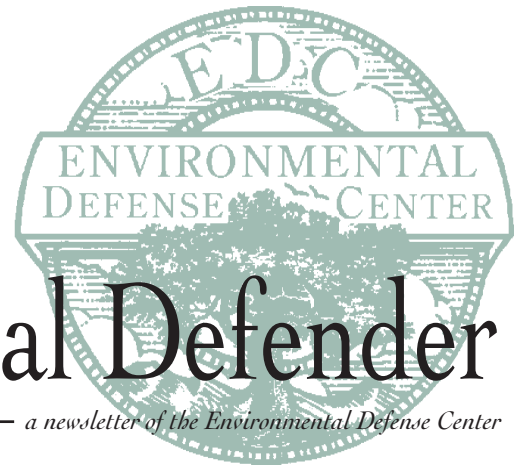


EDC works with citizen groups on Central Coast environmental issues such as protecting water quality, preserving open spaces, saving species from extinction and guarding public health.



Environmental Defender

a newsletter of the Environmental Defense Center

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EDC Responds to Threat of More Oil Drilling

On February 8, EDC took the next step in efforts to ensure that California has a say in the future of oil and gas development off its coast. EDC filed an appeal brief on behalf of eight local and statewide groups regarding 36 existing federal offshore oil leases off the coast of Santa Barbara and San Luis Obispo Counties. EDC's brief is in response to the federal government's appeal of a recent ruling that granted California the right to review the leases for their potential impacts to California's coastline.

In November 1999, the federal government extended the life of all 36 oil leases, without consulting with the State of California. Many of these leases are over twenty years old and were not subject to any kind of formal state review. In response, the State, under pressure by EDC, filed a lawsuit against the federal government. In June of 2001, in a victory for environmental groups, a federal district court judge ruled that the federal government must cancel its extension of the leases until the state can review them. The decision effectively put a halt to future oil exploration and development plans in the Santa Barbara Channel.

However, the federal government appealed the decision, claiming that because the leases are found in federal waters, California has no right to review them for potential impacts to California's resources, which include air and water pollution, impacts from oil spills, harm to sensitive species and effects on the two adjacent national marine

sanctuaries. Indeed, the 1969 oil spill taught us that oil spills do not recognize political boundaries and that Californians should have the right to determine the future of their coast.

Opposition to oil development continues to rank high among Californian's environmental concerns, as reflected by Senator Barbara Boxer's recent statements asking the federal government to drop its appeal. Congresswoman Lois Capps submitted a Congressional amicus brief, or 'Friends of the Court' statement, signed by all California Democratic representatives in opposition to the appeal. CALPIRG has also collected over 10,000 letters and postcards from California citizens supporting the state's right to review the leases.

The EDC represents CALPIRG, the Sierra Club, Friends of the Sea Otter, California CoastKeeper, Santa Barbara ChannelKeeper, Santa Monica BayKeeper, Get Oil Out and Citizens Planning Association in the current lawsuit. Natural Resources Defense Council, on behalf of themselves and League for Coastal Protection, are also involved in the suit, as are the Counties of Santa Barbara and San Luis Obispo.



Oil rigs in the Santa Barbara Channel

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 Fax: (805) 781-9384
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Message from Armando *Y. Armando Nieto, Executive Director*

On behalf of everyone at the Environmental Defense Center, thank you for seeing us into our 25th year of service on California's Central Coast.

Our 25th Anniversary Celebration will continue all year long, with opportunities for you to participate throughout the tri-counties. Activities began with a Ventura County dinner to honor Ed Masry and Erin Brockovich (see story on page 6) for their contributions to environmental awareness, and continue with Earth Day Celebrations on April 13th in Oxnard, April 21st in Santa Barbara's sunken gardens, and April 28th at CalPoly in SLO. By the time our next newsletter is published, the TGIF season in all three counties will be well underway, and the Santa Barbara Summer Auction will have taken place, honoring a local activist, business, public leader and member of philanthropy. We hope you will take time to join with us.

