

# ENVIRONMENTAL DEFENSE CENTER

## *Our Community's Response To The BP Oil Disaster*



### TAKE ACTION

Join EDC in supporting the following legislative proposals:

- S. 3358, the West Coast Ocean Protection Act (Boxer/Feinstein), which prohibits any new leasing in federal waters offshore CA, OR and WA
- HR 1906, the California Ocean and Coastal Protection Act (Capps), which similarly bans new leasing offshore CA
- Senate and House reform bills that strengthen regulations for offshore oil development, support clean energy, allocate revenue to the Land and Water Conservation Fund and Ocean Resources Conservation and Assistance Fund, and ensure corporate responsibility for clean-up of the Gulf



### OIL FORUM

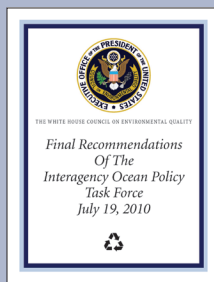
On August 3, EDC and Citizens Planning Association co-sponsored a public forum, "Gulf Oil Disaster: How Can We Protect Santa Barbara's Future?" The forum featured expert commentary by Dr. Ira Leifer, a UCSB Marine Science Institute researcher and deepwater drilling expert, Congresswoman Lois Capps, Santa Barbara County Energy Division Deputy Director Doug Anthony, and EDC Chief Counsel Linda Krop. Other groups, including Get Oil Out!, Community Environmental Council, and Stand in the Sand provided information regarding their work to oppose more offshore drilling and support clean energy alternatives.

Santa Barbarans are no strangers to catastrophic oil spills. We still remember the 1969 Unocal blow-out that blackened our beaches, creating a "dead" ocean. Now the nation struggles to cope with the impacts of the BP disaster, which far eclipses the Unocal blow-out as the largest oil spill in our country's history.

The 1969 oil spill also inspired new awareness and action, leading to the first Earth Day, establishment of the Environmental Protection Agency, and adoption of many new environmental protection laws, including the National Environmental Policy Act, Clean Air Act, Clean Water Act, Endangered Species Act, Coastal Zone Management Act and National Marine Sanctuaries Act.

Forty years later, we are reminded once again how vulnerable the environment is to human-caused catastrophes. EDC is committed to making sure that the response to the BP blow-out is as effective as in 1969.

First, we need a National Ocean Policy. Our nation lacks a comprehensive law that protects our oceans, despite the fact that the oceans comprise 70% of the earth and provide our planet with food, water, and climate stabilization. We urge Congress to follow the recommendations issued by President Obama's Interagency Ocean Policy Task Force, and pass a law that provides for:



- Coordinated ocean governance
- Eco-system based management
- Coastal and marine spatial planning ("ocean zoning")
- Increased knowledge and understanding of the coastal and marine environment
- Strengthened resiliency of the environment by planning for climate change and ocean acidification
- Enhancing ocean water quality
- Basing decisions on the best available science.

Second, we desperately need a progressive National Energy Policy. We cannot continue to drill – or import – oil and gas to meet our energy needs. A new energy policy should include:

- Increasing energy conservation and efficiency
- Developing renewable energy supplies, particularly distributed renewables, such as wind and solar, that can provide on-site energy with minimal impact
- Phasing out fossil fuels
- Requiring new development to be carbon neutral
- Creating efficient transmission and storage systems.



**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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Christina McGinnis *O.P.E.N. Program Director*  
Kristi Birney Reiman *Marine Conservation Analyst*  
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Kelley Skumautz *Development Director*  
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## From the Desk of David Landecker

EDC is sometimes criticized for representing the “special interest” of environmentalists rather than the general “public interest.” But the laws of this great state and nation properly define environmental conservation as a foundation of the general public interest that must be considered in public decision making.

However, private interests also have an important role to play in public decisions. There is nothing wrong with decision-makers listening to those who have special reasons to care about the impacts of our laws.

