

ENVIRONMENTAL DEFENSE CENTER

Ormond Beach Wetlands - A Better Future Ahead?

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Coastal foredunes, providing habitat for rare native plants, with Anacapa Island in the background. Photo by Erin Feinblatt

Despite the degradation of the Ormond Beach wetlands, the area is still renowned for its biological splendor and ecological significance. It includes one of the longest stretches of undisturbed coastal foredunes in southern California, and it supports over 200 species of migratory birds, including the endangered California least tern and the threatened western snowy plover. The Audubon Society has identified Ormond Beach as an "Important Bird Area" because of its value as breeding, wintering, and migrating habitat for birds.

In the last several years, the State Coastal Conservancy and The Nature Conservancy have purchased significant acreage to permanently protect this vital habitat. The State Coastal Conservancy is also leading the effort to develop a restoration plan for the entire area. If successful, Ormond Beach could be one of the largest coastal wetland areas in Southern California. We are approaching a critical crossroad, however, in our efforts to protect and restore Ormond Beach. The City of Oxnard is on the verge of several major planning decisions that could further degrade the wetlands and dramatically interfere with efforts to restore and expand the wetland area.

The City is considering allowing residential and commercial development on at least 700 acres of currently undeveloped agricultural land adjacent to the Ormond Beach wetlands. The proposed projects include commercial uses, light industry, and residential development of up to 1200 units. If approved, these projects would introduce significant urban impacts into the already severely degraded wetland area. Urban development on this land would also eliminate the possibility of significantly expanding the current wetland area by restoring it to wetland habitat.

The City is also considering a major overhaul to its General Plan, which will provide an opportunity for the City to identify meaningful steps toward protecting and restoring the Ormond Beach wetlands. Unfortunately, there is little in the Plan to suggest the City intends to ensure the successful protection and restoration of Ormond Beach. Among other problems, the Plan envisions continued industrial operations near the sensitive wetland habitat and wildlife at Ormond Beach.

EDC will participate in upcoming hearings before the Planning Commission and City Council regarding the proposed developments and the General Plan. EDC represents the Los Padres Sierra Club and the Environmental Coalition of Ventura County to ensure that the City's planning decisions will not harm the Ormond Beach wetlands or undermine the restoration goals of the State Coastal Conservancy and our Ventura County Ormond Beach partners.

Human impacts on coastal wetlands have resulted in the decline and extensive loss of this essential habitat throughout California. The Ormond Beach wetlands, located between Port Hueneme and the Point Mugu Naval Base in the City of Oxnard, have been diminished by hundreds of acres. Much of the area has been filled in to create agricultural fields and to support urban development. Planning decisions made early in the history of the City pinpointed Ormond Beach as the destination for heavy industry. Many industrial businesses continue there today, as does the legacy of industrial operators that failed to safely dispose of their hazardous waste – in 2007, the Halaco Engineering Company properties were added to the U.S. Environmental Protection Agency's Superfund National Priorities List.



Halaco Engineering, now on the EPA's Superfund Priority List.
Photo by Linda Krop

MISSION STATEMENT: The Environmental Defense Center protects and enhances the local environment through education, advocacy and legal action.

FOCUS: Since 1977 we have empowered community-based organizations to advance environmental protection. Our program areas include protecting coast and ocean resources, open spaces and wildlife, and human and environmental health. We primarily work within Santa Barbara, Ventura and San Luis Obispo counties.

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From the Desk of David Landecker

After more than two years at EDC, people still ask me how I like my “new job.” Time flies while having fun, and it would be hard to imagine a better job for a public policy wonk like me.

Protecting our environment is, finally, a “front and center” issue -- not just locally, but in state and national policy discussions. After 32 years of leadership in our region, always been at the forefront of environmentalism, EDC has an impact on virtually every aspect of environmental policy. Although probably best known for our legal work limiting offshore oil development, we are deeply involved in many other issues, including crafting effective conservation policies for many ocean and terrestrial ecosystems. Please, take a moment to read about just a few of our exciting projects described in this newsletter.

