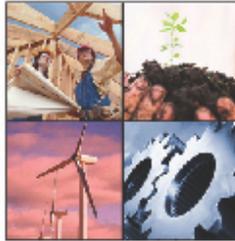


COLAB SAN LUIS OBISPO COUNTY

WEEK OF MARCH 9-15, 2014



THE COALITION OF LABOR,
AGRICULTURE, AND BUSINESS

COLAB

San Luis Obispo County

5th Annual DINNER FUNDRAISER 2014

Thursday, March 27, 2014

Alex Madonna Expo Center, San Luis Obispo

5:15 pm - Social Hour, No Host Cocktails

6:15 pm - Filet Mignon Dinner including Wine

\$125 per person / \$1100 per table of ten
Reserved seating for Tables of Ten

For tickets, mail your check to:
COLAB, PO Box 13601,
San Luis Obispo, CA 93406

For more information call: (805) 548-0340
or email to colabslo@gmail.com

**Remember to bring your ticket to enter in the
door prize drawing!**

Keynote Speaker

**Dr. Sam
Blakeslee**

The Honorable Dr. Sam Blakeslee founded the Institute for Advanced Technology and Public Policy at Cal Poly in 2012. With a portfolio of experience as a scientist, business owner and legislator, his goal is to bring these diverse worlds together with cross-disciplinary thinkers at Cal Poly to solve some of the most complex public policy challenges facing society today. Blakeslee was elected to the California State Assembly in 2005 and later to the State Senate. Elected by his fellow legislators, Blakeslee served as Assembly Minority Leader. In this role, he was a member of the "Big 5" with responsibility for negotiating the state budget and major policy initiatives. In 2009 and 2012, the Sacramento Bee identified Blakeslee as one of "Sacramento's Most Bipartisan Legislators."



Come join us in the celebration!

**Cocktail Attire Optional
(We still love those jeans too!)**

STAFF DIRECTED TO PREPARE NEW WATER AND DEVELOPMENT RESTRICTIONS FOR ENTIRE UNINCORPORATED COUNTY

BOARD TO DECLARE DROUGHT EMERGENCY



Board of Supervisors Meeting of Tuesday, March 4, 2014 (Completed)

Item 14 - Proposed Amendments to Various County General Plan Elements, Zoning Ordinances, and Land Use Regulations. The Board considered and then substantially adopted an extensive menu of proposed General Plan and Zoning Ordinance amendment projects which, if ultimately enacted into law, would impose a whole new and powerful layer of land use restrictions and regulations on the unincorporated County. The actions were not to adopt the new regulations at this time, but to direct the staff to prepare them for potential adoption. Supervisor Gibson was clearly driving the mules hard with Supervisor Hill assisting. The items ended up being adopted in three groups by three separate votes:

Group 1 - Countywide Water Conservation Ordinance:

- a. New landscape requirements.
- b. Retrofit on sale requirements.

c. Metering and monitoring of all new wells. It turned out that this item did not need to be authorized, because the County Health Department is already preparing the ordinance. The spokesperson said the ordinance would be ready in 6 months.

d. Water waste prohibition ordinance.

e. Water neutral new development.

In future corollary actions and to fully implement these items the County will have to conduct a program of groundwater data collection and require much more extensive data for those who wish to drill or modify wells.

The motion to initiate the staff work on these items was moved by Supervisor Gibson, and seconded by Supervisor Hill. It passed 3/2 with Supervisors Arnold and Mecham dissenting.

Group 2 - Water Supply Assessments:

a. All new subdivision and re-subdivision of land will require a long-range water supply assessment. This will include lot splits. Thus, in addition to the 1:1 water offset requirements, applicants will have to prove a long-range supply. Remember, the cities are not included and the properties inside the URL's are likely to be made exempt. Only farmers, ranchers, and other rural landowners will be subject to this requirement.

This one passed by a unanimous vote!

