BEFORE THE

TULARE COUNTY BOARD OF SUPERVISORS

CERTIFIED COPY

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

Visalia, California

August 28, 2012

REPORTER'S TRANSCRIPT

OF

PROCEEDINGS

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VISALIA, CALIFORNIA

TUESDAY, AUGUST 28, 2012, 2:00 P.M.

CHAIRMAN ISHIDA: We will reconvene now. We'll take up item number 11, public hearing on the proposed Tulare County General Plan 2030 Update, Proposed Climate Action Plan, and the Proposed Final Environmental Impact Report.

SUPERVISOR VANDER POEL: Item 12.

CHAIRMAN ISHIDA: Excuse me.

Before we begin, I'd like to say that under public comments, when we get to that point in time, to respond to the presentation by staff, that if you have -- belong to a group, we would like the group to have a representative. We'll give the group 15 minutes. The representative of the group will get 15 minutes. And then from there on, there will be a three-minute time limit on individuals.

Mr. Strange, it's not time.

MR. STRANGE: Mr. Chairman, I respectfully ask for a point of order before this meeting starts. And the resolutions before your board today, as presented publically, are incomplete. There is attachments referenced to in the resolution which should be included for public review, as well as an executive

summary, so that the public can take a look at the final thoughts before your board and what actions are going to be taken.

It's so voluminous it's impossible for anybody to -- therefore, I respectfully request that you continue this public hearing until such time as the public is fully informed and your documents are in front of you as are required by law.

CHAIRMAN ISHIDA: Thank you. We'll take that into consideration.

MR. STRANGE: Thank you.

CHAIRMAN ISHIDA: We have a Spanish interpreter available for this matter and people who need interpretation can listen through head phones. We encourage people to speak. When they speak, speak slowly so we can get the interpretation to the people who need it. And we're going to have our staff member, Julieta, where are you, she's in the back, and would you come up, give your name for the record, and explain in English and Spanish how the interpretation will work.

THE INTERPRETER: What I just reiterated was that I will be toward the back and we have a check-out system for head phones. If somebody was to need Spanish interpretation, you can walk back there and I

will be translating the presentation and any public comment you might like to make.

CHAIRMAN ISHIDA: Thank you, very much.

We have a court reporter here today, so please speak plainly and slowly so we can transcribe the proceedings.

We have staff presentation.

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

Presented for your consideration today is the General Plan 2030 Update.

Before I begin my presentation, I want to bring to your attention an errata sheet which includes minor clarifications to the materials that are contained within the General Plan 2030 Update as well as agenda item attachment G, item one.

There was a page four that was inadvertently missing from the internet site, and this attachment includes the full set for your information.

That's also been made available to the public with the General Plan Update materials in the back of the room.

Today our presentation consists of several

different parts. It comprises background data, General Plan document review, and special studies review.

Part one is a geographical and population setting. It includes information in regards to population, demographics, geography, and sets the framework up for the dynamic context of the General Plan and the rationale as to how that information then is considered, and then provides the framework from which the General Plan is organized.

Included as part of that information will be a geographic and population setting, education, economic, income, a discussion of infrastructure, and a brief discussion again of the general nature of the county in terms of its geographical diversity.

There will be a big picture overview of the General Plan process, a more specific discussion relating to the actual General Plan document itself.

There will be a recommended intermission. At the second -- immediately after the intermission, we have our technical consultants who will also be providing a presentation to you.

We have Ray Weiss with ESA our environmental consultant. Water supply evaluation will be discussed by Greg Young. And we have a Climate Action Plan overview which will be presented by Dave Mitchell if he

is able to join us during the presentation. I believe he is tied up in another hearing on another project up in Fresno County this afternoon, and he indicated that he would join us as soon as possible. If he's unable to attend, Mr. Weiss will provide that section overview, and then Dave hopefully will be available to join us during our evening session and address any questions that you may have at that time.

The final part of the presentation will conclude with the staff recommendations.

Today our staff request is to open the public hearing and receive a staff presentation, to receive public comment, close the public hearing, and take action on the following: Resolution certifying the proposed Final Environmental Impact Report and adopt the mitigation monitoring and reporting program, findings of fact and statement of overriding consideration, resolution accepting Planning Commission's recommendation, and adopting the General Plan 2030 Update, adoption of the Climate Action Plan, and direction to file a Notice of Determination.

CHAIRMAN ISHIDA: David, before you go any further, I want to ask for point of clarification from counsel. Do we need to open the public hearing now or when we start public comment?

MS. BALES-LANGE: The public hearing is open now. The public comment portion is a portion of that process.

CHAIRMAN ISHIDA: Okay.

MR. BRYANT: As I mentioned at the start of my presentation, the first part of my presentation basically provides a general demographic, economic, geographical overview, which again sets the context recognizing the unique attributes of Tulare County, which provides the framework by which the General Plan is crafted.

Tulare County contains approximately 4800 square miles. In comparison, Tulare County is the seventh largest county in the state.

This is a graphic which shows the general location of Tulare County relative to Fresno and Kern County.

This is focused in on the Visalia area.

The first part of the area immediately to the west is the valley region.

In the central part of our county, we have the foothill region and then the Sierra Nevada mountain region.

Tulare County consists of a number of rural communities.

Our current estimated population is approximately 430,000, of which about two-thirds of the residents live within the incorporated cities, and the remaining population living in the unincorporated area of the county.

By comparison, Sacramento's population is 1.2 million. You can fit Tulare County's population into Sacramento County eight and a half times.

As I mentioned, the current population is about 429,000. The expected growth rate according to Department of Finance figures in 2030 would be approximately 740,000. 75 percent or three quarters of this population would be looking or expected to go into the cities with the remaining balance to go into the unincorporated areas.

Educational attainment. Approximately almost a quarter of the residents have less than a ninth grade education, and approximately 12 percent with a college degree.

Generally, household incomes in Tulare County are lower than the state. The state unemployment rate is approximately 11 percent with the county just slightly over 16 percent.

Regarding our economic base, approximately 30 percent of all jobs in Tulare County are directly

related to agriculture compared to about three percent of the state. Eight percent in manufacturing compared to 12 percent in the state. And 14 percent of all jobs in the county are in the service sector.

Infrastructure is an important component of this background information. Tulare County has over 3,000 miles of maintained roadways in various conditions.

State Route 99 provides the main north-south arterial with about 55,000 daily trips.

Route 65 provides north-south highway to the eastern part of the county, going through the Orange Belt, Porterville, Lindsay, Exeter, and connects Highway 99 south near Bakersfield to Highway 198 near Exeter.

State Route 198 is the primary east-west arterial in the county, connecting Highway 101 to the west and Sequoia National Park to the east.

You can see by some of the transit routes here that travel times -- that Tulare County is a large county and some of the travel times to some of the outlying areas exceed one hour.

Travel distances between selected communities, to Kennedy Meadows is about four hours, Three Rivers is approximately 45 minutes.

In regards to people and commuting distances and times, the majority of individuals utilize their cars, and the travel time to and from their work location is -- approximately 50 percent of residents have a 15-minute travel time or less.

Domestic water is provided by a number of sources. Groundwater is a predominant source, as well as imported surface water. Greg Young will provide more information as to water supply during his presentation.

The sources of water are typically provided to the unincorporated communities by various special districts in the county.

For residents living outside of areas that may be covered by special districts, typical services for wastewater treatment would be provided by conventional septic system.

Storm drain varies significantly throughout the county. Typically in the urban areas, there may be a formal master plan that provides for storm drainage. Some of the outlying areas do not have formal storm drain systems or any underground storage.

The next part focuses in on again some of the geographic diversity of the county. Recognizing that Tulare County is home to Sequoia National Park, a

number of national forest area, Bureau of Land Management, Kings Canyon National Park, and a number of county park facilities, which by their nature promote tourism throughout the county. These areas provide places for recreation and natural resources.

Agriculture, as I mentioned earlier, is a large component of Tulare County, not only on the valley floor but also some extensive grazing areas that are located up in the foothill and mountain regions.

Agricultural uses total over 2,000 square miles or about 45 percent of the entire county.

Tulare County consistently ranks among the top two leading agricultural producing counties in the US, sharing that recognition with Fresno County.

Primary commodities include milk, oranges, cattle, and additional products.

Williamson Act contracts comprise about 31 percent of the county, over a million acres, and almost 6700 contracts. Only four percent is currently in a non-renewal.

The dairy industry began in Tulare County in the mid 1800s. Dairy is the leading commodity in the county, totaling about 1.8 billion. Tulare County yields almost a third of California's total milk production.

Regarding dairy regulations, the county has an Animal Confinement Facilities Plan. Also, the San Joaquin Valley Air Pollution Control District, along with the Regional Water Quality Control Board, provide regulations regarding dairy operations.

Tulare County is the home to the annual World Ag Expo, which includes approximately 1600 exhibitors and over 100,000 attendees each year.

Tulare County includes eight incorporated cities. In the unincorporated areas, residents live in hamlets, which are typically small communities, larger communities providing a full range of basic services, and also in mountain service centers. Many of those are private in-holdings in the mountain areas.

This slide shows a picture of the diversity in regards to some of our rural communities, and pictures listed from Ivanhoe to Richgrove, up in the foothill areas, mountain areas, Camp Nelson.

Some of our valley communities, including Earlimart, Traver, and Richgrove, and the foothill community of Three Rivers.

The next part of my presentation will cover the big picture of the project overview.

The prior portion again provides a basic framework, which leads into the actual General Plan

Update project.

In regards to the big picture, the General Plan Update project has three big ideas, resource conservation, the long-term sustainability of agriculture, and focused or managed growth within the eight incorporated city areas, communities, hamlets, mountain service centers, and into specifically designated areas within the foothill growth management plan.

Since the inception of the project in 2003, there have been a host of different workshops, meetings, combined meetings with your board and the Planning Commission, and a host of community outreach meetings.

There were 12 technical advisory committee meetings and 19 community workshops that helped to form some of the early drafts and recommendations that came out from the participants who participated in that process.

There have been 11 meetings with the Board of Supervisors, four combined meetings with your board and the Planning Commission, and there were three public hearings that were conducted by the Planning Commission in late 2011.

During the 2010 year, staff conducted

approximately 26 community outreach meetings. We made presentations to each of the eight incorporated cities, as well as a host of communities in the valley floor, and presentations to the communities of Springville and Three Rivers.

The Planning Commission held public hearings on October 19 and November 16 and received public comments at that time.

Briefly, some of the changes to the existing General Plan include the hamlet concepts to address the needs of smaller communities, city urban development boundaries and coordination with the cities in regards to how growth would be coordinated with the eight incorporated cities, procedures for the creation of new towns in our planning framework element which provide very specific procedures for the creation of any new towns or planned community areas. Preservation of agricultural lands, consolidation of land use -- the many land use designations that are currently contained in a number of our community plans have been consolidated into our land use element chapter four.

Again, as I mentioned earlier, as part of the three big ideas, city or urban center development, again, is focused or managed in and around the eight incorporated cities, urban boundaries within our

communities, hamlets, mountain service centers.

Smart growth concepts are included in our land use element to provide for sustainable growth, walkable communities.

In addition to that, we have healthy communities, which are addressed in our health and safety element.

Long-standing plans adopted previously by your board, including the rural valley lands plan and foothill growth management plan, will be incorporated as part of the General Plan Update, and those long-standing plans will be carried forward if adopted by your board.

Implementation measures are included to provide for future direction in implementing various community plans, hamlet plans, mountain service center plans, update of the mountain framework plan, and also to address future more specific planning through ordinance code amendments that may result as a part of the adoption of the General Plan Update, and the consolidation of elements, combining all of the General Plan materials into a single consolidated General Plan document.

In regards to strategy and development constraints, again the General Plan Update focuses

growth in specified areas. New growth would be limited by the availability of urban-type services. Figure 4-1 basically outlines these areas.

That exhibit, over to my right on the east wall of the board chambers, is Figure 4-1, and I will be referring to that in a little bit more detail in a few minutes as a part of my presentation today.

Again, some of the smaller communities, hamlets, and mountain service centers are also addressed.

The county has prepared a Recirculated Draft Environmental Impact Report as part of the General Plan Update project.

As the lead agency for the project, the county prepared a recirculated draft EIR. That was circulated for public review. That is included in your materials today.

The recirculated draft EIR evaluates environmental impacts of the proposed General Plan Update.

The Climate Action Plan identifies mitigation measures and reasonable alternatives to avoid or reduce any significant adverse impacts.

The recirculated draft EIR and final EIR examine a reasonable range of alternatives.

The next part of my presentation focuses more specifically in regards to the General Plan document. Part one is the goals and policies report, which primarily contains General Plan elements, policy programmatic.

The plans that are contained in part two are area plans, again focusing in on the rural valley lands plan area, the foothill growth area, management plan area, the mountain framework area, and also including corridors.

Part three essentially contains many of the plans that are -- have been currently adopted and are not being amended as part of this update, and a majority of documents contained within that section would be our existing community plans.

Again, as I had mentioned, part one basically contains the goals and policies report. It's based on a number of different value statements.

Some of those are incorporated into the three big ideas that I had mentioned earlier in my presentation.

Framework concepts, again an outgrowth of the three big ideas.

Ag land sustainability, providing for land use.

Scenic landscapes and natural and cultural

resources.

More specifically, in regard to part one, the next part of my presentation will take a look at the plan hierarchy and overview of the General Plan elements and as I also mentioned the programmatic nature of the document.

The General Plan 2030 Update, as the diagram shows, is primarily through -- is an umbrella. It is the highest level in regards to the General Plan and provides a very broad and general approach in regards to policies that are contained within the General Plan.

Again, it directs growth to urban areas, and as I had previously mentioned, the county has decided to divide the region into very distinct areas that take into account the size and complexity of the county's diverse geographical areas.

Again, I'll refer to Figure 4-1, which is in our land use element, which provides a general description.

In regards to plan hierarchy, Chapter 2 provides -- is titled planning framework. It's very similar to the current urban boundaries element, again focusing in managing growth within urban areas.

Again 4-1 shows this framework geographically. Also shows the land use designation for the larger area

plans. More detailed policies in the diagram are included in greater specificity in part three, which includes many of our existing community plans.

Tulare County is not riding from a blank state. There have been a host of communities going back well into the 1800s that are previously established. A number of those -- most of those are on the valley floor and a few in the foothill and mountain areas.

Again, recognizing the unique nature of Tulare County, the plan in regards to part two again includes the valley, foothill, and mountain region.

More specifically, the hamlet communities, which are outlined in red, both here on the exhibit and over there on the wall, represent the smallest framework. Allensworth, Tonyville -- those would be examples of those small communities.

At the next level would be our communities, which are outlined in blue. Those larger communities include Tipton, Pixley, Earlimart, Strathmore, Cutler-Orosi, Traver, Springville, Three Rivers.

Also within this framework, there are areas in and around each incorporated city.

Areas immediately adjacent to the city limits would include urban development boundaries, which are highlighted in a very light tan color.

Urban area boundaries, which are reflective of longer planning time frames, from the 20- to 50-year time frame, are outlined in orange.

In regards to the foothill areas, the majority of the area that is presented in yellow is extensive agriculture, which primarily consists of some agriculture on the western fringe, areas that are typically above the 600-foot elevation line, but some of those areas do have unique attributes where there are valley characteristics that do extend beyond that 600-foot elevation line, and do extend into the foothill region, and there are also some foothill characteristics that extend into the valley areas.

In regards to areas that are designated for urban/suburban-type development, those areas that are currently designated as development corridors in the foothill region will be titled foothill mixed use. Those areas will not be changing as part of this proposal.

In the mountain areas, there are a number of areas in the mountain framework plan. Current plans that are adopted are the Kennedy Meadows area to the southeast, the Great Western Divide North Half Plan, which is in a pink color to the north, and there are a number of other sub areas that are included as part of

the mountain framework plan that have not yet been adopted by your board.

In a similar concept to the Valley and Foothill Region, growth again is focused and managed in the mountain areas in various mountain service areas, such as Camp Nelson.

Before I leave this slide, I want to briefly discuss again the unique attributes of the county and also discuss context in regards to the structure of the plan.

For example, we have a dark skies policy in our General Plan.

And going up to the highest umbrella level, which is part one, the policy provides for broad flexibility in regards to how it might be addressed in a particular community.

A community, for example, in Three Rivers or Springville may wish or desire to have dark skies. And at the request of that community, as part of their community plan effort, they can utilize that plan to promote the dark sky concept.

On the other hand, a community in the valley floor may look at the need for street lighting to provide for public safety.

So going from the -- at the very broad level,

flexibility is included in a context-sensitive nature to allow for that flexibility to be applied in different ways depending on the needs of various communities.

The next slide provides a graphical description of the General Plan and its documents. I believe that I mentioned that it consists of three parts.

Again, part one has a broad and general policy, goals and policies report, providing broad policies that would be applied county wide.

Part two provides a greater level of specificity. Again, it includes the rural valley lands plan, foothill growth management plan, corridors, and the mountain framework plan.

Part three, as I mentioned, primarily deals with more specific plans that would be carried out or implemented at the local level for communities, hamlets, and mountain service centers.

The next part of the discussion will provide an overview in regards to the actual General Plan elements, some of which are state mandated, and others are voluntary elements.

Amendments are proposed for safety, environmental resource management, urban boundaries, scenic corridors, and those will be combined into part

one of the General Plan Update document.

New elements include agriculture, air quality, transportation and circulation, public facilities and services, economic development, and water resources.

This chart here shows very briefly that there are a number of state mandated elements, including land use, noise, circulation, housing, open space, conservation, safety, and air quality.

The state mandated elements in the far left column are addressed in various ways through the dots in looking at the matrix.

I would like to point out that the housing element, the Animal Confinement Facilities Plan, and the flood control master plan, as currently adopted, are not being recommended for revisions as part of this -- as part of recommended actions today and are on a separate track.

Again, the program policy orientation of the document provides for the planning framework element, agricultural element, land use and circulation, economic development, health and safety, public facilities, and coordination with cities.

The planning framework, again the purpose of that is to focus and manage growth within existing urban areas.

And agricultural element, which provides for the long-term sustainability of agriculture in the county.

The land use element provides smart growth and healthy communities and, again, focuses and manages growth in communities, hamlets, mountain service centers and in and around the eight incorporated cities.

The economic development component, which is to promote business and industry diversification, maintain a favorable business climate, and support an economic foundation.

Health and safety element, to promote health and safety for all residents.

Public facilities and services element, which addresses adequate quality and quantity of public facilities, including infrastructure, police, and fire protection.

More specifically, as I mentioned, staff has been working in a cooperative fashion with the eight incorporated cities to look at policies that would help to, again, focus and manage growth in and around the eight incorporated cities, specifically within urban development boundaries and urban area boundaries.

Future land use entitlements would be as

proposed in Section PF-4-A, which provides for policies directed again in coordination with the cities, would become applicable upon mutually adopted agreements between the county and each city regarding the collection of public facilities impact fees in accordance with several policies. Would take a look at providing coordination of urban improvement standards within urban development boundaries.

Consent to annex the RVLP would be applied to certain types of permits, and to provide for uniform criteria that the 20-year urban development boundaries and sphere of influence lines would be coterminous and to provide for a long-term framework to preserve future right-of-ways for infrastructure, such as roads and public utilities, out in the urban area, the 20- to 50-year boundary.

This diagram is a geographical representation, looking at the areas that would be comprised by the urban area boundary, which is the 20- to 50-year line, which is included in orange.

The urban area boundary, which is the pink color, which would be representative of the 20-year framework.

The city limits again, which would look at managing or focusing approximately three quarters of

new growth into the city limits, with 25 percent of that new growth being focused or managed in the unincorporated portion of the county.

The next part of the presentation, then, discusses parts two and three.

Again, part two of the document includes our area plans, the rural valley lands plan, foothill growth management plan, mountain framework plan, and the corridor framework.

As I mentioned earlier in my presentation, the existing rural valley lands plan would be carried over from the existing RVLP and consolidated into the General Plan document.

The RVLP essentially applies to areas below the 600-foot elevation. It is not applied in communities, hamlets, sub-area plans, corridors, or UDBs.

And the existing point evaluation system for applicants who desire to amend the zoning on their property would be applied.

This more specifically takes a look again at the rural valley lands plan portion. The areas that you see in green on the exhibit or on the wall map would be areas that would be subject to the rural valley lands plan areas.

Included in and around the city urban

boundaries, or as designated in blue or red, would be communities and hamlets.

The corridor framework plan provides for a nodal concept. The corridor concept would provide for a framework whereby which future corridors could be considered and adopted by your board, and implementation measure two provides for that particular framework.

In regards to corridors, the Highway 99 corridor and a portion of the Highway 65 corridors are included as regional growth corridors.

Urban corridors are proposed for Highway 65 and through the urban part of Port -- excuse me -- along Highway 63, which is Mooney Boulevard, and along Highway 65 in and around the City of Porterville.

There are two facilities that are currently designated as scenic corridors which will be recommended to be maintained as part of this process, including Highway 190 and Highway 198, and those facilities are shown in green.

The corridors framework plan does provide for interim policies until a formal corridor plan is formally adopted.

The corridor concept is designed to limit piecemeal individual development and preserve the

agricultural nature of corridors until a formal corridor plan is in place, but recognizing that there may be unique opportunities along those corridors to promote economic development along those routes and to provide a balance between economic development and the preservation of agricultural land.

The foothill growth management plan, as I mentioned in part two, there are no boundary or land use designation amendments as part of this update. The existing development corridors, which are currently adopted, will not change as part of the recommended General Plan Update.

There have been some minor changes -- minor revisions and updates to the policies to eliminate some either outdated or obsolete information that occurred at the time this plan was originally adopted by your board in the early '80s.

A number of land use designations have been combined, again into foothill mixed use and extensive agriculture.

Previously, there was also a valley land extension and a foothill extension, and those areas would be reflected either designated as a rural valley lands plan or extensive agriculture under the foothill growth management plan.

Planned development that is currently designated again as development corridors is proposed in a name change only as foothill mixed use.

Again, through the slide and on the exhibit to my right, this area is designated in yellow as extensive agriculture. Areas that are in brown are the development corridors or foothill mixed use.

The mountain framework plan is basically divided into seven sub-area plans. Two sub-area plans have been adopted, again Kennedy Meadows, Great Western Divide North Half, and a number of them would be included as part of our implementation program and would be adopted at a later time.

This area primarily exists as part of very large resource conservation areas and very large numbers of acres that are included and under federal or state ownership.

The mountain framework plan provides, again, for resource conservation, focusing or managing growth in mountain service areas, and mountain service centers for private in-holdings, again communities such as Camp Nelson.

Part three essentially consists of plans that have been previously adopted by your board that are not going to be changed or amended as part of this process.

A majority of those are existing community plans.

Community plans. As many of you are aware of, we have adopted community plans for communities such as Strathmore, Cutler-Orosi, Traver, Earlimart, Pixley, Ivanhoe.

Sub-area plans, again for mountain service center areas.

County-adopted city general plans for areas in and around the eight incorporated cities.

And then hamlet plans for some of the smaller communities.

More specifically, in regards to community plans, at the local level existing plans and policies and land use designations are currently in place for approximately 12 communities. I had mentioned several of those a few minutes ago.

Six communities have boundaries and are zoned for urban use, which will now be designated as mixed use. No zone changes were presented or recommended for these communities at this time. They're not a part of this plan and it would be implemented at a later date.

The mixed-use density has a maximum intensity and density of approximately 30 units per acre and would provide not only horizontal but vertical mixed use to combine uses into a consolidated area.

For sub area plans, again as I mentioned, Kennedy Meadows and Great Western Divide currently exist. There are a number of unadopted sub-area plans.

County adopted city general plans. Again, these would be for areas in and around the eight incorporated cities. All of these currently have urban development boundaries, which are essentially 20-year lines, and urban area boundaries, which would be a 20- to 50-year time horizon.

Hamlets are small communities. Approximately 13 hamlets are recommended as part of this process. These hamlets would provide for a mixed land use designation. Future zoning would be required to implement those land use. The mixed land use hamlets would be exempt from the RVLP and again would manage, focus, and consolidate urban-type uses within a smaller geographical area.

Applicants must initiate any zone change, as I mentioned, to actually change the land use on their property.

That concludes my portion of the presentation. I would be happy to address any questions that you may have.

Again, after my presentation, we have Mr. Ray Weiss with ESA who will be providing a discussion in

regards to the environmental documents. Greg Young will discuss our water supply evaluation. And then Mr. Weiss, if Dave Mitchell is unable to attend today, will discuss the Climate Action Plan. At the conclusion of their presentations, there will be a staff recommendation.

CHAIRMAN ISHIDA: Any questions? Okay. Seeing no questions, are we taking an intermission?

MR. BRYANT: Thank you.

(A recess was taken.)

CHAIRMAN ISHIDA: We will reconvene. I think that recess was well taken. If I see a lot of people nodding off, we will take another one. We'll continue.

MR. WEISS: Good afternoon, board members. I'm Ray Weiss with Environmental Science Associates, and what I'd like to do is talk a little bit about the Environmental Impact Report that was prepared for the General Plan Update.

What we'll talk about this afternoon is I'll provide an overview of the document for you, the Draft EIR, go into the final, what constitutes the final, what was the outcome of the final, what were the major findings, and then briefly go over the next steps.

Before I begin, though, talk a little bit about how the document was prepared. And oftentimes, the EIR

is one of the last steps in the process.

However, in preparing the General Plan Update, the EIR process was an integral part of that. As an example, when the background report was being prepared, the EIR team and the county was looking at the baseline condition, which is very important to identify the environmental setting.

So when the background report was prepared, we looked at what are the baseline issues, what's the existing level of agricultural production, what are the habitats, what are the cultural resources, and all of that was used to establish this baseline condition.

The second thing we did was when the goals and policies report was being prepared, we were also looking at ways as to how the policies could mitigate the environmental impacts, what are some of the measures that could be built into the policies that can address some of the impacts that we anticipate.

And then, finally, when it got to preparing the EIR, it was tying all this information together and presenting it in the format of the document.

Under CEQA, we're allowed to prepare a variety of different types of documents. Most of us are used to seeing a project-level EIR, in other words a document that describes particular impacts of a fixed

project.

This can be some type of a development project, where a specific area is identified, there are parcel maps that are identified, then the EIR at this project-specific level focuses on what the key impacts of that are, and it provides very specific mitigation measures.

So if there are impacts to an agricultural resource area, some of the impacts would be to conserve that area or provide additional agricultural opportunities somewhere else.

Similar with habitats, when we're affecting habitats in a particular parcel, we're going to look at ways to mitigate what those specific impacts are.

When we're dealing with a General Plan Update, though, we're dealing with a huge area. As Dave described, the county is thousands of square miles. So we're not -- a project-level EIR is not the best environmental document for that.

So under CEQA, we're allowed to prepare a program-level EIR, which is sort of a 10,000-foot level versus a very specific two-foot level view of a particular project and its impacts.

As CEQA describes, some of the guidelines talk about a program level EIR being the first tier. So

it's really the basis of information for which future projects can tier from as they're identified.

It also looks at the broad environmental effects of the particular program, in this case the General Plan Update, with the understanding that as projects come forward there will be site specific environmental reviews that look at those specific projects and identifies specific mitigation for that.

An example from the General Plan, just to identify how the impacts were described at this program level, again because it is a General Plan and we are dealing with policies and a land use map, we go through and identify what the impacts are, like a typical EIR, but when it comes to identifying mitigation measures for impacts, we're looking at the policies.

So, for example, under impact 3.5-2, noise impact, as you go through the EIR, you'll find that the mitigation measures are in the form of policies, and here is an example of one of the policies that talks about how future noise analysis will be conducted when a particular project comes forward.

Some key aspects of the RDEIR. These are the key items that went into preparation of it. As you know, there was a previous environmental document done in 2008. The recirculated draft EIR updated the

environmental and regulatory setting. That's important because the baseline conditions changed, and there was also additional regulations that needed to be described in there.

There was a greenhouse gas inventory, and an analysis was conducted as part of that as well.

There was a quantification of prime farmland impacts, where we thought development would occur within some of the growth areas, we quantified what those impacts would be.

There was also an updated water supply evaluation that was prepared for that.

Again, these were all issues that were brought forward from the comments that were received back in 2008.

So this information was -- it was looked at as part of the 2008 draft EIR, and this was what formed the recirculated draft EIR.

Additionally, there was a robust alternatives analysis that was prepared for the RDEIR.

Under CEQA, we're looking at a reasonable range of alternatives. For the RDEIR, we looked at five alternatives.

These were variations of the proposed project, looking at how different growth patterns -- what the

impacts of those growth patterns would be.

In addition, as part of the five alternatives, we looked at the no-project, which you're obligated to do under CEQA.

Again going back to some of the comments we heard as part of the 2008 document, there was an alternative or a concept brought forward, the healthy growth alternative, that was brought forward.

This was brought forward by the Tulare County Citizens for Responsible Growth. And as part of that consideration, we developed this fifth alternative as part of the RDEIR. And that's provided -- all the analysis for that is provided in Chapter 4.

And there is a summary table that -- we know it's a lot of information, so there is a summary table in Chapter 4 that lists the impacts and compares the alternatives to those impacts.

As part of the RDEIR, we also conducted a cumulative analysis, in other words, what would the General Plan's growth look in consideration with other growth in other surrounding communities and counties. That was part of the RDEIR.

Some of the milestones that went into preparation of the RDEIR were a review of the 2008 draft comments, and that's what formed the analysis we

just discussed.

There was also an update to the General Plan background report, and this was going back to making sure that the setting information -- the appropriate setting information is updated as that forms the baseline for the EIR.

Again, some of the issues that were updated as part of the background report that went into the RDEIR were looking at some of the updated mapping and habitat information that's available by the resource agencies that compile this information. So we looked at that and incorporated it as appropriate.

