



COLAB SAN LUIS OBISPO COUNTY



WEEK OF APRIL 5-11, 2015

SLOCOG NOT SO ENTHUSIASTIC ON MILEAGE TAX-DEFERS POSITION FOR NOW

STATE CATTLE REGULATION PLAN SET AS INFO ITEM - BOARD NEEDS TO SIGNAL STRONG OPPOSITION

PROJECT LABOR AGREEMENT INFO REPORT ON AGENDA - BOARD SHOULD REJECT

No Board of Supervisors Meeting on Tuesday, March 31, 2015 (Not Scheduled)

There was no Board meeting on March 31st, which was Cesar Chavez Day.

Board of Supervisors Meeting of Tuesday, April 7, 2015 (Scheduled)

Item 1 - Introduction of an amendment to the Health and Sanitation Ordinance, Title 8 of the San Luis Obispo County Code relating to regulation of the exportation of groundwater and request to authorize alternative publication procedures. Hearing date set for April 14, 2015. The purpose of this item is to set the proposed anti-water export ordinance for a public hearing at the April 14th Board meeting. A copy of the proposed ordinance can be accessed at the link below:

<http://agenda.slocounty.ca.gov/agenda/sanluisobispo/4523/QXR0YWNobWVudCBBIE9yZGluYW5jZSBmb3IgaSW50cm9kdWN0aW9uLnBkZg==/12/n/42409.doc>

Item 2 - Introduction of an ordinance amending Title 6 (Business Licenses and Regulations) of the County Code to provide consistency, clarity, and ease of reference for County residents and those agencies that have regulatory authority for County Business Licenses. Public Hearing to be set for April 21, 2015. The purpose of this item is to set the proposed revision of the County's Business License Ordinance for a public hearing on April 21.

The purpose of this ordinance is not to raise fees or add new classes of fees. Its purpose is to streamline the ordinance and eliminate confusing and redundant provisions.

A strikeout version of the ordinance, which shows the new language and the eliminated language, is available at the link:

<http://agenda.slocounty.ca.gov/agenda/sanluisobispo/4495/NF9BdHRhY2ggQ19UaXRzZSA2QkwgT3JkaW5hbmNIX1N0cmIrcmZlZW91dCBQREZlLnBkZg==/12/n/42478.doc> .

Item 20 - Update on Federal legislative activities by Mike Miller, the Ferguson Group. The County's Federal Lobbyist will present a status report on legislation of interest to the County. Some of the more policy pertinent activities include:

***Salinas Dam.** The County met with key Corps officials in D.C. and San Francisco to develop roadmap to funding seismic retrofits, funding increased water supply, and transferring ownership as well as securing a current operating agreement. These discussions are ongoing.*

***Water Basin study.** The County met with the Commissioner of the Bureau of Reclamation and key congressional officials to support the County's Water Basin study grant request.*

***Los Osos.** The County met with key officials regarding costs decreases and technical assistance.*

- *On lot costs.* The County met USDA housing officials and other key officials to advocate for grants and loans to defray and decrease on lot costs for homeowners.
- *Water reuse.* The County met with USEPA officials to explore funding and technical assistance for on lot water reuse, including funding for home improvements related to rain harvesting and storage

***Rail Safety.** TFG kept the County informed regarding congressional hearings, legislation, and regulatory action related to rail movement of hazardous cargo, including petroleum products.*

***Nuclear Waste Storage & Transportation.** TFG kept the County informed regarding congressional efforts to restart the Yucca Mountain nuclear waste storage project.*

Fracking.

Climate Change.

We would like to know which County officials are telling the lobbyist to do what on these issues.

Item 21-Housing In Lieu Fee Program Expenditures for 2015. Readers will recall that this program is a wealth transfer tax in which the County taxes developers of market rate homes on a per unit basis and then transfers the money to government subsidized affordable housing projects. Since so few market rate houses are being built, the program is of de minimus help to the affordable programs, as demonstrated in the table below.

