



Transcript of Video Interview with Mark Massara, recorded August 2012.

This interview is part of Earth Alert's Heroes of the Coast video archive, featuring interviews with leading California coastal activists, past and present California Coastal Commissioners and Coastal Commission staff. For more information, visit www.earthalert.org.

JB: Hi, I'm Janet Bridgers with Earth Alert, welcoming you to another episode of *Heroes of the Coast*. *Heroes of the Coast* is a program that brings you the personal stories of the people who have dedicated their lives protecting the coast for the rest of us. And I'm very pleased to have as our guest today, Mark Massara. Mark, thanks for joining us.

MM: Thank you, Janet. It's a pleasure to be with you.

JB: Mark, you've been a coastal activist for a good lengthy period, but what organization do you represent now?

MM: Well, actually, I'm in private practice as a Coastal Act attorney and activist, at this point. I represent a variety of groups—nonprofits, generally—but also private property owners, working on Coastal Act- and Coastal Commission-related matters, as well as participate and sit on the board of directors of several California coastal-oriented nonprofits, such as Coast Walk, and Save the Waves, California Coastal Protection Network. I'm involved with the O'Neill Sea Odyssey and other cool coastal-related programs in California.

But my interest in coastal protection and going to the beach goes back much further than my involvement in any coastal-related organization. I grew up in Santa Barbara and played on the beach as a child and that really set the stage for all of my subsequent work on coastal protection and my career.

JB: Are you old enough to remember the '69 oil spill?

MM: Yes, I am, and my father took me to the beach and we tossed hay on the oil as it came ashore and saw oiled birds and all the rest of it. I was about seven or eight-years-old and that created an indelible impression on me about the need to participate in coastal protection issues, and set the stage for all my future work.

JB: Do you remember your emotions at the time?

MM: You know, I was a little kid, and so I think it resonates more for me now than it did at the time. I had no idea whether that was an unusual event or whether oil companies destroyed beaches all the time. And so, as I got older, and I went on to work at the Environmental Defense Center in Santa Barbara, and Sierra Club and Surfrider Foundation, and these other organizations, I think I took a very zealous perspective to those jobs and those endeavors because of my perceived need to be very active and aggressive about protecting coastal resources, the sense that the coast belongs to me and to us and to the public, and if the public doesn't take an active interest in protecting those resources, others will, in an attempt to derive profit, degrade those same resources.

JB: But you became an attorney, right?

MM: Yes.

JB: How did that happen?

MM: Well, I think in part it was my sense to be able to achieve maximum influence on protecting coastal resources, a great way to go in that direction and to be able to accomplish things was to go to law school and become a lawyer. That way I could drag a polluter or a wrong doer into court and hopefully, theoretically, be on equal footing.

JB: So that certainly is an important role in coastal activism and I know from our own experiences that if you're not attorney, you have to figure out how to pay for an attorney.

MM: And some of my perspectives, especially when I was younger, were, of course, naïve. You see the notion of justice as being a level playing field and that's not always true. In fact, it's rarely true. But there's a whole lot of other things I learned along the way through working at Sierra Club and Surfrider Foundation and other organizations that you don't have to be right on the law. You also need to be successful in a variety of other contexts in order to win protection, even temporary, much less permanent protection for coastal resources. You also need to win the war of public education and public relations and active participation in administrative and legal proceeding, as well as a whole bunch of other things.

I used to tell all the activists that it's not enough for me to show up at a Coastal Commission meeting and present a brilliant legal argument. That's part of it. You have to do that. That's a condition that you can't sacrifice, but the seats also need to be filled with people to show the commissioners that there's a large constituency that supports protection of the coast. So it's not just lawyers. You have to have the room filled with folks that care about these places as well to demonstrate the broad public support for coastal protection.

JB: And, of course, that's more difficult all the time, because it's expensive to show up at a meeting in Eureka if you're from San Diego.

MM: The nature of the proceedings makes it difficult for the average person to take time from work and family to participate seemingly endlessly in these discussions. On the other hand, the California Coastal Commission, in my opinion, is the world's most sensitive agency—land use agency—when it comes to these proceeding in terms of being flexible and trying to create schedules that allow maximum public participation. You go virtually anywhere else, in front of any other agency, or legislative committee, or subcommittee, or task force, or even the Grand Jury, all of these things are much less receptive to maximizing public participation.