Group 3 - Further Research - direct Staff to add to definitions and descriptions and return to Board for possible direction to prepare implementing plans and ordinances:

a. Amend Growth Management Ordinance to add restrictions.

b. Require larger minimum lot sizes.

c. Require merger of "substandard" rural parcels.

d. Amend the Transfer of Development Credits Ordinance – perhaps to provide the power to require its use in various categories of permits.

This group was approved 3/2 with Arnold and Ray dissenting.

Supervisors' Comments:

Mecham: *Are we (not) in a real crisis and we need to plan for this...*

Hill: *...take actions which are not popular with some, but which we have to do...*

"adjudication" is an extreme form of government control; I don't understand the inconsistency... I'd like to see this come back as soon as possible for a ... discussion...

Ray: *Planning ahead, leadership and vision...authorization is not policy. We are only discussing...*

Gibson: *It is our responsibility to act...*

Do We Really Need a Board of Supervisors?: When asked about staff requirements and costs, Uber Planner Caruso pointed out that the Board had already funded two positions back in November, and that the planners had been hired and have already been working on these very matters. Staff has it all in hand.



Driving the Mules

Background: This item constitutes the opening of the 2nd part of the offensive of the ultimate plan to lock down growth in the County outside of the cities and village urban reserve lines (URLs). Part I is the Paso Water Basin Moratorium. Its overall long-range purpose is to:

In Effect: Make the Paso Water/Development Moratorium permanent.

In Effect: Spread the provisions of the Paso Water/Development Moratorium to the entire county.

The staff (per Board direction – which the staff actually suggested) presented an extensive cafeteria of Planning, Zoning, and Regulatory revisions for Board consideration. The staff requested the Board to identify those portions on which it wants staff to initiate the requisite analysis and processing. If significant portions are ultimately adopted, the unincorporated county lands outside the URLs will be completely micromanaged by the County government. Both agricultural expansions (modifications, crop changes, rotations, etc.) and the development of residences will be subject to a suffocating impossible set of hurdles.

1. Require larger parcels and restrict the pace of development.

2. Amend the Growth Management Ordinance (GMO) to force stack-and-pack “smart growth” in exchange for permission to use the water that underlies your property.
3. Restrict the number of permits issued per year.
4. Deny permits for development on existing small lots.
5. Exempt property inside the URLs from the requirements - Free pass for “smart growth.”
6. Force existing lot owners to combine lots in order to obtain a permit.
7. Eliminate lots and promote stack-and-pack smart growth - Which communities will be on the receiving end of the new densities?
8. Force owners to merge lots.
9. Limit the flexibility of farmers and ranchers to determine which crops to plant.
10. Expand the Transfer of Development Credits (TDC) Program - *Again*, which existing neighborhoods will be receiving the increased stack-and-pack densities created by this provision?
11. Mandatory TDCs on older lots.
12. Revive the attack on the Agricultural Cluster Subdivision Ordinance.
- 13: Water use restrictions such as water waste ordinances, retrofitting existing development through retrofit-on-sale programs, and adoption of water neutral development standards.
14. Mandatory plumbing retrofit.
15. Mandatory well meters and ongoing monitoring by County.
16. Restrictions on watering time intervals and how you use your water and control runoff.

Board of Supervisors Meeting of Tuesday, March 11, 2014 (Scheduled)

Item 11 - Presentation by the Economic Vitality Corporation (EVC) on the Economic Analysis Project. Several years ago Supervisor Mecham pointed out that there is a major inequity in the way local governments, including the County, review applications for permits for development. The system is set up to analyze all the possible problems without ever taking into account the positives. This is particularly true for business development, e.g., commercial, retail, manufacturing, office projects.

Applicants are typically put through years of grueling and expensive analysis before they can obtain permits. The California Environmental Quality Act (CEQA) requires that applicants assess over 50 categories of potential impacts, including water, air, sewer, traffic, cultural resources, biology, geology, fire, safety, noise, visual impacts, and on and on. Of course and in addition, building safety, roads, utilities and many other issues are analyzed as part of the proceedings.