Approved Projects – Year 2015 Action Plan

Project Name	Amount Allocated
Atascadero Triangle Atascadero (11 units)	\$18,337.50
El Camino Oaks Tract 2640 - Atascadero (24 units)	\$1,000.00
South Street Family Apt's San Luis Obispo (42 units)	\$33,773.23
Morro del Mar Senior Apt's Morro Bay (20 units)	\$46,979.39

Not Allocated: \$6,250.45 from South County area	\$0
Total amount allocated	\$100,090.12

Matters to be Heard After 1:30 PM

Item 28 - It is recommended that the Board receive and file this update regarding the State Water Resources Control Board's (SWRCB) Grazing Regulatory Action Project (GRAP).

The Board will hear a report on the status of this proposal by the State Water Resources Control Board to attack and possibly destroy cattle ranching.

The proposed action (receive and file) is totally inadequate. The Board should pass a resolution expressing its strongest opposition and condemning the SWRCB's proposed plan. There is no reason for the SWRCB to get involved in the first place.

Background: The State Water Quality Control Board (the Water Board) and its local franchise, the Central Coast Regional Water Quality Control Board (CCRWQCB), are launching a major regulatory initiative to control cattle ranching through an elaborate scheme of water regulation. This is the follow-on to the regulations now in place to control irrigated agriculture. The Water Board is pretending that ranchers and others will have a say in how the regulations are developed and administered. **DO NOT BE FOOLED.** Just read the outtakes from their website below:

***BACKGROUND:** In California, there are more than 40 million acres of rangeland (approximately 38 percent of the state's surface area), with approximately half in public, and half in private ownership. Well-managed livestock grazing operations provide benefits to the environment, the economy, and California consumers. In some instances, however, grazing operations contribute to impairment of water quality and impact beneficial uses. Approximately 120 water quality impairments (including fecal bacteria, temperature, sediments or nutrients) identified on the 2010 Clean Water Act (CWA) List of Impaired Waters for California are on lands with active grazing operations. Under existing law, Total Maximum Daily Loads (TMDLs) are required for all waters and pollutants on the CWA list, including waters impacted by grazing operations.*

Developing a TMDL for each impaired water body is not a practical solution. To date, the Water Boards have chosen to regulate livestock grazing through Water Board orders, grazing waivers, Water Quality Control Plan (Basin Plan) prohibitions, developing TMDLs and taking enforcement actions. These approaches have varied in their application and effectiveness, and have resulted in inconsistencies statewide. The Statewide Grazing Regulatory Action Project (GRAP) is one of several collaborative efforts established by the Water Boards directing staff to work with interested stakeholders on ways to more efficiently and consistently address impaired waters.

In addition to meeting the requirements of the CWA, the Water Boards must meet the requirements of the California Porter-Cologne Water Quality Control Act, which requires the Water Boards to address all discharges of waste that could affect the quality of the waters of the State, including all nonpoint sources of pollution. This means that not only must the Water Boards address water bodies impaired by grazing activities, but that they must also protect the numerous high-quality streams within public lands, including federally managed wilderness areas, from water quality degradation caused by livestock grazing. Grazing in California is a nonpoint source of water pollution that is not currently regulated statewide. Examples of nonpoint source pollution that may be associated with grazing include discharges of sediment from the erosion of stream banks, discharges of bacteria from livestock feces that get into the surface water, and increased temperature of streams caused from trampling of riparian habitat.

GOALS of the GRAZING REGULATORY ACTION PROGRAM (GRAP): The GRAP team is a collaboration of Regional and State Water Board staff. The goal of the GRAP is to develop regulatory strategies to address water quality impacts from grazing on public and private lands, and achieve compliance with water quality standards through a regulatory program that results in greater efficiency and statewide consistency, while at the same time respecting regional differences in hydrology, topography, climate, land use, and microeconomics, as well as the cost of compliance for the grazing community.

