



COLAB SAN LUIS OBISPO COUNTY



WEEK OF DECEMBER 21-27, 2014

ALERT

STATE TO ATTACK CATTLE RANCHING

**SAVE FRIDAY JANUARY 9, 2015
FOR WATER BOARD HEARING IN SLO
SEE PAGE 4 FOR DETAILS**

- NO BOARD MEETINGS ON DECEMBER 23 OR 30-**
- SHORT CEREMONIAL MEETING ON JAN. 5-**
- NEXT REGULAR MEETING JAN. 6, 2015-**
(WEEKLY UPDATE WILL SHUT DOWN FOR 2 WEEKS)

OTHER COUNTY BOARDS ALSO DORMANT

BOARD ADOPTS 5% RAISE FOR ITSELF

**PASO BASIN DISTRICT CAMPAIGN PROPOSED
(WITH PUBLIC FUNDING)**

**San Luis Obispo County Board of Supervisors Meeting of Tuesday, December 16, 2014
(Completed)**

Item 20 - Hearing on proposed ordinance amending Section 2.48.095 of the County Ordinance Code regarding compensation increases for the Board of Supervisors. The Board voted 4/1 (Arnold dissenting) to give itself a 5% raise. COLAB recommended that in the future the Board adopt a 4-year cycle in which its compensation is reviewed and ultimately

approved by the voters during a regular election. The Human Resources Director and the Board members themselves spent considerable time justifying the raise. Much was made of so-called “market” comparisons with other counties, although no data was provided in the agenda package. One public speaker noted that the taxpayers’ money would be better expended on the roads. Board members were clearly irritated:

Mecham: “We are taxpayers too.” By way of justifying the raise, he provided a litany of the steps the Board had taken to balance the budget and preserve County services through the recession. He stated that the Board had proactively, and ahead of other jurisdictions, implemented new pension tiers that reduced benefits and raised the retirement age for new hires. He also noted that the Board had negotiated higher employee contribution rates. He indicated that currently this is saving the County \$22 million per year below what it would be spending if the benefit levels that had existed prior to those actions had continued.

Now I’m Going to Stop Hitting Myself in the Head: Of course some counties never had as lush retirement benefits in the first place. Others were able to resist adopting major giveaways such as the infamous retroactive (and unfunded) 3% of highest salary for each year of service given to public safety employees during the mad rush of the early 2000’s after the Legislature unanimously approved the enabling legislation. State Senator Tom McClintock (now Congressman) was the only member of either house or either party to vote against the provision.

The “savings” are actually foregone future expenditures which might have occurred. Real budget savings would be absolute reductions from one year to the next. From the beginning of the recession in 2008 to 2014, the budget actually increased from \$389 million to \$524 million, a \$135 million, or 35% increase. The fact that the County did not have a realized deficit is not due to its leaders being rocket scientists. The State’s County Budget Act makes it illegal for a county to have a deficit and imposes penalties for officials who expend more than is actually available. Insofar as we know, the only jurisdictions with real deficits were Stockton, Vallejo, and the City of San Bernardino.

Mecham, in what sounded like a challenge, rebuked the speakers who opposed the raise, stating that the ultimate evaluation of Board members consists of the election every 4 years. In other words, if you don’t like this, you know what you can do about it. It is not known if Mecham intends to run again in 2016. Certainly this quote will come back to haunt him or whomever he endorses. This raise, the \$2.4 million employee gift, the Paso Basin moratorium, the midnight insertion of provisions into AB 2453 (Paso District enabling legislation) which allow the Board to act as district architect and applicant to LAFCO (including a \$350,000 risky application County cost advance), the direction to staff to make the Paso Basin moratorium permanent, opposition to the Quiet Title property/water rights filing, the sudden apparent abandonment of the anti-water exportation ordinance; and others constitute a clear record.