I am often asked how EDC is faring in this time of enormous economic challenge. Like any prudent organization, we are being cautious and frugal. We have postponed our campaign to raise an endowment, awaiting a better time to seek your support for EDC's long-term sustainability. Thankfully, we do not rely on government funding, so we are not directly affected by those budget cuts. Our commitment to deliver high quality educational, advocacy and legal services to our clients and communities has not diminished, despite having to work harder to raise each dollar needed. Your financial support remains critical to our success.

We hope that our mission, and our passion for pursuing it, still inspires your generosity. Our newest case, to enforce the blue whale recovery plan, described in this issue and expanded upon on our wonderful new website at www.edcnet.org, is just one more example of our continued commitment to conservation of Coast and Ocean, Open Space and Wildlife, and Human and Environmental Health.

I love my job. I thank you, and so many others, for making that so.

Special Announcements

There have been many changes in the EDC team the past few months. After over five years serving as EDC's Marine Conservation Analyst, Shiva Polefka has moved forward with pursuing a graduate degree at the Johns Hopkins School of International Studies in Washington, D.C. We would like to thank Shiva not only for his invaluable work over the years but the passion and livelihood he brought to the EDC team. We wish him the best!



We are also pleased to announce three new employees to the EDC team: Brina Carey, Kristi Birney Rieman and Brian Segee.



Brina, EDC's Administrative Assistant, holds a degree in Recreation Administration from San Diego State University. Prior to working with EDC she worked for California State Department of Parks and Recreation as an Environmental Coordinator. In addition to her work at EDC, Brina is a lead guide for Santa Barbara Adventure Co.

Kristi is stepping into Shiva's shoes as EDC's Marine Conservation Analyst. She received a Masters in Environmental Science and Management, specializing in Coastal Resources, from UCSB's Donald Bren School. Prior to coming to EDC, she worked for California State Department of Parks and Recreation as an Environmental Scientist.



Brian is joining our legal team after 12 years of work in environmental law and policy, including five years as a staff attorney at Defenders of Wildlife in Washington, D.C. where his work encompassed a broad range of conservation issues including species protection, water and wetlands, and global warming.

We would also like to introduce Gail Marshall as the newest member of our Board of Directors. In addition to spending eight years on the Board of Supervisors, Gail has been extremely active in local environmental issues throughout Santa Barbara County and will bring a wealth of knowledge to EDC.



EDC Demands Action to Save Whales

On August 12, EDC served notice on the National Marine Fisheries Service (NMFS), demanding that the Service take immediate steps to protect endangered blue whales from ship strikes and other threats. In particular, we challenged NMFS's failure to implement key provisions of the 1998 Blue Whale Recovery Plan, which identifies the actions necessary to increase the blue whale population to the point where the protections of the Endangered Species Act (ESA) are no longer necessary. Despite the fact that more than a decade has passed since NMFS approved the Blue Whale Recovery Plan, the agency has failed to carry out key provisions intended to improve knowledge concerning blue whale populations and to reduce threats caused by ship strikes, pollution, entanglements, and other harmful activities.

Averaging more than 70 feet in length and weighing 70 tons, blue whales are the largest animal to have ever lived on Earth. Nearly hunted to extinction in the early 20th century, blue whales were provided international protection from whaling in the 1960s and have been listed as an endangered species since the ESA's enactment in 1973. During the summer months, the Santa Barbara Channel is home to the largest concentration of blue whales in the world.



Blue Whale in the Santa Barbara Channel. Photo by Linda Krop

The need for protective action for blue whales was tragically illustrated in September 2007, when four blue whales were killed by ship strikes in the Channel. Despite this clear wake-up call, NMFS still took no action to implement measures, such as reducing ship speeds, to reduce such collisions in the future. The agency has similarly failed to act to address other threats. We hope that our notice will influence NMFS to take timely and necessary action.

Court Strikes Part of Carpinteria Oil Drilling Initiative

On January 28, the Santa Barbara Superior Court invalidated a portion of Venoco, Inc.'s proposed Carpinteria oil drilling initiative.

The City of Carpinteria filed a lawsuit in February, seeking a judicial determination that Venoco's initiative is unconstitutional and illegal. The initiative would approve, without environmental or other review, Venoco's Paredon project, which is a plan to install a 175' drilling rig on the bluffs above the Carpinteria seal sanctuary. While the court declined to invalidate Venoco's entire initiative, at least one component of the measure was found to "be an invalid abdication of the City's police powers," and was therefore removed.