Again, there was an updated regulatory setting, specifically in the areas of climate change, and that was included as part of the RDEIR.

Following preparation of the background report or updates to the background report, the RDEIR was prepared, and it was circulated for a public review period.

The standard public review period is 45 days, and this was for a slightly longer period. We understood that there is voluminous documents, a lot of appendices, so the comment period was extended. That began in March 25, 2010, and was extended out to May 27, 2010.

At the conclusion of that, we received a number of comment letters, and then we began preparation of the final EIR.

Some of the key aspects of the final EIR or what comprises the final EIR includes the recirculated draft EIR, it includes a list of persons, organizations, and public agencies that commented on the EIR. That's included in the summary table.

The comment letters that were received in the RDEIR and also the lead agency responses to significant environmental issues was also provided as part of the final EIR.

As part of that final EIR, there is also additional information that's added by the lead agency, and this includes -- actually, I don't think that's part of this. Sorry about that.

But this is other information that's been added by the lead agency. It includes a list of master responses, the Board of Supervisors final EIR minor changes matrix, the response to comments, and then additional attachments that are associated with that become part of the final EIR.

Importantly, the two key sections of the final EIR are the comment letters and the responses that are prepared by the lead agency.

Our methodology for highlighting this is to take the comment letters, go through them, and identify them using a matrix system numbering in order to facilitate the responses.

So the comment letters are identified with this numbering system, and then in a separate section the responses are prepared with a similar numbering system to help link the comments with the different responses.

Here is an example here. This is a comment letter that's presented by an individual or an organization, and it's indicated by the letter I.

The 22 is the numbering in sequence that it came in on. And so as you can see, it has one comment, I-22-1, and that corresponds to the numbering in the responses.

Some major findings of the final EIR. The type of comment letters that we received, we received 16 comment letters by public agencies. These included one letter by a federal agency, seven by state agencies, and eight by local agencies.

The remaining comments were individual organization-related comment letters, and there were 28 of those.

Taking into consideration the number of comments, it came out to about 2300 individual comments

as part of those 28 -- as part of those total letters.

In developing master responses, we noted that there was a lot of trends. So a lot of the letters brought forward very similar inter-related issues.

We prepared master responses instead of individual responses to those, because it made a lot more sense to take all the comments that were related to a specific issue, tie them together, and present one master response that identified all those individual comments about a particular issue.

In cases of water supply, there was a lot of different comments about different aspects of the analysis that was prepared, comments about our methodology, comments about the baseline data.

So rather than prepare individual responses for those, we tied it together in a master response, and those master responses are contained in a separate section at the beginning of the FEIR.

Another example of that was the comments related to the Climate Action Plan and then the overall programmatic nature of the EIR, the understanding of what a program-level document is versus a project document.

Additional themes that we talked about or that were described in the FEIR included comments related to

policy comments versus CEQA comments.

We provided responses to all the comments that were related. Under CEQA, technically you're obligated to respond only to the CEQA-related issues, but there was also comments developed for some of the policy or General Plan related comments as well.

There was also information provided about the previous comment letters that were received as part of the 2008 draft EIR.

Discussion about enforceable policy language, why policies were written a certain way.

The level of detail, going back to this issue of whether it's a program -- what the difference between a program and a project environmental document is.

And then there was questions about the land use diagram.

Additionally, water supply evaluation, which Greg Young will talk about in a little bit.

Issues regarding implementation measures and how they relate to the different policies that are in the goals and policies report.

There was several comments about the foothill growth management plan and how that related to the overall General Plan Update.

The range of alternatives -- why we picked the alternatives that are described in there.

And then there was also master responses prepared for the Climate Action Plan.

And the Yokohl Ranch Project and how that relates to the General Plan Update.

This just summarizes the format for the final EIR. We have a combination of these master responses that we talked about, and we also have a list of individual responses as well as appropriate.

And with that, I'd like to turn it over to Greg Young.

MR. YOUNG: Thank you, Ray.

My name is Greg Young, principal with Tully & Young Comprehensive Water Planning, Sacramento, California.

Thank you for the opportunity to talk to you about the water supply evaluation that was prepared to support the programmatic EIR for the General Plan.

First off, this was a county-wide level of analysis. As we discussed with the difference between a program level versus project level, this was a county-wide level of analysis of the supplies and demands to support the program level EIR.

It did three primary things. It characterized

the existing and future demands, it characterized existing surface and groundwater resources, and integrated those supplies and demands.

So let's first touch on water demands. The current water demand estimate was developed using data from DWR from 2003. That may sound like a dated timeline, but at the point of time of developing this there was available county-wide water budget data for 1999, 2002, and 2003 that was complied by the Department of Water Resources used for their updates, their California Water Plan Update that they do generally every five years, but it's on kind of a different cycle right now.

So that data was available in 2003, appeared to represent the most average condition of those three years, and in that data agricultural demands are about 2.5 million acre feet of the overall demand within the county.

Urban demand, about 150,000 acre feet, a small amount of wetland demand, for a total of about 2.7 million acre feet of demand.

When we're looking now at the analysis of the future demand condition, what we're looking at is the assessment of the change in the land use policies of the General Plan, where some of this demand pattern may

shift as the land use is being contemplated.

So in the future demand, they assume a change in land use from current irrigated agriculture to mixed use urban on about 60,000 acres.

That is important to understand, as was described earlier by Mr. Bryant, the majority of the land use change that's contemplated is around the urban development boundaries. So of the 60,000, over 50,000 acres of that is concentrated within the eight primary cities in the valley floor area. So that -- probably about a third of that 60,000 is within the Visalia urban development boundary alone, so the majority of this land that is being contemplated on the policy changes, the land use changes that are in the General Plan, are within urban development boundaries.

What we saw when we now look at the comparison of existing demands to future demands, we need to do an analysis of that switch. So we take 60,000 acres of irrigated farmland out, we had to create kind of a representative demand per acre, which in the analysis is about 3.3 acre feet per acre based on a variety of county data on cropping patterns, cropping types, and irrigation information and applied water needs, and then you look at if we replace that acre with an acre of urban mixed use, you get a different demand, which

was just slightly less, approximately 3.1 acre feet, and for comparison we ended up seeing just a slight reduction of about 13,000 acre feet from that 2003 baseline number. So approximately the 2.7 million acre feet to 2.689. It's not a significant number.

For comparison, when you look at that 1999 data, again that DWR has compiled on a county-wide basis being used for their local hydrologic region and the statewide water planning, 1999 was 2.6 million, 2002 data was 2.8 million, so you can see this reduction is still within that range of historic data that has been compiled by DWR.

So the land use changes being contemplated by the EIR or by the General Plan, and represented in the program level EIR, are within the historic demand range.

Some of the things to consider or factors affecting demands are some changes that are occurring. Some of them are legislative, some of them are natural, and some of them will be a question of the future.

So, first, model landscape ordinance. The state has a model landscape ordinance that is changing the pattern of new developments, new urban developments and the type of landscaping and things you might have. Plus the urban developments are often even changing

their type of development, where there is more tighter density, probably less landscaped area per typical urban lot, so you generally have a decrease in the unit demands associated with like a single family home than you might have seen now or even a couple of decades ago.

Another factor affecting demands is climate change and variability. When it doesn't rain, people start to turn on sprinklers, people are irrigating crops. If it does rain, people are backing off on their irrigation demand.

Temperatures, if they do start to vary, will have a minor implication to the overall demand that might be occurring on landscapes or on agricultural crops. So those things will be affecting demands, but were not part of this program level evaluation at this point.

The other final aspect affecting demand is the actual land use changes. As discussed by Mr. Bryant, was there would be project level EIRs that are tiered off of this program level EIR, and those will need to look at the actual land use changes and assess the change in the water demand that may be occurring for that particular project.

So let's switch over to water supplies now.

Again, based on the DWR data for the entire Tulare County region, about 1.6 million acre feet of 2003 water demand was met with groundwater.

They separated as a net groundwater and from deep percolation that -- what the definition of those two really means is from deep percolation is surface water that may be applied or rain water that is percolating down through the soil into the aquifers when net groundwater that's actually moving laterally from -- primarily from the Sierras or the streams and infiltrating into the aquifer areas.

So they kind of split that as two primary sources for the water that is available from a groundwater perspective.

Surface water, about just over a million acre feet. Of that, about half being locally derived supplies from the water sheds on the eastern Sierras or east side of the San Joaquin Valley here, and some from -- another half million acre feet -- from federal and State Water Project supplies, and then some small amounts of some reused surface water is recognized in DWR's accounting.

So let's touch on some factors affecting supplies. This are conditions of groundwater overdraft as are being addressed in various forums right now.

They're recognized -- when you look into the EIR and policies in the General Plan and some of the mitigation strategies, the county is intending to get involved with groundwater management and monitoring conditions, and those are described in some of the policies in the mitigation strategies.

The San Joaquin River Restoration Settlement is also an ongoing dynamic exercise to try and restore flows into the San Joaquin for anadromous fisheries.

What that means as far as the importation of CVP water on the Friant into this county is not fully known yet. It's supposed to be mitigated within that restoration program. That hasn't been fully determined and developed yet.

Population growth within or near the county. So other areas on the border of the county might also start to affect the supplies. They might tap into groundwater aquifers. They know no geopolitical boundaries. They only know aquifer boundaries.

Joint management of shared aquifers. There is a lot of ongoing work to manage among water suppliers groundwater management basins, et cetera, to be considerate of how all the uses are -- all the users are affecting the different basins and are looking to try to manage those cohesively.

Those again are going to affect -- they may in some conditions put limitations on availability of supplies.

Groundwater adjudication. Unlikely in the Central Valley, but are occurring in several places around the state. They are very long and tedious, but they could affect supply. So that's really an outlier.

Water transfers and exchanges are occurring. Generally, this area is an importer of water transfers, water brought into, on a temporary basis, especially during dry conditions, is transferred into this region to help with especially agricultural demands during dry periods.

Delta supply issues. There is a lot of challenge about getting reliable supplies out of the Delta and off of the Friant system, which also feeds the Delta. And those again will be factors affecting long-term supplies.

Climate change and variability as it affects the demand side. It can also have an effect on the supply side.

So what we wanted to do is look at a couple of what-if scenarios in this water supply evaluation so we could provide some information to Mr. Weiss' group with ESA to do the environmental impact analysis for

the program level EIR.

So we developed four different scenarios. Each scenario refers to future demands without conservation considered and using historic supplies.

Scenario two has the same future demands, but applies some conservation. So there is a slight drop. I think we developed a five percent drop in urban -- sorry -- a 10 percent drop in urban demand and a five percent drop in agricultural demand to represent maybe a slightly smaller demand than has been seen in the past.

Scenario three is future demands are again still the same as historic, without the conservation, but in this case we've constrained the surface supplies.

And the final scenario, future demands having some conservation, again a little bit lower than being in that baseline range that we saw, and also having constrained supplies.

So the results of those, and we'll quiz everybody on this in just a minute, and I don't have a pointer so it's kind of hard to point out here.

So what we have here is the four scenarios, one, two, three, and four. For each, there is a normal and a dry condition.

The difference with the dry is you actually bumped the demand up by five percent because if you aren't having a spring rainfall, people are turning on their irrigation systems earlier, are meeting more of the annual water needs of the plants, whether it's landscape or agricultural crop, with applied water rather than natural precipitation.

So the difference between normal and dry, that is what that is representing here on the demands for urban, agricultural, and then we have these total demands.

So you see this differential here of 2.7 million to 2.835 million acre feet.

Then we have the baseline groundwater that's maintained the same in all cases, and we constrained down here, in scenarios three and four, the surface water. We drop it by about 15 percent from just over a million acre feet of surface water to about 900,000 acre feet of surface water.

The results over here -- and really this column is what makes a difference. You see when there is a parenthetical, it means there is actually less overall groundwater use. So this -- in essence, you can subtract in this case 157,000 acre feet from 1.6 million. So you use a little bit less groundwater when

we are in a normal scenario two condition.

In contrast, when we are in a constrained surface water condition and a dry year, we might use approximately 15 percent more groundwater.

So the interesting note, then, when we look at what that means, is there is a higher demand without conservation, which you would anticipate, in dry years under scenario three, scenario three being the worst case scenario. Without conservation, there is a higher demand.

And during a dry year, there is reduced surface water under this scenario, and additional groundwater pumped of about 300,000 acre feet, brings us to about 1.9 million acre feet of groundwater production.

When we now look back again at those historic baselines that we worked with in 1999, 2002, 2003, the DWR compiled data, the groundwater pumped, we used about 1.7, 1.69 million acre feet of groundwater.

And 1999 and 2002 ranged from 1.4 to 1.96.

So you see that even in these worst case scenarios, we're still bouncing around. For a dry year, 2002 data was actually a dry year, where more groundwater was used, so we're seeming to be within the same ranges of what historically has been occurring within the county, even with the swap of some of the

land uses.

And that's the essential conclusion, is that the existing rate of groundwater is going to continue with or without the General Plan Update. The General Plan Update does not exacerbate the overdraft. The policies provide opportunities so the General Plan itself has a significant number of policies that you guys have reviewed. Several of them are new that talk about -- they give opportunities to the county to improve overdraft conditions and to continue to assess water supply availability when formal water supply sufficiency assessments, SB610 documents, are needed for project specific EIR work in the future.

Also the policies provide opportunities for protection of recharge areas to maintain that net balance between native ground or the net groundwater versus the overlying, the percolating groundwater benefit to the basin, and also site specific analysis for contemplated developments are available now to the county and in the future.

And I believe that concludes my portion of the presentation. So I'll hand it back to Ray.

MR. WEISS: As Dave mentioned, Dave Mitchell, with Michael Brandman and Associates is at another hearing.

What I'd like to do is take his part of the presentation and talk briefly about the Climate Action Plan.

I'll provide a quick overview. As you know, recent legislation has made climate change and greenhouse gas emission reductions a big issue to consider in preparing and approving different projects and preparing environmental documents.

As the county went forward with the General Plan Update, they felt it was an opportune time to look at a Climate Action Plan and include that as part of the work that was being done for the General Plan Update.

As part of the Climate Action Plan, it really contains a number of key things, one of those being identifying greenhouse gas -- what is our baseline greenhouse gas emission sources, providing some information on the regulatory background and then developing both baseline and future year emission inventories.

The emission inventories are important because this serves as our targets for which we will -- they contribute to the targets for which the different measures in the Climate Action Plan would reduce these to identified targets.

Going back, here is the GHG emission reduction targets, the strategies to achieve the targets. A lot of these are based on the General Plan itself, the policies, the goals, the objectives, how these translate into different measures that can reduce GHG emissions to achieve specific targets.

More importantly, the monitoring program, how this will happen over the course of the Climate Action Plan.

Some of the reasons for preparing the Climate Action Plan. Obviously to reduce greenhouse gas emissions, what can the county do given their existing environmental condition, what can they do based on their policies to reduce greenhouse gas emissions.

How can the implementation measures be fulfilled, and then, also, looking to assist the state in achieving its overall goal as outlined in Assembly Bill 32. The state has overall targets, and the county is looking how they can assist in achieving those targets.

It's important to develop reduction strategies that are suitable for the unincorporated lands of Tulare County. What works in the Bay Area of the state or in Los Angeles is not going to work here. So it's very important to tailor the reduction measures to the

existing conditions of the county and also provide a framework for how to address these greenhouse gas emissions on a more project specific level.

It's important to understand how the CAP relates to the General Plan. The Climate Action Plan is an implementation measure as identified in the General Plan.

The environmental impact report also describes it as an implementation measure.

The Climate Action Plan relies on the General Plan land use, sustainability, transportation policies to help form the basis of the reduction strategy.

And that's very important because we need to get back to looking at what is going to work for Tulare County. What works in other areas of the state, those measures aren't applicable here, so we have to look at appropriate documentation, and the General Plan was an opportune document to serve as the basis for these measures.

The greenhouse gas emission inventory. This inventory was done -- it includes a 2007 baseline condition, and it also looks at 2020 and 2030 projections. Those are targets that are identified in legislation, and that's why we have those -- we know the General Plan goes out to 2030, but we're also

looking at an interim year of 2020, as that's recommended in the legislation to look at these reduction targets. That's why we conducted baseline data for that.

Here is a little breakdown of what was found in doing the greenhouse gas emission -- the inventory.

The majority of the emissions are conducted by dairy feed lots. They account for about 63 percent. The smallest is the activities related to solid waste collection and disposal. That was about four percent.

Electricity consumption, energy consumption, and mobile sources were a little bit more, with mobile sources being about 16 percent.

Just a little bit about that pie chart there, but as indicated dairies are the largest source, the key source being methane from the cows and manure.

There is a separate strategy being identified for dairies that is part of the Animal Confinement Facilities Plan, and then as indicated mobile sources are the next largest sources of emissions, cars, trucks, and off-road vehicle equipment.

I'll talk a little bit about our reduction targets. These targets are again based on achieving the targets that are consistent with the overall state targets as outlined in AB 32 and the Air Resources

Board scoping plan.

Here is the diagram that shows these targets for the specific years. Again, we're talking about interim years aside from those associated with buildout of the General Plan.

Some project reductions. Looking at achieving an average of six percent project level reduction as part of the Climate Action Plan target.

This target can be achieved through improved energy efficiency. There are a variety of different ways, but these are based on policies contained in the General Plan. But in addition to energy efficiency, we're looking also at on-site energy production, such as solar facilities, looking at higher development densities that are again consistent with the land use diagram for Tulare County, and then also looking at focusing on alternative transportation modes, transit, rail, things of that nature, but again consistent with the land use pattern and the circulation diagram for the county.

Additional reduction strategies can be done through water conservation energy savings, solid waste reduction and recycling, a number of voluntary programs and measures, agricultural programs. Anywhere there is a use of energy, look at ways to reduce the amount

consumed.

As I mentioned, the implementation plan and monitoring is very important. That's how we can see the results of these goals and measures.

The implementation plan would provide a benchmark which allows for quantitative measures to show how we're reducing these GHG emissions over implementation of the plan.

The CAP identifies both short-term measures, long-term measures, consistent with implementation of the document.

And I believe that's it on the action plan. So I'll turn that over to Dave.

MR. BRYANT: This will be the final portion of the staff and consultant presentation.

There were comments that were received after the close of the CEQA comment period. Those addressed several different areas, including climate, water quality, land use, project buildout, level of detail, enforcement, range of alternatives, and healthy and smart growth, location of new towns, regional growth corridors, preservation of ag and open space, disadvantaged communities, inventories, archaeological resources, and flood control.

Staff has conducted a review of these comments.

These areas of comment regarding the General Plan Update are addressed in the following manner.

Staff and our consultants have conducted a review of these 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's recommendations.

The staff recommendations. To receive public comment, to open the public hearing and then to take action on four resolutions.

The recommendations would be to, one, certify the proposed final EIR, adopt findings of fact and statement of overriding considerations, resolution accepting Planning Commissions's recommendation and adopting the General Plan 2030 Update, adoption of the Climate Action Plan, and a direction to file a Notice of Determination.

Before I complete my staff presentation, addressing a comment that was raised earlier at the start of our meeting today, the agenda item on the proposed General Plan Update, Climate Action Plan, and Final Environmental Impact Report was posted with the Board of Supervisors' agenda on the county's website

and noted that the attachments to the agenda item were available for review at the Clerk of the Board's office and were posted on-line. These materials were available at the time the agenda was posted on the internet.

Staff and our consultants would be happy to address any questions that you may have at this time.

CHAIRMAN ISHIDA: Mr. Cox?

SUPERVISOR COX: One general question. I read through this again, David. I noticed several places mentioned redevelopment agency, redevelopment areas.

Is there any need to address that here or because the state did away with redevelopment agencies are they automatically done away with by reference? Do we not need to do that in the document?

MR. BRYANT: At the time the document was prepared, as your board is aware, there was legislation and action at the state level regarding the redevelopment agencies.

As you're also aware, there is currently a successor program that is currently in place. Because there are still successor actions that are involved as part of that process, those terms were maintained as part of the General Plan Update document.

SUPERVISOR COX: A couple real specific

questions. I'm going to page 2-5 of the planning framework. Just a few real specific questions.

The very last line there says Patterson Tract on that right-hand page. I know it says here we anticipated these areas will be annexed, and this particular one is north of Visalia, veering north of the St. Johns River, and my understanding is that Visalia will not ever go that far north to the St. Johns River.

So do we need to pull that out? I wonder -- because I didn't see a comment from Visalia about that, but this Patterson Tract is so far north that I can't see getting there in 50 or 80 or 100 years.

MR. BRYANT: Yeah. The Patterson Tract area is currently adopted as part of the Visalia plan. That was adopted by your board in the early '90s and included as part of that plan update.

So this plan recognizes that that area is currently an existing area that is included as part of our existing General Plan.

SUPERVISOR COX: Even though Visalia will never get there?

CHAIRMAN ISHIDA: Visalia was never supposed to go past Packwood Creek, too.

SUPERVISOR COX: Yeah, it was, as part of the

2020 plan.

Next real specific question. On page 3-8, we actually -- under the farmland trust and funding sources, we actually name an agency, the Central Valley Farmland Trust.

Is that a Tulare County agency? Do you know that? It's right in the middle in the red, under farmland trust. It's AG 1.18. They actually name an agency there.

MR. BRYANT: I believe that was provided as an example of one agency that may be able to participate in that type of program.

SUPERVISOR COX: It's just an example?

MR. BRYANT: Yes. No, it would not be exclusive to that particular organization.

SUPERVISOR COX: Then the last thing on 4-29, in very -- under 4.5, the way I read this, it says the county shall encourage new commercial development as consistent with existing design of the surrounding community or neighborhood by encouraging similar facades, or scale parking, landscape and lighting.

As I look at the unincorporated parts of Tulare County, you know, I'm wondering why would we want to have it look like the old stuff that is there?

I mean, as I -- I'm just going through things

with no setbacks, with no landscape lighting, no landscaping, you know, we're saying it ought to develop and look like the stuff next door.

And I know in other parts we talk about upgrading and updating and fixing our old zoning stuff.

But here it actually says we want that new commercial development to look like the old which just doesn't seem right to me.

MR. BRYANT: The intent of that policy would be to provide for some continuity with some of the existing styles in a context-sensitive way to the existing structures that are there.

It would not be to tailor a particular development to look like any type of deteriorated or delapidated structures, but may recognize that there may be some unique features in regards to architectural design that might provide interest or value to the community.

SUPERVISOR COX: I think the Caltrans project out on 198, the landscape, setback looks really nice, and then you compare it to the other things that are nearby or leading out to that, no landscaping, no setbacks, and it looks like they went the extra mile to provide something like, you know, I would like to see that out in the county. So that's where I was going

with that, hoping that we're not doing a blank, okay, if there is an old metal building with no setback and no parking, that's the way you get to build.

MR. BRYANT: No. I think it's an opportunity to recognize some unique architectural features that may exist in and around some of the communities and to provide some consistency in regards to that type of design, where appropriate, and at your discretion.

SUPERVISOR COX: Thank you. Those were my very specific questions.

CHAIRMAN ISHIDA: Any other questions?

David, I have a question. On page 3-4, AG 1.3, Williamson Act. At the bottom of the page --

MR. BRYAN: Page 3-4?

CHAIRMAN ISHIDA: Yes. 3-4, part one. It specifically references the state's subvention program, the Prop 3 tax law.

MR. BRYANT: Yes.

CHAIRMAN ISHIDA: Dave, you're not subventing our taxes and all. So is that part of -- outdated or should we reword? Counsel?

MR. BRYANT: Again, I believe at the time that this was prepared, the subvention program was being discussed at the state level. And in recognition of -- that there may be changes to that program in the

future, that language was retained in the event that the funding situation may change in the future.

MS. BALES-LANGE: Mr. Chairman, we -- subsequent to the drafting of this legislation, we got -- I think it's been referred to as Williamson Light -- we got legislation which allowed, on a county-by-county basis, a setup of essentially a county-specific program which required the agreement of the various taxpayers who have the ability to opt into that program or to opt out of Williamson altogether, and this county has implemented that.

I want to encourage the board that there is language in these various documents that refers to -- the language available at the time or successor language unless there has been a significant change, there will not need to be a change in the language to, for example, refer to Williamson Light as opposed to Williamson. I'm sorry. I don't have the code sections right in my head. But the changes in the revenue taxation code.

CHAIRMAN ISHIDA: Can we just strike that?

MS. BALES-LANGE: That's part of the purpose of this process, is for your board to make changes, revisions, deletions, et cetera, and, again, we're happy to discuss this with you in closed session,

changes such as you are discussing right there, to make a clarification or deletion. It doesn't make such a significant change to the plan as a whole that would require recirculation, et cetera.

I don't know if your board wants to discuss amongst yourselves specific revisions now or if you want to wait until after you have public comment and then discuss that amongst yourselves or both.

CHAIRMAN ISHIDA: Okay.

MS. BALES-LANGE: You can do either.

CHAIRMAN ISHIDA: Okay. We can hold off on that since I wasn't able to participate in the Williamson Act discussion.

Any other questions? Thank you.

MR. BRYANT: Thank you.

CHAIRMAN ISHIDA: Okay. We're going to move on to our public comment portion of the program. And I have some housecleaning chores to go over.

If you have a spokesman for your particular group, I'm looking more or less -- I'm going to use this as an example, Citizens For Responsible Growth -- if you have a spokesman, a spokesman is allowed 15 minutes to provide your platform on the General Plan.

As individuals, you have three minutes to express your views.

So I'm not sure if we organized -- do you have a spokesman? Or the Sierra Club or whatever group, that's an option.

Okay. Some of the rules. You may not yield your time to others or reserve time to speak again.

We will ask the organization speakers to be first on our agenda. And because we have a limited number of interested parties here -- while we have a number of interested parties here, do not restate or repeat comments, testimony, or information or duplicate any comments, testimony, or evidence given by a speaker before you, and that you do not read extensively from written materials that you do not -- that you also intend to submit to the board.

Please limit your remarks to the subject at hand, the proposed County 2030 General Plan, Climate Action Plan, and final EIR, as well as the proposed mitigation monitoring and reporting plan, findings and statement of overriding considerations.

If you have a written statement or written comments, we'd ask you to submit that written statement or comments, instead of reading it, to the clerk of the board, and that's Michelle sitting up front.

And the board will have the opportunity to review any written materials and ask any questions.

There will be no clapping, cheering, or other out-of-order comments will be allowed. Violations of this rule may cause the room to be cleared.

During the public comment period, it is not a period of dialogue. We are here to listen to what you have to say, so do not expect a dialogue from the members of the board.

If you have any questions, you direct them to me, and then I will direct them to staff to answer those questions.

I'd like Supervisor Worthley to read a statement that we'd like to add to the preface of the General Plan.

SUPERVISOR WORTHLEY: I thought it would be appropriate for us to have sort of a preface that goes before the General Plan that will put it in context of our responsibilities as elected officials.

So I suggested the following language: Foundational to every society and nation is the right to ownership and use of private property. Often expressed as part of the inalienable rights of citizens, the Fifth Amendment to the United States Constitution declares that private property shall not be taken for public use without just compensation.

Article one, section one, of the Constitution

of the State of California reads as follows: All people are, by nature, free and independent and have inalienable rights. Among these are enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety, happiness and privacy.

Every elected official from the highest office of the land to the local school board trustee takes an oath before holding public office to uphold and defend the United States Constitution and for California elected officials the California Constitution.

In adopting the 2030 Tulare County General Plan, the Board of Supervisors are charged with establishing policies and procedures impacting private property rights of property owners while upholding and protecting those foundational inalienable rights. The Tulare County Board of Supervisors is dedicated to fulfilling its Constitutional oath, while judiciously adopting plans which will promote the health and welfare of our county residents and consistent with the value statements outlined in the goals and policies report.

Balancing private property rights with police powers requires continued vigilance and sober judgment and is the ultimate goal of this 2030 Tulare County

General Plan.

MR. ISHIDA: Thank you, Supervisor Worthley.

We will now take comments from the public if we have an organization spokesman. And we intend to recess no later than five o'clock. If there are people here that cannot come back at seven o'clock, please let me know so we can fit you in in the next hour that we have.

And, also, we will reconvene at seven o'clock this evening. I do have a request from someone to speak at seven.

But when we get to the individual speakers, I'll call several names. If you can just kind of come forward and line up, that should make the process go quicker.

Please identify yourself and your address for the record. We will start with Mr. Keenan.

MR. KEENAN: Bob Keenan, President and CEO of the Home Builders Association of Tulare/Kings Counties, P.O. Box 3930, Visalia.

I gave for distribution a letter. I was just curious. I looked at mine and I have two page threes, and not a page two. Do you have all three of them? If not, I have a couple extra copies I can give the clerk.

CHAIRMAN ISHIDA: Mr. Keenan, I have read your

letter.

MR. KEENAN: Nothing seemed to repeat itself in there?

CHAIRMAN ISHIDA: No. But this isn't what is before us today.

MR. KEENAN: Yes, it is. It was referred to in the presentation by staff. And it is in the General Plan, the sections to implement developer impact fees.

The Home Builders Association is opposed to the county imposing impact fees for collection by agreements with the incorporated cities and conversely collect city impact fees by that same agreement within the county and the CCUDBs.

We believe that the fees are illegal for the following reasons: Under the California Constitution, the county has no authority to create or have fees charged within incorporated cities. The county has no authority to charge anything outside of its own legal boundaries which are the unincorporated areas. Such an approach violates the provisions of the California Constitution, including those related to the proper exercise of police power, the statutory provisions of the fee mitigation act.

The MOU approach is unlawful delegation, illegally contracting away of county legislative powers

to other entities.

It constitutes an impermissible special tax rather than a development fee.

Considering the fact that there will be a dual fee if someone wishes to locate in a city, there will be two sets of impact fees.