Ray: “Further - this Board has proven its ability to manage better than most.” She did not specify any examples of counties included in “most.” So poor Plumas, currently under 3 feet of blessed snow, doesn’t have a nuclear power plant, 340 sunny days per year, a major State University, State Prison, State Mental Hospital, one of the two major north/south highways in the state,

Hearst Castle, huge farm, vineyard, and ranch lands, spectacular seacoast, hundreds of oil wells, and miles of high value estate and ranchette sprawl. Are the SLO County Supervisors therefore financial geniuses?

She went on to defend higher salaries for supervisors as a necessity to enable people without independent means to run and serve. “We need to allow working professionals - we need a living wage....”

On the other hand there are thousands of local legislators in very complex jurisdictions who receive little or no compensation and who serve while running a business, working in a factory, conducting a medical practice (including night and weekend call), flying commercial airliners, or even teaching school. Promoting a professional class of permanent publically compensated career city council members, county supervisors, etc., may actually be harmful. This has been the historical pattern in Chicago, Detroit, Newark, Hartford, and closer to home, Compton and San Bernardino County (which has the 2nd highest board of supervisors’ salary in the State after Los Angeles (\$152,000 and a County SUV). San Bernardino County has the distinction of having 2 former supervisors serving Federal time for receiving bribes. Apparently the salary wasn’t enough.

Hill: “Not to belabor it,” (paraphrasing) - the 3 of us who were here (for the recession) worked for our strong financial position. We came out of the recession stronger than when we went in.

Hill then wandered off into a somewhat hazy criticism of the private sector: (Again paraphrasing)

<The public sector employers (in SLO County) are responsible for preserving the middle class.>

< In the private sector a small amount of the people make a lot, the rest don’t ...>

Gibson, in a telling remark, stated, “This Board was the only employees in the County who actually took a pay cut...” Which side of the dais is he on?

Background: The current annual salary for the Board members is \$82,014.40. The increase of 5.0% results in an annual salary of approximately \$86,115.12, effective February 15, 2015.

The item omitted stating the total compensation costs when benefits are included. These are estimated to cost around 30% of pay. Thus the fully loaded cost is around \$111,919. The adopting resolution confirms the benefits:

All employee benefits available to general management/department head employees shall be available to the Board of Supervisors.

The Board letter, by way of justifying the increase, states in part:

The attached ordinance proposes to raise the Board of Supervisors’ salary by a total of 5.00%. That adjustment includes a return of the 2.4% pay cut adopted by the Board of Supervisors in FY 2009-10, a 2.3% increase equal to that approved by the Board of Supervisors on November 25, 2014 for other unrepresented employees for FY 2013-14, and an additional 0.3% increase applied to address job classes determined to be significantly under market also approved by the

Board of Supervisors on November 25, 2014 for unrepresented employees. The total 5.00% increase brings the Board of Supervisors members' salary closer to the market in the same incremental way the County has approached compensation increases with other employee groups.

What market?

The ordinance contains a new provision to enable future raises on a regular basis. It states:

Board of Supervisors' wages shall be reviewed against data collected in a manner similar to the manner used to determine prevailing wage for recognized employee organizations. The county's Human Resources Director shall report to the Board of Supervisors on the findings reached and recommend any necessary modification to salary. The report and/or recommendation shall include consideration of the county's current financial condition and any other considerations important in the determination of wage setting.

Please see the article from the November COLAB Monthly Newsletter for a more in-depth discussion of the underlying issues and choices, which the Board is avoiding and doesn't want you to consider:

http://www.colabslo.org/newsletter/COLAB_SLO_NOVEMBER_2014_NEWSLETTER.pdf

ALERT
STATE TO ATTACK CATTLE RANCHING
ATTEND THIS HEARING AND PROTEST
JANUARY 9, 2015 9AM – NOON- BOARDROOM
CENTRAL COAST REGIONAL WATER QUALITY CONTROL BOARD
895 AEROVISTA PLACE, SLO (By the Airport)
YOU MUST PRE REGISTER AT THE LINK BELOW TO GET IN
[**DWQ-GRAP@waterboards.ca.gov**](mailto:DWQ-GRAP@waterboards.ca.gov)

STATEWIDE GRAZING REGULATORY ACTION PROJECT (GRAP)

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 the 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.