So to that regard, I give the Coastal Commission really high marks.

JB: For a long time, you worked with the Sierra Club and went to almost every Coastal Commission meeting, is that correct?

MM: Just about, for about 20 years. But even before that, I worked for years as general counsel at Surfrider Foundation and from the virtual outset, and the founding of Surfrider Foundation, we identified the California Coastal Commission as being the premier venue for protecting coastal resources and surfing values and surfing environments and resources. In fact, we've argued for many years that the California Coastal Act specifically protects surfing resources, and I know of no other law that does that particular service for surfing and ocean recreation in general.

So we had started out attending Coastal Commission meetings regularly, starting in the mid- to late-1980s, and then by 1991, I was directing the coastal programs at Sierra Club, which was a thrill for me, as an environmental lawyer, but also as a surfer, because it allowed the inspiration that we had developed around Surfrider Foundation and having an environmental nonprofit dedicated to surfers and protecting surfing environments, allowed me to take those values and apply it on a much larger stage, Sierra Club being the oldest, the most aggressive, and most successful environmental organization in the history of not just the United States, but in history. And to be able to take our surfing and coastal protection goals and work under the rubric of the organization of John Muir and Ansel Adams and David Brower and all my environmental heroes was an awesome opportunity. And we tried to make the most of it for the next 18 years.

JB: What are some of the most vivid memories you have of meetings?

MM: Of course there's literally thousands...I worked on thousands of cases at the Coastal Commission. In some ways, I feel like there were a small group of us that got to play Babe Ruth. Right, we got to up there and swing and swing and swing, and generally we hit a few home runs. We had the luxury and the privilege of being able to work on cutting edge environmental issues, involving all of the most important environmental challenges facing the industrial, modern world and the United States of America. Many, many of the cases we worked on went on to be litigated all the way up to the United States Supreme Court, and filled the textbooks of modern environmental law treatises that are being taught in law schools around the country.

So, for a lawyer, this was the premier venue to be, if you wanted to be involved in cutting edge environmental law. But more than that, it was the sort of day-to-day excitement for me, or grind, if you will, of these thousands of cases, everything from three inches of coast to 18 miles of coast in any one matter. And I like to think that it was all of those thousands of smaller issues involving every conceivable development example that you could possibly come up, all the up to the largest cases that made for this incredible canvas or horizon of stuff that we were working on.

We would work on individual little public access trails, in the middle of nowhere, that were visited by very few people, but were none the less critically important for future generations to be able to get to really important parts of our coastline, and all the way up to liquid natural gas terminals, giant harbor proposals, offshore oil and gas issues, the development of the Hearst Ranch and all of the ultimate preservation of all of the miles of coastline around San Simeon, the Pebble Beach Company and all of their development proposals in Pebble Beach and Monterey County, the large developments around the Bolsa Chica wetlands and the Ballona Wetlands in Southern California, many development proposals for Santa Barbara County and the treasured Gaviota coastline area, the famous San Onofre toll road proposal, by the Orange County Transit Authorities that we worked on for more than 10 years, the Devil Slide Tunnel in San Mateo

County, things on the North Coast, the Eel River Valley and all of the gravel mines that were once located out there, Earl Lagoon, Lake Earl in Crescent City and Del Norte County... just the opportunity for me to be able to work on nearly every part of the California coast, big and small, on issues ranging from multi-billion-dollar nuclear facilities all the way to small, little coastal access ways on forgotten beaches was a real luxury and privilege.

JB: And, of course, you got to see those places as well and know that you helped...

MM: Well, for a lifelong surfer, this was part of the research and development component to my work was a real need and mandate to actually physically and tangibly visit all of these places. And I like to tell folks that in California, you can literally go to a different beach every single day of your whole life and that's a treasure. And over these decades, I've been able to fall in love with beaches of every size and kind from super-crowded beaches in Los Angeles County that have 70,000 people per mile of coastline to extremely degraded and polluted beaches in nearly part of the coast that are damaged for a variety of reasons—illegal sea walls, or plastics, or oil pollution, sewage, all kinds of reasons, as well as those remote and stunningly beaches on the North Coast, with bald eagles, and bears, and mountain lions, and bobcats and the kind of wildlife that for many people around the world, they dream about and associate with the California coastline.

