



Transcript of Video Interview with Don May, recorded 2005.

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.

Interview with Don May re Don May (First of a series of five interviews with Don May)

JB: Welcome, I'm Janet Bridgers, executive director with Earth Alert. We're here today for another in a series called *Heroes of the Coast*. And we're here today with Don May. Don, thanks for joining us.

DM: Thank you so much for having me.

JB: Don, the purpose of this series to bring the personal stories of people who have been devoted to protecting the California coast to the public. Now how long have you been involved in environmental work and how did you get into it?

DM: Do I really have to answer that? My father was an environmentalist.

JB: He was?

DM: And active along with another... Rim Fay's father and my father founded a group called The Ocean Fish Protective Association back in the early 1950ish and my father died quite young and I took his place on the executive board in 1952. And we were trying to clean up Santa Monica Bay, which had raw sewage being dumped into it. Sound familiar?

JB: Yes, yes, cause it didn't get clear up or even start to clear up for 30 years after that.

DM We actually won the first secondary treatment facility in the country at Hyperion, and what do you know? They took the signs down that said it was unsafe to swim at the beach. It was all posted. And water cleared up and a lot of fish came back and everyone was happy. But it was only an 80 mgd (million gallons/day) plant and by the time a decade had gone by, and they were up to about 120 mgd and it was pretty much half and half of primary and secondary, and by the time another decade went by in the late 60s, we started having the same problems with sick fish and species dying out and fishery re-collapsing. And by that time, we had Heal the Bay coming in. And we just had the 20th anniversary of Heal the Bay and fought again for raising it all up to full secondary. So these things keep...

JB: It's a cycle.

DM: It's a cycle.

JB: So did your involvement with that original organization lead into your involvement with the group of people who were responsible for Prop. 20?

DM: Oh a lot of them, like Rim Fay. Another, Janet Adams, that was the one who probably more than any one else brought about the Coastal Act. Gee, there's a lot of the old faces. Some of the scientists around. Joel Hedgepath who is still with us today. Yeah, a lot of folks have been active since the 50s.

JB: And what was...it was a collaborative process. I know. I've heard that described. But did you have any particular role in terms of the work that went into the drafting and campaigning for Prop. 20?

DM: You know, everybody you talk to has a different story about the origins of that. I remember a conference in 1968 or 1969. I was planning commissioner at the time, and they were trying to...

JB: Planning commissioner in?

DM: Manhattan Beach. And the common complaint up and down the whole coast was that by the time you'd get around to drafting a plan for a community and trying to control development, it would already be too late. And you'd have to start all over. It would be preempted before you got a plan adopted. And we said, "gee whiz, what can you do to make this process work?" And the consensus that came out of that was somehow you had to have a permit process that was locked and you started out with a *de facto* moratorium and then as you developed the plan and the different planks in it, you could start issuing permits for development that were consistent for the developing plan, so by the time you adopted the plan, it would already be in effect.

And out of that came first BCDC, the Bay Conservation and Development Commission, to try and control the fill of San Francisco Bay and what do you know? That worked real well. And rather than having a solid piece of land in San Francisco Bay, we actually have open water out there. We stopped that process and in fact, has actually reversed it where we now have...one of the big fights early on was for a salt works, Leslie Salt, that has been purchased now and is now a national wildlife refuge and well on its way to being restored.

JB: Reversing the process. That's great.

DM: Well, you know, that's what we have to do. We've gone so far the other way. You really have to start taking back the land and restoring it and the most gratifying things that you find up and down the coast is where you have been able to take back bits that have been lost to development.

JB: Are there a couple of other examples that you can provide?

DM: Sure. Mission Bay, we're doing a lot in San Diego. Up in your area, we're gradually looking at some of the ag lands up in the Oxnard plain. Not quite yet, but we're nibbling away at them and gonna acquire them, piece by piece, and one of these days, we'll have a wetland back at Ormond Beach.