The City has indicated that it will seek a review of other, negative aspects of the decision from the California Court of Appeal in Ventura. In the meanwhile, Venoco will likely circulate a revised initiative petition for signatures this fall.

Because the City pursued its own litigation against the Venoco initiative, EDC and our clients at the Carpinteria Valley Association ("CVA"), Citizens for the Carpinteria Bluffs ("Citizens"), Get Oil Out! ("GOOI!") and the Sierra Club were not parties to the court's decision. We are, however, anxious about the outcome, and we may choose to file an amicus curiae brief with the Court of Appeal on behalf of the City. Allowing a private developer to manipulate the local initiative process and circumvent appropriate public review may set dangerous precedent for the entire California coastline.

Goleta Beach Saved!

On July 8, the California Coastal Commission voted 9-1 to deny a massive erosion control structure proposed for Goleta Beach County Park. EDC represented the Surfrider Foundation during 9 years leading up to this significant victory.

According to our expert engineers and scientists, the proposed groin structure would trap sand, causing down-coast beaches and bluffs to erode. The groin would have damaged coastal habitats, caused air and water pollution and periodically closed Goleta Beach and the pier.

In denying the groin project, the Commission sent a clear message that structures which interfere with coastal sand supply are unacceptable. EDC and Surfrider remain committed to working with Santa Barbara County to develop an environmentally-progressive plan, such as the Park Reconfiguration Alternative, that will protect and enhance our beautiful Goleta Beach Park.

EDC Weighs in on the Marine Life Protection Act

The California Marine Life Protection Act (MLPA) directs the state to reevaluate and redesign California's system of marine protected areas (MPAs) to protect marine life and habitats, ecosystems, and natural heritage, as well as to improve recreational, educational and study opportunities.

EDC has been coordinating with our local conservation representatives on the Regional Stakeholder Group (The Ocean Conservancy, Santa Barbara Channelkeeper and NRDC) to promote a proposal that meets the goals of the MLPA. Unfortunately, the process thus far has been weighted in favor of extractive interests, which has resulted in recommendations that do not meet the minimum conservation and science goals of the Act. EDC provided comments in July, pointing out that the proposed options must be revised to include MPAs of adequate size, representation and connectivity. In addition, we have been working to include critical areas such as the Naples and Carpinteria Reefs within any proposal that moves forward.

Naples Saga Stretches On

We may be running out of new things to say in this spot, but that is good news for Naples and the Gaviota Coast. Orange County development interests seem to be no closer to breaking ground on their massively oversized Santa Barbara Ranch subdivision project. At this point, the County of Santa Barbara has promised to reexamine aspects of the project, which must also still be reviewed by the California Coastal Commission, and we filed a lawsuit to stop the project last year.

In case you haven't been following, the Santa Barbara Ranch project is a plan to build more than 70 large estates on the relatively undeveloped Gaviota Coast. The Naples area is home to a world-famous reef, a richness of biodiversity that causes ecologists to swoon, and swaths of invaluable local farmland. Suburban development in this area would represent sprawl at its worst.



Naples Coastline. Photo courtesy of Branden Aroyan

EDC and our allies at Surfrider and the Naples Coalition have been involved in efforts to save Naples for more than a decade, and we welcome any and all help that comes along. The next chapter in the Naples story is scheduled to unfold this fall, when the County will hold yet another hearing on the project.

Gaviota Regional Plan: An Opportunity for EDC's OPEN Program

In 2003, the U.S. National Park Service studied the Gaviota Coast (which stretches from Winchester Canyon to Vandenberg AFB), and concluded that it would be a "suitable addition" to the National Park system. The USNPS specifically marveled at Gaviota's unequalled combination of land and aquatic ecosystems, species diversity, scenic, archeological, cultural and recreational resources. But when area landowners expressed concern, the USNPS backed away, instead challenging our community to save Gaviota ourselves, through a combination of private land stewardship, enhanced local and state land management policies, non-profit conservation activities and agricultural incentives.

