

COLAB SAN LUIS OBISPO COUNTY

WEEK OF JUNE 3-9, 2012

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ALERT

HABITAT CONSERVATION PLANS ON AGENDA FOR FUNDING:
THIS IS A FEDERAL SCHEME TO TAKE CONTROL OF PRIVATE
LAND

ENERGY PATRONAGE CONTRACT AND GRANTS?

COUNTY PRISONERS TO EAT FRESH AND LOCAL

Board of Supervisors Meeting of Tuesday June 5, 2012 (Scheduled)

Local Food Purchase Policy. The Board will consider adopting a policy to require County agencies to purchase locally produced food. This is viewed as both an economic development project and a food independence (sustainability/environmental) project. In part the write up states:

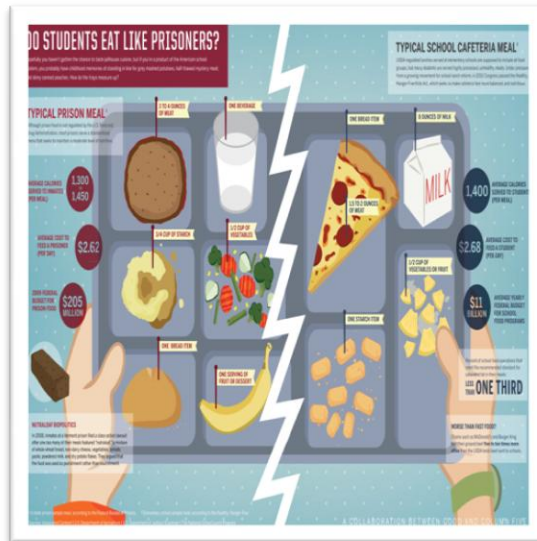
The County only has control over food which is purchased for the jail and juvenile services center. The total amount spent on food in FY 2010-11 was \$595,494 (\$94,550 on produce). The Local Food Purchase Policy would require that reasonable efforts be made to purchase local produce at prices that are fair to all parties concerned, before purchasing produce elsewhere.

Policy defines "local" by the following three tiers. The first preference would be to purchase Tier 1 produce. If that is not available, then Tier 2 produce would be acceptable. If Tier 2 produce is not available, then Tier 3 produce would be acceptable. If no local produce is available in any of the tiers, then purchasing produce outside the tiers would be allowed.

- *Tier 1 –produce grown and processed within San Luis Obispo County*
- *Tier 2 –produce grown and processed within 5 neighboring counties Monterey, Kern, Kings, Ventura, and Santa Barbara*
- *Tier 3 – produce grown and processed within the State of California*

The General Services Agency Director shall conduct biannual updates to the policy.

Most of the County’s food purchases are for the jail and some are for the juvenile hall. Inmates and pre-trial detainees in the jail could enjoy the fresh vegetables, strawberries, (local vintage wines?), and locally grown beef as a result of this “sustainability” policy.



Habitat Conservation Plans, A Giant Costly Land Grab. Two separate contracts for the preparation of habitat conservation plans (HCP’s) are on the agenda. The first is for Los Osos and is required as a condition of the sewer project. The second is for a very large area covering most of the northern and eastern parts of the County. The maps which show the extent are in PDF-A format and will not copy and transfer to this update. The Planning and Building Department has locked them so that no one can make alterations. Suffice it to say that the second project covers about one third of the County land area.

The ostensible purpose of the two Board items is to amend and extend the terms of the contracts with the consulting firms that are undertaking the projects. The work is far behind and is costing more because the process is so complex and because working with the US Fish and Wild Life Service (the sponsor of the HCP process) and the California Department of Fish and Game (a partner) is tedious, time consuming and expensive. The large inland project budget (just for preliminary studies) appears to be approximately \$344,000. This expense covers only one phase of the project, called the “draft conservation program”. The Board letter is such a jumble that it is impossible to really understand the finances. Similar to other projects, the County staff is raking off part of the money to “manage” the project.

Nowhere in the Board letters is there any indication of the full cost over the lives of these projects up to the point where Fish and Wildlife approves a HCP.

The alleged benefit is that if a jurisdiction has an HCP, farmers, ranchers, home owners and others who are expanding cultivated areas or building a barn or whatever will supposedly not have to get separate permits (called incidental take permits) from Fish and Wildlife. If they accidentally kill a kit fox, salamander, giant kangaroo rat, thistle, or other protected,

listed, or endangered species, they are theoretically protected from Federal and State prosecution, fines, mitigation penalties, and prison.

