BEFORE THE TULARE COUNTY PLANNING COMMISSION
IN AND FOR THE COUNTY OF TULARE

PUBLIC HEARING IN RE:
GENERAL PLAN 2030 UPDATE,
PROPOSED FINAL ENVIRONMENTAL
IMPACT REPORT, AND PROPOSED
CLIMATE ACTION PLAN

Visalia, California
December 7, 2011

REPORTER'S TRANSCRIPT
OF
PROCEEDINGS

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VISALIA, CALIFORNIA

WEDNESDAY, DECEMBER 7, 2011

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CHAIRMAN MILLIES: December 7, 2011,
Tulare County Planning Commission is now back in
session.

We're moving on to Item 6, continued
public hearing, 6(A), General Plan 2030 Update,
Proposed Final Environmental Impact Report, and
Proposed Climate Action Plan.

And I might comment before we get into
this that the posting on this had been incorrect
in stating that the Planning Commission has
continued the public hearing on this Proposed 2030
Update. It has not.

That has been subsequently corrected.
I did close all public and written -- public
testimony and written input at the last session in
November.

So let the record state that that is
the case, and we are moving on for consideration
of approval of three actions this morning:

Consider the Tulare County General Plan
2030 Update, Proposed Final EIR, and Climate
Action Plan, continued from October 19, 2011, and
November 16, 2011.

And our contact this morning is David Bryant. Good morning, David.

MR. BRYANT: Good morning, Mr. Chairman, members of the Commission. Dave Bryant, special projects manager, with the County of Tulare Resource Management Agency.

The purpose of the meeting today is to receive a staff presentation on staff's summary of the public input regarding the Proposed General Plan.

CHAIRMAN MILLIES: Maria, could you turn the lights down?

THE CLERK: Yes.

CHAIRMAN MILLIES: Thank you.

MR. BRYANT: The purpose of the meeting is to receive a staff presentation on staff's summary of the public input regarding the Proposed General Plan 2030 Update, Proposed Climate Action Plan, and Proposed Final Environmental Impact Report for the public hearings that were held on October 19, 2011, and November 16, 2011, to review staff's recommendations, and approve the following Planning Commission recommendations to the Board of Supervisors.
One, resolution recommending certification
of the Proposed Final EIR for the Proposed General
Plan 2030 Update and Proposed Climate Action Plan.

Two, resolution recommending adoption of
the Proposed General Plan 2030 Update
incorporating modifications described therein.

And, three, resolution recommending
adoption of the Proposed Climate Action Plan.

At your October 19th public hearing, 23
persons provided verbal comments. And on November
16th, 21 persons provided verbal comments. A
total of 44 written comments were received before,
during, and after up until November 16th.

Areas of continued comment regarding the
General Plan Update and Final Environmental --
Proposed Final Environmental Impact Report include
the following topics: Climate change, air
quality, water quality and quantity, land use,
project buildout assumptions, level of detail and
programmatic nature of the recirculated draft
environmental impact report, enforcement of
General Plan policies, range of alternatives,
healthy growth, smart growth, compact development,
city-centered growth, location of development and
new towns, regional growth corridors, preservation
of agricultural land and open space, disadvantaged communities, infrastructure needs, inventories, archaeological resources, and flood control.

Staff has conducted a review of these continued comments, and these areas of comment regarding the General Plan Update, Final Environmental Impact Report are addressed in the following manner:

In regards to climate change, the Climate Action Plan has been prepared to address AB 32 and compliance with SB 375 regarding a host of different smart growth concepts.

These are addressed in the Climate Action Plan, Planning Framework, other elements as listed in the PowerPoint, the Recirculated Draft EIR, appendices, and Final EIR, Proposed Final EIR, including Master Response 10.

Regarding water quality and quantity, the General Plan Update provides for current and long-range needs for the county for the protection of both the supply and quality of water.

