bicycle Bob's
- Big Easy Catering Co.
- Big Yellow House
- Bikini Factory
- Bistro Eleven Eleven
- B.L. Borovay, George Relles
- Brophy Bros.
- Nancy Brown
- Bucatini Trattoria
- Buttonwood Farm/Winery
- Ca'Dario
- Cafe del Sol
- Cafe of Life
- Cambria Sports Bar & Grill
- Nell Campbell
- Carol Carbine
- R.J. Carnahan
- Cavalier Oceanfront Resort
- Central Coast Winegrowers Assoc.
- Center Stage Theater
- Channel Islands National Marine Sanctuary
- Chaucer's Books
- Jim Churchill
- Vicki Clark
- Susan Clarke
- Coffee Cat
- Cold Springs Tavern
- Cold Stone Creamery
- County Landscape & Design
- Cox Communications
- Cygnar-Le Salon Le Spa
- Danica House
- Dargan's
- Disneyland
- Dolphin Shirt Co., Inc.
- Edomasa
- Educated Car Wash
- ElderCare Massage
- Fiddlehead Cellars
- Firestone Vineyard
- Firestone Walker Brewing Co.
- Fishouse
- Four Seasons Biltmore
- Fresco
- Fresh Choice
- Friends of the RanchLand
- Christabel Garcia-Zamor
- Gerlach Nature
- Photography Gallery
- Goleta Valley Athletic Club
- Harmony Creative Design
- Hazard's Cyclesport
- Heal The Ocean
- Healy Designs
- Hendry Pottery
- Hennings Boutique
- Peggy Jo Love
- Isla Vista Bicycle Boutique

- Isla Vista Food Coop
- Island Packers
- Island Seed & Feed
- Italian Pottery Outlet
- Assemblymember
- Hannah-Beth Jackson
- Jazzercise



- Joe's Cafe
- Jon Lipman Auto Repair
- Steve Junak
- Justo The Tailor & Cleaners
- KDB Pacific Broadcasting Co.
- KEYT Newsradio 1250AM
- Jerry Kry
- Las Cruzitas Ranch
- Las Palmas Ceramic Design
- Laughing Buddha Studio
- Jane Lea
- Leslie Lombard
- Len's Studio
- Letter Perfect Stationary
- Darren Lisle, L.Ac.
- Little Alex's
- Livingreen
- Los Baños Swimming Pool
- Maes Ctr. for Natural Health
- Magellan's
- J. Marc McGinnes, Seyburn Zort
- Brian McNally
- Memaw's
- Merv Griffin's Resort & Givencyh
- Metropolitan Theatres Corp.
- Mi Casa Imports
- Sydney Minnerly, Michael Mered
- Mischief
- Montecito Athletic Club
- Montecito Family YMCA
- Montecito Natural Foods
- Montecito Sports
- Montecito Village Hardware
- Morninglory Music
- Mount Calvary Retreat House
- Elise Murphy
- Murray's Sports Ctr.
- National Audubon Society, Inc.
- Pedro Nava
- Nepenthe Restaurant
- Tim O'Brien
- Ojai Shakespeare Festival
- Old Stone Station
- One On One Fitness
- Orchard Supply Hardware
- Pablo's Health Food Juice Bar
- Pacific Travellers Supply
- Paddle Sports
- Palace Cafe
- Pan's Garden
- Paradise Cafe
- Pascucci
- PCPA Theaterfest
- Peabody's Bar and Grill
- Arturo Peal, L.Ac.
- Piatti
- Pierre LaFond

ments and Opportunities



Isla Vista Food Coop
Island Packers
Island Seed & Feed
Italian Pottery Outlet
Assemblymember
Hannah-Beth Jackson
Jazzercise

Play It Again Sports
Playa Azul
Pleasant Bay Village Resort
Poweryourpoint.com
Public Beauty Supply
Rancho Oso
Ted Rhodes, Joan Pascal
Richard Longoria Wines
Andrea and Fred Rifkin
Robin's
Robin's Salon
Rolling Hills Garden Ctr.
Dave Rosen