SLO COUNTY PASO BASIN ADVISORY COMMITTEE PROPOSES COUNTY FUND THE MARKETING OF THE PROPOSED WATER DISTRICT TO THE VOTERS

Just when you thought you could think about the holidays, a component of the Committee has proposed that the County fund a \$75,000 “information” campaign to “educate” the voters about the benefits of the proposed Paso Basin AB 2453 Water Management District. This is in addition to the \$350,000 currently forecast by the CAO needed to fund the preparation of the LAFCO application, conduct a financial feasibility analysis, legal boundary surveys, and the election to determine if the voters in the proposed district approve.

The letter is pretty self-explanatory about the ultimate purpose, notwithstanding that it purports to be a policy neutral “information” campaign. It is reproduced on the following pages. As you review, consider:

- a. The establishment of the proposed water district is subject to an initial vote of the people owning land within its proposed boundaries.
- b. Governments are not allowed to use public funds to conduct or fund political campaigns to influence the outcome of elections.
- c. They may provide neutral information but may not advocate for a particular outcome of the vote.
- d. The campaign is characterized as outreach and education. County Counsel will need to carefully review each piece of literature, survey question, website presentation, video, or whatever to determine if it is truly policy neutral information or whether it crosses the line into advocacy.
- e. Note that the document recommends the use of radio because of the “emotional connection” between listeners and some stations. This statement in itself betrays the authors’ intent that this is really propaganda designed to elicit a particular outcome versus true objective information.
- f. If the County is going to fund an education campaign about the proposed water management district, will it equally fund an education campaign about the Quite Title version of basin management? If not, why not?
- g. Will the Board of Supervisors, before considering this program, send it to the Fair Political Practices Commission (FPPC) for advice on whether or not it is legal? This would be prudent and could avoid future fines. If they will not do this, why not?

PLEASE SEE THE FOLLOWING 2 PAGES FOR THE TEXT OF THE PROPOSED CAMPAIGN.

TO: Paso Basin Advisory Committee

FROM: Jaime Hendrickson, Outreach and Education Subcommittee

DATE: December 18, 2014

SUBJECT: Agenda Item #3.e: Approval of Water District Formation Phase 1 Outreach and Education

Recommendations

1. The O&E Subcommittee recommends that the Paso Basin Advisory Committee move forward with the Water District Formation Phase 1 of the Outreach and Education Program and to directly request the funding of \$15,000 from the San Luis Obispo County Public Works department.
2. The O&E Subcommittee requests approval from the Paso Basin Advisory Committee to work directly with the San Luis Obispo County Public Works Department to develop the draft questions for the phone survey and website development identified in Phase 1.
3. The O&E Subcommittee requests approval from the Paso Basin Advisory Committee to name the website Paso Basin Advisory Committee and create a web address with the same title as available.

Discussion

At the October 16, 2014 PBAC meeting, the Outreach and Education (O&E) Subcommittee recommended that the Committee consider advising the Board of Supervisors to provide funding for immediate outreach and education. Discussion ensued on various topics, including the current degree of public knowledge about Paso Basin issues, the appropriate approach for informing the public about the water district formation process, and if the Committee should further develop the program before asking the Board of Supervisors for funding. The Subcommittee was requested to return with a more detailed plan and budget, and Chair Neil indicated he would solicit input from Board members.

On November 4, 2014, the O&E Subcommittee discussed the need to develop an outreach and education program to inform and gauge the awareness of the public on recent activities being undertaken by the PBAC and Board of Supervisors.