To avoid that, they might develop residential, commercial, or industrial in the other counties on the fringes of Tulare County to avoid payment of those fees.

This would cause additional transportation to and from the cities and other areas within the county and should be reviewed by CEQA as potentially increasing traffic and pollution.

There is also that cause of potential loss of jobs, property, and sales tax if development opts to locate on the edges rather than in the county.

The county is an extension of the state established to perform and provide certain mandated services and functions.

And as a legal state entity, it should have its facilities, roads, and other needs financed by the state through the state taxpayers or through bonds, not impact fees. Thank you.

CHAIRMAN ISHIDA: Thank you.

Are you going to speak for the group?

MS. BODNER: Yes, I am.

CHAIRMAN ISHIDA: Okay. You have 15 minutes.

I want to stress the chair has the authority to extend your time or limit your time.

MS. BODNER: I won't need it all.

CHAIRMAN ISHIDA: Works both ways.

MS. BODNER: My name is Karen Bodner. I live in Three Rivers. I am speaking first on behalf of the Tulare County Citizens For Responsible Growth. If I may, I will stay up here and make my own comments afterwards. I'm not going to take the full 15 minutes.

Since this General Plan Update process began almost six years ago, the Tulare County Citizens for Responsible Growth has made serious efforts to work with the county to accomplish all of the goals identified by county citizens and, we believe, by this board: Enhanced economic opportunities for all county communities, sensitive to the equally urgent needs to improve our air quality and water quality, and to protect our vital agricultural and open space lands through responsible, planned growth.

At every opportunity, we have invited, encouraged, implored the county planners to engage with us to create a future for our county that truly

represents the vision and priorities identified in the numerous planning workshops held between 2003 and 2006.

In 2006, in response to the notice of preparation, we identified crucial elements and issues for analysis. At the same time, we urged the county to accept the recommendation of the Planning Commission and the vast majority of public workshop comments and develop a city-centered growth plan.

TCCRG members met with members of this board individually as the first Goals and Policies Report was published and then submitted extensive comments on the entire first draft General Plan.

We submitted extensive comments on the draft environmental report and again on the entire revised draft General Plan and revised draft environmental report.

In connection to our comments throughout the years, TCCRG submitted and advocated a detailed healthy growth alternative. TCCRG testified at each Planning Commission hearing and we're here again today.

At every opportunity, we offered to work with the county, invited the county to call on us, consult with us to address our concerns.

Although the county did consult with other county stakeholders, it never took us up on any of our

offers or requests.

Instead, our proposed healthy growth alternative was mischaracterized and dismissed without consideration.

RMA inaccurately called our proposal merely a, quote, variation on RDEIR alternative five, unquote, RMA's confined growth alternative.

The RDEIR describes the primary objective of TCCRG's healthy growth alternative as, quote, to minimize significant and unavoidable impacts to open space areas, agricultural lands, and aesthetic resources.

In fact, however, the very first goal set out by the healthy growth alternative is to, quote, promote a balanced and functional mix of land uses consistent with community values and resource availability.

Other objectives focused on utilization of existing infrastructure, water supply, environmental conditions, proximity to jobs, transit, schools, and civic and commercial centers, and the desire of the community to accommodate additional growth. I refer you to our 2008 comment letter.

The FEIR frequently reminds us that no decision has yet been made as to whether to adopt the proposed project or one of the alternatives or to create a

hybrid.

TCCRG sincerely hopes that this is true, that this board has not yet made its decision, and that there is still hope that our General Plan Update will provide clear and strong direction to future decision makers, as well as to the public, on how and where we will grow and prosper.

We remain hopeful that Tulare County can and will be a leader in adopting a General Plan that will protect all of our interests. To that end, TCCRG again invites and encourages the county to work with us to realize a vision we share.

CHAIRMAN ISHIDA: Thank you.

MS. BODNER: That's it for TCCRG.

CHAIRMAN ISHIDA: Just one second, I want to ask, is there anyone else here representing another organization?

MS. STEVER BLATTLER: Good afternoon, members of the board, chairman, staff, and council members, my name is Patricia Stever Blattler. I represent Tulare County Farm Bureau as their executive director.

I spent the balance of four and a half plus hours with you this morning and thank you again for your support on other ag-related matters.

The Tulare County Farm Bureau's mailing address

is P.O. Box 748 here in Visalia.

I'm going to just do some paraphrasing and some summarizing from two of our comment letters that were submitted in 2008 and again in 2010, and for respect, out of brevity and today's time constraints, I will not be resubmitting those comments in writing.

But just as a point of information from the agricultural community and the growers that are represented in Tulare County Farm Bureau, we have adopted a series of policies specific to land use and development in Tulare County which is a matter of protocol that most farm bureaus throughout the State of California adhere to. I want to highlight a few of those policies and speak to them relative to the General Plan Update that is before us.

We certainly believe and know that you acknowledge that agriculture is a basic industry that makes an invaluable economic contribution to the local economy and that encroachment of incompatible uses in agricultural areas should be prevented, and we commend you for doing that in many elements of your General Plan.

We do support that planning and allowed land uses in the zoned areas should be driven by agricultural needs. We find often that service

establishments and ancillary service industries are locating in agriculturally zoned areas because it's convenient, it's affordable, and it's a path of less resistance in some cases than looking for other desirable properties in the county, and we want to make sure as we move forward in implementing this report, this General Plan and all the elements in the General Plan, that we're cautious to make sure that the agricultural zones maintain their integrity in this county and they are zoned for the needs of agriculture and the production inputs that we need.

It's not just enough to say we want to protect the right to farm. We have to be able to protect the ability to farm. And that ability includes maintaining the natural resources, the inputs, the air, the water, and the many other inputs that go into making agriculture viable as well as profitable.

This morning, Chairman Ishida spoke about the Regional Water Quality Control Board. It's just one example that is very relevant and very current to where we are with land use in this county.

The agricultural industry is looking at a potential impact of a new regulatory program for irrigated agriculture which will cover millions of acres of farmland in the South San Joaquin Valley, and

the potential price tag that growers have been told could take anywhere from 21 dollars to 180 more dollars out of their pocketbook for every acre of irrigated land in the agricultural region of the state.

And that is significant, and it's just one of many examples of where land use and planning are going to determine the course of agriculture and what it looks like in the future.

Not only is an irrigated regulatory plan in front of us, but again more air quality regulations, and we continue to see agriculture treated as the mitigation bank for all of these issues, all of these environmental challenges.

So I encourage us, as we move forward with the General Plan, to think about all of the inputs and the resources that agriculture must have to survive in this county, not just our footprint on the land, but certainly the inputs that go along with that.

I wanted to speak particularly to the rural valley lands plan. I'm very pleased that it continues to remain an integral component of the General Plan, but I am hesitant that we are diluting or diminishing its power or its prowess in the county's General Plan.

For one reason, when we commented in 2010, we believed that the plan should focus the RVLP on being

used even in hamlet development boundaries. We believe that as urban services in these areas remain uncertain, the RVLP would provide a very objective scoring methodology to evaluate those proposals, and the Farm Bureau has been very vocal about using the RVLP for many service establishments and use permits, those permits that are typically conditioned upon approval and typically don't trigger a zoning change.

We have raised countless issues with our county's agricultural policy advisory committee. We have brought some of those concerns to the Planning Commission, and I have appeared before you for various projects and site specific issues related to the use of conditional use permits, and we have seen instances where we believe that the process has really been a governance by exception, that there have been too many exceptions to the process, and not enough consistency in implementing use permits using the RVLP.

Now perhaps when you get into the details of the RVLP, some of those triggers are not in there by choice, but we believe that the RVLP is a very unique document, I'm not aware of a document like it anywhere else in California, there were a lot of Farm Bureau members and agricultural leaders involved in writing that document back in the 1970s, and I think it is

still a very integral component to your General Plan that certainly the Farm Bureau sees as a valuable piece moving forward that we need to keep protected and utilized and enforced in many different aspects of evaluating the merits for special use permits and service establishments.

As of today -- this comment was made earlier today as well -- Tulare County sits in the number one ranking of agricultural productivity in California and the nation. And until the Fresno report comes out, we'll keep touting that ranking.

But I think it's important, too, that we move forward with a General Plan that puts us on the map not just as another county that is cookie cutter approaching land use and development, but a county that is truly the role model for how to protect agriculture, its natural resources, and the inputs that agriculture relies upon.

I think your county's agricultural advisory committee, which is now renamed to be a policy advisory committee, is another integral component of your General Plan.

In many of your mitigation measures, the AG PAC or the Ag Policy Advisory Committee is referred to as the check and the balance to make sure that certain

objectives will be met, certain conditions will be examined, and that certain policies will be examined by that committee on a regular basis and make recommendations to you, as the Board of Supervisors, as to how agriculture should be treated and analyzed here in the county's growth plan.

I just want to encourage you, moving forward, regardless of what challenges and what issues arise, no document is perfect and what we need to do is adopt this General Plan, move it forward so we can get to where the true detail is, and the work is, and the work is going to be in updating ordinances, revising code language, helping engage the county's agricultural policy advisory committee on those matters, bringing relevant and current discussions to that committee, so that we can support you, as our county leadership, in implementing a General Plan that really protects land resources and really protects agriculture.

You know, I'm up here on my soap box representing agriculture today, but our industry cannot survive without the support of government.

And we probably -- most of my Farm Bureau members say we have too much government as it is, but we really need at the local level, local land use decision making that supports a robust agriculture

industry, and I believe this county can certainly be part of building a road map for our future that continues to protect agriculture.

Just a couple days ago, I was commenting to a reporter about dairies, and we have a lot of dairies in Tulare County, and we have a lot of dairies going out of business.

Western United Dairymen reports that 283 dairies have gone out of business since 2008 here in California, 17 of those here in the south valley just very recently due to pricing issues, as well as certainly debt servicing and bankruptcy.

This is just one of many examples where agriculture is really, really in a situation of crisis.

It's wonderful to look at the gross values that are reflected in our crop report and think what a robust economy we have in agriculture, everything must be great, all those farmers must be rich, but that is certainly not the case when we look at net receipts to agriculture.

And so, again, I am not here so much to go through the details. The details and the devil that is in them will be hashed out in many interations to come, but I do encourage you to adopt this General Plan, good, bad, indifferently, so we can move forward with

the work of this county in protecting agriculture, and I encourage you to make sure that the agriculture policy advisory committee is very much engaged and involved in that process and that they are not an afterthought to the process when land use issues come up.

I know it's very important that they don't look at site specific matters, but I think it's really critical that they be asked to be engaged early on in the process of revising ordinances, looking at use permits, service establishments, and defining a vision for agriculture that we can all be proud of moving into the years ahead. Thank you, very much.

CHAIRMAN ISHIDA: Thank you.

Are there any other organizations wishing to address the board?

Okay. Ms. Three Rivers, you're up. And behind her will be Mary Lou Burbery, Constance Fry, Joan Stewart.

MS. BODNER: Again, I'm Karen Bodner, Three Rivers, and I'm speaking for myself right now.

First, I'd like to just say that I really like what she said about the ag committee. I think that's really important. We have to look at all the elements that impact not only our agricultural uses but our open

space uses.

Having said that, I'm really concerned that the way the General Plan has been presented to you is misleading. If you haven't read through all those thousands of pages, and I'm pretty sure you haven't, I have, two times, and I turned in hundreds of pages of comments and suggested improvements for language, but they have all pretty much been ignored.

When the revised version came out, although it was called a complete revision, when you actually looked at it, there were some typographical errors that were fixed, there were some portions that were required by law to be included that had been omitted that were now included, and that's about it. The rest of it was just rearranged.

The robust analysis of the alternatives was in no way robust. It simply reiterated what had been said before.

The master responses, very often, just pulled the language that had been questioned out of the document itself and was repeated.

As she mentioned with the ag section, the RVLP has been weakened, the foothill growth management plan has been weakened, a full 33 percent of the current provisions in the foothill growth management plan has

been completely eliminated, and a large number of the remaining ones have no implementation measures at all now while they did have before. Some very important ones were completely eliminated, including policies that required the county to protect foothill ag from encroachment and development, to require zoning to protect liability of foothill ag, and to limit residential density in Success Valley.

In three minutes, I just don't have time to go over it all. I have a copy of some comments that I had submitted to the Planning Commission, and I will make copies for you and bring them at seven o'clock.

Before my time runs out, however, I do want to address the statement that the confined growth alternative was based on TCCRG's plan. It really wasn't. And as I said earlier, if you actually look at what we submitted, you can see that there is a big difference.

In sum, I just ask you to not rely solely on what you have been presented here, but go in and look at the document, pick something out in random, and just compare it to what it should be.

There are so many shoulds and encourages -- may I have one more minute?

CHAIRMAN ISHIDA: No, but you can have a couple

more seconds, though.

MS. BODNER: Okay. I have lost my place. Sorry. I'll just leave it there.

CHAIRMAN ISHIDA: Thank you.

Mary Lou, was it?

MS. BURBERY: I would like to be heard at seven, please.

CHAIRMAN ISHIDA: Okay. That's fine.

Constance Fry.

MS. FRY: Constance Fry, 701 South Woodland, Visalia.

I would like to speak about land use and housing which in recent years has been added to the CEQA, and I would like to read from part of the General Plan. This also speaks for air quality.

PAQ-1-12. The county shall encourage leadership in energy and environmental design in neighborhood development certification for new development to promote energy conservation and sustainability.

This is a worthy goal. It just says the county is going to encourage this. No wonder that Deputy Attorney General Susan Fiering, in looking over your 2008 update, gave a scathing rebuke because you weren't serious. Encourage. That's all.

Next. PAQ-3.4. The county shall encourage ecologically based landscape that can improve air quality. Encourage.

AQ-3.5. The county shall encourage all new development, including rehabilitation, renovation, and agreed development to incorporate energy conservation and green building practices to the maximum extent feasible. Encourage.

PAQ-4.1. The county shall support air quality attainment plans. Measures will be applied to new development approvals and permits as appropriate. They're going to support air quality plans.

One of the parts that disturbed me most was the lack of any regulation. There is no responsibility here. No wonder that the Attorney General says that your plans are market driven. The General Plan, she says, allows market forces to decide and that it considers a narrow range of alternatives, ignoring smart growth, and that air quality problems are significant but unavoidable. And no mitigation measures are available. This is throughout in several places.

So since we have such bad air pollution in our county, let's just give up. Can't do anything about it.

Although we have noticed that you have some things such as new ATMs at employment places.

CHAIRMAN ISHIDA: Thank you.

Joan Stewart?

MS. STEWART: I'm speaking both for myself personally as a professional biologist, but also representing the California Native Plant Society, which is a statewide organization which seeks consideration for botanical resources.

In the document you talk about, quote, protecting and preserving biological resources. It's stated as a goal, but you do not define what those resources are.

Actually, in Tulare County, we are somewhat unique in having about 150 different types of vegetation that have been analyzed and characterized at Sacramento by the State Natural Diversity database.

We have over 200 species that are designated as -- I'm talking about plants now -- plant communities, forest, shrub, and herbaceous communities.

There is no mention anywhere in the document of what these resources are that you're trying to protect and preserve. There is no mention of why you want to preserve these.

I would like to read a couple of comments that

are sort of general. It's because of an intimate awareness of the continuity between our lives and the rest of life is the only thing that will really conserve the earth.

A quote from Wendall Berry: How we live, where we live is what makes us part of a natural ecosystem. It is also the source of our most profound impact on the more than human world.

And finally a another quote: We are connected by the ways that we choose, consume, and share water, food, shelter, and air just like all the other animals.

Having this, the data, this is why we want to conserve this, and there is no direction about implementation to achieve the goal that you state to protecting and preserving. Nowhere.

You mention the characteristics and aspects of community, but it's not a natural aspect. You use the word corridor, but as a concept for transportation, for people movement, not as biologists use the term as a corridor for plants and animals from one population from one portion of their range to another.

I have heard the word habitat mentioned once today in all the talks, and it was just tossed away.

In October 19, '11, a year ago, we commented as following: Enlarging and connecting protected areas,

areas that are kept natural with biodiversity intact buffered from surrounding developed areas is not at present spelled out in the county plan as high priority and therefore is difficult to anticipate how the county will meet its goal of, quote, again protecting and preserving biological resources if the updated General Plan is to be our guide in coming years.

So, in summary, as a biologist and as a human being who is aware of the fact that my life is tied up with the life of all other forms of life on this planet, I think the General Plan can be termed somewhat pathetic.

CHAIRMAN ISHIDA: Okay. Gary Adest.

MR. ADEST: Mr. Chairman, Board of Supervisors, thank you for the opportunity. The daunting task of addressing --

CHAIRMAN ISHIDA: Could you give us your name.

MR. ADEST: Gary Adest, Springville, 35489 Ward Avenue. I speak to you as a private citizen. And I am a property owner in both Camp Nelson and make my home in Springville. I own a 700-plus acre cattle ranch on the north fork of the Tule River.

I want to speak to you from two points of view, one is as a taxpayer, and my concern about the decision the board is about to make, and the consequences of a

yes vote on this General Plan as submitted, and the other as an inhabitant of our foothills of the Sierra.

It is my analysis that the General Plan is flawed in the sense that it is internally inconsistent with its overarching goals as related to the foothill growth management plan portion of the General Plan.

The decision to not address any changes, any of the boundaries of the foothill growth management plan area or the internal zoning of that area, puts it in direct conflict, I believe, with stated resource conservation and long-term sustainability goals of the General Plan.

And I want to give you an example historically. When I moved to the area in 1988, Springville had a downtown area population of about 1,000 people.

In 2012, Springville has a population of about 1,000 people, but at the same time the general Springville area, maybe seven or eight years ago, had 3,000 postal customers, and I guarantee it has many more now.

When I moved to Tulare County, two pickup trucks could stop in the middle of Highway 190 in opposite directions and have a long conversation. That was the nature of the rural community. That was the nature of the Springville area.

Folks submitted 300 comments to our visioning process when I was chair of the chamber board. They wanted to keep it as it was.

The single-lane highways that service all the riparian corridors that are in the boundary area will never be able to support the kind of buildout that will occur with the size of that area.

In addition, you have thousands of acres of grazing land and working cattle ranches that are zoned in one home per acre zoning.

Almost a guarantee that you will be in conflict with your air plan, your water quality plan, your transportation corridor plans.

So I advise you to look carefully and do the bold thing and remand this to the Planning Commission. I guarantee this General Plan, as submitted, will be challenged, and I don't want to see that as my taxpayer money put to defending you all in a decision that represents a plan that, as a former college professor, I would have given a D.

CHAIRMAN ISHIDA: Greg Schwaller.

MR. SCHWALLER: Good afternoon, Mr. Chairman, supervisors, members of the public. My name is Greg Schwaller. I live at 43857 South Fork Drive in Three Rivers.

I applaud our excellent sounding goals and framework statements. However, a reading of the GPU still indicates that for the last nine years running, despite thousands of pages of written comments and many hours of oral comments, the county has persisted in producing a plan that will be ineffective and so flexible it is weak. Whether or not it meets state law remains to be seen.

I cite the example New Towns. Ever since 2003 when the county workshops began, its residents have told the county they want growth to be focused in our existing communities, that they don't want sprawl onto our agricultural and open space lands which should be protected.

After thousands of pages of comments and dozens of hours of testimony, no one has publically endorsed the idea of new towns in Tulare County, while many, many comments have urged the county not to allow new towns, but to enforceably promote responsible, sustainable development with our existing urban areas.

The comments have been overwhelmingly against the establishment of new towns because of their numerous negative impacts on existing communities, agricultural, and open space lands, scenic landscapes, air quality, and a lot of other things frequently

documented by us to the supervisors.

Witness San Diego County's experience with the new town of East Lake with its 20 to 30 thousand residents.

Despite the public's repeated requests, never has the county explained why it is emphasizing new towns as part of the General Plan update. Building new towns would not preserve nor expand natural resource lands and open space, but would needlessly, expensively, and permanently pave them over. Have you ever seen anyone undevelop a new development?

The best way to limit negative impacts to our natural and cultural resources is to locate new development within our existing development boundaries, which have been shown by the county's own consultant to have plenty of room to accommodate all the growth projected for our county throughout the term of this General Plan Update.

The GPU should strongly discourage, if not outright ban, the development of new towns. Any proposed planned communities should be located within existing development boundaries, where they will provide just as many jobs and invigorate existing communities.

Until we've filled up development within our

existing boundaries, there's no need for detrimental sprawl development outside of them.

Our agricultural and open space lands are vital resources to the health, economy, and beauty of Tulare County, and they should continue to be so for generations to come.

Please adopt a strong, consistent, enforceable plan with the healthy growth alternative that has been proposed by the Tulare County Citizens for Responsible Growth. Thank you.

CHAIRMAN ISHIDA: Thank you. We've reached that time where if there are people here wishing to speak that cannot come back at seven o'clock, please feel free to come up.

Lauren, I have you next anyway.

MR. GRAY: Thank you. Members of the board --

CHAIRMAN ISHIDA: Your name and address.

MR. GRAY: My name is Gary Gray. I live at 1721 West Burrell here in town, Visalia, two blocks away.

I'm strongly opposed to this EIR, this FEIR, to be certified at this time and would like to try to convince you because of the air quality and dust that more work needs to be done.

This document, 10,000 pages, five feet tall,

only has 28 pages addressed to the air quality. It's no secret that Tulare County ranks in the top ten of the worst counties for air quality nationally. Maybe whatever other study you look at, maybe it's in the top three, one or two, but certainly we can do better here if we know that there is a problem, to challenge the authors, the group that has prepared this FEIR, to do a better job and come up with some better standards that are required.

Essentially, they said it is what it is. Nothing can be done. And they found that it was significant, but there is nothing we can do about it, and I don't believe that.

CEQA gives us here in California -- they place you as the lead agency to provide a forum for the public to come forward to address these issues and to get an FEIR, a draft plan, right.

I think you have problems with it, you're going to face legal challenges, and I believe that the air quality is what you really need to address. Thank you.

CHAIRMAN ISHIDA: Lauren?

MS. SARIO: Good afternoon, supervisors. Lauren Sario, 2182 Penlan, Exeter, California.

I just wanted to thank Supervisor Worthley for reading that comment. I really appreciated hearing it,

and I appreciated the constitutional merit that was in that.

I work for my parents' construction company. We do construction design management. We've been doing business in Tulare County for 30 years.

And this afternoon, I have noticed that a lot of people are here, and I don't know the motivation, they're saying a lot of things about these gentlemen that worked really hard to prepare this General Plan and the environmental impact report and all the corresponding documents, and they -- I was here, I have seen it, and I know that it's got a lot of wonderful things in it, and they worked hard on it the past 10 years.

The past couple of hours, they've been able to reinforce all of the diligence that they've done in preparing the General Plan for us.

And they've pointed out, again this afternoon, and I know that they've gotten input from a lot of constituents, they spent countless hours working with your professional planning staff, their careful review with your attorneys, and the General Plan is ready, and as a business owner in Tulare County we need it.

So I'm here today to urge you and to ask you to pass it, get it out so that, as business owners, we can

get to work and start building the success of Tulare County.

We need a plan. And another thing that they pointed out today with their presentation was that the county is growing, and it's with or without a General Plan.

I'm a civil engineer. I understand the importance of a General Plan. We have to have it. We can't be growing without any ways to grow.

So we're going to keep growing with or without this, but our county needs it, and the General Plan is ready for your approval. That's what I'm here to urge you to do today.

In all due respect to Constance, I don't believe that regulation equals responsibility. As a business owner, when I see the word encourage, that means something to me. I don't need a list of laws and specific regulations to protect my property that my family has been working in for 30 years. I don't need someone to tell me how to do that. I want to protect it for myself and the generations to come.

So regulation does not equal responsibility. And the General Plan presents a really good opportunity for Tulare County to grow.

And I just want to thank you, again, for all

the work that you guys do, again for that statement that you made with the constitutional merit. I appreciate what you guys do. I know it's not an easy job, and I thank you for your time and for your service. And I just hope that you guys approve the General Plan and we can get to work for you. Thank you.

CHAIRMAN ISHIDA: Thank you.

MR. MAZE: Good afternoon, members of the board and staff. My name is Bill Maze. I reside at 1601 West Cherry Avenue here in Visalia.

As a fourth generation Tulare County resident and a member of the local chamber board, although I'm not speaking on their behalf, I'm president of American H20 Systems, I want to voice my support for the General Plan that you have before you gentlemen today.

I come from a business perspective, being a local businessman and agricultural person and other agricultural establishments.

And, as you all know, as a former supervisor that sat at this desk, I have a unique appreciation for the gravity of the long-term implications of what you are asked to do on this measure.

You have already heard and will hear many more spirited opinions telling you that the General Plan has

too much of something or not enough of another item.

Unfortunately, this has gone on far too long at this juncture. What you cannot do is act or deter by the loudest and most irate voices in this room.

It is essential to cut through the rhetoric, remain focused on the core issues. Our county is growing. You heard the last young lady say that as well.

Businesses cannot wait any longer to chart their long-term business plans. And whether they are going to be ready, willing, and prepared to accommodate their business plans, or are they just going to go down the road. That's a possibility as well.

It's unfortunate that our economic times have encountered such hardships over the last few years, but even worse for the state, our political jurisdictions have deteriorated to the point of pitting one against the other with -- as my interpretation -- egregious being the state versus the counties of California, and we certainly had suits that endeavored back in the '90s because of that.

I think as a result of this, we're seeing lots of reactionary policy-making take place and, as the old cliche says, time to take the bull by the horns and go with it.

Again, today is a crucial vote to this county. It's essential that a blueprint be implemented to denote and guide us on how this county is going to grow over the next decade.

As you formulate your positions and set this course, be very mindful to think long term and large scale, to think comprehensively, wisely, and independently.

My prayers are with you, gentlemen. Thank you for your time.

CHAIRMAN ISHIDA: Thank you, Bill.

MR. PUGH: Good afternoon, esteemed members of the board and Mr. Chair. I am Jared Pugh, 33112 Globe Drive, Springville, California.

First off, I wish to offer my congratulations to the board, their staff, and associating agencies that put their time and effort into this vast and comprehensive plan.

However, I must also offer some facts that have unfortunately been missed.

We are a county rich in natural resources, as outlined by the aggregate value availability in the California report of 2006 which was diligently prepared by the California Department of Conservation as an addendum to their geologic survey from that same year.

This report and many more independent surveys just like it stipulate that the annual impact of the construction and aggregate industries in Tulare County has been estimated to exceed a market value of one billion dollars annually. And with current inflation, the market growth could potentially be higher.

This essentially means that construction and aggregates potentially have as much market value as the county's current leading industry, dairy.

These studies further stipulate that over 50 percent of all aggregate products sold locally are used in public work projects, meaning that our aggregate industry literally maintains the very infrastructure that Tulare County relies on for its economic wealth and could be a useful ally as we continue to grow our county.

These products could also be used as a great boon to the local economy as much as the focus of this plan to conserve agricultural lands as we bolster current urban centers.

Despite this, this current plan again fails to recognize the colossal potential of developing a local aggregate industry as it could vastly reduce the cost of infrastructure development as well as provide many environmental benefits.

Instead, the plan not only bumbles through the procedures and administration that potential mineral companies would need to file, but also fails to include White River in its environmental impact report.

The General Plan takes into account the environmental impact of the Tule River watershed as well as Deer Creek, yet again fails to include the White River, which has been proven in the aforementioned geologic surveys to have materials and minerals that can provide sustainable jobs in our county not only for the next 20 years, but in fact the next 100 years.

In conclusion, the main problem with the 2030 plan being presented is that it is not a plan for change in growth, but rather business as usual.

Tulare County should be looking to diversity its economic growth rather than continue to invest all of its economic energy in only one industry.

The flaws are many, but the potential is great. I implore you to recognize the many benefits a hardy aggregate industry would bring to our county. Recognize the minerals we have available to us readily. Recognize our mineral wealth by bringing White River into the General Plan into a mixed-use zone, but most of all recognize that Tulare County has the tools to be

an economic powerhouse, if only it had the plan. Thank you.

CHAIRMAN ISHIDA: Thank you.

Ma'am, before you start, can you come back at seven? Come on forward. Is there anyone else that cannot come back at seven?

MS. SELF: Thank you for letting me speak. I am Mona Fox Self. I live in Three Rivers, California. I'm a retired adjunct faculty member from COS.

This is my issue. It's about something that hasn't really been mentioned a lot. And that's the proximity of the development to the park and how it will impact the park.

I'm not employed by the park. But you spoke of individual property rights of those people who own the land to do what they wish with their land.

But how have you taken into consideration common property rights? The park belongs to all of us, and its assets belong to all of us.

I'm speaking of the foothill development corridor and what it will do to the park, to visitors to the park, to people who live nearby.

For instance, you mentioned that you made some mitigation for dark skies. But if Three Rivers decides to have a dark sky and aims its lights down and Yokohl

City has street lights, you're going to have a city next to the park, and you're going to have an orange glow that will forever mitigate the dark night sky. So it will be impossible to see the dark stars 50 years from now, the dark skies and the Milky Way, and to have the enjoyment, the spiritual, the aesthetic beauty of that experience.

I want to ask you one question. How does the procedure for the creation of new cities really direct growth toward the existing cities anyway? The two seem to be contradictory. Thank you.

CHAIRMAN ISHIDA: Thank you.

MR. KEEN: Mr. Chairman, and board, and public, I'm Russ Keen from Lindsay, I live at 21142 Road 224, and I -- this has been a very interesting afternoon and to see the tremendous amount of work going into this, tremendous amount of thought has been put to all of it.

I didn't come with the intention of having anything particular to say, except that I think we need to keep in mind that this valley can produce, this county, and this expanded valley can produce food for the world probably better than any place else in the world, particularly at this level, and that is so important.