JB: I want us to cut to his beautiful cartoon [referring to a Hank Ketcham Dennis the Menace cartoon that has Dennis saying to his friend, "we went to the beach but it wasn't there." Ketcham

donated the cartoon to the Prop. 20 campaign] that you brought with us and remind our viewers who may not be familiar with Prop. 20, when we refer to it as Prop. 20. That was an initiative that was passed in 1972, meaning that the voters of the State of California passed this legislation when the state government failed to manage to be able to do that. And that it created the Coastal Act and the Coastal Commission, and without those, you said we'd be looking at...

DM: Wall-to-wall...It was all the way from Crescent City to San Diego, at the time. Virtually every bit of beach had plans for it and the developers wanted to have Miami Beach as the example and what was being brought to city councils was, "we can make this just like Miami Beach."

JB: All the way from...

DM: All the way from one end to the other. And around Santa Monica Bay, where I was, not only from Manhattan Beach, but from Santa Monica down to Redondo and out on the peninsula was all plans for high rise, and where there were wetlands, there was going to be Marina del Rey-like boat slips in front of 15-story high rise. And it would have happened had we not passed the Coastal Act.

We're just still in a struggle now, in fact, over Marine Pacifica down in Long Beach that was going to be 15-story high rise and we got it restricted down to one- or two-stories and no marinas, but somehow the mitigation to restore the wetland is still languishing. The Los Cerritos Wetland is yet to be restored although now we're buying it back, piece by piece. And have funding and commitment to do the restoration. So another decade or two, we'll have a wetland down there.

JB: Well, it does take time.

DM: It does take time. And unfortunately, once developed, it's gone forever, or at least it's really hard to tear down buildings to put in wetland. And when we talk about taking out ports and restoring wetland, you make think that is an impossible chore, but the argument is increasingly clear is that there is more jobs and better jobs coming out of wetlands.

JB: Really?

DM: Sure, look at, for instance, the Ports of Los Angeles and Long Beach. They used to be the Wilmington wetland, and the delta and estuary of the Los Angeles River. That was the financial engine that built Southern California. Back in the 30s, real estate speculation was the only other industry in California, except for fishing and the fishery that in Santa Monica Bay and San Diego Bay was the second biggest in the world. And certainly the diversity was greater than in any other, not only in the ocean, but any other habitat in the world.

JB: Really? And there's so much demand for seafood, too.

DM: When Kaiser Steel...we think of them building liberty ships, but during the war, they put more steel into sardine cans than they did into liberty ships.

JB: Really? I had no idea. Who knew?

DM: We had 50,000 people employed in 1940 just in sardines, plus we were packing a lot of blue fin tuna. I worked on a tuna boat. During my misspent youth, part of it was out in the Santa Monica Bay catching 200 lb. blue fin. I can remember when we'd raise schools of fish that you couldn't see.. They were as far as you could see in any direction. There was 200 lb. fish jumping out of the water. Those days are obviously long gone around the world. And all the world record fish—marlin, blue fin, yellow fin, all the big sports fish. You find that the records come out of the Catalina Channel.

JB: Really?

DM: Well, you have to have wetland to support that. That's the nursery ground. It didn't help that we were dumping sewage out in the ocean. It didn't help that our rivers and storm drains were also taking of the urban waste and dumping it. But we've gone a long ways. We now have... There's only two sewage treatment facilities that aren't full secondary, up in Morro Bay area. There are plans, if not implemented yet, for controlling storm water runoff and cleaning up our surface runoff water, our non-point source pollutants, as they call it.

JB: Plans so those kind of processes haven't been implemented yet?

DM: It took a lot of work, in fact, goes into the passage of the Clean Water Act, which really changed a lot of thinking. Work on some of the other environmental laws at the time with controlling sources and the Clean Water Act, for the first time, looked at treating water and first and full secondary. It took us a long time to get that implemented—20 years. And still we have waivers. And Oxnard was the first waiver we were able to defeat. It was for the request up there to just do to discharge primary treated. And primary just means you scrape what floats off the top and what sinks off the bottom and dump the rest in the ocean, is not treatment at all. So the Clean Water Act did change that, and if it was not for a broad base along the coast that was politicized by the Coastal Act, we never would have gotten those things.

