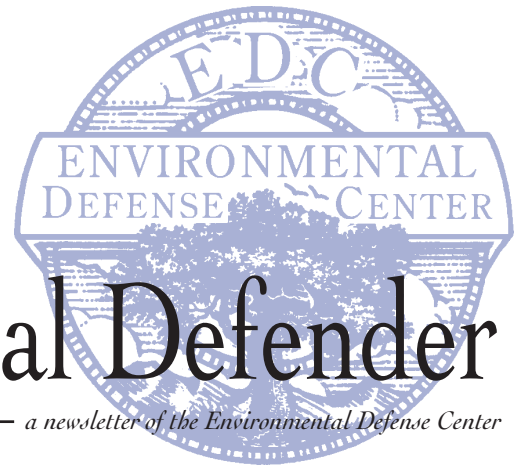


EDC works with citizen groups on Central Coast environmental issues such as protecting water quality, preserving open spaces, saving species from extinction and guarding public health.



Environmental Defender

a newsletter of the Environmental Defense Center

1
**Oil Off Our Coast
Protecting Steelhead**

2
About EDC

3
Coastal Habitat

4
Honoring Heroes

5
Annual Benefit Auction

6
Creeks & Rivers

7
**Protecting Our Health
Oak Habitat**

8
Events

Californians Ask President Bush to Protect Coast

On June 8, EDC sent a letter on behalf of a coalition of twenty environmental and business groups to President Bush responding to his refusal to help Californians protect their coast from offshore oil development. In the letter, the groups expressed their disappointment that Bush would reject California's plea for the same level of protection afforded Florida. The groups refuted Secretary Norton's ridiculous claim that Californians do not oppose offshore oil and gas development, noting that California has imposed a permanent ban on leasing in state waters and has opposed the extension of 36 undeveloped federal oil leases off California's Coast since 1999. Poll after poll has shown that California residents overwhelmingly oppose offshore oil drilling. The

groups also pointed out that the California leases pose a much greater threat to ecological, scenic, economic and recreational resources, since they are located a mere 3 to 12 miles offshore, as compared to 25 miles off Florida's coast.

California's undeveloped federal oil leases are situated between two national marine sanctuaries and adjacent to the Channel Islands National Park. Risks from these leases are much greater now than when the leases were first sold due to the listing of several endangered species and increased pollution. Oil spills and poisonous gas releases from existing oil and gas development continue to plague California, jeopardizing not only human and environmental health, but also coastal economies.

Southern California Steelhead Gains Protection

Efforts to protect Southern California Steelhead Trout from extinction were bolstered in May when the federal agency charged with their recovery, the National Marine Fisheries Service (NMFS), expanded the protected range of the species to include all of Southern California's coastal streams.

When Southern Steelhead Trout were listed as endangered in 1997, NMFS excluded Steelhead located upstream of dams and south of Malibu Creek in L.A County from having protected status,



prompting a lawsuit in 2000 by EDC and Earth Justice on behalf of seven groups.

Southern California Steelhead is a distinct population of a species that occurs from Alaska to northern Baja California. Tens of thousands of the prized sport fish once returned from

the Pacific Ocean every year to spawn in southern California streams and rivers. Dams and urban development have since decimated Steelhead runs and today only a few hundred fish remain. EDC will continue to seek protection of areas critical to Steelhead survival.

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Website: www.edcnet.org



Message from Linda *Linda Krop, Chief Counsel*

As EDC enters the mid-point of its 25th Anniversary year, we continue to respond to a changing economic climate while maintaining an ambitious array of cases and projects. As we plan for our future, we are reminded of the unique role that EDC plays in our community. EDC is the only public interest environmental law firm between San Francisco and Los Angeles, and the only firm of its kind that has a truly regional focus. As a law firm, we are able to bring professional resources to the efforts of many other organizations, providing a level playing field and empowering other groups with our advice, counsel and representation. We also use our expertise to educate the public about current issues and to advocate for local, state and federal policies that will proactively protect our unique natural resources and quality of life for generations to come.

Some of our current cases include helping protect important open spaces, leading the fight against new offshore oil development, guarding against pesticide risks, and working to improve creek and ocean water quality.

