

ENVIRONMENTAL DEFENSE CENTER

Restoring the Ventura River Watershed

INSIDE THIS ISSUE:

Fracking

Buy Fresh Buy Local
Food Guide

Venoco Pipeline

Santa Paula Creek

Chaparral

Mission Creek
Restoration

Bailey Avenue Farmland

Naples Update

Ormond Beach

Whales & Shipping

Celebrating Paradise
Saved

Ride on the Wild Side
Bike Event

Ag Futures Alliance
Tours

"Nature is not a place to visit. It is home." –Gary Snyder

water·shed: an area or region drained by a river, river system, or other body of water



Ventura Watershed. Photo by the Bureau of Reclamation, courtesy of the Matilija Coalition

Although we still have a way to go in 2011, it has already been a big year for work to protect and restore the Ventura River and its larger watershed. From continued efforts to remove the obsolete Matilija Dam in the watershed's upper reaches, to an innovative "managed shoreline retreat" project to address coastal erosion near the River's outlet at Surfer's Point, to an emerging proposal for a Lower Ventura River Parkway -- all important projects to benefit water quality, wildlife habitat, human well-being, and the regional economy. EDC is proud to be part of the groundswell of activity working to ensure a healthier Ventura River through legal action and community-based collaborations.

On the legal front, in July EDC reached a settlement under the Clean Water Act (CWA) with Multi-Chem to reduce water pollution from its chemical blending facility on the lower Ventura River. After extensive investigation and research, EDC determined that the company was not adequately controlling stormwater discharges from its facility, and in April, we informed them of our intent to sue for violations of the CWA.

Multi-Chem reacted favorably to our Notice, and we reached a settlement under which the company agreed to improve its stormwater management practices (for example, by installing "detention basins" to capture pollutants before they enter the River) and to pay EDC to independently monitor its pollution levels. In addition, Multi-Chem agreed to fund \$35,000 for projects to improve water quality on the lower Ventura River, with the money to be administered to other community groups through a grant program managed by the Rose Foundation for Communities and the Environment.

In January, EDC was retained by the Ventura Citizens for Hillside Preservation (VCHP) to represent the group in its fight against a proposal to annex 800 acres within the Cañada Larga Valley to build large "executive homes." The area known as Cañada Larga hosts a major tributary to the Ventura River, and its undeveloped meadows, canyons, and creeks provide much-needed open space which harbors endangered species like the Least Bell's vireo. Together with VCHP and other groups, we succeeded in convincing the Ventura City Council to reject the proposal.

Finally, EDC is teaming up with many organizations, headed by the California State Coastal Conservancy, in an ambitious effort to implement a conceptual plan for a Lower Ventura River Parkway. Under this visionary plan, River land now blocked from public access and marred by abandoned industrial sites will be restored. Also, a new public trail system will be developed, reconnecting local residents to the River while also helping to improve habitat for endangered species including southern steelhead trout and tidewater goby.

In addition to the efforts described above, numerous other environmental improvement campaigns are underway throughout the watershed led by EDC partners including Ojai Valley Land Conservancy, Patagonia, Santa Barbara Channelkeeper, Sierra Club, and Surfrider Foundation. Together, we look forward to helping to restore the River's health for the benefit of our human communities and the full range of biological diversity dependent on one of our region's most irreplaceable natural assets.



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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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Kristi Birney *Marine Conservation Analyst*
Karen Kraus *Staff Attorney*
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From the Desk of David Landecker

As I write, Congress has finally found a way to avoid a national failure to pay our debts. The cost is less spending, and environmental monitoring and protection will certainly be a major victim.

Despite the hottest summer on record and the worst tornado season in memory for most of the nation, global warming continues to be a fringe issue. TV ads tell us the health of our economy depends upon expanded oil and gas development, and billion dollar tax breaks for oil and gas companies continue despite their record profits during a recession. Our Supreme Court says that the Constitution prohibits any controls on political contributions by these corporate citizens.