Look at what China is doing. It's producing

everything else but, but they sure want our food, and we can balance our trade with food, and we can actually food feed the world, and that's a better way than to keep from having wars it seems to me.

So thank you for all you do, and let's keep in mind and all see that ag is important in this valley because we can with food feed the world. Thank you, very much.

CHAIRMAN ISHIDA: Thank you. Okay. We have time. I have three remaining requests at this point in time. Peter and Carol Clum, do you want to testify now or do you want to wait until seven?

MS. CLUM: I'll do it now.

CHAIRMAN ISHIDA: Peter, you can come up, too, if you want to do it now.

MS. CLUM: Carol Clum, 45638 South Fork Drive, Three Rivers.

Tulare County's Climate Action Plan does not include all sources of greenhouse gas emissions. A greenhouse gas inventory must be complete. Fuel combustion accounts for more than 85 percent of the greenhouse gas emissions in California.

Some of the sources omitted are propane combustion, gas flaring in conjunction with oil drilling, airport emissions, railroad emissions,

greenwaste burning, wood stove and fireplace burning, and wild fires. The county can't just ignore propane emissions.

In the unincorporated county, almost every home, business, and industry uses propane to heat the building and heat the water.

Eagle Mountain Casino uses 700,000 gallons of propane a year, according to Jim Bailey, salesman for Delta Liquid Energy, in a telephone conversation with me on March 10, 2011.

Agricultural uses of propane include forklifts, drying and roasting nuts, packing houses, dairy sterilizers, and warming greenhouses.

Other uses include recreational vehicles, plumbing, welding, firing barbecue grills, and heating pools. For what reasons would the county not compile a complete inventory of greenhouse gas sources other than the expense and difficulty of compiling the inventory and subsequent pressure to lower emissions.

The supervisors may not want certain special interests to bear the expense of reducing their emissions, for instance, dairies, agriculture, construction, and industry.

The county bears the burden to make its best efforts to investigate potential environmental impacts.

In so doing, the county must consult with the propane suppliers as I did.

Our supervisors believe if it becomes more expensive to do business in Tulare County, developers will flock to nearby counties and Tulare County will lose potential tax revenue. Global climate change and public health are of little concern.

What is so disturbing about this General Plan Update is the supervisors' overriding quest for tax revenue. They have disregarded the residents' desire for cleaner air, a reliable water supply, safe drinking water, and minimal loss of agricultural land.

It's true residents want good year-round jobs, but not at the expense of their health or their wells going dry. Residents want low income and middle class housing near their jobs, not upper middle class second homes which residents can't afford in distant foothills.

CHAIRMAN ISHIDA: Peter?

MR. CLUM: Peter Clum, 45638 South Fork Drive, Three Rivers, California.

The FEIR was made available August 30th of last year. Now, two days short of a year later, one should ask if this plan is as good as the county has repeatedly told us, what has taken a year to get to

this point.

Since August 30th, 2011, the county has spent at least another $425,000 on the General Plan Update. Total taxpayer money consumed is over three and a half million dollars. Was the $425,000 expended since last August used to make changes for the better in response to public comments? Not that I can tell. Rather, the taxpayers' money has been spent trying to create out of thin air required findings which must be based on substantial evidence in the record.

The county has this big challenge. A statement of overriding considerations is required and offers a proper basis for approving a project despite the existence of unmitigated environmental effects, only when the measure is necessary to mitigate or avoid those effects have been properly found to be infeasible.

CEQA does not authorize an agency to proceed with a project that will have significant unmitigated effects on the environment based simply on a weighing of those effects against the project's benefits unless the measures necessary to mitigate those effects are truly infeasible.

Such findings of infeasibility must be based on substantial evidence. And that's a major problem for

the county when it comes to the General Plan Update.

The mitigation measures are either nonexistent or so vague, undefined, lacking in performance criteria, and unenforceable that they are illusory.

The county's approach to mitigation in almost every instance appears to be, at best, an amorphous measure that does not commit the county to any specific mitigation measures to reduce the significant environmental impacts and does not provide any objective performance standards by which the success of the county's mitigation actions can be measured.

The only criteria for success of the ultimate mitigation plan adopted is the subjective judgment of the county, which presumably will make its decision outside of any public process after the project has been approved.

Reliance on tentative plans for future mitigation after completion of the CEQA process significantly undermines CEQA's goals of full disclosure and informed decision making.

And, consequently, these mitigation plans have been overturned on judicial review as constituting improper deferral of environmental assessment.

CHAIRMAN ISHIDA: Thank you.

With that, we're at five o'clock. This meeting

is now recessed until seven o'clock this evening.

(A recess was taken.)

CHAIRMAN ISHIDA: Okay. We will reconvene on the General Plan public comment period. I want to go over a couple rules again since a lot of you are new this evening.

We're allowing three minutes of comments from each individual. You cannot defer your time or yield your time to another or reserve time to speak again.

Because we have a large group of people, we request that you do not restate or repeat comments, testimony, or information, or duplicate any comments, testimony, or evidence given by speakers before you, that you do not read extensively from written material that you intend to submit to the board.

Please limit your remarks to the subject at hand, and that subject is the proposed 2030 General Plan, Climate Action Plan, and final EIR, as well as proposed mitigation monitoring and reporting plan and statements of overriding consideration.

If you have a written statement or a written comment, we ask you to submit the written statement or comment instead of reading your statement or comments into the record. The board will have an opportunity to review any written material and ask any questions.

If you have written material, would you please give them to our clerk. Our clerk is sitting right up front, Michelle.

There will be no clapping, cheering, or other out of order comments will be allowed. Violations of this rule may cause the room to be cleared.

We are here to listen to your comments. There will not be dialogue between the board and the speakers in the three minutes.

If you have a question, please direct the question to me, and we'll refer it to staff to answer the question later in the meeting.

I have the sole discretion on the three minutes. If I find that you're repeating something over and over, I will cut your three minutes down.

So, please, hopefully, we'll hear new comments about our General Plan.

The meeting this afternoon went very, very well. The people who spoke in their three minutes all brought up a little bit different subject matter on our General Plan.

With that, I'm going to open the general comments. And I have a list of people here.

I think I'll start with Laurie Schwaller because she was the first one that put one in. Is

Laurie here?

MS. SCHWALLER: Good evening, Mr. Chairman, supervisors, and fellow citizens. My name is Laurie Schwaller. I live at 43857 South Fork Drive in Three Rivers. Thank you for the opportunity to speak and for scheduling an evening hearing.

Since late in 2003, when public participation on the General Plan process was first invited, the people of Tulare County have provided input to the county at every opportunity detailing what they want from this constitution that will guide growth and development here for the next 20 to 40 years, impacting our lives and the lives of our children and grandchildren.

The public's vision expressed in workshops held county-wide at the outset of this process was summarized in the 2008 plan: Clean air, a reliable water supply, growth focused in our existing communities, preservation of our agricultural and open space lands, and a more diverse economy.

In the 2010 version, that information was deleted. It no longer appears in the plan documents.

Early on, the county set up a technical advisory committee to help guide the draft plant. But the county disbanded that committee well before most of

its members felt that their job was done or that their advice was heeded.

In 2008, about 90 agencies, organizations and individuals provided over 1500 pages of comments and hours of oral testimony on the 2,000-plus page draft plan. Almost all called for extensive revisions to the proposed plan due to its vagueness, ineffectiveness, inconsistency, failure to comply with state law, and lack of responsiveness to the public's input and vision. The county went back to the drawing board.

Two years later, in 2010, the revised plan was recirculated. Again, over 1500 pages of written and oral comments came in, most pointing out that the plan had fundamentally not been improved, had actually gotten worse in some areas, and was still definitely not responding to the hundreds of questions, suggestions, legal requirements, and constructive criticism that had been presented.

Fifteen months later, in 2011, the county released the draft final EIR and the Planning Commission received more comments.

The county had continued to ignore the wishes of the public, the requirements of the law, and its responsibility to its residents and neighbors to provide a strong, clear, effective plan, and instead

continued to insist on a plan that provided flexibility instead of accountability, vagueness instead of clarity, no meaningful mitigation, virtually no reliable implementation measures, and definitely not a range of alternatives with a clearly environmentally superior alternative.

CHAIRMAN ISHIDA: Your time is up.

MS. SCHWALLER: Well, I have a couple more sentences.

CHAIRMAN ISHIDA: I'm sorry.

MS. SCHWALLER: Thank you.

CHAIRMAN ISHIDA: We have so many people, Laurie, today.

MS. SCHWALLER: I'll send it in to you. Thanks.

CHAIRMAN ISHIDA: Okay. Before we go on, we have a new group of people here today, and I'd like Supervisor Worthley to read something we're going to add to the General Plan which kind of identifies our responsibilities as a Board of Supervisors.

SUPERVISOR WORTHLEY: This is something I drafted and proposed that we add as a preface to the plan. It doesn't change any of the plan itself. It just gives, I think, a proper kind of context.

Foundational to every free society a nation is

right to ownership and use of private property. Often expressed as part of the inalienable rights of citizens, the Fifth Amendment to the United States Constitution declares that private property shall not be taken for public use without just compensation.

Article one, section one, of the Constitution of the State of California reads as follows: All people are, by nature, free and independent and have inalienable rights. Among these are enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety happiness, and privacy.

Every elected official office from the highest office of the land to the local school board trustee takes an oath before holding office to uphold and defend the United States Constitution and for California elected officials the California Constitution.

In adopting the 2030 Tulare County General Plan, the Board of Supervisor are charged with establishing policies and procedures that impact private property owners while upholding and protecting these foundational inalienable rights. The Tulare County Board of Supervisors is dedicated to fulfilling its constitutional oath while judiciously adopting

plans that will protect the health and welfare of our county residents and consistent with the value statements outlined in the goals and policies report.

Balancing private property rights with police power requires continued vigilance and sober judgment and is the ultimate goal of this 2030 Tulare County General Plan.

CHAIRMAN ISHIDA: Thank you, Supervisor Worthley.

The other thing I forgot to do is we may have people here that are represented by a group, and a group spokesman would have 15 minutes to address the General Plan.

Is there any group here that would like to address the board?

Please give your name and address for the record and what group you represent.

MR. LASKE: Thank you, Supervisor Ishida. My name is Gary Laske. My address is 4677 North Safford in Fresno. I represent the Tehipite chapter of the Sierra Club, and so far have we had any representative that represents the Sierra Kaweah chapter? I believe not.

So I want to just check in with you all. I was here for the Planning Commission meeting last fall, and

I wish to thank you for reaching a conclusion to this process soon.

And that I wanted to express gratitude to Supervisor Worthley for his commentary on our vigilance to balance the police powers with the private property rights.

And I wish to express here that my experience with CEQA includes time served as an environmental planner for Caltrans, as well as training at the University of California for more years than I care to mention as a graduate Ph.D. student.

So I just wish to -- I spoke previously. I spoke to only one issue, and that was the importance of a stable and finite project description in an EIR, the environmental impact report as we know.

The purpose of CEQA, which works 98 percent of the time without litigation or conflict, is that the public is informed about the likely environmental impacts of any project in the State of California.

And I'll share with you one of my supervisor's commentary at Caltrans. I asked him. He's been in the job 40 years, and he's a really priceless asset.

I said to him when is an EIR -- when does an EIR need to be prepared? He said an environmental impact report needs to be prepared if there is

controversy.

So it is in many ways not a cut-and-dry decision. It's something we all have to involve ourselves in this estimating of what these impacts will be.

I wish to revisit my one point, to remind you all that the project description needs to include all projects which are not only approved, but foreseeable, in the near future.

And typically that means that they've come before the planning department for review, but in the case of some projects we've had in this county we've had extensive effort put into the Yokohl Ranch project, and that if this project does -- does appear at any point in the documentation for this General Plan Update, then an EIR needs to examine that and what the likely ramifications are for traffic, groundwater, and the others. So I just wish to mention that because I'm sure that will come up again.

I also wish to point out that the police powers include the public trust, that the streams of California belong to all of the residents, the citizens of California, that the quality of the air, that the quality of our groundwater that we all want to protect and, for that matter, the farmlands are a public asset

that go beyond the property owners. So that we all wish to cherish our agricultural lands and we wish to preserve them for the future.

And I'll just be another minute here. I won't use my entire time. I just wish to say that when I was an environmental planner at Caltrans, I worked in projects in Napa County, and I discovered that every time somebody wants to buy a house or a property in Napa County that they need to sign a document, acknowledging that agriculture is the primary driver of our economy, and we are here -- we recognize that protecting agriculture is the foremost priority of our county, and I would love to see those kinds of teeth in the General Plan here, in our agricultural element, because when I saw that presentation this afternoon on the future of water, we saw a statement made by the consultant that in the future we're planning to move from agriculture to more residential housing.

And we need to protect not just our prime farmlands but our grazing lands as well. They're the legacy that will make this a special county.

I don't live in this county, but I have been involved for two and a half years in this General Plan as an observer and a participant.

I want to thank you for the hard work you have

done and the decision you have ahead of you.

CHAIRMAN ISHIDA: Thank you.

If you represent an organization, this is the time to speak.

MS. CID: Can I go first?

CHAIRMAN ISHIDA: Yes, if you represent an organization, that's fine.

While she's coming up here, we do have translating -- translation available. Julieta is in the back. If anybody needs translation, we have the equipment to do that.

MS. CID: Okay. So my name is Amparo Cid. I'm with the California Rural Legal Assistance Foundation, and we just respectfully request that in good faith the honorable members of this board keep in mind SB 244, which was a bill that was moved forward by Wolk, which went into effect on January 1st, 2012, while engaging in this important conversation about the Tulare County General Plan 2030 Update.

So SB 244 was signed on October 7, 2011, and as I mentioned previously went into effect this year in January. And it sets forth new requirements and requires local agencies to plan for disadvantaged unincorporated communities through the Local Agency Formation Commission planning process and General Plan

updates.

And this was brought forth because the US census data shows that approximately one million Californians live in disadvantaged unincorporated communities. And as you all know, these communities lack basic infrastructure, such as streets, sidewalks, street lights, storm drains, parks, safe housing, and other basics.

And I just wanted to, once again, bring forth this requirement and just ask that in good faith you keep into account SB 244 as you move forward with this process because it does set out certain requirements and just wanted to make sure that everyone was up to speed with that. Thank you, so much.

CHAIRMAN ISHIDA: Thank you.

Are there any other groups represented tonight?

Mary Lou, you were going to be next.

MS. BURBERY: Yes. Good evening. Thanks for the opportunity to speak to you. My name is Mary Lou Burbery. I live at 2542 West Laurel Court in Visalia.

I'm speaking very briefly as co-president of the League of Women Voters of Tulare County.

The National League of Women Voters takes certain public policy positions, such as representative government, which promotes open government, open

governmental systems, but the position which concerns us here is the one on national resources.

Our local league here in Tulare County has taken the natural resource of water and studied it as it relates to the San Joaquin Valley. We are concerned that the General Plan is failing to protect adequately this very precious resource.

The plans which I have heard here today lean quite heavily on water conservation for one thing, and there is some other questions which I would have to ask in the future.

The other concern is that of water quality, and we are concerned about having clean water for our children, who deserve water which is nourishing and not poisoned.

Our other concern is the failure to adequately address the problem of air quality. And, again, our children should certainly not have to suffer from asthma and respiratory infections caused by dirty air.

So the League of Women Voters supports the healthy growth alternatives proposed by the Tulare County Coalition for Responsible Growth, and I urge you to support it also.

Also, we would -- I would be happy for you to demonstrate representative government by being

responsive to these requests. Thank you for the opportunity of speaking.

CHAIRMAN ISHIDA: Thank you. Okay. Are there any other groups?

MS. SETON: Good evening, everybody, Phoebe Seton, California Rural Legal Assistance, Inc. Business address is 2215 Kern Street, Fresno, California.

First, I want to thank you all for setting time out so that people can participate both in the daytime and the evening and for having interpretation services.

A few points that I'd like to raise that draw primarily on a letter that we submitted in November that I can resubmit. You all have it in your records, though.

One is the issue of hamlets and those communities that have been left out of hamlet designation, including Tuleville and Matheny Tract, and therefore left out of the benefits of hamlet designation and the planning benefits of being a hamlet and would like to see corrections to those.

Another issue that we outlined extensively in our letter in November is certain inconsistencies that remain between especially the planning framework and the public facilities and services element and the

housing element.

I can discuss them in greater detail, but they -- largely regarding the emphasis of investing in existing communities -- I'm sorry -- investing in communities that already include infrastructure consistent with the housing element commitment to investing in infrastructure in existing communities.

That may sound like sort of two sides to the same coin, but it's a very different planning framework, small P, small if, not Planning Framework in terms of the element.

So we need to see consistency with the housing element that really concentrates on investing in existing communities, including infrastructure investment, and not the flip which we have in the planning framework and the public facilities and services which is investing solely in communities that already have that infrastructure.

One other issue that's come up recently that I think that several of the supervisors are aware of, are Tulare County's commitment to looking at consolidation, extension of services, and other alternative service delivery options to improve efficiency in high quality services, and we see that as at odds and inconsistent with the focus on developing new community services

districts, which also is outlined in the planning framework, and we'd like to see more consistency there to demonstrate that sometimes developing new special districts does not promote the housing element and General Plan goals of improving services and infrastructure.

Finally, the issue of the MOU is between the cities and the counties. We are concerned that the current MOUs will not provide either the conservatism in infrastructure necessary in those areas between the cities and the sphere of influence in the urban development areas and boundaries, and also that communities will not be sufficiently protected by industrial and other uses, and I would like to see more public review and public comment opportunities for those MOUs. Thanks, so much.

CHAIRMAN ISHIDA: Thank you.

MR. BREON: Good afternoon, Chairman Ishida, board members. My name is Craig Breon. I'm speaking on behalf of the Sierra Nevada Alliance. We work with more than 90 member groups up and down the Sierras and have about four different member groups who work in this county. I won't take nearly 15 minutes.

I did provide a transparency. If it can be put up, that's great. If it cannot, that's okay, too.

CHAIRMAN ISHIDA: It's coming.

MR. BREON: Since I'm speaking on behalf of the Sierra Nevada Alliance, I thought I'd start by talking about the Sierra itself and the planning in the foothills growth management plan.

You know, I came into this in January, so obviously I missed years of excitement on this issue, but when I read through the document, there is a pretty fundamental disconnect between a lot of the very worthy goals that you have and what is likely to happen out on the land as a result of the actual language that you put together.

And this foothills growth management plan is just a very good example of that. I mean, the idea of deciding where in the foothills might be appropriate for development and, in particular, aligning those -- the darker blogs in there in that yellow -- along transportation corridors theoretically, that's a good one. That's a sound planning principle.

But the reality of what is going to occur out there just doesn't make any sense. These roads that go up into the foothills aren't true -- they aren't along true transportation corridors in any sense of the word. They don't connect jobs to housing to services. They don't contain public transit opportunities.

What you essentially have here is a plan to develop an extensive area of the foothills that most likely would be developed in the kind of traditional manners of wealthier housing developments that are served primarily by cars, and -- well, you see one proposal in Yokohl Valley and this would make for many others. That's what I mean by disconnect.

The planning ideas are there, the idea of locating development along transportation corridors, the idea of having mixed-use development, which these areas would be zoned for, those ideas are there, but the reality is it's not going to occur like that.

And if you look at one place after another in the General Plan Update as proposed, that's what you come across.

I think almost everybody here would agree with the basic goal that some of the rural communities in this county are appropriate places to develop and would greatly benefit by appropriate levels of development and raising the level of city services in those areas.

But the mere fact that you've opened up so much of the rest of the county to potential development, whether it's through the transportation corridors, through the weaknesses that have come up in the foothills growth management plan, through some

additional weakness in the rural valley lands plan, and through the whole new towns provisions, the reality is the developer is generally going to go the cheaper and easier route to develop, and that's going to be for any larger developments on open land, in agricultural areas, or in the foothills, and it will have made it relatively easy for them to bypass the existing rural communities that we all agree would most likely benefit from development.

So, once again, the goals of the plan don't meet what is likely to occur as a result of the tendency toward flexibility, vagueness, whatever you want to call it, and the notion that most of this land can be proposed for development in one way or another without adequate standards to channel development truly to the areas we want and to truly protect some of the most valuable resources in terms of agricultural and ranch lands and open space from some of the more likely proposals that we're going to get.

I'll end with a bit of philosophical comment about this whole Fifth Amendment notion. I spent ten years on the Planning Commission in my town. I had to continually balance private property rights against what I would call community property rights or community property interests.

It's not an easy balance. But you can plan in the midst of that. My town, a small town in the Bay Area, very not representative of this area, found that in order to reduce the level of homes that were planned in our hillsides, which was 2,000, when it was county unincorporated land, eventually we ended up with less than 100 homes there, it's down-zoned that area three different times, and yet it's always been accepted, there's never been a lawsuit, it was always in the context of strong planning, and it was always in the context of making that balance between public interests in certain things like air quality and aesthetics, scenic byways, et cetera, and the needs of private property rights.

And I spent ten years doing that balancing act, and also none of my decisions were ever sued, which I'm very proud of.

Lastly, on the same issue, when you're thinking about private property rights, I explain this situation. If you're outside of Lemon Cove and you're a citrus grower, your private property rights are affected by the fact that you're along one of these transportation corridors and near one of these large brown blobs, and you don't necessarily know if the citrus grove next to you is going to stay a citrus

grove or is going to become a medical facility or a planned unit development of 2,500 people, or a cement factory, or a light industrial complex.

You have fundamentally affected the property rights of people who are living in this community or would move, say, retire and want to move to a small ranch in the hillsides because you haven't told them what the land next to them is going to be. They don't know. And that disturbs their property rights as well. Thank you.

CHAIRMAN ISHIDA: Okay. Are there any other groups here today that would like to make public comment?

Seeing no other group, we're going to go back to the individual public comments. We're going to stick to the three minutes because I have a handful of requests.

We're going to start with Chris Moi.

UNIDENTIFIED SPEAKER: Chris has written comments, and he's not going to speak.

CHAIRMAN ISHIDA: Brian Newton. Please state your name and address for the record.

MR. NEWTON: Sure. My name is Brian Newton. I live at 1407 West Laurel Avenue in Visalia.

I want to thank you all for hosting this

evening meeting. I'm really pleased with the turnout.

First, I want to reiterate what Greg Schwaller said earlier, quote, in all the public hearings, not one person has only spoken for new towns in Tulare County, and I will add with good reason.

Look at the one new town proposal, Yokohl Ranch, a few miles southeast of Exeter.

This new town has a potential buildout of 10,000 homes with 30,000 people.

This plan doesn't channel development into the existing communities that need development. It doesn't match with the housing needs of the growing population of Tulare County where much of this population growth is expected in the working class -- the working Hispanic class population.

It takes up ranch lands that were found to be unsuitable for large-scale development in the foothills growth plan.

It will be an entirely car-dependent community. It will worsen air quality. It will strain existing water resources. It will greatly alter the rural character of that portion of the county. I could go on.

But under this plan, we're not looking at just one new town. We could be looking at several new towns

over the life of the plan.

This is simply unwise. It's going to be unwise planning. Thank you for the opportunity to speak.

CHAIRMAN ISHIDA: Thank you.

Steve Peck.

MR. PECK: Thank you, Mr. Chairman, members of the commission, Steven Peck with Peck Planning and Development.

First, I'd like to congratulate the commission, the board, and the staff. This is a long process. There is a reason you've only had one update in the last 30 or 40 years. It's a hard process.

I went through one myself with the City of Visalia, plus others as a consultant, and it's not an easy task. I commend Jake and his crew, as well as you and your predecessors, on bringing this to a conclusion, you know, at this time.

Previously, I submitted some correspondence regarding your growth corridor policies. I'm not going to reiterate that and read that into the record.

I just would like to highlight that I think your approach to identifying specific eligible intersections for regional visitor serving types of -- kinds of growth are good policies. There are some implementation measures that I think need some

clarification, you know, specifically the interim measures with regards to the 99 corridor growth policies. They seem to defeat your own overall approach to that. I would only want to remind you to look at that again. I know that's been brought to your attention before, and we brought it to the commission's attention.

That concludes my comments. Again, good luck this evening and beyond, and I'll submit my written comments to the clerk.

CHAIRMAN ISHIDA: Thank you.

Allen Dimick.

MR. DIMICK: My name is Allen Dimick. I live at 2128 North Grove Court in the lovely City of Visalia. I thank you for the evening session so I have an opportunity to speak. Otherwise, I wouldn't.

The first question I have is does anybody remember what the cost of a gallon of gas was ten years ago? It was about $1.35 a gallon. What's it now, fluctuating between $3.50 and $4.25 a gallon, give or take, depending on whether a refinery blows up or not. What's it going to be ten years from now when these new towns get built? Are they even going to be economically viable with the commuting distances and things of that nature? What are we looking at, five,

six, seven dollars a gallon? That's something to think about there.

The long commutes, you know, if somebody has to live in Exeter, go to Yokohl Valley or Visalia, because not everybody is going to work there that is going to live there, you know, they're going to put 20 to 45 miles a day on their car. What's that going to do to our air quality?

I mean, what is -- also, you know, it's my understanding was that the cities -- all eight of the incorporated cities opposed this plan a few years ago. I don't know if that's changed or not. Also, the cities have also offered an unprecedented revenue sharing idea with the county.

You know, if they directed new growth to the city, they would share some of the spoils with the county. Doesn't that make sense?

Preserve our ag land, put the growth in the cities, you know, and that way as the cost of gas and other things go up, you know, people can live close to where they work, close to where they go to school, close to parks, close to public transportation.

And also it's my understanding that as soon as this plan gets adopted, the lawyers are going to start making a lot of money on both sides of the issue on

this thing.

Wouldn't the county be better off spending the money on police, firefighters, teachers than giving it to lawyers defending this thing, especially since you've been updating the same basic plan for about two or three years, you know, it's like how much lipstick can you put on a pig, you know. Thank you.

CHAIRMAN ISHIDA: Okay. I have a request from counsel for Laurie Schwaller. If you have some written comments, could you please give them to our clerk.

MS. SCHWALLER: I did, but I scribbled on them. Can I print them out and send them to you?

CHAIRMAN ISHIDA: No. The comment period will be closed.

MS. SCHWALLER: Okay.

CHAIRMAN ISHIDA: Thank you.

Terry Manning.

MR. MANNING: Good evening, Chairman Ishida and members of the board and all you wonderful people who showed up tonight. I say good evening with great relief.

My name is Terry Manning. I live at 41576 Yokohl Drive in Springville.

I always believe that probably something is going to happen at a Board of Supervisors meeting or

public hearing that surprises me. And, sure enough, it happened. I became speechless.

When I heard your colleague's private property preface to the General Plan, I was struck speechless.

However, in the interim, when we had a chance to go eat, I had a nice chipotle salad, and my speech came back to me, so here I am.

I know that -- is it the Declaration of Independence that says something about inalienable rights, and they are life, liberty, and the pursuit of happiness. I didn't remember property, but maybe it's in there somewhere. And I sort of thought maybe property rights were inalienable until I had to get a building permit.

I promise today that I will not be the loudest or the most irate of the speakers. In fact, I enjoy being here. I love a microphone. All of us football game announcers love a microphone. Am I right? Of course.

I was also very happy and surprised to see the words healthy growth alternative on the screen this morning -- or this afternoon, a phrase I have heard many times, and I heard several times later in the afternoon.

However, that healthy growth alternative, it's

my understanding, was dismissed rather early and for reasons I still don't understand.

I think I can tell you how you can get us all off your back, all of us citizen activists who, once we elected you, wouldn't shut up. We just kept coming back as if somehow our patriotism just wasn't satisfied with casting a vote.

But here are the things I think that I hope your General Plan, my General Plan, has. I hope that you have determined that you will base the location, density, and amount of growth within urbanized areas on their desire and capacity to accommodate growth.

That you would locate development, except that which is directly related to agriculture, within existing development boundaries without loopholes or exceptions that allow for leap frog new towns or growth corridor development.

That you would require or incentivize -- that was the shortest three minutes in my life.

CHAIRMAN ISHIDA: Thank you.

MR. MANNING: I guess I'm done.

CHAIRMAN ISHIDA: You're done.

Del Strange.

MR. STRANGE: Good evening, Mr. Chairman, board members, Ladies and Gentlemen.

My name is Del Strange. I live at 464 East Jackson Avenue in Tulare, California.

Water is a precious resource. We've heard several people say that this evening, and it's been said many times.

The final EIR does not, and I repeat does not, adequately address the ominous situation of water shortages within the indigenous watershed of Tulare County and the fact that population growth within the county has already exceeded local water resource sustainability.

We're relying on over 50 percent of the water that we use in this county from outside sources, primarily the Friant Kern Canal and Millerton Lake.

The county's primary Kaweah basin groundwater aquifer has been for more than 70 years now, and still is, in a long-term level of decline and state of depletion.

The overall groundwater quality is declining, especially in relation to the nitrates and salts, and will continue to do so for decades to come due to contaminants already introduced into our lands and into the ground which have not yet leached into that groundwater.

A nearby foothill city's wells are all

contaminated with nitrates at this time, and its water is no longer potable or drinkable for its citizens, and the city cannot find a source of water to take care of its citizens. The final EIR and the General Plan Update do not adequately address these facts.

Any new development within Tulare County must provide hard evidence that adequate water supplies will be available to sustain such new development even during periods of severe drought conditions and declining potability of the existing groundwater supplies.

Therefore, it is incumbent upon your board to return the FEIR and the Tulare County General Plan Update 2030 for adequate water resource analysis and future usage.

Thank you for the opportunity to comment.

CHAIRMAN ISHIDA: Thank you.

Shirley Kirkpatrick.