In addition to focusing proudly on our achievements and our ongoing efforts, we also reflect on the institutional changes we have made over the past six months. We are grateful for the contributions of Armando Nieto, our former Executive Director, and Jennifer Oetken, Database Manager. We wish the best of success and happiness to those staff members who have departed to further personal and professional pursuits: Lori Schiraga, Environmental Health Project Director; Alana Walczak, Assistant Director; Vicki Clark and Tanya Gulesserian, Staff Attorneys; and Maria Marquez, Ventura County Environmental Health Project Coordinator.

We are pleased to announce that Karen Kraus, former EPA attorney, will join our talented staff in August. The Environmental Defense Center also welcomes new Board members Das Williams and Farfalla Borah, and new Advisory Board members Robert Ornstein, Selma Rubin and Marc McGinnes. Please join us in ensuring a continued voice for our environment, our species, and those of us who live, work and play in this unique region.

Staff Openings

Assistant Director: Works under the supervision of the Chief Counsel to ensure the long-term viability of EDC. Oversees fundraising activities, manages agency operations and facilities, supports personnel functions, and assists with board and organization development. *Minimum requirements:* B.A. in Nonprofit Management, Communications, Public Relations, or related field. Experience with fundraising, board relations and nonprofit operations recommended.

Staff Attorney: Works under the supervision of the Chief Counsel, and is responsible for working on cases in administrative and judicial forums. Duties include client counseling, case development, legal and technical research and writing, discovery, courtroom appearances and client representation in administrative proceedings before governmental agencies. *Minimum requirements:* admittance to the California Bar and intern or clerk experience in environmental advocacy and litigation.

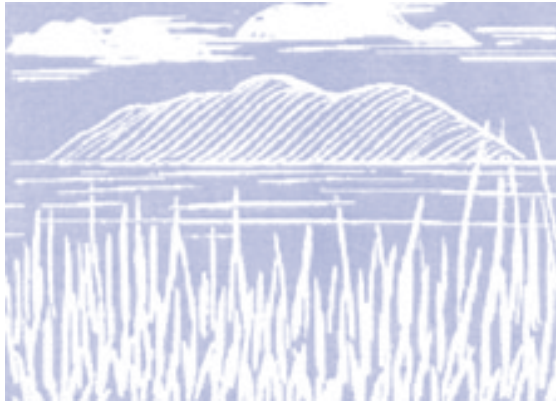
Benefits include excellent medical and dental insurance, LTD, life, generous vacation and sick leave allowances and an informal work setting. Submit a cover letter, resume, professional references and writing sample to Personnel Committee, EDC, 906 Garden St., Santa Barbara, CA 93101. EOE.

Coastal Conservancy Agrees to Buy Ormond Beach Property



Ormond Beach will remain natural habitat instead of being home to a massive Liquefied Natural Gas (LNG) marine terminal, thanks to efforts by the community and the California Coastal Conservancy. EDC supported a Coastal Conservancy proposal to acquire the Ormond Beach wetlands and surrounding areas, including the site of the proposed LNG project. In May, the state approved the purchase, effectively putting a halt to the proposed LNG project.

EDC sits on the Ormond Beach Task Force, comprised of citizens, property owners, and municipal, regulatory and industry representatives, which serves as an informal land use advisory body to the City of Oxnard concerning ultimate development of the greater Ormond Beach area.



Update: Wilderness Bill

EDC spoke at a press conference in May in support of Congresswoman Capps' introduction of the House version of the California Wild Heritage Wilderness Act of 2002, designed to protect California's remaining wildlands. Senator Barbara Boxer introduced the Senate version of the bill in mid-May.

The California Wild Heritage Act of 2002 (S.2535) would designate 2.5 million acres of federally owned national forest as wilderness and represents the most diverse array of wild places ever protected in a single piece of legislation. Wilderness designation would prohibit new commercial activities like oil drilling and use of offroad vehicles, however activities like hiking, camping, fishing and hunting would still be allowed.

In addition to wilderness areas, the bill would also designate over 400 miles of California waterways as wild and scenic rivers.

The Act is largely the result of the efforts of the California Wild Heritage Campaign, a statewide coalition of nearly 200 members, including EDC.

