



COLAB SAN LUIS OBISPO COUNTY



WEEK OF JANUARY 4-10, 2015

ALERT

STATE TO ATTACK CATTLE RANCHING

ATTEND THIS MEETING 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

SAVE THE DATE **6th ANNUAL** **DINNER &** **FUNDRAISER** **COLAB SLO** **2015**

Thursday, March 26, 2015 • Alex Madonna Expo Center
Social 5:15 p.m. • Dinner 6:15 p.m.

Keynote Speaker Ben Shapiro is a Shillman Fellow at the David Horowitz Freedom Center, as well as a nationally syndicated columnist, a *New York Times* bestselling author and a graduate of Harvard Law School. Ben Shapiro has been endorsed and honored by political and cultural leaders. Currently, Ben Shapiro is an editor-at large of *Breitbart News* and the host of *The Morning Answer* on KRLA in Los Angeles.

BOARD TO SELECT CHAIR AND VICE-CHAIR

LAS PILITAS QUARRY HEARING CONTINUES THURSDAY JANUARY 8, 2015

SLOCOG PLAN ENDORSES “SMART GROWTH” (IF IT’S “VOLUNTARY” - AN OXYMORON BECAUSE IT’S REQUIRED BY SB 375)

Special Board of Supervisors Meeting of Monday, January 5, 2015, 11:55 AM (Scheduled)

Item 1- Swearing in of elected and re-elected Officials.

Item 2- Reorganization of the Board of Supervisors: Election of Chairperson and Vice-Chairperson. Rumor says that the deal has been cut for Mecham to be Chairman and Hill to be Vice-Chairman.

Board of Supervisors Meeting of Tuesday, January 6, 2015 (Scheduled)

Item 2 - Monthly Drought Report. The report contains a variety of data about the rainfall amounts to date, status of forage, wild land fire hazards, and economic impacts. According to the report, the recent rains have not had much impact and the drought emergency continues. The drought is a powerful ally to supporters of limited or no growth and especially those who support limiting future growth of housing to urban areas. It is also a powerful ally to those who promote increased regulations, fees, and taxes.

The report, as in prior editions, is obfuscatory about the alleged dry well problem:

Domestic Wells

The Governor’s Drought Task Force created an online intake form for use by local, state, or tribal and federal agencies to document domestic water issues. Data collected is considered confidential and access is restricted. Individuals with domestic water issues are encouraged to contact County Environmental Health at (805) 781-5544.

In addition, the County Drought Task Force created a supplemental anonymous survey. The survey does not ask for any identifying information and is intended to support our request for federal disaster assistance for individuals. Individuals who wish to remain anonymous are encouraged to complete the supplemental survey online at www.slocounty.ca.gov/admin/Drought_Update or by phone by calling (805) 781-5011.

To date, the County has received 77 responses to the supplemental survey. Of the 77 respondents, 33% report that one or more wells have gone dry and 11% report they are trucking in water. It is important to note that the survey is voluntary and as a result, responses are not representative of the county population.

The threat of dry wells was used as the initiating justification for the Paso Basin water and development moratorium.

At this point Gibson is driving the staff forward to complete proposed ordinance and Plan amendments which would, in effect, make the moratorium permanent. He is also driving the staff forward to complete the application to the Local Agency Formation Commission for creation of a Paso Basin Water Management District. A rumored short term strategy is to (in the short term) co-opt incoming Supervisor Compton in the name of Board harmony and maintain Supervisor Arnold in an isolated position long enough for the work to be completed. There are likely to be some critical financial transfer votes related to water which will require a 4/5ths majority.

The last thing they need is a wet winter and spring.

Reservoir Levels (% of capacity):

Note: Historical averages calculated using data from the following time frame:

Nacimiento: 1959 – 2013; Lopez: 1994-2013; Salinas: 1987-2013; and Whale Rock: 1985-2013.

Reservoir	% of Capacity	Current Acre Feet Storage
Nacimiento	22%	81,695
Whale Rock	46%	17,815
Lopez	41%	20,486
Salinas	20%	4,790

Source: www.slocountywater.org County of San Luis Obispo

Item 5 - Re-appointment of Kenneth Topping as Planning Commissioner for District 2.

Topping was a long term professional planner serving in various governmental agencies over his career. Although he supports “smart growth” and related outcomes, he has voted to approve various projects. He will be facing critical votes on the Las Pilitas Quarry, the Phillips 66 tank car rail spurs, and the ordinance and Plan amendments noted in item 2 above.

He is polite, attentive, and seems to consider various points of view.

Item 8 - Re-appointment of Pandora Nash-Karner as a District 2 representative to the Parks and Recreation Commission. Nash-Karner is a long term Parks Commissioner, activist, and political player. She is involved in many civic groups and is a strong supporter of government action.