Santa Barbara Athletic Club
Santa Barbara ChannelKeeper
S.B. Contemporary Arts Forum
Santa Barbara Family YMCA
Santa Barbara Frame Shop
Santa Barbara Gym & Fitness Ctr.
Santa Barbara Hemp Co.
Santa Barbara Independent
Santa Barbara Inn & Citronelle
S.B. Museum of Natural History
Santa Barbara News-Press
Santa Barbara Sailing Center
Santa Barbara Symphony
Santa Barbara Yoga Center
Santa Barbara Zoological Gardens

Sanford Winery
Sea For Yourself
Sea Landing/Truth Aquatics
Nick Sehgal
Phil Seymour, Jean Silva
Shoreline Beach Café
Silent Partner/One Hour Photo
Simpson House Inn
Soft Touch
SOHO Restaurant & Music Club
Sojourner Cafe
Dianne Sorensen
Sherry Spear
Spencer Conway Artwork
St. Paul Cleaners
Starbucks
Stella Mares
Mark Stringer
Summerland Beach Cafe
Sundance Beach
Sunfire Gallery
Supervisor Gail Marshall
Supervisor Susan Rose
Supervisor Naomi Schwartz
Surfrider Fdtn. SB Chpt.
Michael Swain, L.M.T.
Talisman

Tecolote Book Shop
Teva Sandals
The Beach House
The Family Jewels
The Hamlet at Moonstone Gardens
The Herbal Spirit
The Human Touch
The Living Room
The Natural Café
The Ojai Vineyard
The Santa Barbara Independent
The Tortoise and The Hair
The Trailhead
The Upham Hotel
Randy Tico
Brian Traurwein
UCSB Arts & Lectures
Vegetable Ivory Design
Via-Vai
Video Schmideo
Village Cheese & Wine
W.A. King
Nick Welsh
William
Ken Yamamoto
Your Place Restaurant
Zaca Mesa Winery
Keith Zandona
Eric Zimmerman

Community Challenge

This spring, EDC received a \$200,000 anonymous pledge to launch a Community Challenge that will raise a total of \$500,000 before the end of the year. Through their generous leadership, the anonymous donors have encouraged individuals, businesses and philanthropic institutions to take immediate action to support environmental quality of life.

We are pleased to report that hundreds of people have stepped up to the challenge! As of September 11th, EDC had already received \$134,284 in contributions, in addition to the initial pledge of \$200,000. All money raised through the Community Challenge will fund day-to-day operations of EDC.

These are critical times for our country and for our region. If you would like to join the growing group of Central Coast residents who have declared their support for EDC, we urge you to contribute towards the Community Challenge. You can participate by giving a cash donation, establishing a pledge, transferring stock, or making a planned gift. To fully meet our potential, EDC needs your leadership and support.

A Tradition of Giving

This country's rich philanthropic heritage is reflected in the more than \$90 billion given to charitable organizations each year. In addition, people like you donate their time and resources to nonprofit organizations to support a wide variety of worthy causes. Although your commitment is great, you may be unaware of the many options you have when it comes to making charitable gifts—options that can benefit your personal financial situation, as well as the long-term viability of your favorite organization.

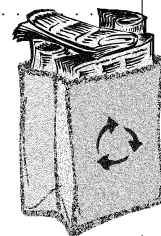
Planned giving is defined as any donation to a charitable organization, other than a current gift of cash. Planned giving enables you to invest in the future of an organization, while also enjoying the results of your gift during your lifetime. For example, you may be able to obtain an immediate tax deduction; establish a living memorial to yourself, your family or someone you love; receive an income stream for life; or enjoy savings in income, estate and gift taxes. By using such giving strategies, you are often able to make larger gifts than you ever dreamed possible. With a planned gift, you can become a major donor to your favorite organization for a fraction of the actual gift.

Planned giving enables you to invest in the future of an organization, while also enjoying the results of your gift during your lifetime.