At a time when "privatization" of government is favored, the burden for assuring protection of our public health, land, oceans, and wildlife increasingly falls to NGOs like EDC. Environmental legislation passed at every level is of no consequence unless there is a credible threat that it will be enforced. Our ability to effectively perform that expanding role depends upon the generosity of our supporters who, like government, have decreasing resources.

Despite these reasons for pessimism, this Newsletter, featuring a few of the many projects on which EDC is currently focused, gives me reason for optimism. Major successes on Ventura River cases will significantly reduce pollutants and improve water quality. A generation of work to save the unmatched Gaviota Coast has put us on the cusp of major successes. Protections for marine mammals and fish populations in the Santa Barbara Channel are succeeding. And despite rain in June, hundreds of you came out to Celebrate Paradise Saved, demonstrating your steadfast support for EDC.

Despite the daunting challenges of this time, EDC's successes and your support that makes them possible, gives us all reason for hope.

Thank you!

Special Announcements

Ignacio Alarcon has joined the EDC Board of Directors, having recently completed his term as both the President of the Board of Directors of the Fund for Santa Barbara and as Chair of the Santa Barbara City College Academic Senate. Ignacio has also served as President of the Santa Barbara Chapter of the ACLU. As a Professor of Mathematics at SBCC, he brings new skills to our Board in addition to his extensive community activism and experience in non-profit management.

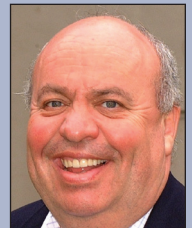
Dr. Lee Heller is a new member of the Board of Directors and brings EDC her years of experience as a fundraiser, activist and advocate for the environment and for animals. Lee has earned both a PhD from Brandeis University and a J.D. from the Santa Barbara College of Law. She has been a Director of Get Oil Out!, SBCAN and DogPAC, and an active member of ASAP, K-9 Pals and CARE4Paws. She also served twice as a law clerk at EDC. We look forward to utilizing her bountiful energy, writing and speaking skills, and experience as a community advocate.

We are sorry to lose the service of Eric Cárdenas as a member of our Board of Directors. After nine years as an EDC staff member and Director of our Environmental Health Project, Eric joined the Board in 2009 not long after taking a new job with the Orfalea Foundation as manager of its S'Cool Food Initiative. Eric's time is being well filled in his new role as partner at LoaTree, an "Eco-lifestyle Collective," providing event coordination, marketing, public relations and networking services to businesses and non-profits working to advance a more sustainable world.

EDC Law Fellow Receives Ryerson Memorial Award

EDC is proud to announce a grant award from the Jim Ryerson Environmental Foundation to fund the work of Law Fellow, Nick Patton, between January and June. Nick's primary focus was on EDC's Coast and Ocean program and efforts to stem pollution from being discharged into regional waterways. His work led to EDC's successful settlement with Multi-Chem.

Jim Ryerson served as Director of the Santa Barbara County Air Pollution Control District after working for the California Air Resources Board, the U.S Environmental Protection Agency, and the California Coastal Commission. Ryerson passed away in 2005. The presentation of this annual award gives the community an opportunity to remember and reflect upon this giant of a man who gave so much to protect our environment.



Ignacio Alarcon



Dr. Lee Heller



Eric Cárdenas

Fracking 101

The news seems to be inundated with reports about fracking these days and you may be wondering exactly what it is and why you should be concerned about it. Hydraulic fracturing, or fracking, is an increasingly common oil and gas production technique which utilizes a concentrated pressure of water, sand, and chemicals to splinter impermeable geological formations to stimulate the flow of oil or gas within the rock. Although rudimentary forms of fracking have existed since the 1950s, today's techniques are only about a decade old, combining existing techniques with a practice known as horizontal drilling.