These areas are addressed again in a number of General Plan elements, including Planning Framework, Environmental Resources, Health and Safety, Water Resources, the
Recirculated Draft EIR, its appendices, and the Final EIR, including Master Response Number 6.

For land use and buildout assumptions, the land use diagram in Figure 4-1 provides an appropriate level of detail for the General Plan.

These areas are addressed in the General Plan Land Use Element, Recirculated Draft EIR, its appendices, Proposed Final EIR, and Master Response 5.

Regarding level of detail and the programmatic nature of the Recirculated Draft EIR, the programmatic document provides policies that are adequate at the General Plan level.

Again, as we had discussed at our previous meetings, a greater level of specificity is provided with other plans.

These areas are addressed in the Recirculated Draft EIR, its appendices, the Proposed Final EIR, including Master Response Number 4.

The next topic is enforcement of General Plan policies. Again, the programmatic nature of the document is appropriate.

These areas are addressed in the Recirculated Draft EIR, its appendices, the Final
EIR, including Master Response 3.

Range of alternatives. Consistent with CEQA requirements, the EIR process reviewed scenarios and developed a range of alternatives designed to feasibly attain most of the project objectives.

These areas are addressed in the Recirculated Draft EIR, Proposed Final EIR, including Master Response Number 9.

Healthy growth, smart growth, compact development, city-centered growth. The General Plan Update provides for smart growth and healthy communities, a promotion of in-fill, mixed-use development, LEAD and intermodal connectivity.

Again, these areas are addressed in the Climate Action Plan, General Plan Planning Framework Element, other elements as listed here, and also addressed in the Recirculated Draft EIR, its appendices, and the Proposed Final EIR.

Location and development and new towns. Preservation of resource conservation is accomplished by managed growth in urban communities. And consistency is applicable with associated area plans as contained in the Planning Framework element.
In addition to the Planning Framework element, this topic is also addressed in the various elements that are listed here, including the Recirculated Draft EIR, its appendices, and the Proposed Final Environmental Impact Report.

Regional growth corridors. The Corridor Framework Plan in part two of the General Plan Update provides for future corridor plans to be adopted.

Pending the approval of regional corridor plans, the county may approve highway-oriented commercial, industrial, and mixed-use development only at specific intersections of major collectors and subject to conformity with the Rural Valley Lands Plan and specified standards.

These areas are addressed in the Planning Framework element, Corridor Framework Plan, the Recirculated Draft EIR, its appendices, and the Proposed Final Environmental Impact Report.

Preservation of agricultural land and open space. The General Plan Update promotes the long-term preservation and productivity of agricultural lands.

This is addressed in the Planning Framework element, the Ag element, Land Use
element, other elements as listed here in the PowerPoint slide, including the Recirculated Draft EIR, its appendices, and the Proposed Final Environmental Impact Report.

Disadvantaged communities and infrastructure needs. The General Plan Planning Framework element provides a framework for economic development, provision of public services, quality of life in hamlets, provides for acceptable levels of service to minimize costs and provide criteria for determining location, capacity, and timing of future public facilities and services.

The General Plan addresses this topic in the Planning Framework Ag element, other elements that are currently listed on this slide, the Recirculated Draft Environmental Impact Report, its appendices, and the Proposed Final EIR.

Inventories were raised at the last meeting. Numerous inventories are contained in the background report, Recirculated Draft EIR and its appendices.

The background report contains over 130 tables and over 40 figures. The Recirculated Draft EIR contains over 100 tables and over 30
figures.

Specifically, areas of interest include Williamson Act properties, which are included in the background report Chapter 4, natural communities, background report Chapter 9, scenic resources, background report Chapter 11, and public facilities in the background report Chapter 7.

These areas of continued comment are addressed in the background report, the RDEIR, and its appendices.

Archaeological resources. The General Plan Update provides policies to manage and protect cultural and archaeological sites of importance.

These areas are addressed in the Land Use element, Environmental Resources Management element, Foothill Growth Management Plan, the Recirculated Draft EIR, and its appendices.