JB: Well, that's encouraging. Now I know you've been involved for a very long time in mitigating the effects of the nuclear power plants, and of course, we see a threat now that more... The Administration would like to see more of those introduced, but tell us a little bit about what you've done.

DM: Well, that's a... we've been in litigation continuously since 1968.

JB: 1968?

DM: I, personally, I was Southern California director of the Friends of the Earth for 20 years and when that organization reigned in this... That's what depressing about this, because it's a common thing that happens, because as organizations grow... And we had James Watt come along. Remember James?

JB: Sure, Reagan's Secretary of the Interior.

DM: And fired Jim McKeivitt who was Fish and Wildlife guy that was saying that there's a place for environmentalists someplace in the world, but it's not in the Department of the Interior. Well, it was a great thing for our organizations. Friends of the Earth went from about 22,000 hardcore activists to 350,000 members, and we expanded our board and the services and lost control of the organization. People who came in said, "you folks have to be a little more fiscally responsible. You can't just spend everything you can beg, borrow or steal to fight this problem." And, of course, that's what we did. I still believe that.

JB: What's the money for, huh?

DM: Yeah, that's right.

JB: They wanted you to make an endowment.

DM: You should make an endowment and think about the future and have a process for selecting. You can't just do everything. Well, we were trying. And, well, our hero at the Sierra Club who ran into that same problem, Dave Brower, left to form Friends of the Earth, and then when we lost control of that organization, formed Earth Island. And when we lost control of that, formed California EarthCorps. But...

JB: Really, I didn't know he formed EarthCorps.

DM: Well, he certainly was...Dave...one of his main things was "you have to do it yourself. Don't sit around and wait for someone else to save the wetland, or stop the Walmart, or whatever it is. You have to do that yourself.. And what the organization should be about is empowering people, and giving them the tools, and the backing and the resources they need to be successful in what they're doing, because once they taste that little bit of victory, once they have that little wetland and can go out and walk barefoot through it and feel the mud squishing up through their toes, and see kids out catching polliwogs and watch butterflies coming back, all of a sudden, you're into it for life. Once that happens to you, you're an environmentalist for the rest of your life." And that was Dave's philosophy. If you can just take people and have them get one success, they're going to be leadership forever. So we've tried to do that. And that means you have a lot of splinter groups and another one of Dave's sayings is, "God bless splinter groups. They can't capture us all."

JB: That's great.

DM: San Onofre was a particularly big thing. One of the things since the days of the Ocean Fish Protective Association, we were concerned with power plants. And their...as you bring water through a power plant, you essentially kill everything that's in it.

JB: The cooling process.

DM: The cooling process, and not because of heat or radiation, but just because you have a lot of turbulence and that literally tears things apart. The plankton and mostly fragile little leaf-like structures that just get shredded. And even marine eggs that are probably as tough as anything could possibly be get shredded up. And this has a huge impact. As one of our scientists said, “it’s like introducing a massive predator into the offshore waters.” And we found that PG&E and Edison were very open. “Come on in, take a look” and all the rest, until it got down to San Onofre, at the nuclear power plant, and found quite a different thing. More than hostile. The attitude at the time was to take direct action to silence critics. And so there was a lot of that kind of thing that went on. And it’s been a big fight down there to this very day.

JB: To this very day. And now there are new threats like desal plants and liquid natural gas terminals. I know you’re involved in...

DM: Both of those.

JB: Both of those. I think that it’s sad to see the federal government trying to take away states’ rights on this issue. Would you like to comment about that?

DM: Well, the classic right now...we’re in a big struggle over this liquid natural gas facility in Long Beach and the federal government has assumed exclusive jurisdiction. That is to say, they have just taken by *fiat* powers delegated versus the public utilities commission by the constitution or the land, the sovereign land that belongs forever to the state and the people of California. And for the federal government to say we have the right to take that land by imminent domain to put in an LNG facility, or a nuclear power plant.