JB: Wow! So you said you represented the Sierra Club for 20 years, is that right?

MM: It was about 19 years.

JB: Nineteen years. And how would you characterize public participation and how could it be improved?

MM: Well, at Sierra Club, and with regard to our coastal programs, we basically created an art form around maximizing public participation. In fact, Mel Lane, who was the initial chair of the Coastal Commission, was appointed by Jerry Brown to sit as the initial chair of the statewide commission was the original donor of the funds to establish my program at Sierra Club. And I can remember Mel saying to me that "Mark, I'm a Republican, and most of my friends are Republicans, and many do not support the Coastal Commission. And I don't expect you to go in and win every one of these arguments. I just think that it's critically important that members of the public participate, show up and are engaged in these proceedings and deliberations of the Coastal Commission. This is a critical part, a foundation, an underpinning of the Coastal Act is that better decision-making would be derived by maximizing public participation in these proceedings.

And I came to really believe that. And we spent the better part of the next two decades traveling up and down the California coast, speaking in venues from living rooms with four people to auditoriums with 500, encouraging people throughout California to get involved in Coastal Commission deliberations, and being creative about coming up with all kinds of different ways to assist people to make that happen, and working with Coastal Commissioners and staff to encourage them to be flexible and embrace maximized public participation. And I do think that did result in much improved deliberations and decision-making, as well as maximizing

ultimately the protection of coastal resources, which is the whole point of the Coastal Act...to strike a balance between development and protection of the coast.

The irony that would have been hard to predict in 1972 that I think is apparent today is that by protecting coastal resources, we have ultimately enhanced economic values for developers much more than they could have ever imagined. And so, the proof is in the pudding, that if you consider the California coast to be the goose that lays the golden eggs in terms of protecting our coastal economy and the economy of the State of California, by being careful of the goose and these golden eggs and not allowing developers to pursue every piece of every proposal that is a projection of their most-wildest profit aspirations, we have, in fact, allowed them collectively to make much more money and enhanced the economy of California and the quality of life for all of us, as well as protecting wildlife resources and coastal resources.

JB: And, of course, the population of California continues to rise. It has quadrupled, more or less, since post-WWII days. But God isn't making more coast. So the more people, the more valuable those resources are. And I think...the figures that I remember that about 80 percent of Californians live within a half hour of the ocean. And it is the place where you can go and take the kids and you don't have to drop \$200 like you do going to a theme park. Even to a movie, you're talking about \$15 to \$20 a person, just to go to a movie in a theatre now days. You don't have to do that to go to the beach. And it's more wonderful than anything else.

MM: Well, despite all of our hard work and all of our successes, there are enormous challenges facing the coast and California in the future. In my mind, the two most critical twin challenges, and that future generations face, is our expanding population, but it's not just the dramatic increase in population, it's the dramatic increase in the desire of the entire population to spend more time at the coast—to go there more often and spend more time as they visit. So how do we satisfy that, knowing that the seas are rising dramatically, that climate change is not a fiction. It's reality and it's happening and it's happening all around us, and we can see it happening in a variety of ways. And if all of our best scientific projections are anywhere near accurate, and so far, they have underestimated nearly every aspect of climate change, so my sense is that not only are they accurate, but they probably underestimate what's actually going to happen. We are going to be experiencing upwards of 4 ½ feet of sea rise in the next 80 years, which means if we don't move back, and we don't begin to adapt strategies related to retreat adaptation and resilience planning, what we're going to have is drowned, sand-less beaches and sea walls, and massive flooding and disappearance of wetlands and coastal parks and all of those amenities that are the goose that lays the golden eggs.

So we can't have it both ways. If we want the coast to continue to function as an important part of our culture and our economy and our recreation and our wildlife, we're going to have to figure out ways to adapt so that we can have sandy beaches and functioning wetlands in the future, and allow our expanding populations to continue to visit.