Flood control. The General Plan Update and the Health and Safety element contains policies to minimize the possibility for loss of life, injury, or damage to property as a result of flood hazards.

These areas are addressed consistent with
the requirements of AB 162 as specified in the policy comment matrix 3-C, Number 33, on page eight of that matrix.

Staff and its consultants have conducted a review of the written and verbal comments and have not identified any new CEQA issues that would require additional environmental studies.

The materials contained in your agenda item are appropriate and contain sufficient detail to consider staff recommendations.


To review staff recommendations and approve the following Planning Commission recommendations to the Board of Supervisors:

Number one, resolution recommending certification of the Proposed Final Environmental Impact Report for the Climate Action Plan and the Proposed General Plan 2030 Update.

Resolution recommending adoption of the
Proposed General Plan 2030 Update, incorporating modifications described therein, and resolution recommending adoption of the Proposed Climate Action Plan.

That concludes staff presentation. Staff would be happy to address questions or comments that you may have.

Again, I'd like to introduce Ray Weiss, our environmental consultant, with ESA in Sacramento, who has assisted us in regards to the preparation of various environmental documents. He is available, along with our staff, to address any questions or comments that you may have.

CHAIRMAN MILLIES: David, could you pop that last slide up there for me, please.

So these are the -- at the last session, there was a recommendation that staff put together a composite of the recommendations going to the Board of Supervisors.

MR. BRYANT: Yes. As contained in your agenda package, you'll note that there is an additional item included as part of the resolution materials for the resolution recommending to the Board of Supervisors regarding the Final Environmental Impact Report.
There is an Exhibit A, which includes a
detailed summary of the areas of continued comment
that were addressed in the PowerPoint
presentation.

MS. PITIGLIANO: Which is five.

MR. BRYANT: Those begin on page five of
that resolution.

CHAIRMAN MILLIES: Questions from my
fellow commissioners?

If none, we will proceed to address the
first action, which was to recommend that the
Board of Supervisors certify the approval of the
Final Environmental Impact Report.

MR. ELLIOTT: I just want to make a short
comment before we go into the approval or the
non-approval process.

I think that the Planning Department has
done an adequate job in giving us a framework to
work with here.

I think that from all the comments that I
have reviewed and listened to, I think we're
pretty much in agreement that, you know, what
growth and development we do want needs to be of
the smart variety, and I think that my colleagues
up here and myself are in the majority, we're
certainly for that, and we wish the plan could be a lot more specific than it is, but it is, in fact, a General Plan, and that's why it's called that.

I think the main thing that, no matter what happens beyond this point, I think that you'll find -- I know myself and I'm sure my colleagues, too -- that what we want is to safeguard our natural, cultural, and scenic resources, because that's what makes it great to live here in Tulare County.

And I want Tulare County, in the future, and I'm sure you do, too, where our kids who go off to college, or wherever, can come back and raise their families here, and want to do that.

So by doing that, we have to plan for transportation, and housing, and things that are smart and that work.

And I think we have the framework here to do that, but when it comes down to the specific decisions that we have to make, I guarantee you that they have to be reflective of these comments and the things that people have told us and charged us to do. Because I, for one, will be a staunch advocate for that. I just want to go on
record saying that.

MR. DIAS: Well, since we're making
comments --

CHAIRMAN MILLIES: I asked you for
comments, so you can make them.

MR. DIAS: I just want to make one comment
here. I think last meeting Mr. Raper kind of put
into words kind of what I had been thinking, but
didn't really say until now, and that is -- and I
can't speak for the rest of my commission members
here, but I'm not a plan -- trained planner.

So reading a lot of this stuff here, and I
read bunches of it, and some of it I just didn't
fully grasp, and so I have to trust that the staff
and their consultants, working with the guidelines
that they developed with the community outreach,
and the questions, and the meetings that they had,
are putting a document together on this General
Plan Update that is going to satisfy legal
requirements and is going to provide us a
framework to move forward for the next 20 or 30
years.