The system suffers, however, when those with significant financial capacity are able to purchase influence through contributions, lobbying and legal expertise.

EDC’s role is to level that playing field, giving the cause of environmental protection the full advantage of the laws enacted to further the public’s interest in environmental quality. Our influence is not based on financial power, but on the law and the public support we can garner, not to mention thirty-three years of success in winning lawsuits over well financed opposition. That is what your support for EDC buys.

In addition to using our legal “hammer,” EDC reaches out to diverse interests to resolve disputes. For instance, our successes in protecting marine resources have come through EDC’s collaborations with commercial and recreational fishing interests, tour boat operators, and other special interests. Our OPEN program works directly with landowners to create mutual support for policies that protect agricultural lands and open spaces and promote wise stewardship of private land.

Certainly, we at EDC are advocates, and we can be relied upon to fight for environmental quality. But we are committed to doing so from a position of knowledge and understanding of the concerns of all interests. Ultimately we know that we are not a “special interest” group, but agents of a higher interest in clean water and air, unspoiled beaches and open spaces, and protection of the other creatures with which we co-habit this planet. It is an interest we all share.

EDC’s continued success requires that you show your special interest in sustaining our work through your membership and contributions TODAY -- by writing and mailing a check, or making an online contribution at [www.EnvironmentalDefenseCenter.org](http://www.EnvironmentalDefenseCenter.org). We really need your support, now.

## Special Announcements



Kelley Skumautz

There have been several changes at EDC over the past few months. We are pleased to announce that Kelley Skumautz has joined the EDC team in our new position, Development Director. Kelley will be stepping into Deborah Lott’s shoes who served as Development Associate. We wish Deb all the best in her future endeavors and are grateful for her hard work during her years at EDC.



Deb Lott

After working for one year as our Administrative Assistant, Brina Carey has moved on to be a lead guide for Santa Barbara Adventure Co. We appreciate her great work and the passion she brought to EDC and are happy to see she will be living the dream!



Maggie Hall

Maggie Hall has been with EDC for over a year, initially as an intern and more recently stepping in to fill our Administrative Assistant position. We wish Maggie the best of luck as she plunges into Lewis and Clark Law School this fall and hope to have her around the EDC office again someday!



Brina Carey

Jenni James joined EDC from the University of Chicago Law School as our summer Law Clerk and is interested in marine issues and wildlife protection. We are thankful for her hard work and wish her success in her studies and beyond.



Jenni James



Marty Blum

We would also like to introduce former Santa Barbara mayor Marty Blum as the newest member of our Board of Directors. Before being elected Mayor, Marty served two terms on the Santa Barbara City Council and has a long record of environmental activism and public service. We look forward to the insight she will bring to EDC.

## OPEN Program: Building Bridges Through Community Planning Efforts

EDC's Open-Space Preservation Educational Network (OPEN) program has been working for the past two years throughout Santa Barbara County to safeguard our precious open spaces and agricultural lands, while building bridges with agriculturalists and environmental constituents in our community. Part of OPEN's mission is to get to know the "on the ground" challenges to maintaining agriculture on the land, and to effect policy changes that support the needs of farmers and ranchers, while also protecting our environment. The program provides a proactive approach to assessing General Plans and the planning process throughout Santa Barbara County. Made possible from generous continued support from the Gildea Foundation, and intern support from the University of California Santa Barbara Coastal Fund, the purpose of the OPEN project is to engage all interested sectors of our communities in a dialog about these important issues. Our OPEN Program Director, Christina McGinnis, has worked to develop relationships to help all interested stakeholders understand each other's positions and needs.

(continued on page 5)

## Toxic Clean Up and Land Use Discussions Continue at Ormond Beach

The U.S. EPA recently announced that the results of its extensive testing at the Halaco Superfund site are expected to be released by the end of the year. This information will guide U.S. EPA's cleanup of this toxic industrial legacy in the midst of Ormond Beach – an ongoing concern for nearby wetlands, wildlife and the community. In the meantime, however, the City of Oxnard is still considering whether to allow new and continued industrial land uses in the greater Ormond Beach area (in addition to new residential and commercial development), on currently undeveloped land needed for wetland restoration. EDC, on behalf of our clients the Los Padres Sierra Club and the Environmental Coalition of Ventura County, is leading efforts to make sure that Ormond Beach is restored as a healthy, sustainable wetland area.