The question arose: Shouldn't the County also analyze the potential benefits in terms of jobs, economic multipliers, and enhanced community features, such as economic choices, product availability, better shopping, more property tax revenue, sales tax revenue, transient occupancy tax revenue, and more diverse, interesting, and enjoyable communities.

To this end the County commissioned the EVC to analyze different types and sizes of specimen projects to see if the idea could work and if the information would be useful in informing the public and decision makers in more balanced way. The first phase is complete and it would appear that the outcome has been very successful. The very extensive and well-documented report can be accessed at the link:

<http://agenda.slocounty.ca.gov/agenda/sanluisobispo/3121/QXR0IDFfRWNvbm9taWMgQW5hbHlzaXMgUHJvZ3JhbSAtIFBoYXNlIElJIE91dGNvbWVzIEZpbmFsIDAyMTQu cGRm/12/n/25664.doc>

The report provides empirical data about the benefits of projects that were included in the phase one sample.

Table 1 -Economic Analysis Pilot Project (Phase I and Phase II)

| Applicant/Project | Jobs | Sales | Sales Tax | Property Improvement Tax Estimate |
|--|--------------|----------------------|--------------------|-----------------------------------|
| Digital West Data Center Expansion | 946 | \$74,339,457 | \$557,546 | \$108,339 |
| Grover Beach Lodge & Conference Center | 294 | \$33,019,702 | \$412,746 | \$173,685 |
| Hillside Terrace Multifamily | 41 | \$3,551,240 | \$26,634 | \$25,438 |
| Vintage Homes Multifamily | 43 | \$3,605,908 | \$27,044 | \$17,831 |
| Subtotal | 1,324 | \$114,516,307 | \$1,023,970 | \$325,292 |
| Marsh Street Commons | 128 | \$12,256,315 | \$153,204 | \$51,964 |
| Mindbody Expansion | 420 | \$63,316,342 | \$672,211 | \$160,985 |
| Subtotal | 548 | \$75,572,657 | \$825,415 | \$212,949 |
| TOTAL | 1,872 | \$190,088,964 | \$1,849,385 | \$538,241 |

Note: Economic effects vary, in some cases occurring on an annual basis, and in others, where the effect is based upon property sales, being a single event.

The next step would be for the Board to direct that this type of analysis be incorporated on an ongoing basis as part of the County's normal permitting process. Wonder if it has

been applied to the upcoming request from Phillips 66 to install additional rail sidings for the parking of tank cars?

An issue will be how to fund the expert analysis in the future. Applicants may have to fund it. They will need to assess whether the benefit justifies the cost.

Item 16 - Drought Report and Adoption of Local Emergency. The primary action recommended here is the adoption by the Board of a Declaration of a State of Local Emergency to deal with the drought. Staff cites the purpose of declaring a local state of emergency and what it means in the paragraph below:

A local emergency may be proclaimed when there is a condition of extreme peril or potential peril to the safety of persons and property, and the condition is beyond the capability of the local forces to control effectively. Having a local emergency proclamation in place will allow the county to respond more promptly to immediate needs, such as the ability to make immediate purchases or fund other immediate needs in order to obtain vital supplies, equipment, and other resources that are lacking and needed for the protection of life and property. Because all public employees in California are disaster service workers, the proclamation would also require as necessary, the emergency services of any county officer, employee, or resources from any County department. A proclamation of local emergency could also more easily demonstrate the need for state or federal drought related assistance, including funding, should any become available.

Does this mean that the County can appoint consultants necessary to prepare the ordinances and plan amendments listed in Item 14 of the March 4th Agenda (above) without responding to competitive Requests For Proposals and bidding?

Can requirements of the California Environmental Quality Act (CEQA) be waived with respect to the review and production of those items which normally would require environmental assessment?