Coastal Habitat in Jeopardy at North Shore on Oxnard Coast

A coalition of environmental groups filed a lawsuit on June 11 against the California Coastal Commission and the City of Oxnard to protect habitat threatened by proposed development at Mandalay Beach in Oxnard. The lawsuit filed by EDC and Chatten-Brown & Associates, representing the California Native Plant Society, the Sierra Club, and Wetlands Action Network, challenges the approval of an amendment to Oxnard's Local Coastal Program for the North Shore at Mandalay Bay Project, a 360-unit gated development that would be annexed to Oxnard. In filing the lawsuit, the groups seek to protect sensitive habitat on the North Shore site and reverse a bad policy decision that could allow development of other coastal wetlands and sensitive habitat throughout the state.

In addition to coastal dune and wetland habitat, the proposed site contains the only

known natural population of the Ventura Marsh Milkvetch, a plant species that was rediscovered in 1997 after it had been deemed extinct. The project would also affect adjacent coastal resources, including Snowy Plover nesting habitat at nearby Mandalay State Beach, prompting State Parks to request denial of the amendment.

Due to the site's former use as an oilfield waste disposal site and resulting contamination, development of the project would require that almost the entire site be excavated and remediated, which would destroy the sensitive habitats onsite. However, no evidence links the current site contamination to drinking water hazards, human health effects, or harm to coastal resources. The groups support cleanup of the site, but not merely to accommodate the construction of luxury homes in wetland and environmentally sensitive habitat areas.

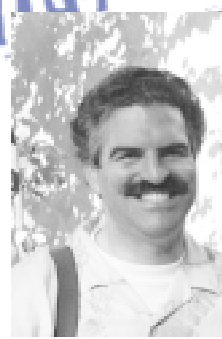
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BENEFIT AUCTION 2002 ENVIRONMENTAL HERO AWARDS

EDC held its 9th Annual Benefit Auction and 2002 Environmental Hero Awards on June 9th at Nu Restaurant in Santa Barbara. Thank you for helping us raise \$48,000, which makes the 2002 Auction our most successful event to date.

EDC owes special thanks to:

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AUCTION & ENVIRONMENTAL HERO AWARDS

Special thanks to our auction volunteers, Leslie Lembo & Friends for providing music, Joyce Howerton for auctioneering, Jerry Cornfield for serving as the emcee, John Hankins for taking photos, Edward Bear for helping with publicity, and Supervisor Naomi Schwartz and Congresswoman Lois Capps for assisting Linda Krop in the presentation of the Environmental Hero Awards.

EDC presented the second annual *Environmental Hero Awards* to recognize the strong leadership that these heroes provide to build a healthy and sustainable future for our communities. EDC proudly honored the following individuals and groups for their work on behalf of California's Central Coast:

Advocate:

Diane Conn

Business:

Jeanette Webber

Philanthropy:

**The Fund For
Santa Barbara**

Public Leader:

**Senator Jack
O'Connell**

Lifetime Achievement:

Robert Sollen

counter clockwise above:

Geoff Green & Nancy Weiss representing Fund for Santa Barbara, Supervisor Naomi Schwartz; Jeanette Webber; David Fortson, Selma Rubin, Terra Basche; Congresswoman Lois Capps & Senator Jack O'Connell; Bob Sollen; Diane Conn; Chancellor Henry Yang & Congresswoman Capps; Kentha Wallace, former Supervisor Bill Wallace, Jan Keller; Marc McGinnes and family; John Palminteri & George Thurlow; Armando Nieto & Linda Krop; Anna Bass & Dave Pierce.



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Update:

Duke Power Plant

In a stunning victory for the environment, the California Energy Commission staff in April officially recommended denial of Duke Energy's application to replace the existing Morro Bay Power Plant, and recommended an alternative technology that would minimize impacts to Morro Bay and Estuary resources. EDC represents the Coastal Alliance on Plant Expansion with the goal of protecting the fragile Morro Bay Estuary.

Update:

Goleta Sewage Waiver

For the past several years, the Goleta Sanitary District has been operating under a waiver from a Clean Water Act requirement that sewage treatment plants perform "secondary" treatment before discharging waste into the ocean. In a victory for ocean water quality, on April 19, EDC, on behalf of Heal the Ocean and Santa Barbara ChannelKeeper, successfully lobbied the Regional Water Quality Control Board to deny the District's application for yet another waiver. Only three other areas in California operate under this waiver—San Diego, Huntington Beach and Morro Bay.