EDC welcomes the opportunity to show you the potential benefits of making a planned gift to support our efforts. Personal discussions, visits or written presentations can be coordinated at no obligation to you. Of course, all information discussed will remain confidential. If you are interested in learning more about the different ways you can make a financial commitment, feel free to visit our website at www.edcnet.org or call us at 963-1622.

Shop at Scolari's and Help EDC

Now you can shop for groceries and help EDC at the same time. EDC has been added to Scolari's Club Card Friendship Fund. You can designate EDC as your charity of choice by filling in EDC's 4-digit code (5349) on your Scolari's Club Card application. EDC will receive 1% of all sales coded with that number.



Send Your Tax Refund to EDC

Some time this summer, most of us received a bonus tax refund. Many see this tax refund as a fiscally irresponsible attempt to take critical funding away from existing environmental and social programs. EDC has worked on the Central Coast for almost 25 years in order to preserve and protect the natural environment we hold so dear. While we have accomplished much, there is still tremendous work to do. We encourage you to donate some or all of your refund to support EDC's efforts to protect our environmental quality of life.

Law Clerk Housing Needed

EDC is fortunate to have the assistance of law clerks throughout the year, who work pro bono and often need housing that is free or reduced in cost. Please contact Eve at 963-1622 if you or someone you know may be able to help with housing for a clerk who starts in January.

New Date!
ChannelKeeper Dinner
January 27



Joe's Cafe
Jon Lipman Auto Repair
Steve Junak
Justo The Tailor & Cleaners
KDB Pacific Broadcasting Co.
KEYT Newsradio 1250AM
Jerry Kry
Las Cruzitas Ranch
Las Palmas Ceramic Design
Laughing Buddha Studio
Jane Lea
Leslie Lembo
Lena's Studio
Letter Perfect Stationary
Darren Lisle, L.Ac.
Little Alex's
Livingreen
Los Baños Swimming Pool
Maes Ctr. for Natural Health
Magellan's
Marc McGinnes, Seyburn Zorthian
Brian McNally
Memaw's
rv Griffin's Resort & Givenchy Spa
Metropolitan Theatres Corp.
Mi Casa Imports
dneyminnerly, Michael Meredith
Mischief
Montecito Athletic Club
Montecito Family YMCA
Montecito Natural Foods
Montecito Sports
Montecito Village Hardware
Moringlory Music
Mount Calvary Retreat House
Elise Murphy
Murray's Sports Ctr.
National Audubon Society, Inc.
Pedro Nava
Nepenthe Restaurant
Tim O'Brien
Ojai Shakespeare Festival
Old Stone Station
One On One Fitness
Orchard Supply Hardware
Pablo's Health Food Juice Bar
Pacific Travellers Supply
Paddle Sports
Palace Cafe
Pan's Garden
Paradise Cafe
Pascucci
PCPA Theaterfest
Peabody's Bar and Grill
Arturo Peal, L.Ac.
Piatti
Pierre LaFond

Land Use Developments

Forde Project Violates Local Coastal Plan

GROVER BEACH - On August 2nd, EDC filed a lawsuit against the City of Grover Beach, challenging the City's approval of the Forde Development project based on inadequate environmental review and violations of the City's Coastal Plan. EDC filed the suit on behalf of the Northwest Grover Beach Neighborhood Alliance, a group dedicated to ensuring strict enforcement of environmental laws in Northwest Grover Beach. The proposed project located on Front Street between Ramone and Newport Avenues, involves the construction of 10 industrial shells along the



Monarch butterfly

western edge of Front Street, abutting the Pacific Railroad track right of way.

The lawsuit alleges that the City violated the California Environmental Quality Act (CEQA) by failing to adequately describe the project, or to analyze the project's impacts on traffic, views, and the state's largest

Monarch Butterfly over-wintering site at the nearby Pismo State Park. The suit also alleges that the City violated the policies and requirements of the Grover Beach Local Coastal Plan, a document created through a public process that is intended to guide the City's approval of development projects in the coastal zone.