The report contains data about the lack of water in reservoirs and lakes and the inability of the State to provide California Project water. It also forecasts dire problems. It discusses a variety of potential restrictions on the use of water.

The Report points out that the Federal Government has already declared San Luis Obispo County a drought disaster area. This means that local farmers, and ultimately the various jurisdictions and water purveyors, may be eligible for Federal aid.

Upon his visit to Fresno County on February 14, 2014 to meet with farmers and ranchers, President Obama pledged \$183 million from existing federal funds for drought relief programs in California. The President also announced that he would submit with his budget to Congress an allocation of \$1 billion in new funding for a “climate resiliency” program to help communities invest in research, development, and new infrastructure to prepare for climate disasters. In addition, President Obama and USDA Secretary Vilsack propose to reduce the time it has historically taken for farmers and ranchers to receive assistance from 8 months to 60 days. Information related to these

assistance programs can be obtained by contacting the local Farm Services Agency office or by visiting their website:

USDA, Farm Services Agency
65 S Main Street
Templeton, CA
(805) 434-0398

www.fsa.usda.gov

Some factoids from the Report:

State Water:

The State Water supply is catastrophically “at-risk.”

Nacimiento:

Although Nacimiento reservoir has dropped to 21% of its capacity, the greatest risk in 2014 is a reduction in downstream deliveries by Monterey County Water Resources Agency (MCWRA) for its groundwater recharge and diversion programs, which primarily benefits its agricultural sector .

Lopez Lake:

Lopez provides treated potable water to its participating agencies as well as downstream releases for agricultural, groundwater recharge, and environmental needs. The reservoirs total capacity is 49,388 acre feet, and is currently 56% full with an estimated 27,607 acre feet in storage. Of the existing capacity, 25,857 acre feet is available and 1750 acre feet is the remaining amount below the intake inlet level and unavailable for use. With annual deliveries of 4,530 acre feet established by contract with its participating agencies, and a downstream release allocation of 4,200 acre feet, Lopez currently has about 4 years of water in storage under current drought conditions.

Santa Margarita Lake:

The City of San Luis Obispo is the sole beneficiary of water stored in Santa Margarita Lake. Storage can only occur while the Salinas River is flowing between Salinas Dam and the confluence with Nacimiento River. The City coordinates its use of the supply with its other supplies to provide the greatest degree of reliability for the City’s overall sources of supply. As such, PWD does not manage deliveries but instead establishes deliveries to the City based on requests from the City.

County Operations Center (Including Jail)

The County Operations Center provides critical public safety and other governmental needs. The water system is almost wholly reliant on State Water supplies, which are delivered via the California Men’s Colony (CMC) pursuant to contractual arrangements. While 2014 State Water deliveries are currently occurring from carry-over water, the supply is at a level of catastrophic risk.

The full report can be accessed at the link:

<http://agenda.slocounty.ca.gov/agenda/sanluisobispo/3125/SXRlbSBEB2N1bWVudCAoUHVibGljKSA=/14/n/25682.doc>

Enabling Legislation For Customized California Water District Stalls

On Friday March 7, 2014, the Paso Robles Agricultural Alliance for Groundwater Solutions (PRAAGS) posted the following terse note on its website:

The Latest from Sacramento

As a result of initial feedback from our legislators, it has become evident that the special legislation faces significant scrutiny in Sacramento. We will not be filing our petition with LAFCO until the bill has been fully vetted in the Office of Legislative Counsel and we have better clarity on how best to move forward.

We feel strongly that a locally managed water district is the best solution for the Paso Robles Groundwater Basin and we thank you for your continued support.

A Cal Coast News March 6, 2014 article quoted Supervisor Mecham on the surprise:

“It looks like it’s dead,” said First District Supervisor Frank Mecham about the district plan upon his return from Sacramento, where he discussed the proposed district with Sen. Bill Monning, (D-Carmel), Assemblyman Katcho Achadjian (R-San Luis Obispo) and staff members.

“I wish we’d heard about this problem earlier,” he added.