Community Seeks Larger Setback from Carpinteria Creek

EDC (representing the Carpinteria Creek Foundation), local biologists Darlene Chirman and Mark Holmgren, and dozens of community members scored a victory in efforts to protect Carpinteria Creek from the proposed Carnevale project. This project is proposed with only a ten foot setback from Carpinteria Creek, one of the most intact creeks left on the South Coast and home to Steelhead Trout. In listening to EDC's concerns about impacts to the creek, the Carpinteria Planning Commission voted unanimously on June 3 to find that the project would significantly impact the creek and requested changes to minimize these impacts, including a larger creek buffer. As the case continues, EDC will advocate for protecting the health of Carpinteria Creek as part of our larger effort to address coastal watersheds, and their effect on the quality of ocean water.

Plans Underway for California's Wild & Scenic Rivers

Three wild and scenic rivers in the Los Padres National Forest gained stronger protections in March when a federal judge in San Francisco approved a settlement to a lawsuit filed by a coalition of environmental groups, including EDC. In 1992, Congress

designated segments of three rivers in Los Padres National Forest — Sespe Creek, the Sisquoc River, and the Big Sur River — as Wild and Scenic. Although the Wild and Scenic designation requires that river management plans be prepared within three years, as of 2001, no

management plans were in place for these three rivers. Out of concern for increasing development pressures and damaging activities affecting the rivers, EDC, representing Keep the Sespe Wild Committee, joined Center for Biological Diversity and Earth Justice Legal Defense Fund challenging the Forest Service's failure to prepare the river management plans.

In the settlement, the Forest Service agreed to develop comprehensive management plans by the end of 2003. Until the plans are prepared, oil and gas development, road construction and livestock grazing will be prohibited in the corridors of these three rivers, defined as a mile on either side of each river. The Sespe and Sisquoc Rivers include sanctuaries for the endangered California Condor. Sespe Creek is a major tributary of the Santa Clara River, which flows into the ocean. Both Sespe Creek and Big Sur River provide excellent fisheries for Steelhead Trout.



Photo by Brian Trautwein

Guarding Against Pesticide Exposure

EDC's Central Coast Environmental Health Project (CCEHP) is now in its fourth year of educating community members about the health risks associated with pesticide exposure in areas of high pesticide use.

Through various collaborative efforts with long-standing partners such as the Environmental Center of San Luis Obispo (ECOSLO), and new relationships with groups such as the American Lung Association and the Community Action Commission, CCEHP has been able to reach out to 'non-traditional' partners, furthering our goal of protecting the environment and quality of life in the Central Coast region.

Recent successes for CCEHP have included presentations in Goleta and Arroyo Grande regarding the combined effects of chemical



mixtures on human health, alternatives to the highly toxic fumigant methyl bromide, as well as information on the California Healthy Schools Act. CCEHP continues to work with farmworkers on steps to protect themselves

from pesticide exposure when handling pesticides, as well as with the medical community on recognizing, treating, and reporting pesticide illness. CCEHP has also begun conducting presentations to English as a Second Language (ESL) classes, offered through Santa Barbara City College.

These unique partnerships have allowed us to effectively expand the scope of our outreach.

For more information on the project, pesticide alternatives or other resources, please email the CCEHP Director, Eric Cárdenas, at cardenas@edcnet.org or call (805) 963-1622.



Photo by Eric Cárdenas

Update: Ellwood-Devereux Plan

EDC, representing Save Ellwood Shores and Santa Barbara Audubon Society, is reviewing the Joint Proposal for the Ellwood-Devereux Coast unveiled in August 2001 by Santa Barbara County, UCSB and Santa Barbara Development Partnership.

EDC and its clients are reviewing the plan to ensure that it complies with the Coastal Act, especially with respect to protection of wetlands and other coastal habitat areas, and to ensure that it does not set a bad precedent for other coastal properties.

Following are the goals espoused by EDC, Save Ellwood Shores, and Santa Barbara Audubon Society:

- Keep all development permanently off the bluffs.
- Ensure a high-quality comprehensive Open Space and Habitat Management Plan (OSHMP) for the entire area.
- Ensure adequate funding for the OSHMP.
- Allow public access that is consistent with resource protection.
- Protect all Environmentally Sensitive Habitat Areas.

The larger goal is to preserve all, or as much as possible, of the Ellwood Mesa and Santa Barbara Shores area.