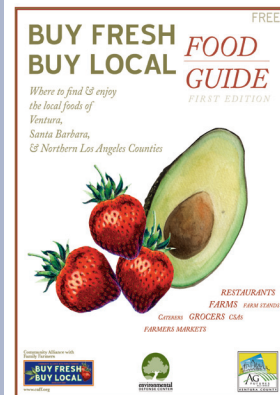


Graphic by Benjo Arwas & Erin Feinblatt / Brooks Institute

The fracking “revolution” has generated environmental controversy, inciting specific concerns about the vast amounts of fresh water it takes to frack and the groundwater contamination that can result from the practice. This spring, Venoco fracked two oil wells near Los Alamos without prior notification to landowners or County regulators, generating extensive community concern and outrage. In response, the County’s Planning and Development Department issued Notices of Violation to the company for utilizing more than 100,000 gallons of fresh groundwater at each drilling site without proper environmental review or permitting. And, while the oil and gas industry has refused to disclose the composition of its fracking “cocktails,” a recent Congressional investigation determined that 14 fracking companies used 780 million gallons of chemical products between 2005 and 2009, including 29 chemicals containing known carcinogens such as methanol, diesel, hydrochloric and sulfuric acid, and formaldehyde.

Despite the risks associated with fracking, it is wholly or partially exempted from federal requirements under the Safe Drinking Water Act, Resource Conservation Recovery Act, National Environmental Policy Act, and Clean Water and Air Acts. In California, the primary agency overseeing oil and gas production has failed to utilize existing statutory authority to regulate fracking, while conceding that it “is unable to identify where and how often” the practice occurs in the state. To counter the industry’s unregulated practice, EDC is supporting and working to strengthen state (AB 591) and federal (H.R. 1084/S. 587) legislation to mandate disclosures about fracking.

On September 20, EDC and our clients (Sierra Club, Get Oil Out!, Carpinteria Valley Association and SBCAN) will encourage the Santa Barbara County Board of Supervisors to consider preparation of a Program Environmental Impact Report under the California Environmental Quality Act, as well as options for placing a temporary moratorium on the practice.



New Buy Fresh Buy Local Food Guide Coming to Your Newsstand Soon

Knowing where your food comes from and making the choice to support our region’s farmers, ranchers, and businesses does make a difference. We are pleased to announce the near completion of the 2nd edition of Buy Fresh Buy Local (BFBL) to help you eat wisely. BFBL steers you to locally-grown, sustainable produce and food retailers in Ventura and Santa Barbara Counties. New listings will highlight sustainable seafood and the burgeoning local food movement, including restaurants, farms, farm stands, caterers, CSAs, and farmer’s market locations. BFBL will be completed by the end of 2011, and, in the meantime, the 2008 version can be accessed at EnvironmentalDefenseCenter.org/bfbl.

Barge No More

After more than a decade, EDC and our clients (Get Oil Out!, Sierra Club, Citizens Planning Association, and Citizens of Goleta Valley) were able to breathe a sigh of relief and celebrate the fact that oil barging from Santa Barbara County will finally come to an end. On August 3, the County Planning Commission approved Venoco’s application to build a pipeline to transport oil from Platform Holly next to UCSB and Ellwood to refineries in the Los Angeles area. Venoco’s barging operations brought several complaints from concerned citizens over the years about air pollution, offensive odors, and the risks of an oil spill. Venoco is the last oil producer in California to carry its oil by marine barge rather than onshore pipeline. We welcome this change and look forward to the positive effects it promises for the people and wildlife of our region.

Bringing Endangered Steelhead Back to Mission Creek

Imagine yourself alongside your neighborhood creek when suddenly a dozen silver steelhead dart upstream splashing you with their tails as they pass. In Santa Barbara's Mission Creek, this vision will soon become reality.

Construction of the largest steelhead recovery project in Santa Barbara – conceived and pursued by EDC in cooperation with the City Creeks Division – began in July. Until now, steelhead populations plummeted by 99 percent, making them the most endangered species in our area, and the indicator species reflecting the overall health of our watershed. The project will start by modifying a mile-long section of the concrete channel allowing steelhead to once again migrate to their historic spawning pools in Mission Creek.