Item 10 - Appointment of James Harrison as a District 4 representative to the San Luis Obispo Planning Commission. Chief Harrison was a lifelong career firefighter in the Santa Barbara County Fire Department. Over his career, he rose from firefighter to Assistant Chief over the Operations Division, the 2nd highest position in the Department at that time. Since his retirement he has been heavily involved in many civic activities in the Nipomo area, the Fire Safe Council, and the Nipomo Community Service District. His fire career will have acquainted him with many land use issues and code issues. He too will be facing controversial votes (and

public career defining votes) on the Las Pilitas Quarry, Phillips 66 rail spurs, and the making permanent of the Paso Moratorium.

Item 17 - Continuing Authorization to Issue Contracts For Nacimiento Pipeline Repairs without Formal Bidding. This pro-forma agenda item again fails because it does not provide any information about the nature, extent, or cause of the leaks of this essentially brand new \$200 million dollar pipeline. The write-up indicates that \$700,000 has been expended to date and the bill may go to \$900,000. The Board had previously authorized up to \$1.6 million.

The Nacimiento participating agencies that receive Nacimiento water for distribution to their customers include the City of Paso Robles, Templeton Community Services District, Atascadero Mutual Water Company, the City of San Luis Obispo, and County Service Area 10A. The Nacimiento Commission and Nacimiento Technical Support Group support the forensic investigation, repairing the leaking locations, and restoring the pipeline to delivery service.

The work is being funded from the Nacimiento Operating Fund. The cost of emergency contracting to date is approximately \$710,000. An increase to the financial impact up to approximately \$900,000 is anticipated due to the ongoing investigative work that has occurred over the last several weeks. Sufficient budget exists, at this time, to cover the anticipated cost of the work.

Item 24 - Appointment of Board Members to Various Committees and Commissions. The write-up states:

Historically, individual Board members have served on a variety of commissions and committees. Based on input from Board members individually, most assignments are recommended to remain the same. However, both Supervisors Hill and Compton are interested in the "Alternate" appointment to LAFCO. As such, your Board will need to discuss this appointment further. Below is the listing of committees and commissions and the recommended appointments for calendar year 2015.

The list, which appears to have been agreed upon in advance (except for the Local agency Formation Commission), is displayed below. Both Hill and Compton wish to serve as the alternate to Gibson and Mecham.

The Board should adopt a better practice for making these appointments. Obviously there was backroom discussion between the Board members and/or the staff, or the nearly consensus list placed on this agenda could not have happened. A more open process would be for the CAO to place a list of the current assignments on the agenda including vacancies. The Board members would then express their preferences and reasoning in public. Any discussion and especially disagreement would be beneficial to public understanding.

TITLE	2015 APPOINTMENTS
Adult Services Policy Council	Lynn Compton
Behavioral Health Advisory Board	Frank Mecham
Cal ID Advisory Board	Frank Mecham
Community Action Partnership of San Luis Obispo (CAPSLO)	Debbie Arnold
Carrizo Plain National Monument Advisory Committee	Debbie Arnold
Economic Vitality Corporation	Adam Hill and Lynn Compton
Fire Safe Council	Frank Mecham
First 5 Children & Families Commission	Bruce Gibson
Homeless Services Oversight Council	Debbie Arnold
Latino Outreach Council	Debbie Arnold
Local Agency Formation Commission (LAFCO)	Bruce Gibson, Frank Mecham; alternate Adam Hill or Lynn Compton
Model of Care Partnership Oversight Committee (MOCPOC) Martha's Place	Bruce Gibson
Nacimiento Water Project Commission	Frank Mecham
National Estuary Program Executive Committee	Bruce Gibson
SB/SLO Regional Health Authority (CenCal)	Adam Hill
South County Area Transit (SCAT)	Lynn Compton
Student-Community Liaison Committee	Debbie Arnold; alternate Adam Hill

San Luis Obispo County Council of Governments (SLOCOG) Meeting of Wednesday, January 7, 2015, 8:30 AM (Scheduled) at ASCADERO CITY COUNCIL CHAMBERS Atascadero City Hall, 6500 Palma Avenue, Atascadero

Item B-2: Draft Regional Transportation Plan (RTP). The meeting is being held in Atascadero. The write up says, *The purpose of this item is to provide a more convenient opportunity for North County residents to comment on the Draft 2014 Regional Transportation Plan.*

It is not clear how holding a meeting at 8:30 AM on a Wednesday morning will enable most residents, business operators, farmers, or whomever to attend. Most of the productive people, who would actually question or oppose the Plan, and particularly the Sustainable Communities Strategy, will be at work. The Sustainable Communities Strategy (SCS) is required to be included in the RTP by the State. It is simply a euphemism for smart growth, which is in turn is

code for hardly any growth. The executive summary states in part:

The 2014 RTP proposes achieving a reduced dependency on auto trips by fostering more efficient local and regional land use development that will enable more walking, biking and transit use to meet congestion reduction goals – which in turn will support health and obesity prevention objectives. Key elements include:

- Expand transit service, rideshare options, and transportation choices.*
- Encourage development in existing urbanized areas with access to existing businesses and services.*
- Support potential infill and redevelopment of properties within target development areas.*
- Discourage future rural development projects in agricultural and natural resource lands.*
- Support incentive programs to develop measures that encourage smart growth development projects.*
- Report on transportation performance and new residential and commercial building activity.*

The text amplifies the doctrinaire smart growth approach as follows:

The SCS demonstrates the region’s ability to meet and exceed the GHG emission reduction targets set forth by the California Air Resources Board (ARB). The SCS outlines our plan for integrating the transportation network and related strategies with an overall land use pattern that responds to projected housing growth, housing needs, employment expectations, changing demographics, and transportation demands.

The regional vision of the SCS maximizes current voluntary local efforts that support the goals of SB 375. These are evidenced by the climate action plans, energy plans, and smart growth principles that have been adopted by all jurisdictions. The SCS is based on each community’s general plan and includes the designation of target development areas (TDAs) within all communities. Supporting policies prioritize directing transportation investments that serve these areas.

The SCS focuses multi-family housing and job growth in TDAs that largely already exist on main streets, downtowns, and commercial corridors. This results in more opportunities for healthier, walkable communities. The adopted preferred growth scenario exhibits a land development pattern that improves the overall jobs/housing balance and supports and complements the transportation network.

Under the preferred growth scenario the changes listed in Figure ES-10 are anticipated by 2035 (Next page).

Figure ES-10

Preferred Growth Scenario Impacts

1. Residential density increases by 10.2% in urban areas (within cities, unincorporated communities and Cal Poly)
2. 37% of new housing is multi-family residential (compared to 17% of the current housing stock)
3. 91% of new employment is located in urban areas (compared to 83% of current employment)
4. 30% of new housing is in target development areas (compared to 22% of the current housing stock)
5. 81% of new employment is within TDAs (compared to 70% of exiting employment)
6. The generation of GHG emissions will be reduced from 2005 levels by 9.43% by 2020 and by 10.91% by 2035 – exceeding the ARB targets of 8% for both future years
7. VMT per capita will drop from 22.71 in 2005 to 21.04 in 2020 (-7.35%), and to 20.78 (-8.50%) in 2035

1. Higher Density
2. Much less chance of living in a free standing single family house in the future.
3. No country resorts, wine processing, research parks?
4. Stack and Pack Target areas
5. You have to live near the bus.
6. You still won't offset China's greenhouse gas.
7. You will drive less miles especially when the state imposes the Fast Track mileage counter as part of your annual vehicle registration fee.

The executive summary can be accessed at the link:

https://library.slocog.org/PDFS/AGENCY_MTGS_AGENDAS/SLOCOGBoard/2015/January%202015/B-2%20Attachment%20A_Draft_ExecutiveSummary.pdf

The full RTP can be seen at the link: www.slocogconnectingcommunities.com.

More Stack and Pack.



More Crowded Communal Life



Fewer Real Homes



More Cost

Item 3 - Continued Hearing to consider a request by LAS PILITAS RESOURCES LLC for a Conditional Use Permit and Reclamation Plan to allow mining and the phased reclamation of 41 acres on an approximately 234 acre site. This hearing is a continuation of the hearing which began on December 11th. There were 80 speaker slips and the Commission was not able to hear all speakers by 5 PM. An approaching storm commended ending the meeting and continuing the item. Also the Las Pilitas applicants requested an opportunity to comment on the staff report which recommended denial of the project. The applicant had very little time to review the staff report and negative recommendation since it was issued only days prior to the hearing. Apparently the staff did not inform the applicant that it was thinking of recommending denial. This did not give the applicant an opportunity to discuss the matter.

Those individuals who already spoke on the 11th will not be allowed to speak again at the continued hearing. It is not clear if new speaker slips will be accepted for individuals who did not file one at the December 11, 2024 meeting.

Background: The Planning and Building Department, in a 64 page staff report, recommended that the project be denied by the Planning Commission.

The key reason for the staff recommendation for project denial is that large trucks transporting the gravel must transit the village of Santa Margarita on State Highway 58. It is estimated by staff that there may be 273 truck trips per day (a number which the applicants dispute), which will pass through the residential neighborhood on the northeast corner of the village, cross the railroad, and then turn left onto the highway. The highway then passes through the commercial section of Santa Margarita on its way to highway 101. The Planning staff, Santa Margarita residents, and project opponents cite the heavy traffic, noise, and contention with bicyclists as problems.