What is not mentioned in the Board letters is that in order to qualify for the HCP, there must be mitigations. The habitat loss must be “mitigated”. A brief summary of the requirements includes:

Most projects requiring an Incidental Take Permit involve impacts to, or losses of, habitat. Mitigating for habitat loss requires either the replacement or protection of habitat within the HCP area or at another location. This may be accomplished through a variety of methods including:

1. Acquiring existing habitat;

COLAB COMMENT: What will this cost? How will it be financed? Whose land will be included? What if no property owners volunteer their land?

2. Employing conservation easements to protect existing habitat;

COLAB COMMENT: Same as for number one above.

3. Improving or restoring degraded habitat;

COLAB Comment: Who will pay for this? Will ranchers, farmers, and other citizens be forced to pay for this as conditions for putting in a winery or expanding cultivated fields?

4. Management of habitats to achieve specific conditions; or

5. Creating new habitat.

COLAB Comment: This will just make things worse. As a result, even more areas will be off limits and will be subject to even more regulation. Taken to its logical extreme over decades, this program could spread to such a degree that large blocks of private property would effectively be converted to natural preserves and taken off the tax rolls, further exacerbating the regulatory/tax/fee death spiral.

Examples of habitat mitigation programs

Habitat Banking- used to mitigate for habitat loss by designating and protecting land through conservation easements within the HCP area during the design phase of the project.

Mitigation Credit System- uses protected (banked) lands as credits available for purchase. This system enables parties capable of protecting large areas to receive monetary gain from other parties requiring habitat mitigation. Likewise, this system is beneficial for parties not capable of protecting sufficient habitat within their HCP area by enabling them to quickly purchase credits that satisfy their mitigation requirements.

COLAB Comment: This is nothing less than a government shakedown. “Promise not to use your land and we (the County) will force someone who is expanding a crop or whatever to pay you for a credit.” This is land use cap and trade.

Mitigation Fund- involves making monetary contributions of an established amount to an account that is used as a habitat acquisition fund.

COLAB COMMENT: This is just another tax in disguise.

In General:

The County has not disclosed the real costs and purposes of the HCP programs, which are to assist the Federal Government to take over private land.

This program should be stopped cold.

WAKE UP AND OPPOSE THIS INSIDIOUS SCHEME.

PG&E Green Energy Grant/Hiring of Consultant. The County has received a \$626,000 grant from PG&E to select 120 businesses for potential participation in the program. A consultant, Abraxas, will be paid \$419,000 out of the total grant. The consultant will select 40 businesses with the highest energy usage to participate. The County staff will “assist” these businesses in “developing energy savings plans.” The top 20 will become “poster children/examples” for others. A movie will be made of their experience and used as an education tool. Cal Poly and Questa students will participate.

It is not clear how the businesses will pay for the energy saving windows, insulation, lawn removal, plumbing fixtures, appliances, structural changes, etc. Perhaps this will come from the presumed energy savings. The gist of the project is described below:

Accepting the PG&E Innovator Pilot Grant and implementing this program will help support the Building Design and Construction Cluster, the Green Energy Team Cluster, the Uniquely SLO Cluster, and the Knowledge & Innovation Services Cluster. The program will provide opportunities for businesses that provide energy efficiency products and services, such as engineers and contractors, as well as businesses that could benefit from energy efficiency products and services. The Green Energy Team Cluster will be supported through the development, packaging, and publicizing of energy efficiency upgrades to underserved businesses in the county and other rural communities. The Knowledge & Innovation Services Cluster will also benefit, as Cal Poly and Cuesta College students will gain professional and technical skills through the outreach competition.

There are no fees or matching funds associated with the acceptance of the PG&E Innovator Pilot Grant. The total grant award for the two year period is \$625,996 of which \$418,773 is allocated to Abraxas to conduct the energy audit assessments; the balance is for administration of the program.

By accepting the PG&E Innovator Pilot Grant Contract and implementing this program, the County will demonstrate the use of local government engagement for the purposes of an energy efficiency program for small and medium businesses that are underserved in the

county. This program will offer economic benefits by helping small and medium businesses reduce energy expenses, resulting in job creation and additional economic benefits for the County of San Luis Obispo.

The paragraph immediately above deserves special recognition as an example of empty government writing: *“the County will demonstrate the use of local government engagement for the purposes of an energy efficiency program for small and medium business that is underserved in the county.”* As Gertrude Stein might have said, “the County is engaging its purposes.” Finally?