Demolition of the Upper Channel of Mission Creek
Photo Courtesy of the City of SB Creeks Division

Ventura Area Flood Impacts Will Receive Further Study

EDC, Keep Sespe Wild Committee and Limoneira Company have settled concerns over potential Santa Paula Creek flooding by ensuring that this issue will be further reviewed when the East Area 1 Project goes back to the City of Santa Paula for additional approvals.

The East Area 1 Project proposal encompasses approximately 500 acres, including homes, retail, and open space immediately east of Santa Paula Creek. The Project was approved by the City in 2008 without review of flooding impacts because of a mistaken assumption that the Project was not in a 100-year flood zone. In March, the Ventura County Local Agency Formation Commission also approved the Project without review of flood impacts. At that time, EDC and Keep Sespe Wild Committee argued for environmental review of flood risks, including impacts of flood control measures on endangered steelhead in Santa Paula Creek.

As part of the settlement, Limoneira has agreed to pay all costs associated with the City's preparation of a Supplemental Environmental Impact Report, which will evaluate impacts related to flooding and steelhead in Santa Paula Creek. The EIR will also evaluate a Project alternative that could facilitate steelhead migration by including a greater setback along the Creek.

Saving Our Threatened Chaparral Forest

Do you love the tri-counties' stunning natural beauty and the majestic green hills perched above the vast blue Pacific that create a postcard-like Mediterranean setting? What if the hills were cleared, leaving barren, eroding, or weed-covered landscapes?

The deep-rooted Chaparral woodlands that hold our mountainsides together during rainstorms are being clear-cut at an alarming rate. This destruction is most evident in the Santa Ynez Mountains above Santa Barbara where hundreds of acres have been felled. Besides destroying wildlife habitat and natural beauty, clearing Chaparral can result in noxious weed infestations which can increase fire hazards.

EDC and our client -- Santa Barbara Urban Creeks Council (UCC) -- are speaking up against this clearing, and we recently convinced the County of Santa Barbara to amend its Brushing Ordinance and to include conservation measures in Community Wildfire Protection Plans. EDC and UCC will work with the County to ensure that vegetation management projects are adequate to protect people and property from wildfires while also safeguarding watersheds and rare wildlife.

Bailey Ave Settlement

On behalf of Santa Barbara County Action Network (SB CAN), EDC settled a lawsuit in May against the City of Lompoc. We disputed the legality of the City's controversial decision approving plans for a residential and commercial development on 270 acres of prime farmland along the Bailey Avenue Corridor. Bailey Avenue lies within one of the state's most productive agricultural regions and provides a variety of row food crops. Along with our clients at SB CAN, EDC took this issue up as part of our long term effort to preserve agriculture and open space, and avoid sprawl at the urban/rural interface, as we recognize the importance of agriculture to the historical, cultural, and economic fabric base of our area. Under the settlement, the Lompoc Planning Commission will initiate new hearings this summer. In addition, the City has initiated an update to its environmental analysis of greenhouse gas emissions under the California Environmental Quality Act.



Bailey Avenue farmland, Lompoc

Environmental Groups Sue Oxnard to Protect Ormond Beach

EDC and our clients, the Sierra Club and the Environmental Coalition, filed a lawsuit on July 28 against the City of Oxnard, disputing the City's decision that new residential, commercial, and industrial development at Ormond Beach will not harm beach wetlands or the State Coastal Conservancy's plan to restore the area.