But much as we must make time to celebrate, 2002 is more than one long party season. We are living in momentous times. It is impossible to ignore the fact that in this new

year each of us is personally challenged to participate in shaping the kind of world in which we want to live. This includes defining the direction our communities take with regard to environmental stewardship and protections.

In coming months, the nation's attention will focus on the waters off the Central Coast in a showdown to determine what cost we as a people are willing to pay for gas and oil development. We will also have ample opportunities to voice support for plans that preserve agriculture, the public's health, natural resources and open space, while rejecting the rhetoric and partisan squabbles that we can no longer afford. Because of rapidly evolving events of the past few months, for many of us, this is the year we come of age as members of the human community. It is time act accordingly.

At EDC we look forward to another 25 years of service, from this corner of the world in which we are blessed to live. We begin each day, hand outstretched in partnership with those committed to working for the public good.

EDC Staff News

EDC welcomes new Santa Barbara Office coordinator Katie Donovan and Program Manager Maria Marquez. and we bid a fond farewell to Vicki Clark, who is leaving EDC to join

Lawyers for clean Water. Thankfully we will still be working with Vicki on some cases and sharing an office with her in Ventura.

Left to right:
 Maria Marquez, Katie Donovan, Vicki Clark



Website: www.edcnet.org



Action Alerts

Oceano Dunes Informational Meeting

Learn About the Dunes and watch the video *Easing the Throttle*
Wednesday, April 17
6:30 p.m.

Meadow Park Rec Center assembly room

Contact Your Elected Officials

Governor Gray Davis
State Capitol Building
Sacramento, CA 95814
Phone: (916) 445-2841
Fax: (916) 445-4633
governor@governor.ca.gov

State Senator John Burton
State Capitol Room 205
Sacramento, CA 95814
Phone: (916) 445-1412

Herb Wesson, Jr.
Speaker of the Assembly
State Capitol
P.O. Box 942849
Sacramento, CA
94249-0001
Phone: (916) 319-2047
Fax: (916) 319-2147
assemblymember.wesson@assembly.ca.gov

April 9th

Oak Protection Hearing

Santa Barbara County Board of Supervisors
Bettteravia Gov't Center
10:30 a.m. (approx.)
511 E. Lakeside Parkway
Santa Maria

April 19th

Comments due on the Los Padres National Forest Oil and Gas Leasing Plan

The Los Padres National Forest is considering opening up new areas for oil and gas leasing. Write to your Forest Supervisor and support Alternative 1.
NO NEW LEASING!

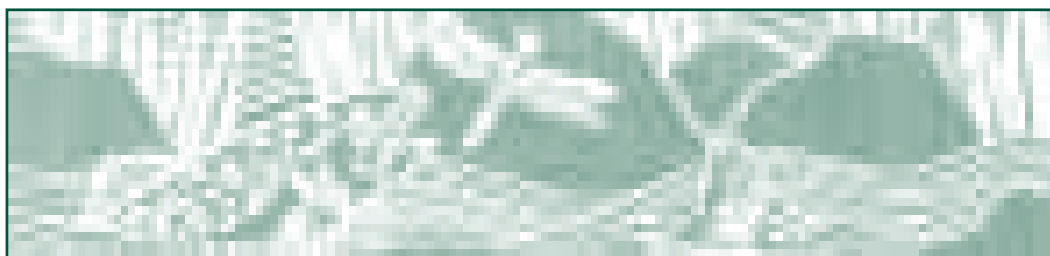
AI Hess
USDA Forest Service
1190 East Ojai Ave
Ojai, CA 93023
ahess@fs.fed.us

Protecting Threatened Species at Oceano Dunes

For years, the Oceano Dunes State Vehicular Recreation Area (ODSVRA) has been managed exclusively to accommodate millions of off-road vehicles annually, destroying resources and threatening multiple 'at risk' species including the Western Snowy Plover, California Least Tern, Steelhead Trout, Red Legged Frog, Marsh Sandworth, Gamble's watercress and La Graciosa thistle.