MS. KIRKPATRICK: Good evening. That sounds good. My name is Shirley Kirkpatrick. I'm here representing myself and my family. I live at 23114 Carson Avenue in Exeter.

I'm handing you three sheets of paper. If you kind of just follow along with me, I'm just going to hit the tops and try to get it done in three minutes.

I want to limit my discussion to farmland conservation easements, mitigation measures for farmland conversion, and buffer zones between ag and non-ag land uses.

From my notes on the earlier GP workshop before the board, Mr. Cox said he had reservations about conservation easements.

I question why we can't have a meaningful dialogue. I see the word once in a while in the General Plan, but it doesn't have any backing, it doesn't have any action.

You're going to tell me you've done it. Well, yes, we do have two happy farmers in Tulare County on the farmland, and you made it possible, very quietly, but you made it possible because of the Road 80 widening Caltrans-required mitigation.

And I want -- I'm here to tell you that there is lots more farmers in this county who are not afraid of the word perpetuity, who would like to dedicate their farmland forever, but we need -- that needs to be funded, and so I say we need to have a mitigation fund from developers to mitigate lands taken out of ag, either through money or comparable land purchase.

We need these tools because the Williamson Act, as you said this morning, is weakened, and the RVLP is going to be extremely weakened with the boxes around

all these little hamlets and communities.

You need to look to other counties. They get it. Even Fresno County right now is working on their update, and they're pulling in their positions. They're going to go to in-fill.

Yolo County, you have a page -- first page of their ag element, beautiful template. Go use it.

You don't want to look to Ventura County. The citizens took their actions on their own and passed a SAR initiative several years ago, and now they're living with it, and we might have that in Tulare County.

I really did want to get to the last page, Supervisor Ishida, to talk about -- all right. I'll post it widely. Just kind of a fun little part. Mary McCaslin song, John Dofflemyer poem, Soylent Green, Mr. Vander Poel describes -- you know.

I do hope you will name a committee, just put it in writing, let's have some discussion, and let's get this done. Thank you.

CHAIRMAN ISHIDA: Thank you.

Lois Brannon.

MS. BRANNON: Everything I have to say has been said.

CHAIRMAN ISHIDA: Adam Livingston.

MR. LIVINGSTON: Thank you for the opportunity to comment. My name is Adam Livingston. I can be reached at 427 South Garden Street, Visalia, California.

I do conservation planning work for Sequoia River Lands Trust, the region's preeminent land trust, and I'm currently doing an economic study of the economic and environmental benefits of directing new development into in-fill as opposed to agricultural areas.

Before voting on the proposed update, I believe the board should give further consideration to those benefits, including increased tax revenues, lower infrastructure costs, and as you embark on the SB 375 process fewer vehicle miles traveled per unit of population density.

And SRT would be happy to work with you on these issues going forward. Thank you.

CHAIRMAN ISHIDA: Thank you.

Sopac Mulholland.

MS. MULHOLLAND: Good evening, supervisors, Chairman Ishida, and staff.

Thank you, very much, for providing this opportunity to talk tonight. My name is Sopac Mulholland, and I reside in Springville at 32657 Globe

Drive, and I have been ranching in the Springville area with my family since 1957.

I currently serve as the executive director of the Sequoia River Lands Trust, which I have done since its inception in 2002.

I have three things that I want to talk about. One is I've been before you over and over again, and I just want to say the promise has been we're going to look at an Oak and Woodland management plan when we get the General Plan done. So, hopefully, you'll stand behind your word and we can move forward with that.

I think it's really important for our community to have a plan like that. That's a common way of protecting some of the valuable resources we have in the foothills, and again we're willing to work with you to provide templates, do whatever we can. So that was one thing I wanted to bring up tonight.

Another thing I would like to talk to you about is to let you know again our expertise in the field of ag mitigation. We're doing it up and down the valley, and it's extremely important to us that we recognize and establish the values behind ag.

In order to do that, we found it very successful in working with everybody from solar companies to ranches and farmers and developers to do

that. We've got an expertise. We can help you with some of that if you decide to set up a committee to talk about it which was mentioned earlier tonight.

And then I also wanted to just quickly comment on the fact that SRT is a charter member of an organization called the Southern Sierra Partnership, and the other members in that partnership are the Audubon Association of California, the Nature Conservancy, the Sierra Business Council, Tejon Ranch, and the Conservation Biology Group, and we spent three years doing a study which I have shared with Chairman Ishida before, identifying what's really, really important in the Sierra in terms of protecting the resources that we have there, and -- surprise of surprises -- it is connectivity and protection of conservation for economic, social, and good living environments.

And we've all watched what happened in the San Fernando Valley. We don't want to repeat that.

I think that you sent me as a representative of the Smart Growth Council, the Supervisors of Tulare County, and I represented you on that. I completely believe in the smart growth principles that we came back to you with, and I would urge that you look at some of the alternatives that we brought back to you

and consider adopting them at this time.

Thank you, very much, for your time.

CHAIRMAN ISHIDA: Okay.

Scott Spear.

MR. SPEAR: Good evening. Thanks for the opportunity to address you tonight, Chairman Ishida, board, and the staff.

I have farmed in Tulare County for over 40 years. I have served in conservation organizations, I'm chairman of the board of the Sequoia River Lands Trust, I sit on the Tulare County Ag Advisory Committee, and I would like to comment that in the General Plan, Central Valley Farmland Trust is mentioned as a land or a conservation organization. They do not work in the south valley. Sequoia River Lands Trust is a regional land trust. Our territory is Fresno, Kings, Tulare and Kern County.

We are assisting both Kern and Fresno counties currently with developing ag land mitigation policy. I do not see that in the General Plan.

It seems ironic to me that the San Joaquin Valley, that an argument could be made it is the most productive ag valley in the history of the world.

Tulare County currently, as Tricia Stever mentioned, is the number one county in the nation for

ag production. We do not have an ag land protection or mitigation policy.

It seems outrageous that our resource or our dirt is a national treasure, a national resource to be protected.

So I would encourage you to work with Sequoia River Lands Trust. We are happy to work and advise at any level on a mitigation policy. It would go through the Tulare County Ag Advisory Committee, and I know the committee, as I sit on it, would be happy to lend its expertise to make sure that this county, who rotates between number one and number two in the nation, has a policy that protects its most valuable resource, and protect the industry that brings the greatest amount of revenue to this county. Thank you.

CHAIRMAN ISHIDA: Craig Breon. I think you already spoke.

MR. BREON: Yes, I did.

CHAIRMAN ISHIDA: Elizabeth Johnson.

MS. JOHNSON: Good evening, honorable Board of Supervisors. My name is Elizabeth Johnson. I'm with Coalition for Clean Air. We're a statewide nonprofit advocacy agency for clean air.

I would like to take a minute to talk about the health implications of planning, such as those that are

before you tonight.

Thank you for allowing me this opportunity and for having your meeting in the evening.

The San Joaquin Valley has the worst air quality in the nation. Our kids are growing up with staggering rates of asthma, obesity, diabetes, cancer, heart attacks, and strokes.

There is a clear intersection between these issues and planning as planning is a crucial public health tool.

When planning is disbursed, new towns proposed, the need to use a vehicle increases. Thus, vehicle miles traveled. The more miles people travel, the more pollution is emitted into the air.

Also, when people cannot access the services within walking or biking distance, they naturally walk and bike less.

Lack of exercise and pollution affect people's health and quality of life.

Not clearly identifying where development should go, which is in established communities, it also hurts families, businesses, and government.

Families have to spend more on gas, for example, businesses have to spend more on getting to and from meetings, hospitals spend more on serving

hospital admissions, and government spends more on providing services, leaving even less money to take care of the aging infrastructure in existing communities.

This lack of clarity as to where exactly different uses will go will present a lot of problems. Specifically, it will be almost impossible to know what to input into transportation models at the NPO level for developing a regional transportation plan.

If we do not know where development is going, we don't know where we need to put in roads or where we need to widen them, et cetera.

Apart from the crucial securing of funding for infrastructure, having model inputs will be critical in meeting SB 375 objectives and air quality conformity.

It is with the health and quality of life, not only the residents of Tulare County in mind, but of all those who breathe valley air that I respectfully ask that you reject this plan. Thank you.

CHAIRMAN ISHIDA: Could you state what your address is?

MS. JOHNSON: The Coalition for Clean Air's address is 1140 North Van Ness, Fresno, California, 93728.

CHAIRMAN ISHIDA: Thank you.

Chip Ashley.

MR. ASHLEY: Supervisors, thanks for the opportunity to speak tonight.

My name is Chip Ashley. I live in Fresno County, and I hope that's okay.

CHAIRMAN ISHIDA: Just give me your address and I'll be happy.

MR. ASHLEY: I live 31277 Watts Valley Road, Toll House, California, 93667.

CHAIRMAN ISHIDA: Thank you.

MR. ASHLEY: The main reason I'm here tonight is because I am a member of the Fresno COG. Well not the COG itself, but I sit on the transportation technical committee, and I participated in the SB 375 target setting process which we just completed a few weeks ago.

And as the previous speaker said, we did decide on targets of five percent reductions in greenhouse gasses by 2020 and 10 percent by 2035.

Unfortunately, that's probably far too little, and it's going to be far too late, but at least we're doing something. And the reason it's going to be far too little, far too late, is because climate change is coming on us a lot faster than anybody anticipated.

I heard a report this morning that said that

the ice sheets in the arctic are disappearing at an unprecedented rate. They are -- have melted more this summer than ever before, and we still have several more weeks of melting to go.

As that increases, we lose the planet's air conditioning system, and the dark water absorbs heat. So this planet is absorbing heat from the sun a lot faster as we produce more and more greenhouse gasses with more and more vehicle miles traveled.

And we don't plan sufficiently for that by asking for more in-fill so that people can drive a lot less. We're contributing to that problem.

Now, five years from now, I guarantee you, you're going to kick yourself for doing this plan here. You need to really rethink this.

And thank you, very much. I appreciate it.

CHAIRMAN ISHIDA: Thank you.

Dale Simmons.

MS. SIMMONS: Good evening. My name is Dale Simmons. I live at 1501 South Mountain Street in Visalia.

I wasn't planning on speaking, but I've been trying to write some notes on my little pieces of paper, so I will come up with something.

Basically, it seems like we're having an

800-pound gorilla in this Tulare County process, and that's the Boswell Company who wants to make the Yokohl Valley development.

So far they have water rights to the development, but for how long. What is going to happen with climate change? Climate change is real.

Also, that the San Joaquin Valley blueprint is a process that Tulare County participated in, and that has growth in the Tulare County cities as being concentric.

And, finally, I wanted to say thanks to the Tulare County Citizens for Responsible Growth for all their volunteer time, and everyone else's volunteer time here, which -- ballpark -- I have heard an estimate of 23 dollars an hour for anybody who volunteers and -- so if the Tulare County Citizens for Responsible Growth volunteered a thousand hours, that's $23,000 of value that they've put toward his effort. So, financially, you know, people are here for a reason among their doing their volunteer work.

And I wanted to thank them also for putting together the healthy growth principles, the draft, and I would like you to seriously consider their stand. Thank you.

CHAIRMAN ISHIDA: Thank you. Dale was our last

request to speak. I'm going to open it up. Is there anyone else wishing to speak on this matter? Please come forward. It would help if you just get in line. It would move things faster.

So, sir, if you want to be on deck.

MS. DUNDEE: Hi. My name is Suzanne Dundee. I live at 201 West Whitendale Avenue in Visalia.

I wanted to reiterate before the board the six principles of a healthy growth alternative, which would essentially be in conflict with any development in the Yokohl Valley that is being proposed at least in the back of people's minds, if not in the forward of certain commercial interests.

The six principles of a healthy growth alternative are that we should base the location, density, and the amount of growth within urbanized areas on their desire and capacity to accommodate growth.

We should locate development, except that which is directly related to agriculture, within existing development boundaries without loopholes or exceptions that allow for leap frog, new town, or growth corridor development, such as that envisioned in Yokohl Valley.

We should require or incentivize efficient development within or contiguous to existing urbanized

areas.

We should make community and hamlet development boundaries meaningful long-term planning boundaries by firmly limiting the circumstances under which they can be expanded.

We should discourage the conversion of agricultural lands to urban uses, agricultural lands being our prime treasure in Tulare County and the valley, and offset unavoidable impacts to agricultural lands and natural resource areas with mandatory mitigation measures, such as conservation and agricultural easements which other folks have already addressed.

And, finally, we should provide strong, clear policies with concrete enforceable implementation measures that include definite time frames, funding sources, and departments within the county or other jurisdictions in charge of monitoring and enforcement. Thanks for your attention.

CHAIRMAN ISHIDA: Did you want to enter your notes to the clerk?

CHAIRMAN ISHIDA: Sure.

Please come forward.

MS. ESPERANZA: Good evening. Thanks for the opportunity to speak. I wasn't planning on speaking,

so this is going to be rather impromptu.

My name is Annie Esperanza. I live at 47050 Generals Highway, number 314, in Three Rivers, California.

I've been an air quality specialist for almost 30 years now, studying and monitoring air pollution in this area.

I come to you not specifically as an air quality specialist, but as a person who was born and raised in this county and continues to live and work here.

One of the things that I have found out in my job as an air quality specialist -- I'd like to focus on one thing -- that's ozone.

Most of you know that, you know, there is really three main reasons that we have such a bad ozone issue here in this area, and one of them is topography. The other one is climate, and the other one is human activities.

Now, topography. We're not about to flatten the coastal ranges or the Sierra Nevadas, heaven forbid, and we're not going to -- we generally cannot change the weather or control it, but we can have an honest and true effect on human activities in this area. And the human activities in Central California

has been devastating to our air quality.

When it comes to ozone, it's the one pollutant that I study that affects not only vegetation, both crops and natural vegetation, but human health, and what I believe is that this is -- this plan is the perfect opportunity to move forward and try to make those reductions in the precursors that create ozone that makes the air pollution so poor in this region of California.

I encourage you to think about that as you continue to work on the plan. I encourage you to think about reducing the precursors to ozone, primarily in mobile sources, such as automobiles, and help us all by doing that. Thank you, very much.

CHAIRMAN ISHIDA: Thank you.

MR. MANRO: Good evening, gentlemen, and thank you, very much, for having a hearing in the evening where many working people could have a chance to speak for a change.

My name is Don Manro. I live 693 East Kern in Tulare.

And you have a lot of information and evidence that you -- that's before you from comments on two different EIRs and comments from the public, and I just want to emphasize that the General Plan Update document

and EIR are fundamentally in violation of the planning guidelines and the CEQA guidelines.

And just a couple of specific criticisms. The presentation of staff, to me, was quite misleading, mostly for what it didn't say. I think it was pretentious in terms of being objective, but it didn't emphasize the major problems that this plan presents, which is that there are a myriad of significant unavoidable impacts that the plan has that you will be overriding with a statement.

And I think that when the public originally met at the workshops, they expected to have a plan that would improve the quality of the natural resources, and it is obvious at this point to people that have read the documents that it is only going to make it worse.

And then one more criticism, and that is the master responses to comments are also misleading. One of the major statements, which is a copout, is that the plan only is required to be general, but that doesn't -- but the courts and the legislative intent is that the maps must be specific as to where the growth occurs. Thank you.

MS. NICHOLS: My name is Ellen Nichols. I live at 456 North Y Street in Porterville.

My only credentials for being here are two

local resident grandchildren who are asthmatic in a family where we've never had asthma before.

Some half dozen years ago, when the much heralded General Plan came out for review, I went to my public library and perused as much of it as I could, and I quickly realized that I don't speak government speak.

And so I consulted with some friends of mine, one of whom is a professional planner, who -- well, I won't tell you what she said about the plan, but it was not very flattering.

And not only do I not speak government speak, I don't speak politically correct speech, so I'm going to summarize in everyday language what I think a lot of people have been saying, which is we have lofty objectives in the plan.

I see very little in the way of teeth there when it comes to enforcing those regulations enabling what this actually says to be carried out. Thank you.

MR. BLACK: Chairman Ishida, supervisors, my name is Marshall Black. I live at 40831 Balch Park Road, Springville.

I wanted to cover a couple of things. One, I am not a native to Tulare County, but I've been here 40 years, so it's about the next best thing. I have lived

in the foothills most of that time. I have a background in biology and in environmental science.

When I first moved here, I was quite proud to find the planning tool that was available on this county for preserving ag land and establishing growth corridors up in the foothills.

Unfortunately, over the years that I have lived in the foothills I have seen that plan fall apart because of not enough teeth in administering the plan and not enough attention paid to protecting the resources and infrastructure in the foothills.

I'm not going to focus today on things like the development in Yokohl Valley. I'm really an optimist, and I believe in the long run of time the ridiculousness of that proposal will see its way through to an end, and we'll get on with our life.

What I am concerned about is the idea that this board and the administration of this county would walk away from its responsibility for providing clear guidelines for the preservation of ag land under the guise of protecting individual rights of property.

What I think this board's responsibilities are is to provide a clear template for clear -- for growth and the maintenance of ag land in this county over time.

To walk away from that responsibility, I think, is irresponsible and negligent. Thank you.

MS. BLUESTING: Hi, Chairman Ishida and the supervisors. Thank you for this opportunity to speak tonight and for holding this meeting after work.

What I wanted to comment on is I grew up --

CHAIRMAN ISHIDA: Excuse me. I need your name and address.

MS. BLUESTING: I'm sorry. Lori Bluesting. My address is 35261 James Avenue in Springville. Sorry about that.

I grew up in the San Fernando Valley, and in the San Fernando Valley there is a lot of growth in the foothills, and in the foothills what's happened is they were prone to fires, mud slides, and flooding.

And so it was -- in looking back, they say, well, we shouldn't have built these homes in the foothills, and it seems like with our growth along transportation corridors that we could be at risk for these same kinds of problems, so it seems important to keep the growth in current areas and to revitalize those areas, and so I just wanted you to look again at the TCCRG's healthy growth principles. Thank you.

MS. BRANNON: My name is Lois Brannon, 1310 Bradley Court, Exeter California. I handed in my slip

to speak, and I said everybody had said everything that I wanted to say, which is pretty much so, except for the fact that your speech about -- or your quote about property rights.

I got to thinking about that as I was sitting there, and I wondered how you are going to do what you're going to do about the Supreme Court ruling on CEQA.

They said that it's -- that it is a constitution for future development of the county for the next 20 years.

Can your ideas of private property rights supersede the Supreme Court of the state? Won't you be sued? The Attorney General's office said that the plan as it is has no teeth, and it's not legal.

I am wondering what you are planning to do about that. Thank you, very much. I hope you give that some thought.

CHAIRMAN ISHIDA: Thank you.

We're approaching the time period that is very critical. And I don't want to stop the public comments, but we may have to proceed past nine o'clock if we want to see a resolution to this issue tonight, or do you want to come back tomorrow morning at nine o'clock.

So I encourage anyone who wants to speak, please come forward now. If you have documents to submit to the clerk to put in the record, they need to be in the record before I close the public comment. So, please, come forward.

MS. SELIGMAN: Good evening. My name is Kathleen Seligman, and I live in Three Rivers at 46136 South Fork Drive.

I think it was many years ago, maybe in the mid '90s, I found myself at a workshop in Bakersfield, and it was filled mostly with planners from around the country -- I mean not the country, but from California, and the person who was leading it was a man named Michael Friedman.

And he was probably an up and coming person and was considered to be somewhat of a celebrity in talking about what makes for a town that tourists will come to.

And he had taken this survey all over the country, and I think in some parts I'm pretty sure in Europe, and he had -- he found that over and over again that there was about ten towns that tourists over and over and over again said if they could go anywhere they would go to these particular towns, and they showed them, and what happened as a result is that people got very excited. In fact, you could have almost called

him a motivational speaker, because by the time he had finished, you know, people were standing up and hooting and hollering and cheering, and the sense of inspiration was pretty palpable. I know that I really experienced it.

At this particular time, after the meeting, I ran in to a well-known character here at the county, Mr. George Finney, and I said, wow, what do you think, and he had that really well-known smile that he gets, everyone knows it, and he goes it was pretty great. It will never happen here.

And I went, well, come on, why, and he said it will just never happen here.

And so I walked away a little dismayed, but still inspired, and I have gone through a lot of envisioning processes through this process, and if I could envision anything right here and right now I would envision that you all would have a change of heart and that you would see that the people here is your really natural resource.

As you can tell from the brilliance from which they speak, they are more than happy to sit at the table with you and come together and co-create a plan that all of us can thrive under and be proud of and be happy with, and I think that that is what I envision

and hope for. Thank you.

MS. REID: Hello, my name is Lita Reid, L-i-t-a R-e-i-d. I'm an attorney and a former journalist, and I'm familiar with the operation of developing general plans. I have studied many of them. I have studied environmental impact reports.

I came -- moved here 14 years ago. Yes, I didn't state my name. And I would respectfully prefer not to for professional reasons, such as former clients getting out of jail. I don't want them to know where I am.

In the desert, we had a far different experience than you would expect. I mean, desert it's dry, right? All the drought years, we were fine because we were on the east side of the Sierras, and fault strike geology, and all the water sifted down through the Sierras and fed right into our aquifer. So although we were dry on top, we had all the water that we needed as the ongoing resource. You hear about drought in Death Valley. We had the water.

Now, at one time, there was a question about development, how much could we develop, and nobody could answer a question that I asked, how much can we sustain, what is the carrying capacity of our desert?

We had one eminent geologist. Both of these

people worked for the Navy. One of them said we're overdrafting our water basin. The other said, no, we have plenty of water.

The one who said we have plenty of water was an alfalfa rancher in addition to working for the Navy. So his opinion might have been tainted.

Well, I would like to know here, and I did read the environmental impact section on water with great interest, was have we determined a carrying capacity? How much water do we need?

And I realize the environmental impact report addressed how much farmland, how much water farmland needs, how much housing needs, but how much do we really have?

The environmental impact report addressed changing climate. It's warming. We have seen some unprecedented drought conditions. Are we going to see more of that and can we survive it? Can there be something built into the General Plan that would trigger action? Thank you for your time.

CHAIRMAN ISHIDA: Thank you.

Is there anyone else wishing to address?

While you're thinking about it, counsel --

MS. BALES-LANGE: Yes, sir.

CHAIRMAN ISHIDA: Counsel, do I have the

authority to extend our time?

MS. BALES-LANGE: You mean beyond nine o'clock?

CHAIRMAN ISHIDA: Yes, nine o'clock.

MS. BALES-LANGE: Absolutely. You also have the authority of going once, going twice, to close the public comment period, and then the matter can come back to your board for discussion.

CHAIRMAN ISHIDA: Okay. I'm waiting for any other public comment.

MS. BLACK: Good evening. My name is Katie Black, and I live in Springville, or above Springville, 40831 Balch Park Road.

I have lived there for 40 years, and prior to that other than when I went away to college I have lived in Tulare County since 1955 or six.

Anyway, I think many people tonight have addressed my concerns, but one thing I wanted to urge you to do, I've been on boards before, and you can get very committed to the work you've already done, and you think of all the time that you have put in and the people you've hired, but sometimes you're still on the wrong road.

And sometimes it's better and more courageous to realize that even though it means more work and stepping back and spending even more years on something

that's already many years overdue and just say, okay, you know, we're wrong, we can still fix this a little bit, and I would like to see you all surprise me and actually have the courage to do that and address some of these very important issues that everyone here has brought up. Thanks so much.

CHAIRMAN ISHIDA: Thank you.

Last call for public comment. Seeing no one, the public comment period is now closed, and we'll bring it back to the board.

We're going to take a recess. That recess may be at least 15 minutes. So feel free to get up and walk around.

(A recess was taken.)

CHAIRMAN ISHIDA: The board is back in session, and I'd like to ask the board that we continue past nine o'clock, whatever the preference is of the board, to resolve this matter tonight. I see everybody is in agreement to extend this meeting past nine o'clock.

With that, we'll turn it back over to staff.

MR. BRYANT: Thank you, Mr. Chairman, members of the board. Staff and consultants have reviewed the written and oral testimony received during the public hearing.

None of the comments received presented

significant new information under CEQA.

The General Plan Update and EIR comments have been responded to in the documents before you tonight, including the final EIR.

Many of the General Plan Update policies requested by the commenters tonight are already included in the General Plan Update.

As an example, the preservation of ag land is discussed in the rural valley lands plan, agricultural element 1.6; addressing conservation easements, agricultural element 1.7; preservation of ag land, foothill growth management plan policy 5.1; protect ag lands, mountain and framework plan 1.9 regarding ag preserves.

In regards to focusing and managing growth within urban areas, urban development is included or the focus and management of urban growth is directed in the following policies: Planning framework 1.2, location of urban development; land use policy 1.1, smart growth and healthy communities; land use 1.8, encouraging in-fill development; air quality policy 3.2, in-fill near employment; and public facilities and services, policy 1.15, efficient expansion.

In regards to air quality, its comments are addressed in the air quality element and in the Climate

Action Plan, including implementation section 9.5 in the air quality element.

Regarding water quality, water quality is addressed in the water resources element. Water quality is specifically addressed in policies 2.1 through 2.8, and water quantity is addressed specifically in policies 3.1 to 3.13, including the implementation section in the water quality element 11.4.

Presented for your consideration today are our four separate resolutions. Staff is requesting a separate action on each one.

The first resolution, public hearing on the proposed Tulare County General Plan 2030 Update, proposed Climate Action Plan, and Proposed Final Environmental Impact Report.

The second resolution, public hearing on the proposed Tulare County General Plan 2030 Update, Proposed Final Environmental Impact Report.

The third resolution, public hearing on the proposed Tulare County General Plan 2030 Update. Included in that recommendation is to adopt the proposed General Plan Update amendment, including the errata sheet entitled Additional Comments to General Plan Update.

And the final resolution, public hearing on the proposed Tulare County General Plan 2030 Update, proposed Climate Action Plan.

That concludes staff's recommendations.

CHAIRMAN ISHIDA: Thank you. We'll bring it back to the board. Supervisor Vander Poel?

SUPERVISOR VANDER POEL: Mr. Chair, I had a question for Dave. You did a very good presentation to us earlier today, but many of the members of the audience who were here now were unable to see that.

I just thought it was important to just briefly cover, real quick, the amount of public outreach and effort that you conducted during this General Plan process. Will you give us a quick synopsis of that?

MR. BRYANT: Sure. Going back to the inception of the process, there were numerous community outreach efforts. The staff went out to various communities, collected input. There was also the involvement of the technical advisory committee, which included members from the eight incorporated cities and other interests.

In addition to that, your board and the Planning Commission held numerous meetings to review and discuss the 2006 draft plan, the 2008 plan, and the 2010 plan, including joint workshops with the Tulare County Planning Commission, and also in addition to

that staff recently in 2010 conducted numerous public outreach efforts. Over 25 of those were conducted by staff. We made presentations before the eight incorporated cities, and we also went out to a number of unincorporated communities.

SUPERVISOR VANDER POEL: Thank you.

CHAIRMAN ISHIDA: Okay. Supervisor Cox?

SUPERVISOR COX: Mr. Chair, just take a couple minutes to make a few comments if I may.

I'm reminded of about ten years ago our local Visalia Unified School District had its STAR testing or state testing reported, two headlines in two local newspapers. The first one read schools fall short. The other newspaper, headlined same day, front page, said schools improve.

Obviously, the same report read by two different people. The schools had actually improved their number score, but had also at the same time fallen short of the state's expectations. The same report read by two different people interpreted two different ways.

Someone accused us this evening, or maybe this afternoon, of not reading the information. I take exception to that. Those that know me know that I do read the material that we get, all multi-volume

collection of those documents. So I'd like the public to know that I have read the document.

I wanted to read two quick things from the document, understanding that a lot of people might not have seen this. Principle four on page A-2 says limit rural residential development. Strictly limit rural residential development potential in important agricultural areas outside of unincorporated communities, hamlets, and city UABs, UDBs, i.e., avoid rural residential sprawl.

We've been accused that this General Plan promotes otherwise, and I use that from our plan to answer that.

Also, the widespread development, you know, statements. I direct the public to page 2-6, PF-1.4. It says available infrastructure. The county shall encourage urban development to locate inside existing UDBs and HDVs where infrastructure is available or may be established in conjunction with development. The county shall insure that development does not occur unless adequate infrastructure is available, that sufficient water supplies are available or can be made available, and that there are adequate provisions for long-term management and maintenance of infrastructure and identified water supplies.

I have -- since I've been on this board and before -- been a very strong supporter of in-fill development and city-centered growth, so I support that wholeheartedly, and so does this plan.

CHAIRMAN ISHIDA: Thank you. Mr. Ennis?

SUPERVISOR ENNIS: When I ran for this office six years ago, my number one concern was farmland, preserving farmland, and that's what I ran on.

I grew up in Terra Bella, and I have lived in Tulare County all my life. I saw a lot of changes. I remember when Porterville had 9,000 people in it.

To accuse this board of not protecting farmland kind of gets in my craw. We've used that rural valley lands plan ever since I've been on the board, and I saw it change a lot of different development. So don't accuse us of that.

The biggest threat to our farmers today is not Tulare County. It's the State of California and all the rules and regulations and the bills that continue to pass that affect our farmers.

Tulare County Board of Supervisors will always support our farmers, and I as a supervisor will always be there for those farmers and protect them. We'll use that rural valley lands plan, which I believe is viable for land management decisions on farmland. So that's

all I have to say about the plan.

CHAIRMAN ISHIDA: Supervisor Worthley?

SUPERVISOR WORTHLEY: Thank you, Mr. Chairman. I thought the response to my proposed preface on the General Plan was quite fascinating. I heard people testify that it was a notion, that they were speechless about the concept of private property rights, and that's the reason why I said it, because I didn't invent this, it's not something new, it is something that was built into our constitution from the founding of this country, it's built into our state constitution, and unfortunately many people have forgotten about that part of our constitution. I guess they remember some of the other parts, but they don't remember about private property rights.