Oak Habitat Protected at Santa Ysabel Ranch

EDC, representing citizen group Paso Watch, settled a lawsuit on May 7 against San Luis Obispo County that challenged its approval of the Santa Ysabel Ranch development, a proposed 146-unit gated community on an 840-acre property on the south side of Paso Robles. The lawsuit filed in August 2001 was prompted by the County's inadequate environmental review for the project, proposed for an area rich in oak habitat and home to several protected species. The settlement requires that the developer redesign the project to reduce impacts to oak trees and to pay \$137,500 to a conservancy to preserve oak habitat in Northern San Luis Obispo County.

The County had approved a less stringent environmental review document, called a

Mitigated Negative Declaration (ND), for the project rather than a more detailed Environmental Impact Report, despite the potential for significant impacts to oaks and oak woodland habitat, several species of concern (including Golden Eagles, Southwestern Willow Flycatcher, Least Bell's Vireo, Southern Steel-head, Southwestern Pond Turtle, and San Joaquin Kit fox), wildlife corridors, wetlands, water supply, and waste water treatment.



Photo by Richard Sage

**SCAPE Art Show
July 24-August 18**

**Opening Reception
July 26
4:00 – 7:00 p.m.
517 Laguna St.
Santa Barbara**

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

**Cambria Fun Run
August 10th
7:45 a.m.
Shamel Park, Cambria**

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

**Santa Barbara TGIF
October 11th
5:30-7:30 p.m.**

Sign up on EDC's email
list to receive updates
on EDC events, programs
and environmental issues
in your community.
www.edcnet.org

TGIF S

(Thank Goodness It's Friday)

Join us for our monthly happy hour to meet new people, listen to music, sample great food and drinks and celebrate our common mission of environmental protection. Remaining 2002 TGIFs: Aug. 9, Sept. 13, Oct. 11; 5:30-7:30 p.m. at 906 Garden Street in Santa Barbara.

Fun Run in Cambria

Grab your running (or walking) shoes and show your support for EDC by participating in a 4-mile run, a 2-mile walk or a 1.5 mile dog walk on **August 10**. Registration at **Shamel Park in Cambria** begins at 7:45am, run/walk begins at 8:30am. The entry fee for participants (dogs are free!) is \$10. Sponsoring groups include: Cambria Corral, Cambria Land Conservancy, Camp Ocean Pines, ECOSLO, Friends of the RanchLand, Land Conservancy of SLO County, North Coast S.W.A.P., Sierra Club, and the SLO Coast Alliance. For more information, contact Doug Buckmaster at (805) 927-4206 or at dougb@thegrid.net.

The World Series

Sincere thanks to artist Judi Weissbart for designating EDC as the beneficiary for the sale of an assemblage piece on the environment as part of her art show entitled *The World Series*, dedicated to social justice.

SCAPE Art Show Benefit

SCAPE (Southern California Artists Painting for the Environment) announces another benefit art show. *Intimate Glimpses*, hosted by the Marcia Burt Studio, 517 Laguna St., Santa Barbara, runs **July 24 through August 18**. The opening reception will be **Friday, July 26 from 4:00 to 7:00 p.m.** Juried by local art dealer Gary Breitweiser, the exhibition focuses on intimate subjects, for example an ocean wave or the compelling shape of a single boulder. SCAPE will donate proceeds from sales to any local nonprofit environmental group of the purchaser's choice, including EDC. Exhibition hours are 1:00 to 5:00 p.m., Wednesday through Sunday. Call (805) 962-5588 for more information. EDC is grateful to Marcia and SCAPE for hosting an earlier benefit art show in May.

TGIFarming Thanks

Ventura EDC held its second annual *Thank Goodness It's Farming* in Ojai in May. Special thanks to: Jim Churchill and Lisa Brenneis of Churchill Orchard for hosting the event; event sponsors California Native Plant Society (Channel Islands Chapter), Citizens to Preserve the Ojai, Community Alliance with Family Farmers, and Faulconer & Carawan Architects; musicians Sulphur Mountain Boys; and food donors Anacapa Bread, Cafe Zack, The Farmer & The Cook, Franky's, Fresh Grill, New French Bakery, Ojai Brew Pub, Pisacali's, Trader Joes, Yolies Fresh Mex Grill, and Yolandas Restaurant.



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