EDC represents the Santa Lucia Chapter of the Sierra Club in efforts to ensure that the California Parks Department protects the endangered species and sensitive habitat at the Oceano Dunes. So far, our work has resulted in additional scrutiny of the Park by the California Coastal Commission and the filing of a lawsuit against ODSVRA for violations of the Endangered Species Act. Unfortunately, while State Parks has engaged in a campaign of meetings, committees, and public relations, they have done nothing to save the battered Oceano Dunes environment.

In May in Santa Rosa, the Coastal Commission will review the conditions under which ODSVRA will be required to operate in order to comply with the California Coastal Act. Off-Highway Vehicle advocates have been pressuring the Governor and legislature to oppose any restrictions at the Park. It's time for people who care about the plight of species and habitat at the Dunes to also weigh in. Please tell your elected representatives that Oceano Dunes is an asset to our Coast with a value that greatly exceeds exclusive use limited to the special interest of Off-Highway Vehicles. Please write letters to Governor Gray Davis, State Senator John Burton, and Assembly Speaker Herb Wesson, Jr. (contact information at right) and consider traveling to Santa Rosa in May to show your support. Call EDC at (805) 781-9932 for more information.



EDC Joins Suit to Protect Habitat for Nearly Extinct Fish

EDC, representing Friends of the Santa Clara River, joined the Center for Biological Diversity in a lawsuit on February 5th challenging the failure of the U.S. Fish and Wildlife Service to finalize a critical habitat designation for the Unarmored Threespine Stickleback. The Stickleback, a scaleless, freshwater fish that inhabits streams and rivers, was designated a Federally endangered species in 1970.

Historically, the Stickleback existed throughout Southern California's rivers and streams. Unfortunately, the fish is now on the verge of extinction due to widespread habitat destruction, stream channelization, and pollution. Today, only a few Stickleback populations remain viable in California, one on the upper Santa Clara River near

the proposed site for the Newhall Ranch development in Los Angeles, and another in San Antonio Creek in Santa Barbara County.

While the Endangered Species Act requires the Fish and Wildlife Service to designate critical habitat for all species listed as threatened or endangered, no habitat has been designated for the Stickleback.

Critical habitat consists of the areas that are considered essential for the survival and recovery of a listed species. Although critical habitat designation does not establish a preserve, it does require federal agencies to consult with the Service before undertaking activities that may impact critical habitat. Private lands are not affected unless Federal funding or permitting activities are involved.

Unique Coalition Releases New Report: Agriculture and Schools Can Safely Co-Exist



“Ag Futures Alliance Subcommittee on Schools and Pesticides was created to develop recommendations that will begin to minimize chemical exposure at schools located near agricultural operations.”

Tips for Farmers Adjacent to Schools

- 1. Establish a relationship with your neighbors.**
 - Provide a general schedule of your farming activities. Request a copy of all scheduled after-school and weekend activities for the year.
 - Provide the school with information on the potential health effects of exposure to the pesticides you plan to use over the coming year.
- 2. Tell the school when you plan to apply pesticides.**
 - Send written notification to the school contact person, preferably at least 48 hours before any application adjacent to the school.
- 3. Work around the school's schedule.**
 - Whenever possible avoid applications adjacent to a school when school is in session.
- 4. Other suggestions for use of pesticides around schools.**
 - Make applications when the wind is blowing away from the school to avoid drifting onto the campus even when school is not in session.



On February 28th, EDC and a coalition of farmers, school representatives, community activists and others released a report entitled *Farming Near Schools: A Community Based Approach for Protecting Children*. The report was created by the Ag Futures Alliance, a diverse 17-member citizen group dedicated to finding new solutions to maintaining a healthy, ecologically sound, and sustainable agriculture industry in Ventura County.

The report details recommendations for farmers, school administrators, government officials and the general public in order to ensure that our community begins to protect children from potential risks posed by nearby farming operations.

After meeting monthly for over a year, and acknowledging community concerns over the use of methyl bromide and other highly toxic pesticides near schools, the AFA created its Subcommittee on Schools and Pesticides to address this commonly volatile friction point between farmers and their urban neighbors.