EDC's Open-space Preservation and Education Network (OPEN) project was formed last year to encourage cooperation between rural landowners and environmentalists in forging land-use policies to protect farm and ranch lands. OPEN will play a major role in Santa Barbara County's new "Gaviota Rural Regional Planning" process, a bold effort to address the USNPS challenge, by helping to consider every available tool to assist land-owners in their responsible stewardship of this special region, and creating incentives and other tools to assure that the unique environmental assets of Gaviota will be preserved.

For more information on the GRRP process, see: <http://longrange.sbcountyplanning.org/planareas/gaviota/gaviota.php>

Santa Ynez Community Plan

Staff from EDC's Open-space Preservation Education Network (OPEN) project have been actively involved in the progress of the Santa Ynez Valley Community Plan update, which is underway at the County of Santa Barbara. The Plan addresses potential development and future policies for 45,000 acres of land and 3,900 parcels in the Valley. The plan has been considered for over 10 years, and was recently forwarded to the Board of Supervisors for approval after numerous hearings at the Planning Commission level. The Planning Commission (on a 3-2 vote) embraced the County staff recommendation for the "downzone alternative." The downzone alternative will allow for less subdivision potential in the Valley, which will in turn preserve agriculture and open space in the Valley. It will also prevent urbanized development from occurring outside of rural boundaries.



Santa Ynez. Photo by Erin Feinblatt

Working With Agriculturalists to Improve Water Quality

The Central Coast Regional Water Quality Control Board (CCRWQCB) convened a stakeholder panel in December 2008 to update its Irrigated Agricultural Discharge Waiver program. The Discharge Waiver program implements both federal and state laws to regulate discharges from irrigated agricultural lands and thereby protect water quality and in-stream beneficial uses. EDC participated on the inaugural recommendations panel in 2004, when CCRWQCB promulgated its first Conditional Waiver order, and now we are back to discuss ways to improve the program over the next five years.

EDC sits at the table with representatives from Santa Barbara Channelkeeper, the Environmental Center of San Luis Obispo County, Monterey Coastkeeper, the University of California and a number of agriculturalist associations. According to the CCRWQCB, we can expect that the Conditional Waiver order will be revised to: (1) eliminate toxic discharges of agricultural pesticides; (2) reduce nutrient discharges to surface waters and groundwater; (3) minimize sediment discharges from agricultural lands; and (4) protect aquatic habitat, including riparian areas and wetlands, and adequate buffer zones. The process is expected to culminate around January of next year, and a new order should be promulgated in July 2010.



Irrigated agriculture.
Photo by Erin Feinblatt

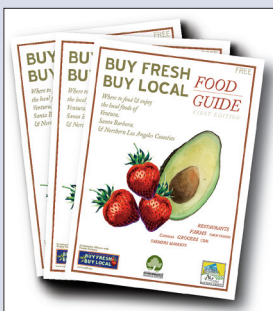
Climate Change on the Rise

Climate change is having an undisputed effect on the environment, public health and safety, and the economy. Even worse, climate change trends are occurring more rapidly than previously predicated. When "Inconvenient Truth" was released, and the California legislature adopted a landmark global warming law (AB 32), scientists identified 450 ppm as the necessary target for carbon emissions. Since emissions are currently at 385 ppm, scientists and policy makers thought we had time to enact and implement measures to achieve climate stabilization. More recent studies indicate, however, that achieving stabilization will require us to reduce current emission levels to 350 ppm.

EDC is taking the following steps to address this urgent need: (1) making sure public agencies correctly quantify greenhouse gas emissions from any new development proposals; (2) advocating for carbon neutrality in all new projects; (3) supporting programs that increase energy efficiency and utilize clean energy sources; and (4) encouraging adaptive planning to predict and buffer against changes, thereby improving natural resilience and preserving biodiversity.