City Council Approves Entrada Project, Again

SANTA BARBARA – EDC, on behalf of the Citizens Planning Association (CPA) and the League of Women Voters of Santa Barbara (LWVSB), is working to enforce state and local laws that require preservation of views, water and biological resources, lower cost hotel accommodations and small town ambiance in Santa Barbara's unique Waterfront area. However, on August 21, 2001 the Santa Barbara City Council approved the massive Entrada project proposed for lower State

“... Santa Barbara City Council approved the massive Entrada project ...without legally adequate environmental review...”

Street without legally adequate environmental review, in violation of State and local laws and policies and in the face of intense community opposition. EDC will represent LWVSB and CPA in appealing the City's decision to the California Coastal Commission, based on the project's inconsistencies with the Coastal Act and Local Coastal Plan, including the loss of low cost accommodations and the siting of development too close to Mission Creek.

EDC is also seeking the City's compliance with the Court's previous order requiring the City to prepare a legally adequate environmental impact report on the Entrada project. We are also working on the other issues that were raised in the lawsuit against the City but were put on hold by the judge when he ordered the City to prepare an environmental impact report. Other issues raised in the litigation include the incompatibility of the Entrada project with the surrounding neighborhood, impacts on the adjoining residential West Beach neighborhood, and inconsistencies with visual resource protection policies in the General Plan and Local Coastal Plan.

Final Amendments to Orcutt Community Plan Approved

ORCUTT - The lawsuit filed by EDC in 1997 on behalf of the Orcutt Area Advisory Group (OAAG) and Citizens Planning Association (CPA) against Santa Barbara County over inadequacies in the Orcutt Community Plan (OCP) has finally been resolved. The lawsuit was brought out of a concern that the amount of development proposed did not consider serious constraints in Orcutt, namely the availability of water and the capacity of wastewater treatment services. In March of 2000, OAAG and CPA entered into a Memorandum of Understanding with the County to settle the lawsuit by amending the OCP. These amendments were approved by the Board of Supervisors in July.

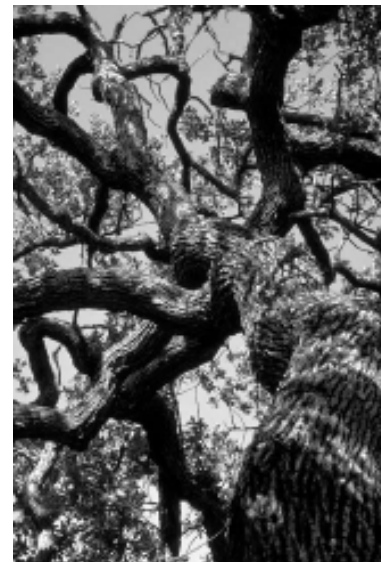
The OCP Amendments improve the Plan in several respects. For example, development in Orcutt will proceed in two phases to ensure that adequate services are available. In addition, the water policies now provide better guidance to planners in evaluating water supply. The County also agreed to evaluate the reliability of State Water each year in November when the County Water Agency gives its Annual Water Report, an action that citizens concerned about growth should monitor.

EDC Files Suit on Santa Ysabel Ranch Development

SAN LUIS OBISPO - EDC filed a lawsuit on behalf of Paso Watch in August against the County of San Luis Obispo for its approval of the Santa Ysabel Ranch project, an 840-acre residential project in Paso Robles on a parcel consisting of open grassland and oak woodlands. The proposed project site currently provides habitat for a wide variety of species, including golden eagles and southwestern pond turtles, which are protected under both state and federal law.

The lawsuit alleges that the County violated the California Environmental Quality Act (CEQA) by failing to adequately describe the project, adequately consider and analyze the project's environmental impacts, and include adequate mitigation measures to ensure that the project's significant impacts are alleviated.

In light of the Grand Jury's recent criticism of the County issuing too many negative declarations instead of environmental



Oak canopy

impact reports, it is imperative that this project be carefully scrutinized for possible impacts to the community and sensitive resources.