Most AFA participants, as well as members of the public, agree that farms and schools are not ideal neighbors. However, in Ventura County, many schools exist near agricultural operations, and will likely continue to exist despite concerns. A recent survey conducted by the Ventura County Superintendent of Schools found 29 public or private schools that are adjacent to agricultural operations.

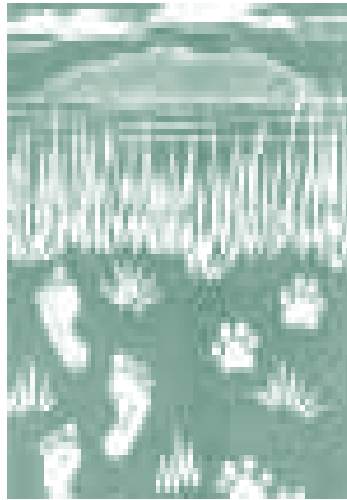
Because of these findings and other concerns, the Ag Futures Alliance Subcommittee on Schools and Pesticides was created to develop recommendations that will begin to minimize chemical exposure at schools located near agricultural operations. Guided by the AFA principle of creating a safe environment for all members of the community, the subcommittee included representatives of the school system, agriculture, labor, environmental advocacy groups and the community at large. The new report is the result of the subcommittee's work spanning June-December 2001.

The report can be found on-line at www.agfuturesalliance.net.

EDC Secures Additional Habitat Protection at Sandpiper

EDC successfully secured additional protections for wetlands, native grasslands, and Devereux Creek that otherwise would have been threatened by the development of the Sandpiper Residential Project on the western edge of Goleta in Santa Barbara County. The Sandpiper Project includes 109 residential units, including 22 affordable units. EDC represented Citizens of Goleta Valley (CGV) in an attempt to protect the site's important natural resources and to avoid setting a bad precedent for other projects proposed in areas with sensitive habitat.

As a result of EDC's and CGV's involvement, the developer and County agreed to modify the project, by adding a 100-



foot buffer for the wetlands and avoiding native grasslands, while also maintaining the same number of affordable homes. In addition, the developer agreed to work with EDC's biologists in developing a habitat management plan, and to provide funding for annual monitoring of the plan in perpetuity.

EDC continues to work with the developer to achieve additional environmental protections, made possible after EDC filed an appeal to the California Coastal Commission on behalf of CGV. (Urban Creeks Council filed a separate appeal and joined EDC and Citizens in this effort.)

Halaco Ordered to Clean up Its Act

On February 28th, EDC and Santa Barbara ChannelKeeper scored a major victory in their efforts to force Halaco Engineering, an industrial facility on Ormond Beach in Oxnard, to clean up. Halaco has been leaking toxic chemicals into the air, water and ground at the site for over 20 years, in violation of the Clean Air Act, Clean Water Act and other laws intended to protect public health. The Regional Water Quality Control Board took decisive action and adopted a strong Cease and Desist Order to stop Halaco from continuing to pollute the Ormond Beach area.

The Order forces Halaco to stop discharging waste into its huge slag pile by November 30th of this year with the goal to remove the pile within ten years. It also requires that the pile be tested to determine what the waste contains. While it is known that radioactive elements are stored within the pile, more thorough testing will determine where the most dangerous contaminants are located. Testing is the first step toward removal, containment or other proper disposal. The Order also requires Halaco to test the groundwater and surface water adjacent

to its facility to determine whether pollution has run off the site and into the adjacent wetlands.

While this is a huge victory, many other issues with the Halaco facility remain. For instance, the Order does not deal with storm water pollution from the site. Each time that it rains, storm water carries pollution from the slag pile into the adjacent estuary, wetlands and ocean. EDC and ChannelKeeper will remain vigilant to ensure that the requirements of the Order are followed and that the other problems with Halaco's facility are addressed.



Halaco slag pile of waste on Ormond Beach



Action Alerts

April 13th
Earth Day in Oxnard
11 a.m. – 3 p.m.
Plaza Park

April 19
Regional Water Quality Control Board Hearing on Tajiguas Landfill and Water Quality

The Board will meet in the Santa Barbara County Board of Supervisors Hearing Room. Show up to voice your support for cleaning up our water!