Ag Futures Alliance Marches On

The Agricultural Futures Alliance (AFA), which was co-founded by the EDC and the Farm Bureau, is a revolutionary concept for Santa Barbara County because it represents a first time collaboration between local Ag officials and environmentalists. The AFA provides a forum for farmers, ranchers, conservationists, consumers and civic leaders to discuss issues facing the agricultural community. The AFA has two immediate priority issues it hopes to address: the preservation of agriculture land and the pressing need for farm worker housing. To that end, the group is actively working on preparing an agricultural buffer policy that will be submitted to the County. As individual sections of the policy draft are completed by the AFA, they will be submitted to the County's agricultural planners for their use in preparing an agricultural buffer policy for the County of Santa Barbara's adoption. Recently, some AFA members and the Santa Barbara County Ag planners conducted a buffer tour of San Luis Obispo, which has had a successful buffer policy in place for many years.



Buy Fresh Buy Local Food Guides Still Available!

Your responsibility for and commitment to eating and buying fresh local foods has been made much easier. Eat Wisely!

Pick up a copy of the Buy Fresh Buy Local Food Guide for Santa Barbara, Ventura and northern Los Angeles Counties today at the following locations:

North SB County:
Buellton Visitors Bureau
American Flatbread
SB County Farm Bureau

South SB County:
Sojourner Café
Fund for Santa Barbara
IV Food Coop
Fairview Gardens
EDC Office

Thank You for Making this Year's Auction A HUGE SUCCESS!

EDC would like to thank all of our wonderful volunteers, donors, event sponsors and underwriters, staff, Board of Directors, Advisory Board and all those who attended this special event. We were delighted to have had so many of our community join us in honoring our 2009 Environmental Heroes, Barry and Jean Schuyler, Eric Cárdenas, Jackson Browne and Alec Looz. The proceeds from this event will help us continue our work protecting and enhancing the local environment through education, advocacy, and legal action.

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Paddle Sports of Santa Barbara
Patagonia
PCPA Theaterfest
Peet's Coffee & Tea Downtown
Pet House
Phil Channing
Phillip Gerlach
Raintree Equestrian Ranch

Photos (left to right): Jess Goldman, Julia Foreman, Matt Meyer, Gillian Linberg & Corey Linberg (Photo: Erin Feinblatt) / The Honorable Lois Capps & Environmental Hero Eric Cárdenas (Photo: James Dewhirst) / Environmental Hero Jackson Browne (Photo: Erin Feinblatt)



Dine Out 2009 a Success!

Thanks to all of the restaurants who participated in this year's Dine Out for the Earth on Thursday, April 16th. These restaurants showed their commitment to our community and the planet by donating a portion of the day's proceeds to EDC:

Seagrass Restaurant • Spiritland Bistro • Sojourner Café • Arnoldi's Café
Fresco Café • Pascucci's • Bouchon • Zookers

Thank You Aldo's Italian Restaurant!

We would like to extend sincere thanks to Mark Sherman and the rest of the Aldo's team for supporting EDC through "10% Tuesdays" again this year. Aldo's generously donated 10% of each Tuesday's sales to EDC during the month of August.

So Far, So Good! A Successful TGIF Season Underway!

We have had yet another fabulous season of the infamous Thank Goodness It's Friday (TGIF) gatherings here at EDC. Unfortunately we had to cancel May's event due to the Jesusita Fire, but supporters arrived with even more enthusiasm at July's TGIF! We would like to thank our many event sponsors, food and beverage donors and musicians who help us make this event possible.

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Fund for Santa Barbara | Law Office of Marc Chytilo | Santa Barbara Women's Political Committee 1st District Supervisor, Janet Wolf 2nd District Supervisor, Salud Carbajal
Los Padres Forest Watch | Community Environmental Council
PUEBLO | Get Oil Out!
EcoFaith | Surfrider | Naples Coalition | Trust for Public Land

FOOD & BEVERAGE

Fairview Gardens | Big Easy Catering Company | Lazy Acres
New Belgium Brewery | Our Daily Bread | Sojourner Café
State & A Bar and Grill | Tom Shepherd Farm | Ojai Vineyard
Alma Rosa Winery & Vineyards | Buttonwood Farm Winery

MUSICIANS

Claude Hopper & Friends | Bruce Goldish
Erland | The Messengers

And remember, TGIF season is not over yet! On September 11 GOO!, PUEBLO, SB Women's Political Committee, and EcoFaith will be sponsoring with Erland providing live acoustic music. Our Fall Feast is on October 9 and is sponsored by the Surfrider Foundation, the Trust for Public Land and the Naples Coalition with live music provided by The Messengers. This event will include a catered dinner by the Big Easy Catering Co.