Arnold Schwarzenegger famously said, “when it comes to sea rise and climate change, there will be winners and there will be losers.” And I think the challenge for California is not to worry so much about the billionaires and Broad Beach in Malibu, because those folks can and will spend unlimited amounts of money to protect their ocean-front mansions. It's the rest of the population,

the other 99.9 percent, that we really should begin to think about, because allowing future subdivisions and infrastructure to be built in low-lying areas along the coast or rivers or wetlands is a tragic mistake that will come back to cost us many times over.

JB: Before we went on camera, you were talking about, for example, plans...discussions, initial discussions with regard to San Francisco Airport and Oakland Airport. And, of course, airports are always built, or preferably built on wetlands. It's open, it's flat. They fill them in and pave it over and make an airport. They're right at sea level, right.

MM: Airports...I can't speak for airports everywhere, but airports in California...if it weren't so tragic, it would be comical, because they're inevitably built right along the coast, or right along wetlands, inevitably in low lying areas, and then the FAA comes in and says "bird strikes are a terrible situation for airplanes, so we can't have any birds around this wetland, because we've now built an airport there." And we've scratched our heads over the years that if our airport builders are so smart, why are they always building airports right next to all of this bird habitat.

But that's just an aside, considering the challenges we face with respect to sea rise. San Francisco Bay, as an example, you have Oakland Airport and San Francisco Airport—billion dollar enterprises, right at sea level and the only way to sustain those public facilities and infrastructure in the future are going to be incredibly levees, dikes, riprap and debris piles. And at some point, we're going to have to prioritize public infrastructure and reconcile the ongoing costs of that futile fighting of Mother Nature, with the need to move these facilities.

And I like to tell the Coastal Commissioners that despite all of our efforts in California, we do have a policy with respect to climate change and sea rise, and we're adamant about that policy and it's called "denial." Because we go about our development each and every month and all of our reviews under this rosy best-case scenario that doesn't consider what's actually going to happen in 50 years, and we're building in Harm's Way. Today, last week, right now, all of the deliberations undergoing are based in general upon old planning data that's incorrect and antiquated. And we're doing a disservice, not just to developers, but all the people that are going to be living in these environments in the future when we don't take a harder line, in my experience, along the coast, in warning people what's actually going to happen.

For example, we have very good data now on what areas are most likely to be flooded and subject to wave run-up and sea rise in the future. Yet, you don't see that data in Local Coastal Plans, or even California Coastal Commission staff reports related to proposed development, because it's too alarming. And we're making a mistake by not calling attention to the reality that we're likely to be facing in the future, because people don't want to hear the bad news. And somehow, we've got to find a way to, not just warn people, but build into our economic assumptions the cost of trying to maintain this development and infrastructure in the future, because it's going to be overwhelming. We can't possibly begin to maintain everything.

And the response, so far, by local government and private property owners is to pile debris, rocks and build sea walls as the ocean rises. But we know that disappears the public beach. It draws a line in the sand, so to speak, so that the private property is protected, albeit temporarily, and the public property is drowned. Well, that was never the intent of the Public Trust Doctrine and the

basis of California law. The basis of our law is that the public property is everything west of the mean high tide line. But the fundamental thing to understand about the mean high tide line is that it's ambulatory. It moves. It moves between every tide and it moves every day and it's definitely moving east as the seas rise. So allowing each individual private property interest to create sea walls and essentially debris, and draw a bright line only means that you're protecting the private property at the expense of the public property and we've got to find a new way to discuss and think about that, because it involves losses that are staggering, that are beyond comprehension over time. If we continue along the lines of our current practice, most of our public beaches will be simply gone in 100 years. There'll be nothing left.

JB: Rather than be cynical about it, although I had someone tell me very concisely recently that there's a simple fact for that. The future doesn't vote. However, young people do, if they can be motivated to go to the polls and inform themselves before going to the polls. So let's talk about young people and coastal issues. Do you see many young people involved?