ENGAGING STAKEHOLDERS: The participation of interested stakeholders in the development of a statewide grazing regulatory strategy is crucial to its success. The Water Boards will actively engage stakeholder groups by soliciting early public comments during focused outreach listening sessions in 2014 and early 2015. The initial outreach sessions will invite input from five key stakeholder sectors: Ranching and related Industries; Government and Local Agencies; Tribes; Environmental and Environmental Justice Organizations; and Academia.

During the focused listening sessions, the Water Boards will seek input in particular on the following questions:

- 1. How should we define grazing (e.g., herd size, range size, duration/intensity, water source, type of animal, open range, irrigated pasture)?*
- 2. What would a successful regulatory program look like to you? In your experience, what types of management practices have been effective in protecting or improving water quality?*
- 3. In your experience, what types of monitoring have been effective in assessing water quality?*
- 4. What are the unusual or extreme circumstances that GRAP should consider as part of its regulatory program (e.g., weather, market conditions, wildfire, and livestock diseases)?*

In the end this is a massive program to:

- a. Restrict how many cattle you are allowed to run.
- b. Dictate when cattle can be allowed on various sections of your land.
- c. Regulate where cattle will be allowed to graze.
- d. Force you to set up costly structures to “protect streams, vernal pools, dry water courses, stream embankments, etc.”
- e. Regulate what supplements can be fed and what medicines and vaccines can be used, etc.
- f. Lock out large areas called environmentally sensitive habitats from grazing (because some listed plant, reptile, bird, fish, or other species may be in the area).
- g. Treat runoff and percolated water from grazed land to the quality of drinking water.

- h. Require you to prepare and submit expensive annual plans describing the details of your operation and listing all your mitigation activities.
- i. Require you to allow badge-carrying police-power-equipped inspectors on your land to verify conformance with your annual plan.
- j. Subject you to fines for non-compliance.
- k. God knows what else.



Item 29 - Submittal of an informational report regarding Project Labor Agreements

(PLAs). At the request of Supervisor Hill, the Board will receive a presentation on the use of Project Labor Agreements. No action is contemplated at this time. PLA's are contracts between governmental jurisdictions and consortiums of the building trade unions in which the government agency (usually a city, county, special district, or school district) promises to require that all contractors that receive construction contracts from the subject jurisdiction use only labor provided through the participating unions. In effect this forces non-union contractors to become union contractors if they wish to bid on the jurisdictions' construction projects. This often has the effect of increasing costs and reducing the hiring of local workforce tradesmen.

As Hill is running for reelection, he would like to attract big Los Angeles labor support and financing. Thus he is floating the idea as an information item. The County Administrative Officer (CAO) has prepared a report which includes an explanation of how PLA's work, the advantages and disadvantages, and some examples of impacts in other jurisdictions. His report states in part:

A PLA is an agreement negotiated by a public entity and the various unions representing different construction trades setting minimum levels of wages and benefits to be paid to workers on public contracts. PLAs are primarily used to ensure against labor disruption, however local agencies often employ PLAs in an attempt to address other governmental goals such as targeted hiring and training requirements. These provisions require careful wording and management to facilitate monitoring and enforcement. If the County were to require use of PLAs, any contractor on a covered project must agree to be bound by the terms the County negotiated with the labor unions in the PLA, regardless of whether or not the contractor is a union shop.

The CAO further reports:

A survey of other counties discovered the following difficulties with PLAs:

- Estimates are that PLAs increase the cost of public contracts by 0-15%, with occasional estimates of up to a 30% increase.

- Negotiating a PLA can take a long time, anywhere from several months to a year and a half. It also takes significant county resources, with a typical team consisting of a deputy county counsel, a director or assistant director of public works, a director or assistant director of

general services, and an analyst from the administrative office away from many of their duties for that several-month period.