But the foundation of this country really has been based upon people investing their time, their capital, their energy into private property and making it productive.

That's why it was important, I think, to set that forth as one of the things that we have taken an oath to uphold as elected officials, the United States Constitution and the California Constitution, and we recognize our police power responsibilities also to include protection of public interests, health, and

welfare, and that's the reason why I talked about the balance. This is a balancing situation.

Our desire is to protect private property rights while at the same time providing for the health and welfare of our residents.

I believe this plan does that. It certainly has a lot of impacts on private property rights, and sometimes people will focus on one thing, and they miss the whole thing.

When it comes to any kind of a project, I liken it sometimes to a bicycle chain. You can have an entire chain that looks beautiful. All it takes is one part of that chain not to work, and that chain is basically useless.

And the same thing here. You can focus on one thing and say that doesn't protect this or doesn't do enough of that. You have to look at the whole.

And to use the example of protecting private property -- protecting our farm property as an example, there are some people who think the emphasis should be more on conservation easements, upon mitigation measures where people pay to develop property.

I submit to you, if you really examine that, it doesn't create one new acre of farm property. In fact, you could look at it as a way of pay to play, I'll pay

to protect that farm property over here, but if it doesn't add one acre, in the meantime I have developed this acre over here.

I think the rural valley lands plan does a much better job of stopping development altogether on farm property.

I remember some years ago, when a private school bought some property with the idea of expanding their school system on it, it was in the agricultural zoned property, and I can remember going to our Resource Management Agency director and saying, well, what is the work around the rural valley lands plan, and he looked at me and said there is none. And that project was never built. That's still farm property to this day.

It is a very effective approach to protecting farm property. It continues in this plan. And I think it does a wonderful job of what people are concerned about.

It doesn't do it in the way some people prefer, perhaps, but I think it's very, very effective.

I am prepared to make a motion, Mr. Chairman, but I understand you might want to make comments before I do so.

CHAIRMAN ISHIDA: Yes. I'd like to make a few

comments. We've been in session for over 12 hours continuously, so I hope I don't make a Joe Biden remark in my comments.

I was at a meeting of the regional rural council -- regional council of rural counties, and we had Governor Schwarzenegger's representative there explaining AB 32, which addresses greenhouse gasses.

In that meeting, I asked Governor Schwarzenegger's representative what impact does AB 32 have on global warming. His answer was none. Global warming is global. Whatever we put up in the air goes straight to the atmosphere. It is not things that linger on the ground.

So if the rest of the world does not stop greenhouse gasses, the State of California will have basically zero impact on global warming.

I'm glad the person from the Sierra Alliance was here today. I understand the frustration of zoning in the foothill communities. That zoning in Tulare County took place many years ago, and if we could back zone today without legal liability, I'm sure that this board would take a second look at it.

So I would appreciate the Alliance's support in removing that liability from back zoning some of the land we have in the foothills.

Smart growth. When I took a class in planning at Fresno State College, smart growth was about moving populations away from productive farm land. That was the basis of smart growth.

When you talk about putting our population in existing cities, let me say that Tulare -- the City of Tulare and the City of Visalia sit on some of the best farmland we have in our county.

So we would be eating up the best farmland we have in our county to keep our population in those areas.

For example, the USDA classifies grazing land -- prime grazing land -- as one acre. To support a cow calf in Tulare County you need 12 acres. That's far from the one-acre prime land that's classified by the USDA.

If you ran stock cattle, which are basically meat cattle, without calves, you're looking at seven acres to support that one animal versus the one that the USDA considers as prime agricultural land.

It's been a long process. This process started before I came on the board eight years ago, and Phil came on the board.

I remember we had a chairman in 19 -- excuse me -- 2006 that had a get 'er done comment, that we

were going to get the General Plan done, and that was why he based his get 'er done statement.

Well, I as the chairman in 2007, I also said that we would complete the General Plan.

Well, five years later, as chairman again, we're finally coming to the close, not the closed, but finally getting a General Plan approved.

We recognize it's not perfect. We recognize there will be people who will challenge sections of our General Plan. But if you don't make a plan, you'll never have a plan.

And that's simply my philosophy. So with that, I'll turn it back over to --

SUPERVISOR VANDER POEL: Mr. Chair, I wanted to make one comment. There were several comments made this evening and this afternoon that suggested that the county's General Plan was just that, it was too general, it lacked the teeth, it lacked the details necessary to make it a concrete plan.

Well, I encourage everyone to think of Tulare County differently than they think of a city's general plan and realize that Tulare County has a planning area of over 2100 square miles, whereas the eight incorporated cities in Tulare County, in total, have a planning area of approximately 130 square miles. So it

is very different.

We have also been accused of not considering disadvantaged communities or communities that don't have a hamlet designation. Well, I do take offense to that because we work hard to represent the unincorporated communities in this county, and this plan does allow for provisions that are going to give them some stability in their existence.

I think this plan, like you mentioned, Mr. Chairman, may have some details that need to be flushed out, but they are going to be flushed out in the process that is going forward.

This is a general plan. It's a general framework by which we will live. So, I, too, agree with my colleagues. I think that staff has done a tremendous job by reaching out to the public, responding to and considering all of the thousands of pages of comments and suggestions that you have received from the public, and the comments you've received this evening as well. This plan is well thought out and comprehensive in nature. It may not have every specific detail at this point in time, but it is a general plan, and it gives us the general guidance we need to go forward as a county.

CHAIRMAN ISHIDA: To build on that, I would

like to add, please, read this document. It's relatively easy to read, and it does cover what was covered today in public comment. I found it very easy to follow, which I could not follow our old general plan, and one thing I also want to add is that the e-mails that I received in the last couple of days were all forwarded to the record, and the letters that I received were forwarded to the record, and I believe that the other supervisors did the same with their e-mails. So they are in the record.

SUPERVISOR WORTHLEY: Chairman, I would be remiss before I make a motion to thank our staff. Dave Bryant has been at the helm of this for a few years now.

MR. BRYANT: About five years.

SUPERVISOR WORTHLEY: And he's only one of many. The RMA staff and I know our legal counsel, county counsel, and our staff have been every step of the way, the consultants, and the environmental folks, and this is a tremendous, tremendous moment, really, I mean, to get to this point, and he keeps referring to me, I'm the one who was going to get 'er done, in fact, in 2006 because we thought we were going to get it done, and I'm very thankful for the work that has been done, and I at this time would like to move a

resolution, a decision, certifying the proposed FEIR with the changes as set out, the minor change of the FEIR matrix, as recommended by the staff of the proposed General Plan --

CHAIRMAN ISHIDA: Excuse me. I was asked if I closed the public comment. I did close the public comment.

MR. RAPER: However, you do need to close the public hearing. I think that's -- well, I assume that the public hearing was not closed, just the comment period.

MS. BALES-LANGE: The public hearing is open until the board takes action or the board continues the matter.

MR. BRYANT: Mr. Chairman, if I could just quickly go over staff recommendation to include a separate motion and action on each of the four resolutions in the order that they're presented in the agenda item.

SUPERVISOR WORTHLEY: That's what I was proposing.

CHAIRMAN ISHIDA: I want to clear this other issue up first.

MS. BALES-LANGE: The public comment period is closed. It was closed when the chair closed it.

This is a public hearing on the General Plan. The public is, of course, entitled to be present and hear the board's discussion, see the vote, et cetera, and it will be closed when the matter is resolved by vote of the board or the board continues the hearing to some other date.

CHAIRMAN ISHIDA: Thank you. Excuse me, Supervisor Worthley.

SUPERVISOR WORTHLEY: Okay. My motion was as to letter A, move to approve the resolution of decision, Attachment A, certifying the proposed FEIR, with changes as set out in the minor change to the FEIR matrix, as recommended by staff, for the proposed General Plan 2030 Update and proposed Climate Action Plan, adopting the California Environmental Quality Act findings of fact and statement of overriding considerations and mitigation monitoring and reporting program. That's one motion.

SUPERVISOR COX: Second.

CHAIRMAN ISHIDA: Moved by Worthley. Second by Cox. Cast your vote. Motion passes unanimously.

David, if we get off track, you just let us know.

MR. BRYANT: Yes. The second resolution, public hearing on the proposed Tulare County General

Determination in compliance with CEQA guidelines.

MR. BRYANT: Yes.

SUPERVISOR COX: Mr. Chairman, I make the motion to approve resolution of decision and findings adopting the proposed Climate Action Plan.

MR. VANDER POEL: I second that motion.

CHAIRMAN ISHIDA: Moved by Cox. Second by Vander Poel. Cast your vote. Motion passes unanimously.

SUPERVISOR COX: Mr. Chair, the final recommendation would be to direct the clerk of the board to issue a Notice of Determination in compliance with CEQA guidelines in Section 15094.

SUPERVISOR ENNIS: Second.

CHAIRMAN ISHIDA: Moved by Supervisor Cox. Second by Supervisor Ennis. Cast your votes. Motion passes unanimously. That concludes --

MS. BALES-LANGE: The public hearing. You may adjourn the public hearing.

CHAIRMAN ISHIDA: Okay. I may what?

MS. BALES-LANGE: You may adjourn the public hearing.

CHAIRMAN ISHIDA: Okay. I'm adjourning the public hearing.

MR. BRYANT: Thank you, board.

(The proceedings concluded at 9:25 p.m.)

STATE OF CALIFORNIA)
) ss.
COUNTY OF TULARE)

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: September 14, 2012



DANETTE M. HENDRIX, CSR #6412

BEFORE THE

TULARE COUNTY BOARD OF SUPERVISORS

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

Visalia, California

August 28, 2012

REPORTER'S TRANSCRIPT

OF

PROCEEDINGS

DANETTE M. HENDRIX, CSR 6412

APPEARANCES:

Board of Supervisors:

MR. ALLEN ISHIDA, Chairman

MR. PETE VANDER POEL

MR. PHILLIP A. COX

MR. J. STEVEN WORTHLEY

MR. MIKE ENNIS

Also Present:

MR. JEAN M. ROUSSEAU, County Administrator

MS. KATHLEEN BALES-LANGE, County Counsel

MS. NINA DONG, Deputy County Counsel

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VISALIA, CALIFORNIA

TUESDAY, AUGUST 28, 2012, 2:00 P.M.

CHAIRMAN ISHIDA: We will reconvene now. We'll take up item number 11, public hearing on the proposed Tulare County General Plan 2030 Update, Proposed Climate Action Plan, and the Proposed Final Environmental Impact Report.

SUPERVISOR VANDER POEL: Item 12.

CHAIRMAN ISHIDA: Excuse me.

Before we begin, I'd like to say that under public comments, when we get to that point in time, to respond to the presentation by staff, that if you have -- belong to a group, we would like the group to have a representative. We'll give the group 15 minutes. The representative of the group will get 15 minutes. And then from there on, there will be a three-minute time limit on individuals.

Mr. Strange, it's not time.

MR. STRANGE: Mr. Chairman, I respectfully ask for a point of order before this meeting starts. And the resolutions before your board today, as presented publically, are incomplete. There is attachments referenced to in the resolution which should be included for public review, as well as an executive

summary, so that the public can take a look at the final thoughts before your board and what actions are going to be taken.

It's so voluminous it's impossible for anybody to -- therefore, I respectfully request that you continue this public hearing until such time as the public is fully informed and your documents are in front of you as are required by law.

CHAIRMAN ISHIDA: Thank you. We'll take that into consideration.

MR. STRANGE: Thank you.

CHAIRMAN ISHIDA: We have a Spanish interpreter available for this matter and people who need interpretation can listen through head phones. We encourage people to speak. When they speak, speak slowly so we can get the interpretation to the people who need it. And we're going to have our staff member, Julieta, where are you, she's in the back, and would you come up, give your name for the record, and explain in English and Spanish how the interpretation will work.

THE INTERPRETER: What I just reiterated was that I will be toward the back and we have a check-out system for head phones. If somebody was to need Spanish interpretation, you can walk back there and I

will be translating the presentation and any public comment you might like to make.

CHAIRMAN ISHIDA: Thank you, very much.

We have a court reporter here today, so please speak plainly and slowly so we can transcribe the proceedings.

We have staff presentation.

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

Presented for your consideration today is the General Plan 2030 Update.

Before I begin my presentation, I want to bring to your attention an errata sheet which includes minor clarifications to the materials that are contained within the General Plan 2030 Update as well as agenda item attachment G, item one.

There was a page four that was inadvertently missing from the internet site, and this attachment includes the full set for your information.

That's also been made available to the public with the General Plan Update materials in the back of the room.

Today our presentation consists of several

different parts. It comprises background data, General Plan document review, and special studies review.

Part one is a geographical and population setting. It includes information in regards to population, demographics, geography, and sets the framework up for the dynamic context of the General Plan and the rationale as to how that information then is considered, and then provides the framework from which the General Plan is organized.

Included as part of that information will be a geographic and population setting, education, economic, income, a discussion of infrastructure, and a brief discussion again of the general nature of the county in terms of its geographical diversity.

There will be a big picture overview of the General Plan process, a more specific discussion relating to the actual General Plan document itself.

There will be a recommended intermission. At the second -- immediately after the intermission, we have our technical consultants who will also be providing a presentation to you.

We have Ray Weiss with ESA our environmental consultant. Water supply evaluation will be discussed by Greg Young. And we have a Climate Action Plan overview which will be presented by Dave Mitchell if he

is able to join us during the presentation. I believe he is tied up in another hearing on another project up in Fresno County this afternoon, and he indicated that he would join us as soon as possible. If he's unable to attend, Mr. Weiss will provide that section overview, and then Dave hopefully will be available to join us during our evening session and address any questions that you may have at that time.

The final part of the presentation will conclude with the staff recommendations.

Today our staff request is to open the public hearing and receive a staff presentation, to receive public comment, close the public hearing, and take action on the following: Resolution certifying the proposed Final Environmental Impact Report and adopt the mitigation monitoring and reporting program, findings of fact and statement of overriding consideration, resolution accepting Planning Commission's recommendation, and adopting the General Plan 2030 Update, adoption of the Climate Action Plan, and direction to file a Notice of Determination.

CHAIRMAN ISHIDA: David, before you go any further, I want to ask for point of clarification from counsel. Do we need to open the public hearing now or when we start public comment?

MS. BALES-LANGE: The public hearing is open now. The public comment portion is a portion of that process.

CHAIRMAN ISHIDA: Okay.

MR. BRYANT: As I mentioned at the start of my presentation, the first part of my presentation basically provides a general demographic, economic, geographical overview, which again sets the context recognizing the unique attributes of Tulare County, which provides the framework by which the General Plan is crafted.

Tulare County contains approximately 4800 square miles. In comparison, Tulare County is the seventh largest county in the state.

This is a graphic which shows the general location of Tulare County relative to Fresno and Kern County.

This is focused in on the Visalia area.

The first part of the area immediately to the west is the valley region.

In the central part of our county, we have the foothill region and then the Sierra Nevada mountain region.

Tulare County consists of a number of rural communities.

Our current estimated population is approximately 430,000, of which about two-thirds of the residents live within the incorporated cities, and the remaining population living in the unincorporated area of the county.

By comparison, Sacramento's population is 1.2 million. You can fit Tulare County's population into Sacramento County eight and a half times.

As I mentioned, the current population is about 429,000. The expected growth rate according to Department of Finance figures in 2030 would be approximately 740,000. 75 percent or three quarters of this population would be looking or expected to go into the cities with the remaining balance to go into the unincorporated areas.

Educational attainment. Approximately almost a quarter of the residents have less than a ninth grade education, and approximately 12 percent with a college degree.

Generally, household incomes in Tulare County are lower than the state. The state unemployment rate is approximately 11 percent with the county just slightly over 16 percent.

Regarding our economic base, approximately 30 percent of all jobs in Tulare County are directly

related to agriculture compared to about three percent of the state. Eight percent in manufacturing compared to 12 percent in the state. And 14 percent of all jobs in the county are in the service sector.

Infrastructure is an important component of this background information. Tulare County has over 3,000 miles of maintained roadways in various conditions.

State Route 99 provides the main north-south arterial with about 55,000 daily trips.

Route 65 provides north-south highway to the eastern part of the county, going through the Orange Belt, Porterville, Lindsay, Exeter, and connects Highway 99 south near Bakersfield to Highway 198 near Exeter.

State Route 198 is the primary east-west arterial in the county, connecting Highway 101 to the west and Sequoia National Park to the east.

You can see by some of the transit routes here that travel times -- that Tulare County is a large county and some of the travel times to some of the outlying areas exceed one hour.

Travel distances between selected communities, to Kennedy Meadows is about four hours, Three Rivers is approximately 45 minutes.

In regards to people and commuting distances and times, the majority of individuals utilize their cars, and the travel time to and from their work location is -- approximately 50 percent of residents have a 15-minute travel time or less.

Domestic water is provided by a number of sources. Groundwater is a predominant source, as well as imported surface water. Greg Young will provide more information as to water supply during his presentation.

The sources of water are typically provided to the unincorporated communities by various special districts in the county.

For residents living outside of areas that may be covered by special districts, typical services for wastewater treatment would be provided by conventional septic system.

Storm drain varies significantly throughout the county. Typically in the urban areas, there may be a formal master plan that provides for storm drainage. Some of the outlying areas do not have formal storm drain systems or any underground storage.

The next part focuses in on again some of the geographic diversity of the county. Recognizing that Tulare County is home to Sequoia National Park, a

number of national forest area, Bureau of Land Management, Kings Canyon National Park, and a number of county park facilities, which by their nature promote tourism throughout the county. These areas provide places for recreation and natural resources.

Agriculture, as I mentioned earlier, is a large component of Tulare County, not only on the valley floor but also some extensive grazing areas that are located up in the foothill and mountain regions.

Agricultural uses total over 2,000 square miles or about 45 percent of the entire county.

Tulare County consistently ranks among the top two leading agricultural producing counties in the US, sharing that recognition with Fresno County.

Primary commodities include milk, oranges, cattle, and additional products.

Williamson Act contracts comprise about 31 percent of the county, over a million acres, and almost 6700 contracts. Only four percent is currently in a non-renewal.

The dairy industry began in Tulare County in the mid 1800s. Dairy is the leading commodity in the county, totaling about 1.8 billion. Tulare County yields almost a third of California's total milk production.

Regarding dairy regulations, the county has an Animal Confinement Facilities Plan. Also, the San Joaquin Valley Air Pollution Control District, along with the Regional Water Quality Control Board, provide regulations regarding dairy operations.

Tulare County is the home to the annual World Ag Expo, which includes approximately 1600 exhibitors and over 100,000 attendees each year.

Tulare County includes eight incorporated cities. In the unincorporated areas, residents live in hamlets, which are typically small communities, larger communities providing a full range of basic services, and also in mountain service centers. Many of those are private in-holdings in the mountain areas.

This slide shows a picture of the diversity in regards to some of our rural communities, and pictures listed from Ivanhoe to Richgrove, up in the foothill areas, mountain areas, Camp Nelson.

Some of our valley communities, including Earlimart, Traver, and Richgrove, and the foothill community of Three Rivers.

The next part of my presentation will cover the big picture of the project overview.

The prior portion again provides a basic framework, which leads into the actual General Plan

Update project.

In regards to the big picture, the General Plan Update project has three big ideas, resource conservation, the long-term sustainability of agriculture, and focused or managed growth within the eight incorporated city areas, communities, hamlets, mountain service centers, and into specifically designated areas within the foothill growth management plan.

Since the inception of the project in 2003, there have been a host of different workshops, meetings, combined meetings with your board and the Planning Commission, and a host of community outreach meetings.

There were 12 technical advisory committee meetings and 19 community workshops that helped to form some of the early drafts and recommendations that came out from the participants who participated in that process.

There have been 11 meetings with the Board of Supervisors, four combined meetings with your board and the Planning Commission, and there were three public hearings that were conducted by the Planning Commission in late 2011.

During the 2010 year, staff conducted

approximately 26 community outreach meetings. We made presentations to each of the eight incorporated cities, as well as a host of communities in the valley floor, and presentations to the communities of Springville and Three Rivers.

The Planning Commission held public hearings on October 19 and November 16 and received public comments at that time.

Briefly, some of the changes to the existing General Plan include the hamlet concepts to address the needs of smaller communities, city urban development boundaries and coordination with the cities in regards to how growth would be coordinated with the eight incorporated cities, procedures for the creation of new towns in our planning framework element which provide very specific procedures for the creation of any new towns or planned community areas. Preservation of agricultural lands, consolidation of land use -- the many land use designations that are currently contained in a number of our community plans have been consolidated into our land use element chapter four.

Again, as I mentioned earlier, as part of the three big ideas, city or urban center development, again, is focused or managed in and around the eight incorporated cities, urban boundaries within our

communities, hamlets, mountain service centers.

Smart growth concepts are included in our land use element to provide for sustainable growth, walkable communities.

In addition to that, we have healthy communities, which are addressed in our health and safety element.

Long-standing plans adopted previously by your board, including the rural valley lands plan and foothill growth management plan, will be incorporated as part of the General Plan Update, and those long-standing plans will be carried forward if adopted by your board.

Implementation measures are included to provide for future direction in implementing various community plans, hamlet plans, mountain service center plans, update of the mountain framework plan, and also to address future more specific planning through ordinance code amendments that may result as a part of the adoption of the General Plan Update, and the consolidation of elements, combining all of the General Plan materials into a single consolidated General Plan document.

In regards to strategy and development constraints, again the General Plan Update focuses

growth in specified areas. New growth would be limited by the availability of urban-type services. Figure 4-1 basically outlines these areas.

That exhibit, over to my right on the east wall of the board chambers, is Figure 4-1, and I will be referring to that in a little bit more detail in a few minutes as a part of my presentation today.

Again, some of the smaller communities, hamlets, and mountain service centers are also addressed.

The county has prepared a Recirculated Draft Environmental Impact Report as part of the General Plan Update project.

As the lead agency for the project, the county prepared a recirculated draft EIR. That was circulated for public review. That is included in your materials today.

The recirculated draft EIR evaluates environmental impacts of the proposed General Plan Update.

The Climate Action Plan identifies mitigation measures and reasonable alternatives to avoid or reduce any significant adverse impacts.

The recirculated draft EIR and final EIR examine a reasonable range of alternatives.

The next part of my presentation focuses more specifically in regards to the General Plan document. Part one is the goals and policies report, which primarily contains General Plan elements, policy programmatic.

The plans that are contained in part two are area plans, again focusing in on the rural valley lands plan area, the foothill growth area, management plan area, the mountain framework area, and also including corridors.

Part three essentially contains many of the plans that are -- have been currently adopted and are not being amended as part of this update, and a majority of documents contained within that section would be our existing community plans.

Again, as I had mentioned, part one basically contains the goals and policies report. It's based on a number of different value statements.

Some of those are incorporated into the three big ideas that I had mentioned earlier in my presentation.

Framework concepts, again an outgrowth of the three big ideas.

Ag land sustainability, providing for land use.

Scenic landscapes and natural and cultural

resources.

More specifically, in regard to part one, the next part of my presentation will take a look at the plan hierarchy and overview of the General Plan elements and as I also mentioned the programmatic nature of the document.

The General Plan 2030 Update, as the diagram shows, is primarily through -- is an umbrella. It is the highest level in regards to the General Plan and provides a very broad and general approach in regards to policies that are contained within the General Plan.

Again, it directs growth to urban areas, and as I had previously mentioned, the county has decided to divide the region into very distinct areas that take into account the size and complexity of the county's diverse geographical areas.

Again, I'll refer to Figure 4-1, which is in our land use element, which provides a general description.

In regards to plan hierarchy, Chapter 2 provides -- is titled planning framework. It's very similar to the current urban boundaries element, again focusing in managing growth within urban areas.

Again 4-1 shows this framework geographically. Also shows the land use designation for the larger area

plans. More detailed policies in the diagram are included in greater specificity in part three, which includes many of our existing community plans.

Tulare County is not riding from a blank state. There have been a host of communities going back well into the 1800s that are previously established. A number of those -- most of those are on the valley floor and a few in the foothill and mountain areas.

Again, recognizing the unique nature of Tulare County, the plan in regards to part two again includes the valley, foothill, and mountain region.

More specifically, the hamlet communities, which are outlined in red, both here on the exhibit and over there on the wall, represent the smallest framework. Allensworth, Tonyville -- those would be examples of those small communities.

At the next level would be our communities, which are outlined in blue. Those larger communities include Tipton, Pixley, Earlimart, Strathmore, Cutler-Orosi, Traver, Springville, Three Rivers.

Also within this framework, there are areas in and around each incorporated city.

Areas immediately adjacent to the city limits would include urban development boundaries, which are highlighted in a very light tan color.

Urban area boundaries, which are reflective of longer planning time frames, from the 20- to 50-year time frame, are outlined in orange.

In regards to the foothill areas, the majority of the area that is presented in yellow is extensive agriculture, which primarily consists of some agriculture on the western fringe, areas that are typically above the 600-foot elevation line, but some of those areas do have unique attributes where there are valley characteristics that do extend beyond that 600-foot elevation line, and do extend into the foothill region, and there are also some foothill characteristics that extend into the valley areas.

In regards to areas that are designated for urban/suburban-type development, those areas that are currently designated as development corridors in the foothill region will be titled foothill mixed use. Those areas will not be changing as part of this proposal.

In the mountain areas, there are a number of areas in the mountain framework plan. Current plans that are adopted are the Kennedy Meadows area to the southeast, the Great Western Divide North Half Plan, which is in a pink color to the north, and there are a number of other sub areas that are included as part of

the mountain framework plan that have not yet been adopted by your board.

In a similar concept to the Valley and Foothill Region, growth again is focused and managed in the mountain areas in various mountain service areas, such as Camp Nelson.

Before I leave this slide, I want to briefly discuss again the unique attributes of the county and also discuss context in regards to the structure of the plan.

For example, we have a dark skies policy in our General Plan.

And going up to the highest umbrella level, which is part one, the policy provides for broad flexibility in regards to how it might be addressed in a particular community.

A community, for example, in Three Rivers or Springville may wish or desire to have dark skies. And at the request of that community, as part of their community plan effort, they can utilize that plan to promote the dark sky concept.

On the other hand, a community in the valley floor may look at the need for street lighting to provide for public safety.

So going from the -- at the very broad level,

one of the General Plan Update document.

New elements include agriculture, air quality, transportation and circulation, public facilities and services, economic development, and water resources.

This chart here shows very briefly that there are a number of state mandated elements, including land use, noise, circulation, housing, open space, conservation, safety, and air quality.

The state mandated elements in the far left column are addressed in various ways through the dots in looking at the matrix.

I would like to point out that the housing element, the Animal Confinement Facilities Plan, and the flood control master plan, as currently adopted, are not being recommended for revisions as part of this -- as part of recommended actions today and are on a separate track.

Again, the program policy orientation of the document provides for the planning framework element, agricultural element, land use and circulation, economic development, health and safety, public facilities, and coordination with cities.

The planning framework, again the purpose of that is to focus and manage growth within existing urban areas.

flexibility is included in a context-sensitive nature to allow for that flexibility to be applied in different ways depending on the needs of various communities.

The next slide provides a graphical description of the General Plan and its documents. I believe that I mentioned that it consists of three parts.

Again, part one has a broad and general policy, goals and policies report, providing broad policies that would be applied county wide.

Part two provides a greater level of specificity. Again, it includes the rural valley lands plan, foothill growth management plan, corridors, and the mountain framework plan.

Part three, as I mentioned, primarily deals with more specific plans that would be carried out or implemented at the local level for communities, hamlets, and mountain service centers.

The next part of the discussion will provide an overview in regards to the actual General Plan elements, some of which are state mandated, and others are voluntary elements.

Amendments are proposed for safety, environmental resource management, urban boundaries, scenic corridors, and those will be combined into part

And agricultural element, which provides for the long-term sustainability of agriculture in the county.

The land use element provides smart growth and healthy communities and, again, focuses and manages growth in communities, hamlets, mountain service centers and in and around the eight incorporated cities.

The economic development component, which is to promote business and industry diversification, maintain a favorable business climate, and support an economic foundation.

Health and safety element, to promote health and safety for all residents.

Public facilities and services element, which addresses adequate quality and quantity of public facilities, including infrastructure, police, and fire protection.

More specifically, as I mentioned, staff has been working in a cooperative fashion with the eight incorporated cities to look at policies that would help to, again, focus and manage growth in and around the eight incorporated cities, specifically within urban development boundaries and urban area boundaries.

Future land use entitlements would be as

proposed in Section PF-4-A, which provides for policies directed again in coordination with the cities, would become applicable upon mutually adopted agreements between the county and each city regarding the collection of public facilities impact fees in accordance with several policies. Would take a look at providing coordination of urban improvement standards within urban development boundaries.

Consent to annex the RVLP would be applied to certain types of permits, and to provide for uniform criteria that the 20-year urban development boundaries and sphere of influence lines would be coterminous and to provide for a long-term framework to preserve future right-of-ways for infrastructure, such as roads and public utilities, out in the urban area, the 20- to 50-year boundary.

This diagram is a geographical representation, looking at the areas that would be comprised by the urban area boundary, which is the 20- to 50-year line, which is included in orange.

The urban area boundary, which is the pink color, which would be representative of the 20-year framework.

The city limits again, which would look at managing or focusing approximately three quarters of

new growth into the city limits, with 25 percent of that new growth being focused or managed in the unincorporated portion of the county.

The next part of the presentation, then, discusses parts two and three.

Again, part two of the document includes our area plans, the rural valley lands plan, foothill growth management plan, mountain framework plan, and the corridor framework.

As I mentioned earlier in my presentation, the existing rural valley lands plan would be carried over from the existing RVLP and consolidated into the General Plan document.