MM: Certainly not enough. But when we take the time to organize... The San Onofre toll road in Orange County was an amazing example. We had meetings with 6,000 people there, and they were predominantly young, pro-coast surfers and people from Southern California wanting to protect the state park campgrounds and the ocean and coastal resources and beaches in Orange County. And believe me, that's the only way that we prevailed in preventing those toll roads. It was because tens of thousands of people participated in that process, predominantly young folks really engaged to protect the coast, attracting thousands—up to 6,000 people at particular meetings—of the Coastal Commission and the federal government agencies. We could not have achieved those successes without all that participation. But it didn't just happen overnight. Sierra Club, Surfrider Foundation, the State Parks Foundation and literally dozens of other nonprofit environmental organizations worked for the better part of 10 years organizing.

I did, Sierra Club and I, did meetings in Orange County at least once a month for nearly 10 years and it was that kind of tilling of the soil and working in those Southern California communities that resulted in such widespread understanding of what was about to be lost and motivation to participate with the real sense of ownership that we could have an impact, that we could save these places, that despite the fact that the road builders and the developers had billions of dollars to spend in pursuit of these toll roads that the public and the environmentalists, and just people that love the beach could have an impact. And ultimately, we did save those coastal environments.

JB: But one of the keys here is that the young people perceived a threat to something they loved, and we seem to have a problem at this time that they don't yet perceive a threat based on rising sea level and to the entire coast. But you've just mentioned, you know, 10 years of education to protect one place.

MM: I think that young people are interested in climate change, do support controlling carbon emissions and protecting coastal resources, but are frustrated, like so many of us that aren't so young anymore, that we can't seem to convince politicians to do anything about it. I think there's widespread disillusion with respect to government ever taking the initiative with respect to climate change, that they are simply owned by well-heeled interest with profit motivations

around the status quo that is destroying the planet—short terms at the risk of long-term sustainability.

And so, if I were to recommend to young people what to do, it's figure out a way to get around some of these political hurdles that exist at levels that are above and removed from the Coastal Commission. My sense is that the Coastal Commission wants to be more sensitive about this stuff, but that there are political hurdles and we've got to find a way to deal with folks in Sacramento and Washington DC to get them to understand that the time to act on climate change has long since passed. It's here. It's reality and it's happening. And if we don't take dramatic steps quickly, the effects are going to be all that much more catastrophic.

JB: Well, let's try to end this with something a little more cheerful. Tell us about some of the fun you've had, and can you recommend to young people about the fun of being involved.

MM: Well, my advice is the same thing that Edward Abbey, the great writer, advised environmentalists to do 25 years ago. And I could never be as eloquent as he, but the idea is "you go in there, you do your best against these guys, showing up is 90 percent of success. You bash away. You try to defeat the bad proposals and condition the acceptable proposals so that they protect coastal resources. And when you lose, you don't give up. You go play at the beach. You go surfing. You go collect driftwood and you enjoy the splendor that is the California coastline, because that is the wellspring of inspiration.

I try never to get discouraged when I lose, or when we lose any particular development arguments or proposals. The idea is to go to the beach and continue to enjoy all of the many splendors that are the California coast.

And also, to appreciate the fact that with respect to things like climate change, they're not catastrophes, they're also opportunities. I like to say that sea walls, for example, the bane of the coast, I mean for me it's just the...there's nothing good about sea walls. There's a common misconception that sea walls stop or prevent erosion and nothing could be further from the truth. They actually cause and exacerbate erosion. But the good thing about sea walls and the good thing about development is that it begins to fall apart before the day it's even finished. So sea walls are a temporary scar along the coast and in the end, Mother Nature bats last. And in the end, the coast will be just fine.

You know, George Carlin had some very funny comments about the Earth. He said, "environmentalists are crazy because they talk about saving the planet and saving the Earth," he said in much more obscene fashion than I'm about to do. But he said, "the Earth is going to be just fine. It's the humans that are in big trouble. It's the humans that are going to disappear. The Earth will be just fine." And I like to remember that.