It is not clear from the Board letter how Abraxas was selected. It does not indicate if there were bids or a request for proposals. Nor is it clear exactly how Abraxas is structured. One of its web sites says it is a San Luis Obispo based company that does energy audits, energy billing audits and sells data systems that manage energy usage. Another site says it is a vendor of energy management software based in Houston and is a division of the Abraxas Oil Company. The SLO Chamber of Commerce lists it as a member. No web site contained information about its officers or chief employees.

Climate change has become quite an industry. One question is whether it is a form of political patronage. The Board gives a juicy contract to a local firm. The staff picks private sector businesses to receive free energy audits and consulting. The Planning and Building Department rakes off \$207,000 to “manage” the project and keep more staff on payroll.

You pay for it all in your ever-increasing PG&E bill.

Santa Margarita Drought Reliability Assessment Fails. The Board agenda contains an item to terminate the Santa Margarita Drought Reliability assessment process. Santa Margarita property owners rejected a new water assessment by a vote of 74.8% to 25.2%. This Prop. 218 vote is a weighted vote based on the assessed value of the owners’ properties. It would have provided up to 5 acre feet of back up water per year for use in dry years. Similarly, several weeks ago Nipomo voters rejected an assessment for State water to be sold by the City of Santa Maria and delivered through a new pipeline. The Nipomo water district immediately suspended issuing any can-and-will-serve letters for new water service.

NOTICE: Board of Supervisors Budget Hearings: Monday June 11 and Wednesday June 13, 2012

The hearings will take place on the days noted above starting at 9 AM. The bulk of the proposed 2012-13 Annual County Budget will be heard in an all-day session on Monday. This will include a review of each department and the Capital Improvement Budget. Any matters not completed on Monday will be carried over to Tuesday June 12th. The Wednesday session will cover County contributions (\$1,798,000) to a variety of not-for-profit health, social services, environmental, cultural, and recreational associations, as well as the Visitors and Convention Bureau. It also includes a \$23,438 slush fund for each Supervisor for “district community projects.” Part of the amount does not actually support public benefit organizations but goes for dues in organizations such as the Local Agency Formation Commission and consulting fees to pay the County’s State and Federal lobbyists.

Our favorite is the County's \$35,000 Deferred Compensation Administrative fee. Why don't the employees who are investing in the County's Deferred Compensation Plan (a benefit on top of the defined benefit pension system) pay for this?

An analysis of the larger and more important budgetary issues will be presented next week.

San Luis Obispo County Council Of Governments (SLOCOG) Meeting of Wednesday June 6, 2012, 9AM (Scheduled)

Complete Communities Tool Box. This item returns from the April 4, 2012 meeting from which it is continued. This is a small consulting contract. As we pointed out back in April, it is just another part of spending tax money to spread the "smart growth doctrine." As the April staff write up said (which has been rewritten for the updated item deleting some of the philosophy):

The Complete Communities Practices Tool Box is intended to provide local governments a sample of best practices of unique and innovative examples of means to more effectively examine and improve the policies, codes, zoning regulations and development and design standards that address how a community grows. Local governments are challenged with the task of translating the concepts of good development practices for citizens and developers and this effort will help show how a community can accomplish an effective local program that integrates planning, regulations, public investments, and education programs that can be coordinated with state and federal transportation and environmental programs. The Tool Box will include a examples of "Best Practices" and innovative measures as suggested in agency surveys, research, and in cooperation with TTAC and agency Planning Directors. These may include such concepts as the following:

- *Complete Street Standards*
- *Innovative Parking Standards*
- *Modern Roundabouts, innovative signal and intersection concepts*
- *Innovative pedestrian and bikeway design*
- *Bike or car-sharing programs*
- *Flexible Design through Mixed Use and/or Planned Unit Development*

As it says "local governments are challenged with the task of translating the concepts of *good development standards* (COLAB's emphasis) for citizens and developers..." Perhaps the citizens don't actually want the "good standards" rammed down their throats. Perhaps they don't want to be forced to live in mixed use developments. They are taxing us to brainwash us.

SLOCOG Cash Flow Issues – Three 16's to Watch. SLOCOG receives most of its revenue from 16 intergovernmental Federal and State formulaic sources. Reportedly, payments from several of these have slowed down and are up to six months in arrears. The

Director has put forth a plan to borrow money from various funds (pots) to keep the agency functioning. This is not currently a significant issue in and of itself, but it may provide a preview of future problems, especially as the State deals with its \$16 billion deficit and Congress deals with its trillion dollar deficits and \$16 trillion debt.