April 21st
Earth Day in Santa Barbara
Courthouse
Sunken Gardens
Want to volunteer?
Call EDC at 963-1622 or Community Environmental Council at 963-0583.

April 20th
Earth Day in San Luis Obispo
10 a.m. – 4 p.m.
Mission Plaza

April 28th
Earth Day at Cal Poly SLO
10 a.m. – 4 p.m.
Dexter Lawn, Cal Poly

May 1st
Conservation Working Group Meeting
Location and time to be announced.

Photo by Drew Bohan



EDC Honors Local Environmental Heroes

On Saturday, February 2, EDC held its Victory Celebration for the Environment to honor Erin Brockovich and Ed Masry for their impressive work to fight for environmental health and justice. The black-tie event, held at the North Ranch Country Club in Westlake Village, was a tremendous success, bringing more than 225 guests from throughout the region. The diverse crowd of political leaders, environmentalists, local business leaders and community members gathered to honor Brockovich and Masry for their commitment to preserving Ventura County's environmental quality of life. The event raised money to support EDC's Ventura County office in its efforts to preserve, protect and defend our region's unique natural resources.

Debby Davison, KEYT Anchor, served as Master of Ceremonies. Thousand Oaks Mayor Pro Tem Andy Fox, the Ventura County Board of Supervisors, Congressman Brad Sherman, Senator Barbara Boxer and Congresswoman Lois Capps presented proclamations honoring Masry and Brockovich. Assemblymember Hannah-Beth Jackson introduced the guests of honor and presented them with EDC's 2002 Environmental Hero Awards for their commitment to environmental justice.

Members of the event's Host Committee included: U.S. Senator Barbara Boxer, Congressman Brad Sherman, California Coastal Commissioner Pedro Nava, Thousand Oaks City Council Member Linda Parks, Bill Paxton, Hon. Brian Brennan, Hon. Roseann Mikos, Yvon and Malinda Chouinard, Jean Harris, Pat Weinberger, Roma and Bill Armbrust, and many others.

Above and top: Honorees Ed Masry and Erin Brockovich; Linda Krop, Ed Masry, Armando Nieto and Erin Brockovich

Photos by John Hankins



Left to right: Erin Brockovich and Heal the Ocean's Hilary Hauser; Erin and young environmentalists; Coastal Commissioner Pedro Nava and Congresswoman Lois Capps; Erin (center) with EDC attorneys Vicki Clark and Linda Krop.

Become an EDC Supporter

EDC has been working to protect our Central Coast environment since 1977. We invite you to support our efforts to foster quality of life, health and sustainability in the Ventura, Santa Barbara and San Luis Obispo Tri-County region. When you join EDC, your voice is heard through advocacy, community education, grassroots action and litigation. Joining EDC is your opportunity to get involved in the community and environment we share. With your membership, you will receive an 18-month subscription to the Environmental Defender, EDC's newsletter, and invitations to a variety of community events. Thanks for your support!

Art that Works

EDC and our partnering artists held two open studios in January and February to showcase ART that WORKS, an ongoing project that celebrates the exquisite works of sixteen distinguished local artists, while also supporting the work of EDC. Fifty percent of the proceeds from sale of art pieces directly supports EDC's work as a non-profit public interest environmental law firm to protect our Central Coast environment.



EDC would like to thank everyone who helped make this project possible, including Seyburn Zorthian and Mike Brown for coordinating the event, Zach Brown for creating the wonderful website, and all of the participating artists: Christine and Michael Adcock, Georganne Alex, Michael Arntz, Sarah Chamberlin, Donald Davis, Victor Di Novi, Jean-Pierre Hébert, Tom Long, Margaret Matson, Chris Neely, Paul Schürch, Peter Shire, Dennis Spangler, Bud Tullis, and Seyburn Zorthian.

Please visit www.fineartthatworks.com to view the art and look for an ART that WORKS display at our upcoming events.

Community Challenge

Last year, EDC received a \$200,000 anonymous pledge to launch a Community Challenge campaign to raise a total of \$500,000 before the end of the year.