The fact is that the coast will be fine and it's true that some of the things we're doing damage and scar the coast, but over time, the coast has a way of healing itself. Fisheries and wildlife can very effectively rebound. Our history is filled with amazing of human assistance for wildlife restoration. Just a few examples are the banning of DDT has resulted in the incredible restoration of pelicans. Up and down the coast, when you see pelicans flying along the California coastline,

remember that they were almost extinct in the 1970s. And we used to have bald eagles up and down the California coast, and they were almost extinct in the 1970s and now we have bald eagles on the North Coast and at the Santa Barbara Channel Islands. And the pinniped resurgence of seals is fabulous. There's dolphins everywhere. I see whales almost every week along the California coastline. So there's remarkable success stories if we only just give a little.

Snowy plovers and least terns, some of the bird wildlife along the California coast that is today near extinction can be restored if we're just more aggressive about setting aside little parts of our coastline for their benefit.

I made a bumper sticker a long long time ago that said, "The California Coast—So Much Development, So Few Tsunamis." And I guess that's sort of my perspective of things, that Nature will restore a natural balance, we just have to be careful, to the extent possible, not to screw it up too much.

JB: Well, certainly one hopes that, in the process of restoring the beaches by Nature's processes, that humans are not...well, tsunamis have kind of negative effect on people who happen to be lying around on the beach. But I want to go back, before we quit, to some...What are your thoughts now about liquefied natural gas? Of course, a lot has changed in terms of the natural gas climate, but do you think we're done with LNG terminals in California?

MM: Well, LNG terminals, like desalination, like fiber optic cables, like so many of these promoter-driven development schemes, tend to come and go as the economy heats and cools, so that when a dreamer, or a schemer, a developer can get money from banks and financiers to pursue wild proposals and wild-eyed schemes and dreams related to installing fiber optic cables along the ocean floor, drilling offshore oil derricks, building giant desalination facilities, pursuing billion dollar liquid natural gas terminals and so many other schemes. We get offshore tide-driven and wave-driven energy projects, from time to time. They'll certainly do that. Whenever there's money available for an idea, regardless of how stupid it is, people will pursue it, if there's an opportunity to make money. And the liquid natural gas terminals for California fall squarely into that category.

If someone perceives that they can make money from a project like this and that someone will finance it, they're going to do it. But economically, it makes no sense whatsoever. California is adequately served by existing natural gas pipelines to every part of our coast and our state. Canada and other parts of the United States have more than enough natural gas for literally centuries. I ask people, "when have you ever turned on your stove and had no gas come out of it?" That doesn't happen. Our pipeline capacities are sufficient to carry all the natural gas we need.

The LNG or liquid natural gas terminal battles have been about building new facilities so that international marine tankers can come and dock at California stations and unload natural gas from around the world, often from areas in developing countries that are subject to violent strife and conflict and try to undercut the natural gas and the cost associated with delivery via pipelines from nearby sources. We don't need that natural gas, and so those ideas only work so long as

either the public is being asked to pay for it, or banks are willing to finance it. And down the road, those projects will fail because, in the long run, not economically sustainable.

In fact, desalination facilities fall squarely into this category. The giant desalination facilities that Poseidon Resources in Carlsbad and in Huntington Beach are, according to all the best data available, entirely unnecessary. They're being developed to fuel new, unsustainable growth in Southern California. They are being largely underwritten and subsidized by taxpayers and will be in the future of much irritation for ratepayers because those ratepayers that are ultimately being force-fed that desalted water are going to be facing the most expensive fresh water in the world. And as the Coastal Commission has begun to review and approve, in the case of Carlsbad, those proposals, I have tried to make the record clear that in areas where those projects are approved, like the Poseidon proposal in Carlsbad for San Diego County residents, that those costs are not ultimately passed on to taxpayers statewide, because my view of this is that when San Diego ratepayers...you know, everybody supports these things now because all the projections are so rosy. When the bills come due, and those ratepayers realize that they're paying the highest...they're buying the most expensive fresh water in the world, they're going to run to Sacramento and scream that the rest of California taxpayers should help subsidize that water that is fueling unsustainable new growth in the arid Southern California deserts and environments.