And we’re in 1976, by another initiative, we got the California Nuclear Safeguards Act, and now we find that the federal government has the power to reopen the licensing process for 36 nuclear power plants on the California coast.

JB: 36?

DM: Thirty six of them. Licensing process is open. FERC, Federal Energy Regulatory Commission, will decide all that. They preempt not only the Public Utilities Commission and State Lands Commission and the Coastal Commission and the Coastal Act, they preempt CEQA.

JB: The California Environmental Quality Act.

DM: Exactly. And that’s an immediate problem for us in Long Beach, and that’s the test case and if they can do it in Long Beach, they’ll do it on the whole coast. When, at the first technical meeting with FERC, they explained that if you have any difficulties with that, you’re going to have to take it to court. This commission has directed, has told, that we have those powers and we will exercise those powers and we won’t share those. We’ll cooperate as far as we can. We’ll try and abide by the regulations but anything that has the capability of slowing the plant down, or obstructing a construction schedule, won’t be tolerated. So the Coastal Act, the Coastal Commission can look under the federal Coastal Zone Management Act in making a consistency determination, but that’s advisory. That has no authority behind it. All of those.

JB: So we're really facing a new challenge, the likes of which we've not seen before.

DM: Exactly. And we find that another one of the things we thought we had put aside forever was the idea of what's called mixed oxides. Plutonium economy. Running power plants on plutonium. So if you take the spent fuel from today's light water reactors and feed them back into a breeder reactor that would breed up plutonium. That was an idea which was totally stopped 30 years ago. And now, all of the sudden, you find this new generation of 500 megawatt mixed oxide reactors that will take in...It's going to burn up all that waste. You thought we had a waste problem? Janet, you just didn't understand. That's not waste. That's fuel for the next generation of reactors. In fact....

JB: Providing that it doesn't get loose.

DM: That's right and in order to ensure that it won't get loose, we'll have this James Bond-like police force, licensed to kill, that has special exemption up front from any consideration of civil rights. They will be empowered to take whatever steps are necessary to be sure that that plutonium doesn't fall into the hands of terrorists. And, of course, if you look at the shipping, there's hardly a city in California that's not going to have plutonium going through it, and won't have these guys....It's very very frightening, frightening future.

JB: Well, obviously, we want people who are watching to stay tuned to this stories of this in their newspapers, radio and TV and become involved with writing to their legislature so we can work to prevent this.

Don, how do you stay energized and optimistic with all of this?

DM: We do have successes, and there are, as I said, those little wetlands that you can go down and walk through and feel the mud between your toes. And more important than that, take young kids out there who look and see and appreciate, and they're our new generation. It's not only trying to save a piece of this Earth for our kids, we're finding the kids and have them that will be the new custodians of a rebuilt, restored Earth.

JB: I'm very pleased to have had you with us. We could, I know, have talked for a much longer time about all the things you've been involved in and all the people you've been involved with in all these processes, but I hope you'll come back another time and tell more stories.

DM: Any time, Janet.

JB: And viewers...please get involved in coastal issues because if you believe that the ocean will just be there any time you want it to be for you and your children's children, you can't take that kind of attitude. We've seen too much of...well, just recently here the big battle with David Geffen that was finally won, allowing the public access to the beach in Malibu.

DM: I thought we won that in 1972. Gee, it was in the Coastal Act, Janet. Why did it take us 35 years to finally get out on the sand?

JB: Well, like all other things, the price of liberty is eternal vigilance and the price of coastal access appears to be eternal vigilance as well. Viewers, thank you very much for joining us. Please visit our website—www.earthalert.org—and send us suggestions and comments at info@earthalert.org. We also suggest the Coastal Commission websites and other websites. You've got a website coming up, too, right, Don? You're building one.

DM: Building one.

JB: Well sometime in the near future. Meanwhile, thank you very much for joining us. We'll be back with you again soon with another episode of *Heroes of the Coast*.

[end of interview]