Photo by Richard Sage



ChannelKeeper



South Coast Polluter Files Harassment Lawsuit Against EDC and SBCK

SANTA BARBARA - In a dramatic turn of events, Halaco Engineering Co., a smelting company sued earlier this year by ChannelKeeper and EDC, filed a trespass lawsuit against these two groups and ChannelKeeper's Executive Director, Drew Bohan. This type of harassment has been Halaco's most effective weapon against regulatory agencies for the last three decades.



Photo by Cavan Hallie

The Halaco facility at Ormond Beach

In May, a federal district court judge rejected Halaco's efforts to dismiss the citizen enforcement suit filed against the facility by EDC on behalf of the ChannelKeeper. The groups filed the suit in January to force Halaco to comply with environmental laws that regulate toxic chemicals, which have been leaking into the air, water and ground from the metal smelting facility next to Ormond Beach in Oxnard for over three decades.

The lawsuit against Halaco charges the company with violating the Clean Water Act and Clean Air Act, laws enacted to protect public health. In 1980, the Environmental Protection Agency (EPA) found Halaco in violation of the Clean Water Act for its discharge of waste to the Ormond Beach Wetlands. Two decades have passed and Halaco has still not fixed the problem. Halaco has also been emitting air pollutants in violation of the Clean Air Act since at least 1990. The Ventura County Air Pollution Control District (APCD) has received hundreds of com-

plaints about Halaco's fumes by neighbors of the facility; in fact, APCD has received more complaints about Halaco than any other company in Ventura County.

Almost immediately after the federal district court denied Halaco's motions, Halaco's attorneys announced that Halaco would sue for trespass.

Halaco's trespass claim is based in large part on

the fact that Drew Bohan, Santa Barbara ChannelKeeper, walked from the beach to the edge of the slag pile and climbed to the top of it to get a view of the surrounding landscape. There is no fence around the slag pile, nor is there even a sign indicating that Halaco's property line begins at the slag pile. Moreover, for decades Halaco has allowed people, mostly children, to walk on the slag heap without suing anyone for trespass.

EDC is confident that the court will see Halaco's tactic in filing this trespass lawsuit for precisely what it is—a blatant attempt at intimidation.


NEWS

ChannelKeeper to Become Incorporated

SBCK will become an independent 501(c)3 organization on January 1, 2002. Currently considered a program of EDC, ChannelKeeper will join the ranks of over 65 full-fledged Keeper organizations world-wide, with a full complement of board members and technical advisors.

IMPORTANT: To remain on ChannelKeeper's mailing list, separate from EDC, you must contact us at 563-3397.


We want to thank the EDC for 'hatching' us, and we'll see you out there.



Action Alert

Halaco Hearing

The Regional Water Quality Control Board will meet on October 4 in Westlake Village to discuss whether or not to issue a new permit and a cease and desist order for the Halaco facility. Please contact EDC to help.




Central Coast

Environmental Health Project

Healthy Schools Act

As the official school year begins, parents have a new tool to monitor the presence of pesticides in their children's schools.

Last year, Assembly Bill 2260, the Healthy Schools Act, was signed by the Governor and became law. This bill requires the dissemination of important information regarding the use of pesticides on school grounds.

As you may know, the effect of pesticides on children's health is a great concern because children are far more susceptible to the harmful effects of pesticides than adults. This is true because: 1) children eat 3-4 times more food, drink 2.5 times more water, and breathe 2 times more air for their body weights than adults do, allowing them to ingest more toxins; 2) children's bodies and critical organs are still in development, making them more susceptible to disruption; and 3) their every-day activities put them more at risk (i.e., playing on recently treated lawns).

For these reasons, many people and organizations, including the state of California, are making a concerted effort to reduce the risk of pesticide exposure to children, and to provide more information to interested parents, guardians and school staff.

The Healthy Schools Act (AB 2260) provides for increased safety measures on school properties and requires the distribution of critical information regarding pesticides use.