EDC would like to send a heartfelt thank you to everyone who contributed to our 2001 Community Challenge effort. Through this campaign, EDC raised a total of \$469,090 from 722 Central Coast households. These financial contributions will be used to support EDC's ongoing operations.

Event Volunteers

Our TGIF season and Santa Barbara Auction are right around the corner, and we are looking for volunteers to help out with event preparations. There are all kinds of ways to get involved. Please call Alana at (805) 963-1622 ext. 110 if you would like to help.

25th Anniversary

This year, EDC celebrates twenty-five years of environmental protection on

California's Central Coast. Since 1969, when Unocal's oil spill in the Santa Barbara Channel focused the nation's attention on the inherent dangers of irresponsible natural resource exploitation and fostered the birth of the modern environmental movement, the Central Coast has become a focus of environmental protection. Over the past 25 years, EDC's victories have helped preserve a significant measure of natural resources, marine and freshwater ecosystems, native species, and habitat on California's Central Coast.

In coming months, EDC will sponsor a variety of events to celebrate our 25th Anniversary. These activities will include community celebrations, such as Earth Day in April and the Thank Goodness It's Friday (TGIF) season in all three counties. In addition, EDC will hold its 9th Annual Benefit Auction on June 9th. The event-filled season will culminate in Santa Barbara with a 25th Anniversary Gala Event scheduled for November 2002. We hope you will join us in the celebration!



ChannelKeeper Event

EDC would like to thank everyone who helped make the Santa Barbara ChannelKeeper dinner on January 27th a success! EDC was proud to help launch this critically important organization with such overwhelming community support.

April 12
Santa Barbara TGIF
5:30-7:30 p.m.

May 3
Santa Barbara TGIF
5:30-7:30 p.m.

May 11 & 12
SCAPE Art Show
11:00 a.m. -6:00 p.m.

May 19
Ventura TGIF
2:00-6:00 p.m.
Churchill Orchard

June 9th
Annual Auction

July 12
Santa Barbara TGIF
5:30-7:30 p.m.

August 9
Santa Barbara TGIF
5:30-7:30 p.m.

September 13
Santa Barbara TGIF
5:30-7:30 p.m.

October 11
Santa Barbara
Fall Feast
5:30-7:30 p.m.

TGIF's

(Thank Goodness It's Friday)

Another TGIF season is upon us! Join us for our monthly happy hour events (Fridays, 5:30-7:30 pm) to meet new people, listen to music, sample great food and drinks, and celebrate our common mission of environmental protection. Everyone is welcome to attend and all proceeds benefit EDC's ongoing programs. Admission is \$10 at the door and include two drink tickets and appetizers. Our 2002 TGIF schedule for Santa Barbara is: April 12, May 3, July 12, August 9, September 13, and October 11.

Stay tuned for upcoming announcements regarding TGIFs in Ventura and San Luis Obispo. Please contact Alana Walczak at (805) 963-1622 ext. 110 if you are interested in sponsoring a TGIF.

Annual Benefit Auction

EDC will hold our 9th Annual Benefit & Auction on **Sunday, June 9th** at Nu Restaurant, 1129 State St. from 4:00 p.m. to 7:30 p.m. Please save the date!



Open Air Art Exhibition

EDC is pleased to announce that SCAPE (*Southern California Artists Painting for the Environment*), in collaboration with Santa Barbara Visual Arts and Southwest Art Magazine, are coordinating an Open Air Art Exhibition to benefit EDC. The event will be held from 11:00 am - 6:00 pm on **May 11th and 12th** at La Arcada Court & Library Art Plaza in downtown Santa Barbara.

Paintings will feature many of the Santa Barbara open spaces that EDC has worked to protect and preserve throughout its 25 year history. Visiting guest artists include Gregory Hull, Ken Auster, Mark Kerckhoff, Anita Hampton, Bob Burrige, and Neil Boyle. EDC will receive 35% of the proceeds from all art sales. Call Alana at (805) 963-1622 ext. 110 for more information.

Many thanks to Marcia Burt for making this event happen.

.....
visit the new EDC website
www.edcnet.org



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Santa Barbara, CA 93101

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