Mecham said the county contingent was told that legislation introduced recently by Achadjian appears to be in conflict with the state constitution. The most apparent issue, said the lawmakers, was the makeup of the governing board. The supervisor was accompanied by San Luis Obispo County Administrator Dan Buckshi and Public Works Director Paavo Ogren.

“We wanted to find out if this thing (the formation plan) was going anywhere,” said Mecham, “and what we heard was that ‘there might be some issues here.’”

Monning told the county group that they “may have hit a brick wall here,” Mecham said.

“This wasn’t my deal, I just tried to bring folks together on this,” Mecham said. He told members of two local groups who had been supporting the district formation plan about the potential problems Thursday morning.

Suddenly the proposal, on which 4 of the 5 Supervisors have been heaping praise as a collaborative local approach to solutions, has become an orphan. There were no quotes from Supervisors Gibson or Hill who engineered the illegal Paso Basin Water Basin moratorium in any of the print media we reviewed as of this writing.

Item Continued From February 18, 2014 Meeting-Planning Department Work Program Priorities for 2014-15.

ITEM 12- The staff recommends that within the resources which have available for general planning, the following list be adopted:

Proposed Top 10 Priorities

Based on direction from your Board, the proposed Top 10 list and status is as follows:

- Prepare a 'Complete Communities' survey*

Status: In Progress. The Department received a grant to complete a community infrastructure needs assessment for the communities of San Miguel, Nipomo, Oceano, and Templeton. Public meetings occurred in the communities in late 2012. Reports on facilities needs and costs and funding and financing options have been completed. The entire study should be completed in February 2014, followed by a presentation to the Board.

- Complete the draft Los Osos Habitat Conservation Plan (begin Fish and Wildlife agency review) and begin the Los Osos Community Plan update.*

Status: In Progress. Consultation between agencies and County staff is occurring. Phase I includes the agency review draft plan and is scheduled for completion in early 2014. Phase II includes public review of the draft plan and is scheduled to be completed in 2014. The Community Plan update has been authorized for processing by the Board. Funding for preparation of an Environmental Impact Report is in the Department budget. Notification to property owners for requests for zone changes were advertised in two local newspapers in March 2013. A Los Osos Community Advisory Council

(LOCAC) subcommittee continues to meet to gather public input and meetings will continue into early 2014. The County applied for, but did not receive, a Coastal Commission LCP grant to fund studies that will help in preparation of the Community Plan and its EIR.

- Complete e-permitting for specific photovoltaic systems.*

Status: In Progress. The Department is currently in development of an e-permit for specific photovoltaic system permits. This would allow applicants to complete the permitting process entirely on-line without having to come into the office. This system should be available early in 2014.

- Update the San Miguel Community Plan.*

Status: In Progress. Following a successful community outreach process and preparation of an administrative draft plan by the City and Regional Planning Department at Cal Poly, the Board, on November 1, 2011, authorized the community plan update. Grant funding was received to complete technical background reports most of which are complete. A public review draft of the Community Plan update was released in June 2013. The preparation of an Environmental Impact Report is underway. This comprehensive community-based plan will help shape new growth and development, enhance the quality of life, and bring vitality to San Miguel.

- Prepare ordinance amendments to revise standards to encourage in-fill development*

Status: In Progress. The Department received a grant to complete amendments that would evaluate and revise existing provisions in the Real Property Division Ordinance (Title 21), Land Use Ordinance (Title 22) and Coastal Land Use Ordinance (Title 23) which make it difficult to develop on in-fill sites in urban areas in compliance with the County's strategic growth policies. A Request for Proposal process was completed and a consultant chosen. Public outreach has occurred. A package of draft Land Use Ordinance amendments, as well as a compendium of development types and a "toolkit" of planning and design recommendations accompanied by form-based code examples should be available in the Spring of 2014 or earlier.