And my notion is we ought to say at that point, "look, we told you ahead of time that this was a disaster. If you're willing and desire to pursue those unsustainable schemes, why you should have to fund those in the future." And I think there's plenty of other examples of that sort of thinking. The toll roads are another great example. These things are pitched as "privately funded, private roads that you don't necessarily have to drive on." But we know from the toll roads that have already been built in Orange County that they're not sustainable, that they're virtually bankrupt, and that the taxpayers end up having to underwrite this stuff.

JB: So one last thing I wanted to ask you about, do you think the oil companies are ever going to give up trying to extract, or get permission to extract oil...crude from the California coast?

MM: No, I don't think that businessmen will ever stop looking for fossil fuels until either the last drop is exploited or alternatives are developed that are embraced by the public and utilized. I mean, we already know that just the existing reservoirs of fossil fuels worldwide that are claimed by governments and private corporations vastly exceed the ability of the planet to absorb the carbon emissions. So you have to ask yourself, "why in the world would we be looking for more?" We're not even going to be able to sustain the impacts and emissions related to all of the fossil fuels that are already identified, owned and financed, that the banks around the world have already financed those resources, even though they're still in the ground. So we really need to begin to think about where that will put us, because in terms of parts per million of carbon in the atmosphere and in the oceans, we won't be able to absorb all of this. So we need to quickly identify alternatives and get about using those. And I'm sure there will always be a place for oil and fossil fuels, but it will hopefully begin to occupy a smaller and smaller niche of energy that is required for sustaining everyday life on the planet, because if we don't accomplish that, our climate impacts are going to be insufferable.

JB: Well, the good news is that we...you do start to see solar-powered electric cars and you do start to see veggie diesel trucks and trains are possible...

MM: Oh, there are so many exciting things on the horizon, yeah.

JB: And renewable energy really is exploding.. Of course, we've got some political obstacles in the way.

MM: I was just reading this morning about students at UC Davis working with bacterias that digest plastic. If you look back 20 years ago, VCRs weren't even imagined, and now kids don't even remember what a VCR was. So the idea here is that there's plenty of room for opportunities, creativity and new developments that are going to have positive impacts on the planet and the coast, and we need to just really encourage young people to pursue these things.

JB: And in that sense, I think that that's true, that they are, because they're also economic and there can be a nice paycheck associated with it, which is often not associated with coastal activism.

MM: Well, one of my mentors and a great supporter of all of our efforts over the years is Yvon Chouinard of Patagonia and he likes to say that he's never invested in an environmental initiative that didn't result in profits. And that is true across the board, and that is the takeaway message of the California Coastal Act is that all of our efforts to be careful and deliberative about protecting coastal resources is directly connected to the value of the coast today. And the California coast, by any measure, the world's most sought after, desirable and valuable land and dirt and terrestrial habitat.

JB: Well, that's a great place to end.

TY: [director] Cut! We ended about 15 seconds ago, so...

Alan Sanders (in the background): Janet, if you could maybe hit on one more subject. You're about three minutes away from having the magic 54 minutes, but you need to go back to the LNG, because there was a recent round of attempts to get LNG terminals in. Mark played a really important role that goes to one of the things he spoke about. Aside from the legal issues that you have to get people in the street, and Mark, along with Owen Bailey got those people who had never worked on environmental issues in their life in the City of Oxnard to show up en masse, first at the State Lands Commission hearing and subsequently at the Coastal Commission hearing. And that's important, because that one project was the lead project. Had they been successful, we might have got all of those proposals. The fact that they went down, everything went down with them and I think Mark played a very important role in that.

JB: We have a lot of hopes for other little documentaries and the LNG battle is another one, so...

MM: Those were fun. I mean, gosh, now that I'm thinking about it, we literally...

TY: Hold a second, you can have that conversation when we just get started here again. Put your hands down, Janet.

Janet: So let's go back to a couple of years now. You were talking about public participation, you and Owen Bailey and the Sierra Club did a terrific job organizing the protests against the BHP Billiton project off Malibu and Oxnard.