METHOD	COST	SCHEDULE
Phone Survey	\$10,000	Onetime, Jan 2015
<ul style="list-style-type: none"> • A telephone survey is a systematic collection of data from a sample population using a standardized questionnaire. Of all the methods employed in public opinion polling, telephone surveys are the preferred choice to maximize response rates, as well as to maintain control over the quality of the data. Telephones are an effective method for obtaining public opinion because nearly all residents of the Basin have access to a telephone. Also, telephone surveys allow for data to be collected in a complete and accurate format at the time of the interview by trained professional interviewers. • A phone survey would gauge the general awareness of the public on recent activities being undertaken by the PBAC and Board of Supervisors with regard to water district formation and other efforts to stabilize groundwater levels in the basin. 		
Direct Mail Postcards	\$35,000	Seven postcards/11 months
<ul style="list-style-type: none"> • Direct mail enables customers to spend time with information. Direct mail is tangible and can complement websites and social media. • The U.S. Postal Service found that postcards are the mail format most likely to be read. • Seven postcards directly to the 4,393 unique landowners over the district formation process. 		

Informational Brochure	\$15,000	Onetime, distributed throughout the Basin
<ul style="list-style-type: none"> • A more comprehensive and slightly more technical informational brochure. • Distributed through organizations and agencies. Distributed at speaking engagements. • Includes a onetime mailing to the 4,393 unique landowners. 		
Radio	\$10,000	3 months
<ul style="list-style-type: none"> • Listeners feel an emotional connection with their preferred radio stations. • Two radio stations over the three months prior to the water district vote. 		
Website Development & Hosting	\$5,000	Onetime, Jan 2015
<ul style="list-style-type: none"> • Create website unique to the PBAC that the Subcommittee could access and modify. • Website could eventually develop into a water district site. 		

On November 14, 2014 PBAC Chair, John Neil and Outreach Subcommittee members Robert Brown and Sue Luft met with Supervisor Mecham and Vicki Fogleman. The members of the PBAC presented the Outreach Subcommittee report of November 11, 2014 to Supervisor Mecham, he was supportive of the reported efforts. He hoped that funding would be available in the Public Works budget to cover PBAC Outreach and Education effort. He suggested that we might break the outreach into phases for budget reasons. Supervisor Mecham planned to contact Courtney Howard to discuss this issue.

The Subcommittee divided the Outreach and Education program into three phases and assigned one or more phases to each outreach method.

PHASE	PURPOSE
Phase 1	Information gathering
Phase 2	Information development
Phase 3	Information distribution

OUTREACH & EDUCATION PROGRAM IMPLEMENTATION

PHASE	METHOD	SCHEDULE
1	Phone Survey	Onetime, Jan 2015
2,3	Direct Mail Postcards	Seven postcards/11 months
2	Informational Brochure	Onetime, distributed throughout the Basin
3	Radio	3 months
1	Website Development & Hosting	Onetime, Jan 2015

The Outreach & Education Subcommittee is currently developing a list of 15-20 survey questions, to be vetted and approved by the PBAC.

The Subcommittee has solicited a phone survey proposal from Public Policy Solutions, Inc. and a website development proposal from Clever Concepts.

Action Requested

The O&E Subcommittee requests that the Paso Basin Advisory Committee move to approve the recommendations and direct the O&E Subcommittee to provide proposals to the San Luis Obispo County Public Works Department for funding and development of the Phase 1 of the Outreach and Education Program.

MERRY CHRISTMAS AND HAPPY NEW YEAR



Mystery of winter skies, we thank you in the darkening hour for opening our eyes to see your starlit beauty; for parting the wide heavens to send your gentle light; for offering your word to take our mortal flesh.

This truly human one was promised by those who shared your dream of peace; John the Baptist cleared his way with words of desert fire; Mary and Joseph accepted his coming with tenderness and faith; we know that he draws near again to show us who we really are with honesty and love.

Now we take up the song of hope that we might awaken to his coming among us and the world be touched by the footfall of his glory.¹



¹ From a portion of an Eucharistic prayer for the Season of Advent in the Anglican Communion