And when my staff comes to me after saying
that and going through this much work and
listening to all this testimony and they tell me
this is the product, this is best product we've
got for the time, and it's going to work, it's
adequate, and they tell me that they recommend
that we endorse it, then I have to say I'm on
board, and I'm ready to move on.

COMMISSIONER NORMAN: Just a brief comment
to echo sentiments of my colleagues.

The General Plan amendment, it's an
amendment, it's a work in progress.

As we approve this, or disapprove this,
depending on what the rule of the board is, it
puts systems in place so we can tackle some of
these water issues, so we can plan for these
things, smart growth, water quality, the smart
growth, with the exception of some of the
case-by-case emergency vehicle access, I mean it's
what we need, and nobody wants to tackle those big
environmental issues of air quality.

Again, staff, you did a very commendable
job on this. Thanks for all your hard work.

CHAIRMAN MILLIES: I'll make a final
comment if you'll indulge me for a minute. I made
this comment at the last session when we addressed
this.

This is like keeping a thousand ants in a
circle. It's a term I like to use. Because it's impossible to keep everything all in one place and be precise on every absolute element of this plan.

But there was some work done by the staff a while back, and there was a section in here that said it's important to note that the General Plan Update is a living document. Each element can be amended up to four times a year. And I said that the last time.

It's certainly an imperfect document.

However, the elements of protecting the county's important agricultural resources, which I think is our number one priority, and scenic natural lands, strictly limits rural residential development, promotes sustainability, provides opportunities for small and incorporated communities to grow or improve quality of life, so forth and so on, promotes reinvestment in existing unincorporated communities, allows existing and outdated agricultural facilities in rural areas to be retrofitted and enhanced, planning coordination and cooperation with the agencies and organizations with land management responsibilities adjacent to Tulare County. That sort of summarizes it.
It's a strategic plan. It's not a
tactical plan by any stretch, although there are
tactical elements in it.

And, again, it's imperfect. But what the
public needs to understand here is that we're
stewards of agriculture, first and foremost, in
this county, and we're an impartial body, this
commission of citizens of Tulare County. We're
your peers.

There were some comments at the last
public session that we weren't looking out for the
best interests of the public. And that's totally
untrue. We are you.

And it's a compilation of the best-laid
plans of man at this time.

So as it relates to this commission and
its charter, it's to rule on land use and all
those elements of environmental nature that are
affected by that use. We're the stewards of the
land here.

And we're the sanity, we're the parity
check, on actual application and implementation of
these plans in terms of policy and procedure.

So, for people to say, well, you're going
to do something that is pretty erratic here is
untrue.

We're going to follow case by case as it comes out, and we're going to rule on those cases.

But this is a structure that we'll move forward with, and I think everybody feels fairly good about it.

So that's all I want to say. And I hope that everybody appreciates that we're doing the best job we can.

MR. WHITLATCH: I'd like to make just one quick comment, Mr. Chairman.

I'd like to thank all those who have given the input because I have seen volumes of things written, and that took a lot of time.

But I hope you continue to be involved because you're going to have an opportunity on these community plans, you know, the foothills, Three Rivers, Goshen, all these communities, these hamlets, that's where we plan to be very specific about what happens, and there may be some new things come up like the City of Visalia and its urban area boundaries, just what exactly happens in those areas.

So I am very much in favor of keeping agriculture alive. You know, I saw my precious
Los Angeles built over. You know, I remember lots of agriculture, and I don't want to see it happen here.

And so please continue to be involved and pay attention. And if you need notices on the community plans, Goshen is coming up, it's a very important community, and the people of Goshen, they have their own committees, and they're a strong community, and so we hope to see your comments in the future. Thank you.

CHAIRMAN MILLIES: Anyone else? So let's move on to the items to address here.

Item one is to recommend that the Board of Supervisors certify the approval of the Final Environmental Impact Report. Do I have a motion to recommend that?

MR. DIAS: I'll make that motion.

CHAIRMAN MILLIES: Do I have a second?