The RVLP essentially applies to areas below the 600-foot elevation. It is not applied in communities, hamlets, sub-area plans, corridors, or UDBs.

And the existing point evaluation system for applicants who desire to amend the zoning on their property would be applied.

This more specifically takes a look again at the rural valley lands plan portion. The areas that you see in green on the exhibit or on the wall map would be areas that would be subject to the rural valley lands plan areas.

Included in and around the city urban

boundaries, or as designated in blue or red, would be communities and hamlets.

The corridor framework plan provides for a nodal concept. The corridor concept would provide for a framework whereby which future corridors could be considered and adopted by your board, and implementation measure two provides for that particular framework.

In regards to corridors, the Highway 99 corridor and a portion of the Highway 65 corridors are included as regional growth corridors.

Urban corridors are proposed for Highway 65 and through the urban part of Port -- excuse me -- along Highway 63, which is Mooney Boulevard, and along Highway 65 in and around the City of Porterville.

There are two facilities that are currently designated as scenic corridors which will be recommended to be maintained as part of this process, including Highway 190 and Highway 198, and those facilities are shown in green.

The corridors framework plan does provide for interim policies until a formal corridor plan is formally adopted.

The corridor concept is designed to limit piecemeal individual development and preserve the

agricultural nature of corridors until a formal corridor plan is in place, but recognizing that there may be unique opportunities along those corridors to promote economic development along those routes and to provide a balance between economic development and the preservation of agricultural land.

The foothill growth management plan, as I mentioned in part two, there are no boundary or land use designation amendments as part of this update. The existing development corridors, which are currently adopted, will not change as part of the recommended General Plan Update.

There have been some minor changes -- minor revisions and updates to the policies to eliminate some either outdated or obsolete information that occurred at the time this plan was originally adopted by your board in the early '80s.

A number of land use designations have been combined, again into foothill mixed use and extensive agriculture.

Previously, there was also a valley land extension and a foothill extension, and those areas would be reflected either designated as a rural valley lands plan or extensive agriculture under the foothill growth management plan.

Planned development that is currently designated again as development corridors is proposed in a name change only as foothill mixed use.

Again, through the slide and on the exhibit to my right, this area is designated in yellow as extensive agriculture. Areas that are in brown are the development corridors or foothill mixed use.

The mountain framework plan is basically divided into seven sub-area plans. Two sub-area plans have been adopted, again Kennedy Meadows, Great Western Divide North Half, and a number of them would be included as part of our implementation program and would be adopted at a later time.

This area primarily exists as part of very large resource conservation areas and very large numbers of acres that are included and under federal or state ownership.

The mountain framework plan provides, again, for resource conservation, focusing or managing growth in mountain service areas, and mountain service centers for private in-holdings, again communities such as Camp Nelson.

Part three essentially consists of plans that have been previously adopted by your board that are not going to be changed or amended as part of this process.

A majority of those are existing community plans.

Community plans. As many of you are aware of, we have adopted community plans for communities such as Strathmore, Cutler-Orosi, Traver, Earlimart, Pixley, Ivanhoe.

Sub-area plans, again for mountain service center areas.

County-adopted city general plans for areas in and around the eight incorporated cities.

And then hamlet plans for some of the smaller communities.

More specifically, in regards to community plans, at the local level existing plans and policies and land use designations are currently in place for approximately 12 communities. I had mentioned several of those a few minutes ago.

Six communities have boundaries and are zoned for urban use, which will now be designated as mixed use. No zone changes were presented or recommended for these communities at this time. They're not a part of this plan and it would be implemented at a later date.

The mixed-use density has a maximum intensity and density of approximately 30 units per acre and would provide not only horizontal but vertical mixed use to combine uses into a consolidated area.

For sub area plans, again as I mentioned, Kennedy Meadows and Great Western Divide currently exist. There are a number of unadopted sub-area plans.

County adopted city general plans. Again, these would be for areas in and around the eight incorporated cities. All of these currently have urban development boundaries, which are essentially 20-year lines, and urban area boundaries, which would be a 20- to 50-year time horizon.

Hamlets are small communities. Approximately 13 hamlets are recommended as part of this process. These hamlets would provide for a mixed land use designation. Future zoning would be required to implement those land use. The mixed land use hamlets would be exempt from the RVLP and again would manage, focus, and consolidate urban-type uses within a smaller geographical area.

Applicants must initiate any zone change, as I mentioned, to actually change the land use on their property.

That concludes my portion of the presentation. I would be happy to address any questions that you may have.

Again, after my presentation, we have Mr. Ray Weiss with ESA who will be providing a discussion in

regards to the environmental documents. Greg Young will discuss our water supply evaluation. And then Mr. Weiss, if Dave Mitchell is unable to attend today, will discuss the Climate Action Plan. At the conclusion of their presentations, there will be a staff recommendation.

CHAIRMAN ISHIDA: Any questions? Okay. Seeing no questions, are we taking an intermission?

MR. BRYANT: Thank you.

(A recess was taken.)

CHAIRMAN ISHIDA: We will reconvene. I think that recess was well taken. If I see a lot of people nodding off, we will take another one. We'll continue.

MR. WEISS: Good afternoon, board members. I'm Ray Weiss with Environmental Science Associates, and what I'd like to do is talk a little bit about the Environmental Impact Report that was prepared for the General Plan Update.

What we'll talk about this afternoon is I'll provide an overview of the document for you, the Draft EIR, go into the final, what constitutes the final, what was the outcome of the final, what were the major findings, and then briefly go over the next steps.

Before I begin, though, talk a little bit about how the document was prepared. And oftentimes, the EIR

is one of the last steps in the process.

However, in preparing the General Plan Update, the EIR process was an integral part of that. As an example, when the background report was being prepared, the EIR team and the county was looking at the baseline condition, which is very important to identify the environmental setting.

So when the background report was prepared, we looked at what are the baseline issues, what's the existing level of agricultural production, what are the habitats, what are the cultural resources, and all of that was used to establish this baseline condition.

The second thing we did was when the goals and policies report was being prepared, we were also looking at ways as to how the policies could mitigate the environmental impacts, what are some of the measures that could be built into the policies that can address some of the impacts that we anticipate.

And then, finally, when it got to preparing the EIR, it was tying all this information together and presenting it in the format of the document.

Under CEQA, we're allowed to prepare a variety of different types of documents. Most of us are used to seeing a project-level EIR, in other words a document that describes particular impacts of a fixed

project.

This can be some type of a development project, where a specific area is identified, there are parcel maps that are identified, then the EIR at this project-specific level focuses on what the key impacts of that are, and it provides very specific mitigation measures.

So if there are impacts to an agricultural resource area, some of the impacts would be to conserve that area or provide additional agricultural opportunities somewhere else.

Similar with habitats, when we're affecting habitats in a particular parcel, we're going to look at ways to mitigate what those specific impacts are.

When we're dealing with a General Plan Update, though, we're dealing with a huge area. As Dave described, the county is thousands of square miles. So we're not -- a project-level EIR is not the best environmental document for that.

So under CEQA, we're allowed to prepare a program-level EIR, which is sort of a 10,000-foot level versus a very specific two-foot level view of a particular project and its impacts.

As CEQA describes, some of the guidelines talk about a program level EIR being the first tier. So

it's really the basis of information for which future projects can tier from as they're identified.

It also looks at the broad environmental effects of the particular program, in this case the General Plan Update, with the understanding that as projects come forward there will be site specific environmental reviews that look at those specific projects and identifies specific mitigation for that.

An example from the General Plan, just to identify how the impacts were described at this program level, again because it is a General Plan and we are dealing with policies and a land use map, we go through and identify what the impacts are, like a typical EIR, but when it comes to identifying mitigation measures for impacts, we're looking at the policies.

So, for example, under impact 3.5-2, noise impact, as you go through the EIR, you'll find that the mitigation measures are in the form of policies, and here is an example of one of the policies that talks about how future noise analysis will be conducted when a particular project comes forward.

Some key aspects of the RDEIR. These are the key items that went into preparation of it. As you know, there was a previous environmental document done in 2008. The recirculated draft EIR updated the

environmental and regulatory setting. That's important because the baseline conditions changed, and there was also additional regulations that needed to be described in there.

There was a greenhouse gas inventory, and an analysis was conducted as part of that as well.

There was a quantification of prime farmland impacts, where we thought development would occur within some of the growth areas, we quantified what those impacts would be.

There was also an updated water supply evaluation that was prepared for that.

Again, these were all issues that were brought forward from the comments that were received back in 2008.

So this information was -- it was looked at as part of the 2008 draft EIR, and this was what formed the recirculated draft EIR.

Additionally, there was a robust alternatives analysis that was prepared for the RDEIR.

Under CEQA, we're looking at a reasonable range of alternatives. For the RDEIR, we looked at five alternatives.

These were variations of the proposed project, looking at how different growth patterns -- what the

impacts of those growth patterns would be.

In addition, as part of the five alternatives, we looked at the no-project, which you're obligated to do under CEQA.

Again going back to some of the comments we heard as part of the 2008 document, there was an alternative or a concept brought forward, the healthy growth alternative, that was brought forward.

This was brought forward by the Tulare County Citizens for Responsible Growth. And as part of that consideration, we developed this fifth alternative as part of the RDEIR. And that's provided -- all the analysis for that is provided in Chapter 4.

And there is a summary table that -- we know it's a lot of information, so there is a summary table in Chapter 4 that lists the impacts and compares the alternatives to those impacts.

As part of the RDEIR, we also conducted a cumulative analysis, in other words, what would the General Plan's growth look in consideration with other growth in other surrounding communities and counties. That was part of the RDEIR.

Some of the milestones that went into preparation of the RDEIR were a review of the 2008 draft comments, and that's what formed the analysis we

just discussed.

There was also an update to the General Plan background report, and this was going back to making sure that the setting information -- the appropriate setting information is updated as that forms the baseline for the EIR.

Again, some of the issues that were updated as part of the background report that went into the RDEIR were looking at some of the updated mapping and habitat information that's available by the resource agencies that compile this information. So we looked at that and incorporated it as appropriate.

Again, there was an updated regulatory setting, specifically in the areas of climate change, and that was included as part of the RDEIR.

Following preparation of the background report or updates to the background report, the RDEIR was prepared, and it was circulated for a public review period.

The standard public review period is 45 days, and this was for a slightly longer period. We understood that there is voluminous documents, a lot of appendices, so the comment period was extended. That began in March 25, 2010, and was extended out to May 27, 2010.

At the conclusion of that, we received a number of comment letters, and then we began preparation of the final EIR.

Some of the key aspects of the final EIR or what comprises the final EIR includes the recirculated draft EIR, it includes a list of persons, organizations, and public agencies that commented on the EIR. That's included in the summary table.

The comment letters that were received in the RDEIR and also the lead agency responses to significant environmental issues was also provided as part of the final EIR.

As part of that final EIR, there is also additional information that's added by the lead agency, and this includes -- actually, I don't think that's part of this. Sorry about that.

But this is other information that's been added by the lead agency. It includes a list of master responses, the Board of Supervisors final EIR minor changes matrix, the response to comments, and then additional attachments that are associated with that become part of the final EIR.

Importantly, the two key sections of the final EIR are the comment letters and the responses that are prepared by the lead agency.

Our methodology for highlighting this is to take the comment letters, go through them, and identify them using a matrix system numbering in order to facilitate the responses.

So the comment letters are identified with this numbering system, and then in a separate section the responses are prepared with a similar numbering system to help link the comments with the different responses.

Here is an example here. This is a comment letter that's presented by an individual or an organization, and it's indicated by the letter I.

The 22 is the numbering in sequence that it came in on. And so as you can see, it has one comment, I-22-1, and that corresponds to the numbering in the responses.

Some major findings of the final EIR. The type of comment letters that we received, we received 16 comment letters by public agencies. These included one letter by a federal agency, seven by state agencies, and eight by local agencies.

The remaining comments were individual organization-related comment letters, and there were 28 of those.

Taking into consideration the number of comments, it came out to about 2300 individual comments

as part of those 28 -- as part of those total letters.

In developing master responses, we noted that there was a lot of trends. So a lot of the letters brought forward very similar inter-related issues.

We prepared master responses instead of individual responses to those, because it made a lot more sense to take all the comments that were related to a specific issue, tie them together, and present one master response that identified all those individual comments about a particular issue.

In cases of water supply, there was a lot of different comments about different aspects of the analysis that was prepared, comments about our methodology, comments about the baseline data.

So rather than prepare individual responses for those, we tied it together in a master response, and those master responses are contained in a separate section at the beginning of the FEIR.

Another example of that was the comments related to the Climate Action Plan and then the overall programmatic nature of the EIR, the understanding of what a program-level document is versus a project document.

Additional themes that we talked about or that were described in the FEIR included comments related to

policy comments versus CEQA comments.

We provided responses to all the comments that were related. Under CEQA, technically you're obligated to respond only to the CEQA-related issues, but there was also comments developed for some of the policy or General Plan related comments as well.

There was also information provided about the previous comment letters that were received as part of the 2008 draft EIR.

Discussion about enforceable policy language, why policies were written a certain way.

The level of detail, going back to this issue of whether it's a program -- what the difference between a program and a project environmental document is.

And then there was questions about the land use diagram.

Additionally, water supply evaluation, which Greg Young will talk about in a little bit.

Issues regarding implementation measures and how they relate to the different policies that are in the goals and policies report.

There was several comments about the foothill growth management plan and how that related to the overall General Plan Update.

The range of alternatives -- why we picked the alternatives that are described in there.

And then there was also master responses prepared for the Climate Action Plan.

And the Yokohl Ranch Project and how that relates to the General Plan Update.

This just summarizes the format for the final EIR. We have a combination of these master responses that we talked about, and we also have a list of individual responses as well as appropriate.

And with that, I'd like to turn it over to Greg Young.

MR. YOUNG: Thank you, Ray.

My name is Greg Young, principal with Tully & Young Comprehensive Water Planning, Sacramento, California.

Thank you for the opportunity to talk to you about the water supply evaluation that was prepared to support the programmatic EIR for the General Plan.

First off, this was a county-wide level of analysis. As we discussed with the difference between a program level versus project level, this was a county-wide level of analysis of the supplies and demands to support the program level EIR.

It did three primary things. It characterized

the existing and future demands, it characterized existing surface and groundwater resources, and integrated those supplies and demands.

So let's first touch on water demands. The current water demand estimate was developed using data from DWR from 2003. That may sound like a dated timeline, but at the point of time of developing this there was available county-wide water budget data for 1999, 2002, and 2003 that was complied by the Department of Water Resources used for their updates, their California Water Plan Update that they do generally every five years, but it's on kind of a different cycle right now.

So that data was available in 2003, appeared to represent the most average condition of those three years, and in that data agricultural demands are about 2.5 million acre feet of the overall demand within the county.

Urban demand, about 150,000 acre feet, a small amount of wetland demand, for a total of about 2.7 million acre feet of demand.

When we're looking now at the analysis of the future demand condition, what we're looking at is the assessment of the change in the land use policies of the General Plan, where some of this demand pattern may

shift as the land use is being contemplated.

So in the future demand, they assume a change in land use from current irrigated agriculture to mixed use urban on about 60,000 acres.

That is important to understand, as was described earlier by Mr. Bryant, the majority of the land use change that's contemplated is around the urban development boundaries. So of the 60,000, over 50,000 acres of that is concentrated within the eight primary cities in the valley floor area. So that -- probably about a third of that 60,000 is within the Visalia urban development boundary alone, so the majority of this land that is being contemplated on the policy changes, the land use changes that are in the General Plan, are within urban development boundaries.

What we saw when we now look at the comparison of existing demands to future demands, we need to do an analysis of that switch. So we take 60,000 acres of irrigated farmland out, we had to create kind of a representative demand per acre, which in the analysis is about 3.3 acre feet per acre based on a variety of county data on cropping patterns, cropping types, and irrigation information and applied water needs, and then you look at if we replace that acre with an acre of urban mixed use, you get a different demand, which

their type of development, where there is more tighter density, probably less landscaped area per typical urban lot, so you generally have a decrease in the unit demands associated with like a single family home than you might have seen now or even a couple of decades ago.

Another factor affecting demands is climate change and variability. When it doesn't rain, people start to turn on sprinklers, people are irrigating crops. If it does rain, people are backing off on their irrigation demand.

Temperatures, if they do start to vary, will have a minor implication to the overall demand that might be occurring on landscapes or on agricultural crops. So those things will be affecting demands, but were not part of this program level evaluation at this point.

The other final aspect affecting demand is the actual land use changes. As discussed by Mr. Bryant, was there would be project level EIRs that are tiered off of this program level EIR, and those will need to look at the actual land use changes and assess the change in the water demand that may be occurring for that particular project.

So let's switch over to water supplies now.

was just slightly less, approximately 3.1 acre feet, and for comparison we ended up seeing just a slight reduction of about 13,000 acre feet from that 2003 baseline number. So approximately the 2.7 million acre feet to 2.689. It's not a significant number.

For comparison, when you look at that 1999 data, again that DWR has compiled on a county-wide basis being used for their local hydrologic region and the statewide water planning, 1999 was 2.6 million, 2002 data was 2.8 million, so you can see this reduction is still within that range of historic data that has been compiled by DWR.

So the land use changes being contemplated by the EIR or by the General Plan, and represented in the program level EIR, are within the historic demand range.

Some of the things to consider or factors affecting demands are some changes that are occurring. Some of them are legislative, some of them are natural, and some of them will be a question of the future.

So, first, model landscape ordinance. The state has a model landscape ordinance that is changing the pattern of new developments, new urban developments and the type of landscaping and things you might have. Plus the urban developments are often even changing

Again, based on the DWR data for the entire Tulare County region, about 1.6 million acre feet of 2003 water demand was met with groundwater.

They separated as a net groundwater and from deep percolation that -- what the definition of those two really means is from deep percolation is surface water that may be applied or rain water that is percolating down through the soil into the aquifers when net groundwater that's actually moving laterally from -- primarily from the Sierras or the streams and infiltrating into the aquifer areas.

So they kind of split that as two primary sources for the water that is available from a groundwater perspective.

Surface water, about just over a million acre feet. Of that, about half being locally derived supplies from the water sheds on the eastern Sierras or east side of the San Joaquin Valley here, and some from -- another half million acre feet -- from federal and State Water Project supplies, and then some small amounts of some reused surface water is recognized in DWR's accounting.

So let's touch on some factors affecting supplies. This are conditions of groundwater overdraft as are being addressed in various forums right now.

They're recognized -- when you look into the EIR and policies in the General Plan and some of the mitigation strategies, the county is intending to get involved with groundwater management and monitoring conditions, and those are described in some of the policies in the mitigation strategies.

The San Joaquin River Restoration Settlement is also an ongoing dynamic exercise to try and restore flows into the San Joaquin for anadromous fisheries.

What that means as far as the importation of CVP water on the Friant into this county is not fully known yet. It's supposed to be mitigated within that restoration program. That hasn't been fully determined and developed yet.

Population growth within or near the county. So other areas on the border of the county might also start to affect the supplies. They might tap into groundwater aquifers. They know no geopolitical boundaries. They only know aquifer boundaries.

Joint management of shared aquifers. There is a lot of ongoing work to manage among water suppliers groundwater management basins, et cetera, to be considerate of how all the uses are -- all the users are affecting the different basins and are looking to try to manage those cohesively.

Those again are going to affect -- they may in some conditions put limitations on availability of supplies.

Groundwater adjudication. Unlikely in the Central Valley, but are occurring in several places around the state. They are very long and tedious, but they could affect supply. So that's really an outlier.

Water transfers and exchanges are occurring. Generally, this area is an importer of water transfers, water brought into, on a temporary basis, especially during dry conditions, is transferred into this region to help with especially agricultural demands during dry periods.

Delta supply issues. There is a lot of challenge about getting reliable supplies out of the Delta and off of the Friant system, which also feeds the Delta. And those again will be factors affecting long-term supplies.

Climate change and variability as it affects the demand side. It can also have an effect on the supply side.

So what we wanted to do is look at a couple of what-if scenarios in this water supply evaluation so we could provide some information to Mr. Weiss' group with ESA to do the environmental impact analysis for

the program level EIR.

So we developed four different scenarios. Each scenario refers to future demands without conservation considered and using historic supplies.

Scenario two has the same future demands, but applies some conservation. So there is a slight drop. I think we developed a five percent drop in urban -- sorry -- a 10 percent drop in urban demand and a five percent drop in agricultural demand to represent maybe a slightly smaller demand than has been seen in the past.

Scenario three is future demands are again still the same as historic, without the conservation, but in this case we've constrained the surface supplies.

And the final scenario, future demands having some conservation, again a little bit lower than being in that baseline range that we saw, and also having constrained supplies.

So the results of those, and we'll quiz everybody on this in just a minute, and I don't have a pointer so it's kind of hard to point out here.

So what we have here is the four scenarios, one, two, three, and four. For each, there is a normal and a dry condition.

The difference with the dry is you actually bumped the demand up by five percent because if you aren't having a spring rainfall, people are turning on their irrigation systems earlier, are meeting more of the annual water needs of the plants, whether it's landscape or agricultural crop, with applied water rather than natural precipitation.

So the difference between normal and dry, that is what that is representing here on the demands for urban, agricultural, and then we have these total demands.

So you see this differential here of 2.7 million to 2.835 million acre feet.

Then we have the baseline groundwater that's maintained the same in all cases, and we constrained down here, in scenarios three and four, the surface water. We drop it by about 15 percent from just over a million acre feet of surface water to about 900,000 acre feet of surface water.

The results over here -- and really this column is what makes a difference. You see when there is a parenthetical, it means there is actually less overall groundwater use. So this -- in essence, you can subtract in this case 157,000 acre feet from 1.6 million. So you use a little bit less groundwater when

we are in a normal scenario two condition.

In contrast, when we are in a constrained surface water condition and a dry year, we might use approximately 15 percent more groundwater.

So the interesting note, then, when we look at what that means, is there is a higher demand without conservation, which you would anticipate, in dry years under scenario three, scenario three being the worst case scenario. Without conservation, there is a higher demand.

And during a dry year, there is reduced surface water under this scenario, and additional groundwater pumped of about 300,000 acre feet, brings us to about 1.9 million acre feet of groundwater production.

When we now look back again at those historic baselines that we worked with in 1999, 2002, 2003, the DWR compiled data, the groundwater pumped, we used about 1.7, 1.69 million acre feet of groundwater.

And 1999 and 2002 ranged from 1.4 to 1.96.

So you see that even in these worst case scenarios, we're still bouncing around. For a dry year, 2002 data was actually a dry year, where more groundwater was used, so we're seeming to be within the same ranges of what historically has been occurring within the county, even with the swap of some of the

land uses.

And that's the essential conclusion, is that the existing rate of groundwater is going to continue with or without the General Plan Update. The General Plan Update does not exacerbate the overdraft. The policies provide opportunities so the General Plan itself has a significant number of policies that you guys have reviewed. Several of them are new that talk about -- they give opportunities to the county to improve overdraft conditions and to continue to assess water supply availability when formal water supply sufficiency assessments, SB610 documents, are needed for project specific EIR work in the future.

Also the policies provide opportunities for protection of recharge areas to maintain that net balance between native ground or the net groundwater versus the overlying, the percolating groundwater benefit to the basin, and also site specific analysis for contemplated developments are available now to the county and in the future.

And I believe that concludes my portion of the presentation. So I'll hand it back to Ray.

MR. WEISS: As Dave mentioned, Dave Mitchell, with Michael Brandman and Associates is at another hearing.

What I'd like to do is take his part of the presentation and talk briefly about the Climate Action Plan.

I'll provide a quick overview. As you know, recent legislation has made climate change and greenhouse gas emission reductions a big issue to consider in preparing and approving different projects and preparing environmental documents.

As the county went forward with the General Plan Update, they felt it was an opportune time to look at a Climate Action Plan and include that as part of the work that was being done for the General Plan Update.

As part of the Climate Action Plan, it really contains a number of key things, one of those being identifying greenhouse gas -- what is our baseline greenhouse gas emission sources, providing some information on the regulatory background and then developing both baseline and future year emission inventories.

The emission inventories are important because this serves as our targets for which we will -- they contribute to the targets for which the different measures in the Climate Action Plan would reduce these to identified targets.

Going back, here is the GHG emission reduction targets, the strategies to achieve the targets. A lot of these are based on the General Plan itself, the policies, the goals, the objectives, how these translate into different measures that can reduce GHG emissions to achieve specific targets.

More importantly, the monitoring program, how this will happen over the course of the Climate Action Plan.

Some of the reasons for preparing the Climate Action Plan. Obviously to reduce greenhouse gas emissions, what can the county do given their existing environmental condition, what can they do based on their policies to reduce greenhouse gas emissions.

How can the implementation measures be fulfilled, and then, also, looking to assist the state in achieving its overall goal as outlined in Assembly Bill 32. The state has overall targets, and the county is looking how they can assist in achieving those targets.

It's important to develop reduction strategies that are suitable for the unincorporated lands of Tulare County. What works in the Bay Area of the state or in Los Angeles is not going to work here. So it's very important to tailor the reduction measures to the

existing conditions of the county and also provide a framework for how to address these greenhouse gas emissions on a more project specific level.

It's important to understand how the CAP relates to the General Plan. The Climate Action Plan is an implementation measure as identified in the General Plan.

The environmental impact report also describes it as an implementation measure.

The Climate Action Plan relies on the General Plan land use, sustainability, transportation policies to help form the basis of the reduction strategy.

And that's very important because we need to get back to looking at what is going to work for Tulare County. What works in other areas of the state, those measures aren't applicable here, so we have to look at appropriate documentation, and the General Plan was an opportune document to serve as the basis for these measures.

The greenhouse gas emission inventory. This inventory was done -- it includes a 2007 baseline condition, and it also looks at 2020 and 2030 projections. Those are targets that are identified in legislation, and that's why we have those -- we know the General Plan goes out to 2030, but we're also

looking at an interim year of 2020, as that's recommended in the legislation to look at these reduction targets. That's why we conducted baseline data for that.

Here is a little breakdown of what was found in doing the greenhouse gas emission -- the inventory.

The majority of the emissions are conducted by dairy feed lots. They account for about 63 percent. The smallest is the activities related to solid waste collection and disposal. That was about four percent.

Electricity consumption, energy consumption, and mobile sources were a little bit more, with mobile sources being about 16 percent.

Just a little bit about that pie chart there, but as indicated dairies are the largest source, the key source being methane from the cows and manure.

There is a separate strategy being identified for dairies that is part of the Animal Confinement Facilities Plan, and then as indicated mobile sources are the next largest sources of emissions, cars, trucks, and off-road vehicle equipment.

I'll talk a little bit about our reduction targets. These targets are again based on achieving the targets that are consistent with the overall state targets as outlined in AB 32 and the Air Resources

Board scoping plan.

Here is the diagram that shows these targets for the specific years. Again, we're talking about interim years aside from those associated with buildout of the General Plan.

Some project reductions. Looking at achieving an average of six percent project level reduction as part of the Climate Action Plan target.

This target can be achieved through improved energy efficiency. There are a variety of different ways, but these are based on policies contained in the General Plan. But in addition to energy efficiency, we're looking also at on-site energy production, such as solar facilities, looking at higher development densities that are again consistent with the land use diagram for Tulare County, and then also looking at focusing on alternative transportation modes, transit, rail, things of that nature, but again consistent with the land use pattern and the circulation diagram for the county.

Additional reduction strategies can be done through water conservation energy savings, solid waste reduction and recycling, a number of voluntary programs and measures, agricultural programs. Anywhere there is a use of energy, look at ways to reduce the amount

consumed.

As I mentioned, the implementation plan and monitoring is very important. That's how we can see the results of these goals and measures.

The implementation plan would provide a benchmark which allows for quantitative measures to show how we're reducing these GHG emissions over implementation of the plan.

The CAP identifies both short-term measures, long-term measures, consistent with implementation of the document.

And I believe that's it on the action plan. So I'll turn that over to Dave.

MR. BRYANT: This will be the final portion of the staff and consultant presentation.

There were comments that were received after the close of the CEQA comment period. Those addressed several different areas, including climate, water quality, land use, project buildout, level of detail, enforcement, range of alternatives, and healthy and smart growth, location of new towns, regional growth corridors, preservation of ag and open space, disadvantaged communities, inventories, archaeological resources, and flood control.

Staff has conducted a review of these comments.

These areas of comment regarding the General Plan Update are addressed in the following manner.

Staff and our consultants have conducted a review of these 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's recommendations.

The staff recommendations. To receive public comment, to open the public hearing and then to take action on four resolutions.

The recommendations would be to, one, certify the proposed final EIR, adopt findings of fact and statement of overriding considerations, resolution accepting Planning Commissions's recommendation and adopting the General Plan 2030 Update, adoption of the Climate Action Plan, and a direction to file a Notice of Determination.

Before I complete my staff presentation, addressing a comment that was raised earlier at the start of our meeting today, the agenda item on the proposed General Plan Update, Climate Action Plan, and Final Environmental Impact Report was posted with the Board of Supervisors' agenda on the county's website

and noted that the attachments to the agenda item were available for review at the Clerk of the Board's office and were posted on-line. These materials were available at the time the agenda was posted on the internet.

Staff and our consultants would be happy to address any questions that you may have at this time.

CHAIRMAN ISHIDA: Mr. Cox?

SUPERVISOR COX: One general question. I read through this again, David. I noticed several places mentioned redevelopment agency, redevelopment areas.

Is there any need to address that here or because the state did away with redevelopment agencies are they automatically done away with by reference? Do we not need to do that in the document?

MR. BRYANT: At the time the document was prepared, as your board is aware, there was legislation and action at the state level regarding the redevelopment agencies.