Significant policy and legal questions:

- a. If local governments can prohibit a permitted land use (the Las Pilitas land is zoned for mining) because vehicles using a State highway will pass through an adjacent community, are they not usurping the State sovereignty for operation of that highway system?
- b. What is the purpose of a State highway, if not for commerce?

The staff also recommended against the project because it will be visible from Highway 58 and therefore will be harmful to aesthetics.

Surface Mining and Reclamation – Section 22.36.040E. cannot be met because the project will result in significant and unavoidable impacts to aesthetic and visual resources which cannot be mitigated. The slopes of the proposed mining area and mining equipment would be visible from SR 58 and would be inconsistent with the rural visual character of the area. The project is located in a transition zone between the semi-rural upper Salinas River Valley (the Santa Margarita area) and the rural and steeply sloped oak woodland and chaparral covered hillsides adjacent to the Salinas River corridor which is highly scenic. The projects excavated slopes associated with

The Planning Commission will close the hearing, begin reviewing, and ultimately voting on whether to approve the project and the final environmental impact report (FEIR). The full report can be seen at the site:

http://slocounty.granicus.com/MetaViewer.php?view_id=3&event_id=762&meta_id=292663

Again and as on December 11th, the upcoming Planning Commission hearing and subsequent vote is a critical juncture for the Las Pilitas Resources project, and members of the public should consider aiding in their efforts by attending the Planning Commission hearing, speaking in support of the project, and/or writing a letter to the editor and/or letter to the Planning Commission to tell them why this project will be a positive benefit in our community.

At this time, opponents to the project have been overwhelming the Planning Commission with negative form letters. The Planning Commission needs to hear that there are people who support local business and support this project. Please show your support by sending a letter or email the County expressing your opinion. Emails or letters can be sent to the following addresses:

Planning Commission Secretary: rhedges@co.slo.ca.us (*Please ask for your email to be distributed to all Planning Commissioners*)

Or

SLO County Planning Commissioners
976 Osos Street
San Luis Obispo, CA 93408

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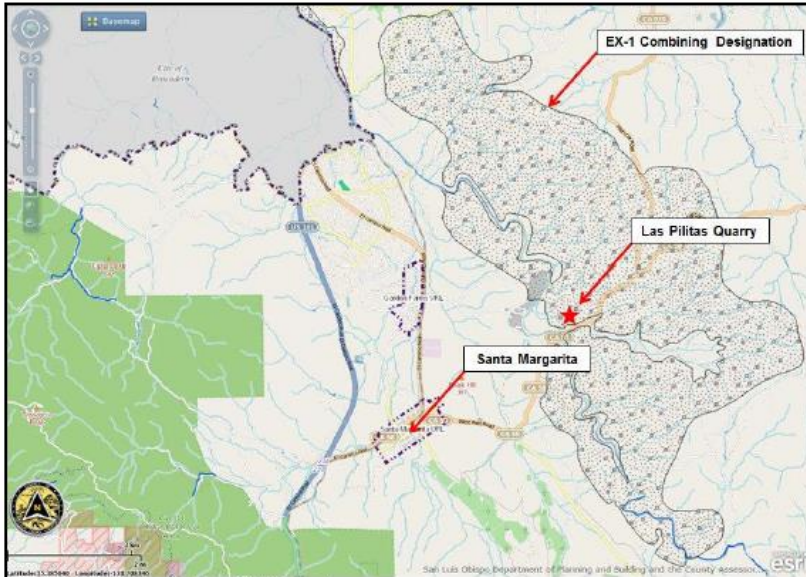


Figure 1 - Project Location Map with EX1 Overlay

B. Project Location – The proposed quarry / surface mine is located approximately three miles northeast of the community of Santa Margarita on the north side of State Route 58, immediately east of the Salinas River. The project site is located at 6660 Calf Canyon Highway (SR 58) which is approximately 234 acres in size (APN 070-141-070 and 071). The project site is located within, but near the western boundary of the Extractive Resource Area (EX1) combining designation (refer to Figure 1).

California State Water Board Presentation on the STATEWIDE GRAZING REGULATORY ACTION PROJECT (GRAP) Friday, January 9, 2015, 9AM - Regional Water Board Office, 895 Aerovista Place, San Luis Obispo (next to the Airport)

There will be some sort of presentation. It is not clear how much of a hearing will be allowed. As of this writing no agenda has been published.

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 next step in regulating and constraining agriculture. Readers may recall that the State Water Board and the Regional Board have imposed severe and costly regulations on 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 onto your land to verify conformance with your annual plan.
- j. Subject you to fines for non-compliance.
- k. God knows what else.



HAPPY NEW YEAR