On June 14, the City approved the first of two major developments targeted for the Ormond Beach area. The SouthShore Project, primarily a residential development with more than 1,500 housing units, will pave over a massive open space area that protects the wetlands from existing urban development. The second development project (not yet approved by the City) would similarly convert land that is currently open space area to commercial and light industrial development, and limit the size of the Coastal Conservancy's planned wetland restoration. The lawsuit alleges that the City's approval of the South Shore Project and certification of an Environmental Impact Report for both projects fails to protect the Ormond Beach wetlands and wildlife, reduce impacts from greenhouse gas emissions and sea level rise, mitigate the loss of more than 300 acres of prime farmland, and protect the region's groundwater.

Naples Now & Forever

The "Naples Town Site" subdivision, aka the Santa Barbara Ranch Project, threatens to fragment the largest continuous stretch of rural coastline in southern California and the healthiest remaining coastal ecosystem in our State. The proposed Project plans to sprawl up the Gaviota Coast starting about two miles west of Goleta.

Fortunately, development plans are now in limbo as the financial crisis has been particularly unkind to luxury and vanity projects. In November 2010, First Bank of Missouri foreclosed on a majority of the still-undeveloped Naples property, and as such, the entire Naples Town Site was thrown into question. Prior to the foreclosure, EDC and our clients at the Surfrider Foundation, along with the Naples Coalition, filed a lawsuit challenging the 2008 project approvals for violating numerous State and local laws and regulations protecting sensitive habitats, public access, important agricultural lands and coastal views. The lawsuit was set to be heard in Santa Barbara Superior Court on July 12, 2011, however the date has been pushed back in order to afford the parties a chance for further conversation.

"I would say, 'advantage preservationists,' and in a big way," said the former owner of Santa Barbara Ranch (and the most strident proponent of development at Naples) in a recent edition of The Santa Barbara Independent. He continued, "There probably hasn't been a better time [to try and protect Naples] in the last 50 years." In a welcome twist, EDC is trying to prove the developer right.

Sharing the Ocean – Searching for Safe Passage for Whales & Ships

This fall, EDC will host a workshop at UCSB's Donald Bren School (Room 1414) to address issues surrounding whale migration, feeding and ship strikes in the Santa Barbara Channel. Experts will discuss new scientific research, air pollution control regulations, conservation measures, whale and ship safety protocols, and potential solutions for this complex issue. Please join us on September 28, 1:30-5pm, for a panel discussion and social mixer.

Ever since five blue whales were killed near the Channel in 2007, EDC has worked to enhance protections for whales that migrate and feed locally. On June 6, EDC, Friends of the Earth, Center for Biological Diversity and Pacific Environment filed a petition asking the four California-based National Marine Sanctuaries to impose a 10-knot speed limit on large vessels. Scientific evidence shows that slowing ships down reduces the risks and impacts of ship strikes.

EDC also submitted formal comments to the U.S. Coast Guard, requesting changes in shipping regulations to better protect whales in our area. The Coast Guard will release its final study this fall.



Photo by John Calambokidis

Thank You for Making Celebrating Paradise Saved a Spectacular Success!

Huge thanks go out to all our enthusiastic supporters and attendees of *Celebrating Paradise Saved*, EDC's annual fundraiser. On Sunday, June 5, hundreds of people did not let an out-of-the-ordinary downpour dampen the day. We gathered under a beautifully decorated tent, generously auctioned, ate fabulous fare, imbibed, and feted Environmental Hero, Jean-Michel Cousteau, while Mother Nature offered her last soak of the season.

Proceeds from this event will help EDC sustain its efforts to safeguard our quality of life on the Central Coast through our education, advocacy, and legal support programs. Thank you!

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Photos (left to right): Cameron and Lisa Benson | Sharyn Main, Jim Hodgson, and Mark Holmgren | EDC Executive Director David Landecker, Environmental Hero Jean Michel Cousteau, and EDC Chief Counsel Linda Krop | David Raney bidding away! | All Photos by Erin Feinblatt - Brooks Institute

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Tomchin Family Charitable Foundation Announces Opportunity to Double Your Dollars

Harvest is upon us and soon we will see the rich bounty of the season. Do you know that Santa Barbara's 112 organic farms and other growers bring in annual revenue upward of \$1.2 billion? EDC's Open-space Preservation Educational Network (OPEN) protects our area's rural and agricultural lands by engaging the community in support of the long term preservation of open space and agricultural land. This work builds bridges among environmentalists, progressive groups, farmers, ranchers, and landowners.