- Implement an "emPower" program in San Luis Obispo County*

Status: In Progress. This program would be an expansion of Santa Barbara County's comprehensive financing program for energy efficiency project for homeowners. The program would cover San Luis Obispo, Santa Barbara and Ventura Counties and would offer homeowners the ability to get low interest unsecured loans to complete energy efficiency projects. Grant funding will cover the costs of staffing and marketing of the program. Agreements from Santa Barbara County for the grant funding should be coming to your Board for review in the next two to three months.

- Complete the draft of a Renewable Energy Combining Designation and related ordinance amendments for implementation.*

Status: In Progress. The California Energy Commission (CEC) has awarded the County a Renewable Energy and Conservation Planning Grant of \$638,152 to fund a Renewable Energy Streamlining Program. The program would include amendments to revise policies, combining designations and ordinances to streamline development of renewable energy projects in areas of the county that meet selected criteria. Also includes preparation of an Environmental Impact Report (EIR) that evaluates specific areas proposed for a new Renewable Energy (RE) combining designation based on mapping of resources, infrastructure and constraints. The grant agreement with the CEC was approved by your Board on July 9, 2013, and a contract for a consultant team to perform the work in conjunction with County staff was approved on August 13, 2013. The consultant team has conducted initial stakeholder interviews and has prepared an administrative draft opportunities and constraints analysis, together with extensive mapping, which is expected to be released in early 2014.

Paso Robles Groundwater Basin (PRGWB) Urgency Ordinance Implementation.

Status: In Progress. On August 27, 2013, your Board adopted an Urgency Ordinance covering a majority of the PRGWB that requires new uses to offset their water demand at a ratio of 1:1 and new wells to be metered and monitored by the property owner. On October 1, 2013, your Board took action to provide direction to staff relative to implementation of the ordinance. Implementation includes preparation of a County Approved Conservation Program for both new development (residential and commercial) and agricultural offsets. The new development offset program will come to your Board on February 11, 2014, the agricultural offset program will be ready for review by your Board in the Fall of 2014. Implementation of the ordinance, including vested rights determinations, is ongoing.

Complete the public review drafts of various general plan and ordinance amendments relating to water demand and supply.

Status: In Progress. On December 3, 2013, your Board provided direction to staff to return with a formal request to consider the authorization of amendments that could include implementing certain policies in the Conservation and Open Space Element, restricting the sale of groundwater outside of the PRGWB, modifying general plan policies that relate to agricultural and residential water use, modifying the Transfer of Development Credit program, and creating a new land use category that would limit irrigation. On March 4, 2014, staff will be returning to your Board with this request.

The project highlighted above is designed to make the provisions of the Paso Water Basin Urgency Moratorium Ordinance permanent.

Complete the public review draft of the Housing Element update consistent with state mandates.

Status: In Progress. The Board authorized the processing of amendments to the Housing Element of the County General Plan on January 29, 2013. Generally, the County must update its Housing Element to be in compliance with State law every five years. The next Housing Element Update is due on June 30, 2014 to the State Office of Housing and Community Development (HCD). It will cover a 5½ year period from January 1, 2014 to June 30, 2019.

The report indicates that to carry out the overall work of the Department (mostly conducting inspections, reviewing plans, administering Federal and State grants) plus managing the long-range planning programs above, it needs 92.5 full-time employees (FTEs). It just happens to have that many.

Currently the Department estimates that in order to complete the revenue generating items on Table 1, 42.25 FTE (full time equivalent) positions are needed. The mandated and budgeted programs on Tables 2 and 3 require an approximate additional 50.75 FTE positions. The Department currently has 92.5 FTE positions on the Position Allocation List (PAL) and at this time, 6.00 of these positions are vacant and three are actively under recruitment.

The message here is that if the Board wishes to add projects or tasks to the Department's workload, it will have to add FTEs and budget.

Planning Commission Meeting of Thursday, March 13, 2014 (Cancelled)

This regular meeting has been cancelled. The next one is scheduled for March 27th.