- Some counties implementing PLAs have indicated that some unions have not been forthcoming with information, even when required by the PLA. This interferes with the ability to measure local-hire effects of PLAs, whether or not the union is discriminating against non-union workers, and other aspects of project administration.

- At least one county has needed to hire an outside firm to handle the administrative complexities involved with implementing PLAs.


- Some counties note that local non-union contractors, in some cases including some minority-owned or woman-owned businesses, have complained that PLAs make participating in local construction projects too difficult or expensive.

- Unions may not have enough control over employees to prevent wildcat strikes by individuals or small groups of employees, meaning there is no guarantee of labor peace, a principal benefit promised by PLA proponents.

Recently the Cuesta College Board of Trustees toyed with idea of signing a PLA for its recently approved \$ 277 million bond funded construction project. The SLO County Builders Exchange and others forcefully opposed the adoption of a PLA. A description of the successful campaign to prevent the Trustees from adopting a PLA is displayed to the right.

Separately from the particular issue at hand, please note the power of community organizing and appearing in mass at public meetings to deliver a message.

The article appeared in the March SLO County Builders Exchange Newsletter, edited by its Executive Director Leslie Halls.



VICTORY AT CUESTA COLLEGE
No PLA means work for ALL

Members of the Builders Exchange and a number of non-member friends and concerned taxpayers attended the March 4 meeting of the Board of Trustees of Cuesta College to ask them *not* to impose a Project Labor Agreement (PLA) on the \$277 million of new construction authorized by Measure L.

In response to your Board of Directors' request in January, we were given equal time at this meeting to rebut the earlier presentation by the Building Trades Council.

The results staggered everyone in attendance. After our 40-minute presentation, there was a short discussion among the Board members and President Gil Stork, and no one put forth a motion to proceed. Chairman Patrick Mullen then announced that they would continue to use the method they had used in the past, and the PLA died for lack of a motion.

This is incredibly important to us for a number of reasons:

- The Board **listened** and refused to be intimidated by the unions;
- It sets a **precedent** for other school boards to reject a PLA;
- It rallied our members and friends and demonstrated that there is **strength in numbers**: the Trustees were deluged with e-mails and letters against the PLA;
- **Boards like this do not like controversy** and they do not like having hundreds of people show up to watch them. They ran for the Board of Trustees to help the College, not to put themselves under a microscope or in the public eye. Unwittingly the unions did just that to them.
- Even pro-union Trustees said they could not support **discrimination against non-union contractors** and also cited the **concern for transparency** in their activities. Since the PLA was not brought up when the bond measure was put forth, they felt uncomfortable imposing it now.
- **My heartfelt thanks** to all who wrote letters, attended, and did all they could to support open competition. *(to p. 4)*

TELL THE BOARD OF SUPRVISORS TO FORGET IT!

Item B-3: California Transportation Plan. COLAB pointed out that the so-called “Plan” is really a propaganda document to promote stack-and-pack housing, attacks on the fossil fuel industry, and more social regimentation. After COLAB complained about the inclusion of the whole social equity concept and pointed out that it comes from ICLEI, Gibson glared. He said that SLOCOG didn’t have time to debate the “philosophical” implications.

In the end the Board determined to receive and file the State Transportation Plan rather than endorsing it.

Background: . The Plan covers the period from now until 2050. The plan is keyed to force people out of their cars by requiring stack-and-pack housing and imposing fees and taxes on driving. One telling section states:

The economic impact analysis of the CTP 2040 focuses on the VMT reduction strategies described in Alternative 2. Pricing strategies target motorists by imposing additional costs for utilizing the roadway transportation system. The increased cost is offset by making active transportation modes a viable substitute to vehicle travel through capacity and network improvements.

Note: VMT is vehicle miles traveled.