MR. NORMAN: Second.

CHAIRMAN MILLIES: Roll call?

THE CLERK: Gong?

COMMISSIONER GONG: Yes.

THE CLERK: Millies?

CHAIRMAN MILLIES: Yes.

THE CLERK: Elliott?
MR. ELLIOTT: Yes.

THE CLERK: Dias?

MR. DIAS: Yes.

THE CLERK: Whitlash?

MR. WHITLATCH: Yes.

THE CLERK: Pitigliano?

MS. PITIGLIANO: Yes.

MR. WHITLATCH: If Gil was going to vote, how would he vote? Could we ask that?

MR. AGUILAR: Yes.

CHAIRMAN MILLIES: So moved.

Item 2, recommend that the Board of Supervisors adopt the General Plan 2030 Update. Do I have a motion to that effect?

MR. GONG: I'll move and recommend the Proposed General Plan.

CHAIRMAN MILLIES: Do I have a second?

MS. PITIGLIANO: I second that.

CHAIRMAN MILLIES: Roll call?

THE CLERK: Gong?

MR. GONG: Yes.

THE CLERK: Millies?

CHAIRMAN MILLIES: Yes.

THE CLERK: Elliott?

MR. ELLIOTT: Yes.
THE CLERK: Dias?
MR. DIAS: Yes.
THE CLERK: Whitlatch?
MR. WHITLATCH: Yes.
THE CLERK: Pitigliano?
MS. PITIGLIANO: Yes.
THE CLERK: Norman?
MR. NORMAN: Yes.
MR. WHITLATCH: Gil, how would you have voted?
MR. AGUILAR: Yes.
MR. WHITLATCH: He was lamenting today that he's come to all these meetings and he wouldn't have an opportunity to vote. I just wanted you to know his opinions.
CHAIRMAN MILLIES: So moved.
Item action 3, recommend that the Board of Supervisors adopt the Climate Action Plan. Do I have a motion?
MR. NORMAN: So moved.
CHAIRMAN MILLIES: Second?
MR. DIAS: Second.
CHAIRMAN MILLIES: Roll call.
THE CLERK: Gong?
MR. GONG: Yes.
THE CLERK: Millies?
CHAIRMAN MILLIES: Yes.
THE CLERK: Elliott?
MR. ELLIOTT: Yes.
THE CLERK: Dias?
MR. DIAS: Yes.
THE CLERK: Whitlatch?
MR. WHITLATCH: Yes.
THE CLERK: Pitigliano?
MS. PITIGLIANO: Yes.
THE CLERK: Norman?
MR. NORMAN: Yes.
CHAIRMAN MILLIES: So moved.

Thank you, very much, commission. Thank you, very much, staff. You did a wonderful job. It's been a long road.

MR. BRYANT: Thank you, very much, chairman and members of the commission for your time and effort in reviewing a large amount of materials.

CHAIRMAN MILLIES: Thank you to David Bryant.

MS. PITIGLIANO: Thank you, very much.

MR. DIAS: David, you did a very good job.

Thank you.
MR. WHITLATCH: Dave, before you go, I don't know if you oversee it, but when do you anticipate we will see something for the first time on the community of Goshen on the General Plan?

MR. BRYANT: Some of that work is actually starting. I believe that staff has been able to secure the grant funding.

MS. PITIGLIANO: It's on the agenda.

MR. WHITLATCH: I just wanted the people who commented to make sure they know there is other opportunities. Thank you.

MR. BRYANT: Thank you.

(At 10:30 a.m., the proceedings concluded.)
I, DANETTE M. HENDRIX, a pro tempore Certified Shorthand Reporter of the Superior Court of the State of California, do hereby certify:

That the foregoing action was taken down in stenographic shorthand writing and thereafter transcribed into typewriting, and that the foregoing transcript constitutes a full, true, and correct transcript of said proceedings.

Dated: December 8, 2011

DANETTE M. HENDRIX, CSR #6412