## Restoration of the Matilija Dam Ecosystem



Matilija Dam as it looks now. Photo courtesy of Matilija Coalition

Everyone agrees that the nearly 200-foot Matilija Dam on the Ventura River is obsolete, but removing a structure of this magnitude raises some serious challenges – like how to manage the sediments that have built up behind the Dam since it was constructed. Given the broad range of interests involved, a consensus-based public stakeholder process was established several years ago, and a project design was successfully approved by the federal government and Ventura County. Unfortunately, recent funding issues and other difficulties have delayed removal of the Dam, but EDC is working with the Matilija Coalition

to make sure this project stays on track. Removing the Dam will provide access for steelhead to currently inaccessible prime habitat, and restoring the Ventura River's flow of sand from its headwaters to the ocean will replenish our severely diminished beaches.



Artist rendition of Matilija Creek after dam removal. Courtesy of Matilija Coalition

## Naples News

On May 13, First Bank of Missouri foreclosed on a majority of the Santa Barbara Ranch property, sending the stalled development proposal at Naples into even more uncertain territory. EDC, Surfrider and the Naples Coalition participated in a Case Management Conference before the Santa Barbara Superior Court on July 13, and the litigation over Naples is expected to heat up this winter. In August, the California Coastal Commission will likely require Santa Barbara County to issue Coastal Development Permits for lot mergers that create development potential in the coastal zone. This will set the stage for us to appeal the project to the Coastal Commission later this year.



### Measure J Defeated

On June 8, more than 70 percent of the Carpinteria electorate emphatically said “No!” to Measure J, Venoco’s Paredon Oil & Gas Drilling Initiative. EDC offers thanks and congratulations to our clients and their neighbors in Carpinteria, who worked tirelessly to educate and mobilize the voters against Venoco’s ill-advised initiative. A lawsuit filed by the City of Carpinteria, which alleges that Measure J was illegal and unconstitutional, and should not have been allowed on the ballot in the first place, will now be heard by the Second District Court of Appeal in Ventura. EDC has filed an Amicus Curiae brief in support of the City and on behalf of the Carpinteria Valley Association, Citizens for the Carpinteria Bluffs and Get Oil Out! EDC, our clients and the City of Carpinteria are asking the Court to declare that similar initiatives will not be allowed on the ballot in the future. Venoco’s proposed Paredon project is on hold for now, which is great news for the community and the environment!



Photo by Matt Weinberg

### Coming Soon: A Bigger & Better Goleta Beach

In July, Santa Barbara County endorsed a new plan to restore Goleta Beach - “Goleta Beach 2.0.” This plan is an innovative response to the Coastal Commission’s 9-1 denial of the erosion control “groin” structure previously proposed by the County, and builds on a proposal developed by EDC and Surfrider Foundation. By relocating parking and utility lines from the coastal erosion zone, Goleta Beach 2.0 works with nature. It expands the beach by an acre, removes unpermitted seawalls which are damaging Goleta Beach, and adds new trails and recreational features. After a decade of advocacy, EDC, Surfrider and our engineers and scientists believe the new plan is a giant step in the right direction.

### Victory for Sea Otters



Southern California Sea Otter. Photo by Jeff Foott

Representing The Otter Project and itself, EDC’s litigation challenging the U.S. Fish and Wildlife Service’s (FWS) failure to make a decision on ending the “no otter zone” took a major step forward in May when a federal judge denied the government’s motion to dismiss our case. Under a 1987 FWS rule, threatened southern sea otters were formally prohibited from southern California waters as part of a compromise with fishing interests opposed to reintroduction of the species at San Nicolas Island. This compromise, however, would only remain valid if the reintroduction succeeded. It clearly has not—the effort was plagued with difficulty from the beginning and to this day a viable population of otters has not established itself at the island. Today, scientists believe that the natural expansion of otters into southern California is critically important to the species’ eventual recovery. For more information, see [www.EnvironmentalDefenseCenter.org/seaotter](http://www.EnvironmentalDefenseCenter.org/seaotter).