The bill provides the following:

- Notification to parents, guardians and school staff detailing what pesticides are expected to be used on school grounds during the upcoming year.
- A registry for parents, guardians and staff to sign up to be notified 48 hours in advance of all pesticide applications on school grounds.
- Posting at all entry points of a treated area.
- State trainings for any interested school district personnel in least toxic integrated pest management techniques.
- The distribution of a manual to all schools about least toxic integrated pest management.


If your child's school fails to offer these services, please make a point to mention these requirements to school administrators. It is also important to note that, although these steps are important in the effort to learn more about pesticide applications, the Healthy Schools Bill does not require the establishment of a non-toxic or least toxic Integrated Pest Management (IPM) policy.

AB 2260 gives us the opportunity to become more vigilant about our children's health and the safety of our schools. The Central Coast Environmental Health Project (CCEHP) encourages all parents to take advantage of this opportunity. Please contact Eric Cárdenas of the CCEHP at 805-963-1622 ext. 111 for more information.

Action Alert

Protect Our Children

Call your children's school today and encourage them to implement an Integrated Pest Management policy.






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Fall Feast
Friday, October 12th

Join us for Santa Barbara's last TGIF of the season on Friday, October 12th. Sponsored by Surfrider Foundation, Friends of the Ellwood Coast, UCSB Environmental Studies Associates, and the Community Environmental Council, this TGIF is sure to be the biggest and best of the season! Join us from 5:30pm-7:30pm for a fantastic buffet of fresh seafood, salads, breads, desserts, and more. Cost is \$12 at the door and includes dinner, two drinks, and live music. Join us one last time as we celebrate the close of another successful TGIF Season.

12th Annual Spaghetti Dinner
Saturday, November 3rd

Please join us for the 12th Annual Spaghetti Dinner held in Santa Maria. Members of the Orcutt Area Advisory Group coordinate this event, and all proceeds support EDC. Tickets are \$10 for adults and \$5 for children, and include great food, silent auction items, wonderful company, and more. Call 963-1622 for information.



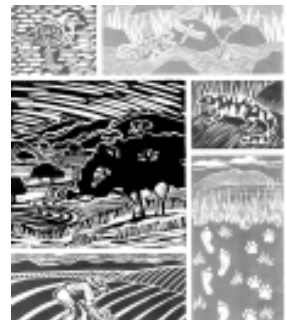
Next Year is EDC's 25th Anniversary!

In 1977, visionary community activists, J. Marc McGinnes and Selma Rubin formed a nonprofit law firm to provide a means of addressing increased concerns for environmental quality in the Ventura, Santa Barbara and SLO tri-county area. With that action, EDC began a battle to protect our environment that has lasted over two decades. Next year will mark EDC's 25th Anniversary and we invite you to join us in celebrating. For more information on how you can be part of the festivities, or to give ideas, historical information or the names of individuals who should be contacted as part of the celebration, please call EDC at 963-1622.

New EDC T-Shirts Available Now

Thanks to Patagonia, EDC is proud to offer a new t-shirt design. Printed on 100% organic cotton with water-based ink, the t-shirts feature a woodcut by Elissa Pfof on the back and a small EDC oak logo on the front.

Short-sleeve shirts with a white and "sagebrush" background (muted blue-green) cost \$18. Long-sleeve shirts are printed on "natural" and cost \$20. Available in small, medium, large and extra-large. Quantities are limited, so buy one today!



Victory Celebration for the Environment

honoring Erin Brockovich and Ed Masry

Ventura's own Erin Brockovich and attorney Ed Masry successfully brought a small town to its feet and a huge corporation to its knees. Masry and Brockovich's efforts, the subject of the recent motion picture starring Julia Roberts and Albert Finney, won a settlement of over \$333 million on behalf of more than 600 residents exposed to toxic chemicals—a triumph for justice and for the environment. Join EDC in honoring Masry and Brockovich in a Victory Celebration for the Environment, Saturday, February 2, 2002. The event, starting at 7 p.m., will be held at the North Ranch Country Club in Thousand Oaks. Please call 677-2570 to purchase tickets or for more information.



February 2nd, 2002 • Save the date!