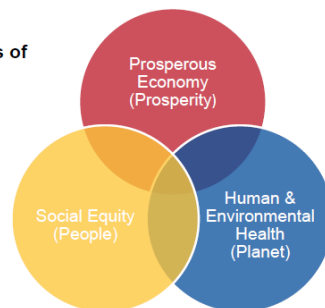
Another contains the International Council of Local Environmental Initiatives (ICLEI) Agenda 21 standard symbol for enviro-socialism. This is significant because this doctrine is incorporated here as driving California transportation and land use public policy. Of course those who mention it are labeled as conspiracy theorists and told that it doesn’t exist.

Just exactly how does Cal Trans or the whole State government, for that matter, propose to enforce social equity? Perhaps you should be required to give your spare bedroom to a homeless person.

California Transportation Plan

CTP 2040 – The Next 25 Years

Key to this vision is the 3 Es of sustainability:



Note that the chart states that “the 3 E’s of sustainability are key to the vision.” It appears that the item is included for information purposes and that no action is contemplated or required. The SLOCOG Board should pass a Resolution repudiating “social equity and sustainability” doctrines embedded in the Plan and send it to our State Assemblyman, Senator, the Governor, and the State Secretary of Transportation.

Item D-8: State Legislative Update. This item provided a brief update on some bills of interest. One, which has not yet been assigned a number, would begin the process of taxing drivers on a per mile basis. COLAB objected strenuously. Why is there not sufficient money to repair the existing roads and build new roads in a State which has:

- The highest Personal Income Tax Rate in the country;
- The only carbon tax in the country;
- A \$60 billion high speed rail project;
- Billions to spend in order to move fish around the delta; AND
- Significant vehicle taxes of other kinds already levied.

COLAB also suggested that before anyone contemplates a vehicle mileage tax or anything else, public officials statewide should enter into a civic contract with the people of California which would:

- Freeze all salary cost of living increases (COLA’s) on public employees and pension COLAs;
- Pass a Constitutional Amendment which would require all public agencies in the State, including the State itself, to budget a minimum of 4% of their general revenue (property tax, sales tax, state income tax, and state and local sales tax to capital infrastructure maintenance and expansion);
- Eliminate the high speed train or have the private sector fund it (if it pencils);
- Eliminate artificial barriers and regulatory costs which make road, bridge, and other public construction projects take too long and more expensive than necessary;
- Promote real economic development and eliminate barriers;
- Promote the nuclear industry; AND
- Promote the development of fossil fuels.

Of course this was equivalent to promoting the theory that disease is caused by germs in the middle ages. Some of the officials present, no doubt, would have COLAB spokesmen burned at the stake.

Background: *The lack of adequate funding continues to be the major issue of concern, exacerbated by a 23% decline in Highway Users Tax (HUTA) allocations due to the reduced price of fuel. A number of proposals to address the funding shortfall have been announced, of*

which the most important was introduced by Assembly Speaker Toni Atkins (bill yet to be published) which would provide \$2 billion a year over five-years (\$10 billion total) to maintain and improve state highways. The draft proposal includes:

- \$1 Billion per year in truck weight fees used for transportation instead of general bond debt.*
- \$200 million per year by accelerating repayment of transportation loans, and.*
- \$800 million per year by establishing a new Road User Charge.*

Speaker Atkins has said that the Road User Charge would amount to about a dollar a week for most drivers (about \$52 a year) which could potentially be charged as part of insurance plans or vehicle registration. She also noted that the funding would be used to backfill truck weight fees.

Senator Anthony Cannella (Vice Chair of the Transportation & Housing Committee) has said he supports a similar plan to provide additional funding for transportation. He has stated that “California individuals and businesses rely on our vast highway system and mass transit every single day – it is imperative we continue to invest in our transportation infrastructure to ensure California remains competitive in our rapidly growing global economy.” Staff will return to the Board to present with more information on the Atkins and other proposals when a bill has been introduced.



Your stuff arriving from China under Highway 101 on a fossil fuel powered ship.

Of course the bridge could not be built today – obstructs “visual resources.”