### Port Access Study Provides Key Opportunity for Whale Conservation

The U.S. Coast Guard announced in April that it is conducting a new Port Access Route Study (PARS) to consider modifying existing shipping lanes through the Santa Barbara Channel into the nation’s busiest port complex at Los Angeles and Long Beach Harbors. EDC submitted comments to the Coast Guard urging the agency to utilize the PARS as a key opportunity to consider route changes and ship speeds in a manner that minimizes the future risk of ship strikes to the numerous whale species in the Channel, including the densest population of blue whales on the planet. For more information, see [www.EnvironmentalDefenseCenter.org/whales](http://www.EnvironmentalDefenseCenter.org/whales)



## OPEN Program *(Continued from page 3)*

OPEN has worked on various community planning efforts, including for the Santa Ynez Valley, to help protect the urban-rural boundary and allow for less subdivision or conversion of agriculturally zoned land. Currently, OPEN staff is actively working on the Gaviota Coast Plan and the Goleta Valley Community Plan updates to galvanize the public around the critically important issues of preserving our rural and urban agricultural lands, respectively. Other items underway include monitoring and commenting on precedent-setting individual projects, such as the Bailey Avenue Specific Plan in the Lompoc area, which would annex 270 acres of prime agricultural land into the City of Lompoc for a large housing and commercial development project.



Open space on the Gaviota Coast. Courtesy Photo

As part of these efforts, OPEN outreaches to community groups, agriculturalists, environmentalists, and land use experts to discuss the best approaches for protecting open spaces and agricultural lands in unincorporated Santa Barbara County and share information related to those goals. For additional information and archived letters, please visit the EDC web site, which was recently updated with new information regarding the OPEN program. Please contact Ms. McGinnis to get involved with any projects or programs of interest, or to request a presentation on the OPEN program.

## *Protecting Water Quality from Agricultural Discharges*

Two years ago, the Central Coast Regional Water Quality Control Board convened a stakeholder panel to update its Irrigated Agricultural Discharge Waiver program, which implements both federal and state laws to regulate discharges from irrigated agricultural lands and thereby protect water quality and in-stream beneficial uses. EDC was selected to serve on the panel, due to our prior participation on the inaugural stakeholder group that helped develop the first Conditional Waiver order. In 2008, Regional Board staff identified areas of weakness in the Conditional Waiver and suggested revisions designed to better protect water quality, including: (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. EDC and our clients (Santa Barbara Channelkeeper, San Luis Obispo Coastkeeper and Monterey Coastkeeper) support staff's recommendations and are advocating for a stronger Conditional Waiver in front of the Regional Board and the State Water Quality Resources Control Board.

## *Taking Action on Methyl Iodide*

The California Department of Pesticide Regulation (DPR) is considering registering pesticide products containing methyl iodide (Mel). The chemical would replace methyl bromide as a soil fumigant for irrigated crops but is "known to the state to cause cancer or reproductive toxicity." Mel is prone to post-application drift and threatens farm employees and surrounding communities. Mel applications also threaten ground water quality. On June 29, EDC sent a letter to DPR urging the agency to deny the registration of Mel for agricultural use in California.