MM: Well, I think what happened with BHP in Malibu and Oxnard was really the culmination of 10 years of work by Sierra Club on liquid natural gas terminals and proposals throughout the State of California. Years before that, we had organized and defeated a proposal by Duke Energy to build an LNG terminal in Humboldt Bay. And then, in between, we had organized and worked in Long Beach to defeat a proposal by Mitsubishi to build a liquid natural gas terminal in Long Beach Harbor. So by the time BHP, Billiton, the world's largest mining firm, made its proposal for a three-story tall, \$5 billion floating offshore industrial facility several miles off the coast of Malibu and Oxnard, we were pretty well practiced at this particular drill. And for literally years, Owen Bailey and Elizabeth Lamb and myself and the other Sierra Club activists worked in, really, parallel efforts amongst affluent people and celebrities in Malibu and disadvantaged minority communities in Oxnard to emphasize in both instances all of the adverse impacts that would occur if such floating offshore facility were ever to be constructed. A myriad of air pollution, water quality, wildlife impacts, esthetic impacts, boating dangers, all kinds of fisheries impacts, I mean it was incredible. If that facility had been constructed, it would have been the single worst source of air pollution in all of Southern California. Yet half of Arnold Schwarzenegger's former staffers all worked for BHP Billiton by the end of that thing. They really thought that by buying all of...as much political influence as they could possibly get their hands around that they could strong arm California into approving that project.

And when that project came before the State Lands Commission first and ultimately the California Coastal Commission, literally thousands and thousands of people turned out, you know, not just extremely high profile celebrities, and there were many, literally dozens, household names speaking out against that project, but thousands of disadvantaged, low income minority community members, elementary school kids, all the way to elderly people showing up at these meetings and participating, and... Gosh, I distinctly recall John Garamendi, now a congressman, Garamendi, who was Lieutenant Governor at the time and a board member of the State Lands Commission, grilling, literally, for an hour and a half, the lawyers for BHP Billiton and destroying their proposal, ripping it to shreds in front of two thousand people. I mean that was an amazing day in the evolution of environmental law and coastal protection in California.

JB: Did you know how it was going to come down in the morning? Did you have any idea?

MM: You know, I never knew. And I've tried never to be presumptuous, always optimistic, but I've tried never to second guess how the Coastal Commission or other agencies might interpret these proposals and ultimately the vote. I have often been called "the guy who counts to seven," being that there's 12 members of the Coastal Commission. But in having these discussions, and I recall having this very discussion with Clint Eastwood, one of the owners of the Pebble Beach Company, when they were pursuing all of their development plans. And Clint and I had engaged in some very productive and engaging conversations about the relative merits and impacts

associated with their projects over several years. And my telling him that with all of his high-paid lawyers and consultants and the support of Governor Schwarzenegger and the Speaker of the Assembly at the time and those two entities having eight of 12 appointments on the Coastal Commission and just the appearance that “how can you lose with all of that celebrity and political clout and influence and money?” that I thought, you know, if I were in his shoes, I’d probably go for it myself. But that I had been through a lot of these Coastal Commission proceedings and it was my view that our case was exceedingly strong and that their project was not consistent with the Coastal Act and that they could do so much more, literally more, like hundreds of millions of development without destroying 20,000 native Monterey Pine trees and without destroying native plants and wildlife and filling in wetlands, so that there could be a better balance struck, and my thought is, “even with all the political influence and clout, you might still lose.” And, in fact, the Coastal Commission voted eight-to-four to deny the Pebble Beach project when it was initially proposed. And part of the success of that process is that now, 10 years later, the Coastal Commission has approved a project for Pebble Beach Company that includes hundreds of millions of dollars of developments on existing footprints and developed pads, without destruction of native Monterey Pine trees and wetlands and wildlife resources. So I think in some ways, we were right. It could be achieved. It just took the gentle determination of the Coastal Commission to help the company get there. And that’s one of the lessons of the Coastal Act.

JB: Mark, thank you for all of your activism for all of these years, and especially thank you for sharing your insight today that everything that we do to protect just makes...it’s not just better for people who go to the beach and surf, it’s better for all of California because it protects the tourism, for example, and the fisheries.

MM: Thank you. Let’s do it again.

JB: Okay. Viewers, thanks for watching this episode of Heroes of the Coast.

[end of interview]