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Real Cheap Sports
Rieman Surf School
River Blue Salon and Spa
Robin's Restaurant
Rolling Hills Garden Center
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Roteman, Eberhard and Associates
S.L. Campbell
San Ysidro Ranch
Sandcastle Music Together
Santa Barbara Athletic Club
Santa Barbara Bank and Trust RAVE Team
Santa Barbara Botanic Garden
Santa Barbara Contemporary Arts Forum
Santa Barbara Farmers' Market
Santa Barbara Hotel Group
Santa Barbara International Film Festival
Santa Barbara Museum of Natural History
Santa Barbara Permaculture Network
Santa Barbara Winery
Santa Barbara Yoga Center
Santa Barbara Zoo
Save Your House - Keith Zandona
Sharon Bolton Scents
Sings Like Hell
Soho Restaurant and Music Club
Souter Land Use Consulting
Summerland Beach Café
Surf-n-Wear/Beach House
Sustainable Vine Wine Tour
Sydney Minnerly
Table to Table
Tecolote Book Shop
Ted Rhodes
The (805) Deli
The Closet
The Fund for Santa Barbara
The Goodland
The Granada Theater
The Marine Room
The Sacred Space
The Simpson House Inn
The Upham Hotel & Country House
The Worm Girl
Tina Movaro
Transformative Healing Arts
Tri-County Produce
Turk Hessellund Nursery
Vicki Blum & David Lebell
Village Cheese and Wine Shop
Whitney Abbott
Yoga Soup
Zaca Mesa Winery

Photos (left to right): Environmental Heroes Barry & Jean Schuyler (Photo: James Dewhirst) / Environmental Hero Alec Loorz and Family (Photo: James Dewhirst) / EDC supporters put in their bids at the silent auction. (Photo: Erin Feinblatt)



Take a “Walk on the Wild Side”

Due to great public response, we are expanding our Walks on the Wild Side series. Earlier this year we hosted two events designed to engage the general public, past and current EDC supporters, and to get them out to experience and enjoy places that EDC has been instrumental in helping to preserve. Aiming for a family friendly, free experience to introduce EDC to those who may not be familiar with our work, guests are treated to docent and self-guided tours of the areas and presented with the history of the areas and how EDC came to be involved in their protection and preservation.

We plan to once again visit Ellwood Mesa and Butterfly Preserve in January for the annual return of the monarch butterflies and Carpinteria Bluffs and Seal Rookery in February to view newborn harbor seal pups. In addition, we are working on similar events at other locations as well as a potential bike outing. Stay tuned to www.EDCnet.org for more details! We hope to see you on the wild side!



EDC supporters gather at Carpinteria Bluffs to see the newborn harbor seal pups this past February. Photo: Linda Krop

Coming Soon to Theaters Near You: A Sea Change

In October, EDC will present two showings of the film *A Sea Change* which explores an urgent but little-known global crisis known as “the other carbon dioxide problem” –acidification of the world’s oceans, and its implications for marine life, and ourselves.

EDC is leading a national effort to garner more attention to the threat of rising ocean acidification. Acidification is caused by increasing levels of carbon dioxide emissions in the atmosphere, that result in higher levels of pH in the world’s oceans and impair the ability of several marine organisms (including urchins, abalone, lobster) to grow shells and skeletons.

This new feature film follows retired educator and concerned grandfather Sven Huseby around the world on his mission to learn more about the effect of excess carbon dioxide on the ocean, wrestling with the possibility that his grandson will inherit an ocean without fish. We look forward to seeing you at a showing!

October 14, 7PM (A panel of experts will follow the film) • Channel Islands National Park, Ventura

Sponsors: The Ocean Channel, Channel Islands National Marine Sanctuary and National Park, Ventura Surfrider Foundation

October 27, 7PM (A panel of experts will follow the film) • Santa Barbara Museum of Natural History, Fleischmann Auditorium

Sponsors: Santa Barbara Museum of Natural History, The Ocean Channel, Channel Islands National Marine Sanctuary



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