A major underwriter of OPEN, the Tomchin Family Charitable Foundation, is offering a dollar-for-dollar match up to \$20,000 for your contributions in support of this important work. Please do not miss out on this opportunity to double your investment in our economic, cultural, and natural heritage by making a special gift today.

*Call EDC at 805-963-1622 x103 for more information or to make a gift.
 You may also contribute online at EnvironmentalDefenseCenter.org.*

Thank you!



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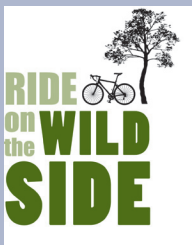
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EDC Community & Events

Farm to Fork

The Santa Barbara Agricultural Futures Alliance has launched an educational campaign to raise awareness about local agriculture via a series of forums. The first provided an overview of agricultural and environmental resources, and the second consisted of a "Farming 101" bus tour, including a visit to a local organic farm, a Gaviota ranch, and a Carpinteria greenhouse. The third in the series, also a bus tour scheduled for September 10, will give a "behind the scenes" look at the processing and distribution of farm products. The final forum in December will focus on food consumers, school food, health, obesity, and local purchasing and buying. For more information, please visit www.aginnovations.org or contact EDC.



Register Today for *Ride on the Wild Side Bike Event*

Intended for all ages of riders and all types of bicycles, we hope you will join us for our Ride on the Wild Side on October 9th. Put on in partnership with Compete Green, this fun ride takes participants from Santa Barbara's Leadbetter Beach to some of the natural places that EDC has helped protect, including Ellwood Mesa and the Carpinteria Bluffs. With three routes – 60 mile, 30 mile, and 10 mile—this ride is suitable for families and serious cyclists, with a finale/afterparty back at Leadbetter Beach. Visit EnvironmentalDefenseCenter.org/ride for more information and to register today.

TGIF! Thirteen Years of the Best Happy Hour in Town

Since EDC's TGIF series began thirteen years ago, they have only gotten bigger and better. We know how to throw a good party, but it is all of our sponsors, food and beverage donors, and musicians who make these events possible. Many thanks to you all!

Sponsors: Carpinteria Valley Association / CAUSE / Coastal Fund / Community Environmental Council / Doreen Farr Fund for Santa Barbara / Get Oil Out! / Keith Zandona / Law Firm of Marc Chytilo / Los Padres Sierra Club / Naples Coalition / Salud Carbajal / South Coast Habitat Restoration / Surfrider Foundation / Trust for Public Land / Ventura Sierra Club **Food & Beverage Donors:** Aldo's Italian Restaurant / Buttonwood Winery / Daily Greenz, etc. / Fairview Garden / Goodland Kitchen / Greek Café / Lazy Acres / Natural Café / New Belgium Brewing Co. / Palace Grill / Pascucci Silvergreens / Sojourner Cafe / Tom Shepherd / The Ojai Vineyard / Zaytoon **Musicians:** Bruce Goldish / Claude Hopper & Friends / Montecito Jazz Project / The Acoustic Messengers / The Arroyo Boyz

Remember, there is more TGIF fun to be had. Make sure your calendars are marked for September 9th as well as our Fall Feast on October 14th, which will feature fine tunes and a full catered dinner with side dishes made from produce donated by our local farmers.

Events Calendar 2011

[September 9](#)
TGIF

[September 10](#)
Farm to Fork
Tour

[September 28](#)
Searching for
Safe Passage:
Whales & Ship
Forum
UCSB

[October 1](#)
Santa Ynez
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[October 9](#)
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[October 14](#)
TGIF
Fall Feast

[December](#)
Farm to Fork
Tour