## Thank You for Making this Year's Auction a GREAT SUCCESS!

EDC would like to thank all of our wonderful volunteers, donors, event sponsors and underwriters, Board of Directors, Advisory Board and all of those who attended this special event. We were delighted to have you join us in honoring our 2010 Environmental Heroes: UCSB Environmental Studies Program, New Belgium Brewing Company, Paul Jenkin and Oak Park High School's Whale Migration Project Team. 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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Photos (left to right): Congresswoman Lois Capps | Auctioneer Geoff Green and EDC's Kristi Birney Rieman | Environmental Hero Paul Jenkin.  
All Photos by Erin Feinblatt - Brooks Institute







## Dine Out 2010 a Huge Hit!

Thank you to everyone who took part in this year's Dine Out for the Earth on Thursday, April 15th. These restaurants showed their support of our local environment by donating a portion of the day's proceeds to EDC and we ask that you continue to support them throughout the year: Fresco Café • Spiritland Bistro • Zookers • Sojourner Café • Elements • Arnoldi's Café • Sea Grass • Zaytoon • Feast Bistro • Wine Cask

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Photos (left to right): Coleen Ebert and Megan Birney enjoying the live auction | EDC's Kristi Birney Rieman awarding the Youth Award to the Oak Park High School's Whale Migration Project Team All Photos by Erin Feinblatt - Brooks Institute





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## EDC Events

### *Our TGIF Series Has Taken Flight!*

Growing in popularity and now bigger than ever, our TGIF gatherings in the EDC Courtyard have upheld their reputation as one of the best happy hours in town! Guests ditch their cars and pedal to take advantage of our new free bike valet made possible through the generosity of the Bicycle Coalition. Thank you to everyone who makes these events possible, including our numerous volunteers!

**Sponsors:** • Santa Barbara Channelkeeper • Trust for Public Land • Santa Barbara Independent • Carpinteria Valley Association  
• Los Padres Sierra Club • Santa Barbara Bicycle Coalition • Community Environmental Council • Fund for Santa Barbara

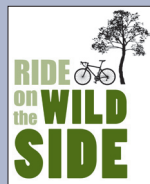
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**Musicians:** • Arroyo Boyz • Montecito Jazz Project • Claude Hopper & Friends

Remember, TGIF is far from over! Save the dates for September 10th and October 1st, our Fall Feast. Los Padres Forest Watch, Naples Coalition and the Law Firm of Marc Chytilo will sponsor the September event with live music provided by Bruce Goldish. Our Fall Feast will be to the tune of sweet melodies by the Acoustic Messengers with the Coastal Fund, Get Oil Out!, and Santa Barbara Chapter of Surfrider co-sponsoring the evening. A full catered dinner will be provided with side dishes made from produce donated by local farmers.

### *Valley Homegrown—A Santa Ynez Valley TGIF!*

After an extremely successful gathering at the Solvang Theaterfest in May, EDC has decided to host another TGIF on September 24, 5:30-7:30PM at the same location. Please mark your calendars and join us for live music, food, wine, beer and an opportunity to come together as a community and exchange ideas in a relaxed and friendly environment, offer support, strengthen connections, and promote environmental issues and awareness. The theme of this event will be local Santa Ynez Valley agriculture, and it will include a speaker from the county Agricultural Futures Alliance.



### *EDC's Ride on the Wild Side*

Join EDC for our first-annual Ride on the Wild Side bike event on October 16, 2010. Ride at your own pace or along with a knowledgeable guide and visit some of the local landscapes that EDC has fought to preserve and protect. With two lengths of rides to choose from, this event is suitable for families, casual riders, and serious cyclists. The ride will be followed by a celebration in the EDC courtyard with a full lunch, beverages, a raffle, and live music. Spread the word and register now on [Active.com!](http://Active.com!)

### *Patagonia's Annual Salmon Run to Benefit EDC*

We are delighted to announce EDC's selection as the beneficiary of Patagonia's 17th Annual Salmon Run. The event will be held on Sunday, November 7 and includes a certified 5K run and a 3K walk along the Ventura River. Last year's event attracted 375 participants and raised \$11,000 for the Matilija Coalition. We are looking forward to the opportunity to spread the word about our continued work in Ventura County, especially the Matilija Dam Removal Project, protecting wildlife habitat Ormond Beach, and restoring steelhead. Please register and help support EDC!