As you're also aware, there is currently a successor program that is currently in place. Because there are still successor actions that are involved as part of that process, those terms were maintained as part of the General Plan Update document.

SUPERVISOR COX: A couple real specific

questions. I'm going to page 2-5 of the planning framework. Just a few real specific questions.

The very last line there says Patterson Tract on that right-hand page. I know it says here we anticipated these areas will be annexed, and this particular one is north of Visalia, veering north of the St. Johns River, and my understanding is that Visalia will not ever go that far north to the St. Johns River.

So do we need to pull that out? I wonder -- because I didn't see a comment from Visalia about that, but this Patterson Tract is so far north that I can't see getting there in 50 or 80 or 100 years.

MR. BRYANT: Yeah. The Patterson Tract area is currently adopted as part of the Visalia plan. That was adopted by your board in the early '90s and included as part of that plan update.

So this plan recognizes that that area is currently an existing area that is included as part of our existing General Plan.

SUPERVISOR COX: Even though Visalia will never get there?

CHAIRMAN ISHIDA: Visalia was never supposed to go past Packwood Creek, too.

SUPERVISOR COX: Yeah, it was, as part of the

2020 plan.

Next real specific question. On page 3-8, we actually -- under the farmland trust and funding sources, we actually name an agency, the Central Valley Farmland Trust.

Is that a Tulare County agency? Do you know that? It's right in the middle in the red, under farmland trust. It's AG 1.18. They actually name an agency there.

MR. BRYANT: I believe that was provided as an example of one agency that may be able to participate in that type of program.

SUPERVISOR COX: It's just an example?

MR. BRYANT: Yes. No, it would not be exclusive to that particular organization.

SUPERVISOR COX: Then the last thing on 4-29, in very -- under 4.5, the way I read this, it says the county shall encourage new commercial development as consistent with existing design of the surrounding community or neighborhood by encouraging similar facades, or scale parking, landscape and lighting.

As I look at the unincorporated parts of Tulare County, you know, I'm wondering why would we want to have it look like the old stuff that is there?

I mean, as I -- I'm just going through things

with no setbacks, with no landscape lighting, no landscaping, you know, we're saying it ought to develop and look like the stuff next door.

And I know in other parts we talk about upgrading and updating and fixing our old zoning stuff.

But here it actually says we want that new commercial development to look like the old which just doesn't seem right to me.

MR. BRYANT: The intent of that policy would be to provide for some continuity with some of the existing styles in a context-sensitive way to the existing structures that are there.

It would not be to tailor a particular development to look like any type of deteriorated or delapidated structures, but may recognize that there may be some unique features in regards to architectural design that might provide interest or value to the community.

SUPERVISOR COX: I think the Caltrans project out on 198, the landscape, setback looks really nice, and then you compare it to the other things that are nearby or leading out to that, no landscaping, no setbacks, and it looks like they went the extra mile to provide something like, you know, I would like to see that out in the county. So that's where I was going

with that, hoping that we're not doing a blank, okay, if there is an old metal building with no setback and no parking, that's the way you get to build.

MR. BRYANT: No. I think it's an opportunity to recognize some unique architectural features that may exist in and around some of the communities and to provide some consistency in regards to that type of design, where appropriate, and at your discretion.

SUPERVISOR COX: Thank you. Those were my very specific questions.

CHAIRMAN ISHIDA: Any other questions?

David, I have a question. On page 3-4, AG 1.3, Williamson Act. At the bottom of the page --

MR. BRYAN: Page 3-4?

CHAIRMAN ISHIDA: Yes. 3-4, part one. It specifically references the state's subvention program, the Prop 3 tax law.

MR. BRYANT: Yes.

CHAIRMAN ISHIDA: Dave, you're not subventing our taxes and all. So is that part of -- outdated or should we reword? Counsel?

MR. BRYANT: Again, I believe at the time that this was prepared, the subvention program was being discussed at the state level. And in recognition of -- that there may be changes to that program in the

future, that language was retained in the event that the funding situation may change in the future.

MS. BALES-LANGE: Mr. Chairman, we -- subsequent to the drafting of this legislation, we got -- I think it's been referred to as Williamson Light -- we got legislation which allowed, on a county-by-county basis, a setup of essentially a county-specific program which required the agreement of the various taxpayers who have the ability to opt into that program or to opt out of Williamson altogether, and this county has implemented that.

I want to encourage the board that there is language in these various documents that refers to -- the language available at the time or successor language unless there has been a significant change, there will not need to be a change in the language to, for example, refer to Williamson Light as opposed to Williamson. I'm sorry. I don't have the code sections right in my head. But the changes in the revenue taxation code.

CHAIRMAN ISHIDA: Can we just strike that?

MS. BALES-LANGE: That's part of the purpose of this process, is for your board to make changes, revisions, deletions, et cetera, and, again, we're happy to discuss this with you in closed session,

changes such as you are discussing right there, to make a clarification or deletion. It doesn't make such a significant change to the plan as a whole that would require recirculation, et cetera.

I don't know if your board wants to discuss amongst yourselves specific revisions now or if you want to wait until after you have public comment and then discuss that amongst yourselves or both.

CHAIRMAN ISHIDA: Okay.

MS. BALES-LANGE: You can do either.

CHAIRMAN ISHIDA: Okay. We can hold off on that since I wasn't able to participate in the Williamson Act discussion.

Any other questions? Thank you.

MR. BRYANT: Thank you.

CHAIRMAN ISHIDA: Okay. We're going to move on to our public comment portion of the program. And I have some housecleaning chores to go over.

If you have a spokesman for your particular group, I'm looking more or less -- I'm going to use this as an example, Citizens For Responsible Growth -- if you have a spokesman, a spokesman is allowed 15 minutes to provide your platform on the General Plan.

As individuals, you have three minutes to express your views.

So I'm not sure if we organized -- do you have a spokesman? Or the Sierra Club or whatever group, that's an option.

Okay. Some of the rules. You may not yield your time to others or reserve time to speak again.

We will ask the organization speakers to be first on our agenda. And because we have a limited number of interested parties here -- while we have a number of interested parties here, do not restate or repeat comments, testimony, or information or duplicate any comments, testimony, or evidence given by a speaker before you, and that you do not read extensively from written materials that you do not -- that you also intend to submit to the board.

Please limit your remarks to the subject at hand, the proposed County 2030 General Plan, Climate Action Plan, and final EIR, as well as the proposed mitigation monitoring and reporting plan, findings and statement of overriding considerations.

If you have a written statement or written comments, we'd ask you to submit that written statement or comments, instead of reading it, to the clerk of the board, and that's Michelle sitting up front.

And the board will have the opportunity to review any written materials and ask any questions.

There will be no clapping, cheering, or other out-of-order comments will be allowed. Violations of this rule may cause the room to be cleared.

During the public comment period, it is not a period of dialogue. We are here to listen to what you have to say, so do not expect a dialogue from the members of the board.

If you have any questions, you direct them to me, and then I will direct them to staff to answer those questions.

I'd like Supervisor Worthley to read a statement that we'd like to add to the preface of the General Plan.

SUPERVISOR WORTHLEY: I thought it would be appropriate for us to have sort of a preface that goes before the General Plan that will put it in context of our responsibilities as elected officials.

So I suggested the following language: Foundational to every society and nation is the right to ownership and use of private property. Often expressed as part of the inalienable rights of citizens, the Fifth Amendment to the United States Constitution declares that private property shall not be taken for public use without just compensation.

Article one, section one, of the Constitution

of the State of California reads as follows: All people are, by nature, free and independent and have inalienable rights. Among these are enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety, happiness and privacy.

Every elected official from the highest office of the land to the local school board trustee takes an oath before holding public office to uphold and defend the United States Constitution and for California elected officials the California Constitution.

In adopting the 2030 Tulare County General Plan, the Board of Supervisors are charged with establishing policies and procedures impacting private property rights of property owners while upholding and protecting those foundational inalienable rights. The Tulare County Board of Supervisors is dedicated to fulfilling its Constitutional oath, while judiciously adopting plans which will promote the health and welfare of our county residents and consistent with the value statements outlined in the goals and policies report.

Balancing private property rights with police powers requires continued vigilance and sober judgment and is the ultimate goal of this 2030 Tulare County

General Plan.

MR. ISHIDA: Thank you, Supervisor Worthley.

We will now take comments from the public if we have an organization spokesman. And we intend to recess no later than five o'clock. If there are people here that cannot come back at seven o'clock, please let me know so we can fit you in in the next hour that we have.

And, also, we will reconvene at seven o'clock this evening. I do have a request from someone to speak at seven.

But when we get to the individual speakers, I'll call several names. If you can just kind of come forward and line up, that should make the process go quicker.

Please identify yourself and your address for the record. We will start with Mr. Keenan.

MR. KEENAN: Bob Keenan, President and CEO of the Home Builders Association of Tulare/Kings Counties, P.O. Box 3930, Visalia.

I gave for distribution a letter. I was just curious. I looked at mine and I have two page threes, and not a page two. Do you have all three of them? If not, I have a couple extra copies I can give the clerk.

CHAIRMAN ISHIDA: Mr. Keenan, I have read your

letter.
MR. KEENAN: Nothing seemed to repeat itself in there?
CHAIRMAN ISHIDA: No. But this isn't what is before us today.
MR. KEENAN: Yes, it is. It was referred to in the presentation by staff. And it is in the General Plan, the sections to implement developer impact fees.
The Home Builders Association is opposed to the county imposing impact fees for collection by agreements with the incorporated cities and conversely collect city impact fees by that same agreement within the county and the CCUDBs.
We believe that the fees are illegal for the following reasons: Under the California Constitution, the county has no authority to create or have fees charged within incorporated cities. The county has no authority to charge anything outside of its own legal boundaries which are the unincorporated areas. Such an approach violates the provisions of the California Constitution, including those related to the proper exercise of police power, the statutory provisions of the fee mitigation act.
The MOU approach is unlawful delegation, illegally contracting away of county legislative powers

to other entities.
It constitutes an impermissible special tax rather than a development fee.
Considering the fact that there will be a dual fee if someone wishes to locate in a city, there will be two sets of impact fees.
To avoid that, they might develop residential, commercial, or industrial in the other counties on the fringes of Tulare County to avoid payment of those fees.
This would cause additional transportation to and from the cities and other areas within the county and should be reviewed by CEQA as potentially increasing traffic and pollution.
There is also that cause of potential loss of jobs, property, and sales tax if development opts to locate on the edges rather than in the county.
The county is an extension of the state established to perform and provide certain mandated services and functions.
And as a legal state entity, it should have its facilities, roads, and other needs financed by the state through the state taxpayers or through bonds, not impact fees. Thank you.
CHAIRMAN ISHIDA: Thank you.

Are you going to speak for the group?
MS. BODNER: Yes, I am.
CHAIRMAN ISHIDA: Okay. You have 15 minutes. I want to stress the chair has the authority to extend your time or limit your time.
MS. BODNER: I won't need it all.
CHAIRMAN ISHIDA: Works both ways.
MS. BODNER: My name is Karen Bodner. I live in Three Rivers. I am speaking first on behalf of the Tulare County Citizens For Responsible Growth. If I may, I will stay up here and make my own comments afterwards. I'm not going to take the full 15 minutes.
Since this General Plan Update process began almost six years ago, the Tulare County Citizens for Responsible Growth has made serious efforts to work with the county to accomplish all of the goals identified by county citizens and, we believe, by this board: Enhanced economic opportunities for all county communities, sensitive to the equally urgent needs to improve our air quality and water quality, and to protect our vital agricultural and open space lands through responsible, planned growth.
At every opportunity, we have invited, encouraged, implored the county planners to engage with us to create a future for our county that truly

represents the vision and priorities identified in the numerous planning workshops held between 2003 and 2006.
In 2006, in response to the notice of preparation, we identified crucial elements and issues for analysis. At the same time, we urged the county to accept the recommendation of the Planning Commission and the vast majority of public workshop comments and develop a city-centered growth plan.
TCCRG members met with members of this board individually as the first Goals and Policies Report was published and then submitted extensive comments on the entire first draft General Plan.
We submitted extensive comments on the draft environmental report and again on the entire revised draft General Plan and revised draft environmental report.
In connection to our comments throughout the years, TCCRG submitted and advocated a detailed healthy growth alternative. TCCRG testified at each Planning Commission hearing and we're here again today.
At every opportunity, we offered to work with the county, invited the county to call on us, consult with us to address our concerns.
Although the county did consult with other county stakeholders, it never took us up on any of our

offers or requests.

Instead, our proposed healthy growth alternative was mischaracterized and dismissed without consideration.

RMA inaccurately called our proposal merely a, quote, variation on RDEIR alternative five, unquote, RMA's confined growth alternative.

The RDEIR describes the primary objective of TCCRG's healthy growth alternative as, quote, to minimize significant and unavoidable impacts to open space areas, agricultural lands, and aesthetic resources.

In fact, however, the very first goal set out by the healthy growth alternative is to, quote, promote a balanced and functional mix of land uses consistent with community values and resource availability.

Other objectives focused on utilization of existing infrastructure, water supply, environmental conditions, proximity to jobs, transit, schools, and civic and commercial centers, and the desire of the community to accommodate additional growth. I refer you to our 2008 comment letter.

The FEIR frequently reminds us that no decision has yet been made as to whether to adopt the proposed project or one of the alternatives or to create a

hybrid.

TCCRG sincerely hopes that this is true, that this board has not yet made its decision, and that there is still hope that our General Plan Update will provide clear and strong direction to future decision makers, as well as to the public, on how and where we will grow and prosper.

We remain hopeful that Tulare County can and will be a leader in adopting a General Plan that will protect all of our interests. To that end, TCCRG again invites and encourages the county to work with us to realize a vision we share.

CHAIRMAN ISHIDA: Thank you.

MS. BODNER: That's it for TCCRG.

CHAIRMAN ISHIDA: Just one second, I want to ask, is there anyone else here representing another organization?

MS. STEVER BLATTLER: Good afternoon, members of the board, chairman, staff, and council members, my name is Patricia Stever Blattler. I represent Tulare County Farm Bureau as their executive director.

I spent the balance of four and a half plus hours with you this morning and thank you again for your support on other ag-related matters.

The Tulare County Farm Bureau's mailing address

is P.O. Box 748 here in Visalia.

I'm going to just do some paraphrasing and some summarizing from two of our comment letters that were submitted in 2008 and again in 2010, and for respect, out of brevity and today's time constraints, I will not be resubmitting those comments in writing.

But just as a point of information from the agricultural community and the growers that are represented in Tulare County Farm Bureau, we have adopted a series of policies specific to land use and development in Tulare County which is a matter of protocol that most farm bureaus throughout the State of California adhere to. I want to highlight a few of those policies and speak to them relative to the General Plan Update that is before us.

We certainly believe and know that you acknowledge that agriculture is a basic industry that makes an invaluable economic contribution to the local economy and that encroachment of incompatible uses in agricultural areas should be prevented, and we commend you for doing that in many elements of your General Plan.

We do support that planning and allowed land uses in the zoned areas should be driven by agricultural needs. We find often that service

establishments and ancillary service industries are locating in agriculturally zoned areas because it's convenient, it's affordable, and it's a path of less resistance in some cases than looking for other desirable properties in the county, and we want to make sure as we move forward in implementing this report, this General Plan and all the elements in the General Plan, that we're cautious to make sure that the agricultural zones maintain their integrity in this county and they are zoned for the needs of agriculture and the production inputs that we need.

It's not just enough to say we want to protect the right to farm. We have to be able to protect the ability to farm. And that ability includes maintaining the natural resources, the inputs, the air, the water, and the many other inputs that go into making agriculture viable as well as profitable.

This morning, Chairman Ishida spoke about the Regional Water Quality Control Board. It's just one example that is very relevant and very current to where we are with land use in this county.

The agricultural industry is looking at a potential impact of a new regulatory program for irrigated agriculture which will cover millions of acres of farmland in the South San Joaquin Valley, and

the potential price tag that growers have been told could take anywhere from 21 dollars to 180 more dollars out of their pocketbook for every acre of irrigated land in the agricultural region of the state.

And that is significant, and it's just one of many examples of where land use and planning are going to determine the course of agriculture and what it looks like in the future.

Not only is an irrigated regulatory plan in front of us, but again more air quality regulations, and we continue to see agriculture treated as the mitigation bank for all of these issues, all of these environmental challenges.

So I encourage us, as we move forward with the General Plan, to think about all of the inputs and the resources that agriculture must have to survive in this county, not just our footprint on the land, but certainly the inputs that go along with that.

I wanted to speak particularly to the rural valley lands plan. I'm very pleased that it continues to remain an integral component of the General Plan, but I am hesitant that we are diluting or diminishing its power or its prowess in the county's General Plan.

For one reason, when we commented in 2010, we believed that the plan should focus the RVLP on being

used even in hamlet development boundaries. We believe that as urban services in these areas remain uncertain, the RVLP would provide a very objective scoring methodology to evaluate those proposals, and the Farm Bureau has been very vocal about using the RVLP for many service establishments and use permits, those permits that are typically conditioned upon approval and typically don't trigger a zoning change.

We have raised countless issues with our county's agricultural policy advisory committee. We have brought some of those concerns to the Planning Commission, and I have appeared before you for various projects and site specific issues related to the use of conditional use permits, and we have seen instances where we believe that the process has really been a governance by exception, that there have been too many exceptions to the process, and not enough consistency in implementing use permits using the RVLP.

Now perhaps when you get into the details of the RVLP, some of those triggers are not in there by choice, but we believe that the RVLP is a very unique document, I'm not aware of a document like it anywhere else in California, there were a lot of Farm Bureau members and agricultural leaders involved in writing that document back in the 1970s, and I think it is

still a very integral component to your General Plan that certainly the Farm Bureau sees as a valuable piece moving forward that we need to keep protected and utilized and enforced in many different aspects of evaluating the merits for special use permits and service establishments.

As of today -- this comment was made earlier today as well -- Tulare County sits in the number one ranking of agricultural productivity in California and the nation. And until the Fresno report comes out, we'll keep touting that ranking.

But I think it's important, too, that we move forward with a General Plan that puts us on the map not just as another county that is cookie cutter approaching land use and development, but a county that is truly the role model for how to protect agriculture, its natural resources, and the inputs that agriculture relies upon.

I think your county's agricultural advisory committee, which is now renamed to be a policy advisory committee, is another integral component of your General Plan.

In many of your mitigation measures, the AG PAC or the Ag Policy Advisory Committee is referred to as the check and the balance to make sure that certain

objectives will be met, certain conditions will be examined, and that certain policies will be examined by that committee on a regular basis and make recommendations to you, as the Board of Supervisors, as to how agriculture should be treated and analyzed here in the county's growth plan.

I just want to encourage you, moving forward, regardless of what challenges and what issues arise, no document is perfect and what we need to do is adopt this General Plan, move it forward so we can get to where the true detail is, and the work is, and the work is going to be in updating ordinances, revising code language, helping engage the county's agricultural policy advisory committee on those matters, bringing relevant and current discussions to that committee, so that we can support you, as our county leadership, in implementing a General Plan that really protects land resources and really protects agriculture.

You know, I'm up here on my soap box representing agriculture today, but our industry cannot survive without the support of government.

And we probably -- most of my Farm Bureau members say we have too much government as it is, but we really need at the local level, local land use decision making that supports a robust agriculture

industry, and I believe this county can certainly be part of building a road map for our future that continues to protect agriculture.

Just a couple days ago, I was commenting to a reporter about dairies, and we have a lot of dairies in Tulare County, and we have a lot of dairies going out of business.

Western United Dairymen reports that 283 dairies have gone out of business since 2008 here in California, 17 of those here in the south valley just very recently due to pricing issues, as well as certainly debt servicing and bankruptcy.

This is just one of many examples where agriculture is really, really in a situation of crisis.

It's wonderful to look at the gross values that are reflected in our crop report and think what a robust economy we have in agriculture, everything must be great, all those farmers must be rich, but that is certainly not the case when we look at net receipts to agriculture.

And so, again, I am not here so much to go through the details. The details and the devil that is in them will be hashed out in many interations to come, but I do encourage you to adopt this General Plan, good, bad, indifferently, so we can move forward with

the work of this county in protecting agriculture, and I encourage you to make sure that the agriculture policy advisory committee is very much engaged and involved in that process and that they are not an afterthought to the process when land use issues come up.

I know it's very important that they don't look at site specific matters, but I think it's really critical that they be asked to be engaged early on in the process of revising ordinances, looking at use permits, service establishments, and defining a vision for agriculture that we can all be proud of moving into the years ahead. Thank you, very much.

CHAIRMAN ISHIDA: Thank you.

Are there any other organizations wishing to address the board?

Okay. Ms. Three Rivers, you're up. And behind her will be Mary Lou Burbery, Constance Fry, Joan Stewart.

MS. BODNER: Again, I'm Karen Bodner, Three Rivers, and I'm speaking for myself right now.

First, I'd like to just say that I really like what she said about the ag committee. I think that's really important. We have to look at all the elements that impact not only our agricultural uses but our open

space uses.

Having said that, I'm really concerned that the way the General Plan has been presented to you is misleading. If you haven't read through all those thousands of pages, and I'm pretty sure you haven't, I have, two times, and I turned in hundreds of pages of comments and suggested improvements for language, but they have all pretty much been ignored.

When the revised version came out, although it was called a complete revision, when you actually looked at it, there were some typographical errors that were fixed, there were some portions that were required by law to be included that had been omitted that were now included, and that's about it. The rest of it was just rearranged.

The robust analysis of the alternatives was in no way robust. It simply reiterated what had been said before.

The master responses, very often, just pulled the language that had been questioned out of the document itself and was repeated.

As she mentioned with the ag section, the RVLP has been weakened, the foothill growth management plan has been weakened, a full 33 percent of the current provisions in the foothill growth management plan has

been completely eliminated, and a large number of the remaining ones have no implementation measures at all now while they did have before. Some very important ones were completely eliminated, including policies that required the county to protect foothill ag from encroachment and development, to require zoning to protect liability of foothill ag, and to limit residential density in Success Valley.

In three minutes, I just don't have time to go over it all. I have a copy of some comments that I had submitted to the Planning Commission, and I will make copies for you and bring them at seven o'clock.

Before my time runs out, however, I do want to address the statement that the confined growth alternative was based on TCCRG's plan. It really wasn't. And as I said earlier, if you actually look at what we submitted, you can see that there is a big difference.

In sum, I just ask you to not rely solely on what you have been presented here, but go in and look at the document, pick something out in random, and just compare it to what it should be.

There are so many shoulds and encourages -- may I have one more minute?

CHAIRMAN ISHIDA: No, but you can have a couple

more seconds, though.
MS. BODNER: Okay. I have lost my place. Sorry. I'll just leave it there.
CHAIRMAN ISHIDA: Thank you.
Mary Lou, was it?
MS. BURBERY: I would like to be heard at seven, please.
CHAIRMAN ISHIDA: Okay. That's fine.
Constance Fry.
MS. FRY: Constance Fry, 701 South Woodland, Visalia.
I would like to speak about land use and housing which in recent years has been added to the CEQA, and I would like to read from part of the General Plan. This also speaks for air quality.
PAQ-1-12. The county shall encourage leadership in energy and environmental design in neighborhood development certification for new development to promote energy conservation and sustainability.
This is a worthy goal. It just says the county is going to encourage this. No wonder that Deputy Attorney General Susan Fiering, in looking over your 2008 update, gave a scathing rebuke because you weren't serious. Encourage. That's all.

Next. PAQ-3.4. The county shall encourage ecologically based landscape that can improve air quality. Encourage.
AQ-3.5. The county shall encourage all new development, including rehabilitation, renovation, and agreed development to incorporate energy conservation and green building practices to the maximum extent feasible. Encourage.
PAQ-4.1. The county shall support air quality attainment plans. Measures will be applied to new development approvals and permits as appropriate. They're going to support air quality plans.
One of the parts that disturbed me most was the lack of any regulation. There is no responsibility here. No wonder that the Attorney General says that your plans are market driven. The General Plan, she says, allows market forces to decide and that it considers a narrow range of alternatives, ignoring smart growth, and that air quality problems are significant but unavoidable. And no mitigation measures are available. This is throughout in several places.
So since we have such bad air pollution in our county, let's just give up. Can't do anything about it.

Although we have noticed that you have some things such as new ATMs at employment places.
CHAIRMAN ISHIDA: Thank you.
Joan Stewart?
MS. STEWART: I'm speaking both for myself personally as a professional biologist, but also representing the California Native Plant Society, which is a statewide organization which seeks consideration for botanical resources.
In the document you talk about, quote, protecting and preserving biological resources. It's stated as a goal, but you do not define what those resources are.
Actually, in Tulare County, we are somewhat unique in having about 150 different types of vegetation that have been analyzed and characterized at Sacramento by the State Natural Diversity database.
We have over 200 species that are designated as -- I'm talking about plants now -- plant communities, forest, shrub, and herbaceous communities.
There is no mention anywhere in the document of what these resources are that you're trying to protect and preserve. There is no mention of why you want to preserve these.
I would like to read a couple of comments that

are sort of general. It's because of an intimate awareness of the continuity between our lives and the rest of life is the only thing that will really conserve the earth.
A quote from Wendall Berry: How we live, where we live is what makes us part of a natural ecosystem. It is also the source of our most profound impact on the more than human world.
And finally a another quote: We are connected by the ways that we choose, consume, and share water, food, shelter, and air just like all the other animals.
Having this, the data, this is why we want to conserve this, and there is no direction about implementation to achieve the goal that you state to protecting and preserving. Nowhere.
You mention the characteristics and aspects of community, but it's not a natural aspect. You use the word corridor, but as a concept for transportation, for people movement, not as biologists use the term as a corridor for plants and animals from one population from one portion of their range to another.
I have heard the word habitat mentioned once today in all the talks, and it was just tossed away.
In October 19, '11, a year ago, we commented as following: Enlarging and connecting protected areas,

areas that are kept natural with biodiversity intact buffered from surrounding developed areas is not at present spelled out in the county plan as high priority and therefore is difficult to anticipate how the county will meet its goal of, quote, again protecting and preserving biological resources if the updated General Plan is to be our guide in coming years.

So, in summary, as a biologist and as a human being who is aware of the fact that my life is tied up with the life of all other forms of life on this planet, I think the General Plan can be termed somewhat pathetic.

CHAIRMAN ISHIDA: Okay. Gary Adest.

MR. ADEST: Mr. Chairman, Board of Supervisors, thank you for the opportunity. The daunting task of addressing --

CHAIRMAN ISHIDA: Could you give us your name.

MR. ADEST: Gary Adest, Springville, 35489 Ward Avenue. I speak to you as a private citizen. And I am a property owner in both Camp Nelson and make my home in Springville. I own a 700-plus acre cattle ranch on the north fork of the Tule River.

I want to speak to you from two points of view, one is as a taxpayer, and my concern about the decision the board is about to make, and the consequences of a

yes vote on this General Plan as submitted, and the other as an inhabitant of our foothills of the Sierra.

It is my analysis that the General Plan is flawed in the sense that it is internally inconsistent with its overarching goals as related to the foothill growth management plan portion of the General Plan.

The decision to not address any changes, any of the boundaries of the foothill growth management plan area or the internal zoning of that area, puts it in direct conflict, I believe, with stated resource conservation and long-term sustainability goals of the General Plan.

And I want to give you an example historically. When I moved to the area in 1988, Springville had a downtown area population of about 1,000 people.

In 2012, Springville has a population of about 1,000 people, but at the same time the general Springville area, maybe seven or eight years ago, had 3,000 postal customers, and I guarantee it has many more now.

When I moved to Tulare County, two pickup trucks could stop in the middle of Highway 190 in opposite directions and have a long conversation. That was the nature of the rural community. That was the nature of the Springville area.

Folks submitted 300 comments to our visioning process when I was chair of the chamber board. They wanted to keep it as it was.

The single-lane highways that service all the riparian corridors that are in the boundary area will never be able to support the kind of buildout that will occur with the size of that area.

In addition, you have thousands of acres of grazing land and working cattle ranches that are zoned in one home per acre zoning.

Almost a guarantee that you will be in conflict with your air plan, your water quality plan, your transportation corridor plans.

So I advise you to look carefully and do the bold thing and remand this to the Planning Commission. I guarantee this General Plan, as submitted, will be challenged, and I don't want to see that as my taxpayer money put to defending you all in a decision that represents a plan that, as a former college professor, I would have given a D.

CHAIRMAN ISHIDA: Greg Schwaller.

MR. SCHWALLER: Good afternoon, Mr. Chairman, supervisors, members of the public. My name is Greg Schwaller. I live at 43857 South Fork Drive in Three Rivers.

I applaud our excellent sounding goals and framework statements. However, a reading of the GPU still indicates that for the last nine years running, despite thousands of pages of written comments and many hours of oral comments, the county has persisted in producing a plan that will be ineffective and so flexible it is weak. Whether or not it meets state law remains to be seen.

I cite the example New Towns. Ever since 2003 when the county workshops began, its residents have told the county they want growth to be focused in our existing communities, that they don't want sprawl onto our agricultural and open space lands which should be protected.

After thousands of pages of comments and dozens of hours of testimony, no one has publically endorsed the idea of new towns in Tulare County, while many, many comments have urged the county not to allow new towns, but to enforceably promote responsible, sustainable development with our existing urban areas.

The comments have been overwhelmingly against the establishment of new towns because of their numerous negative impacts on existing communities, agricultural, and open space lands, scenic landscapes, air quality, and a lot of other things frequently

documented by us to the supervisors.

Witness San Diego County's experience with the new town of East Lake with its 20 to 30 thousand residents.

Despite the public's repeated requests, never has the county explained why it is emphasizing new towns as part of the General Plan update. Building new towns would not preserve nor expand natural resource lands and open space, but would needlessly, expensively, and permanently pave them over. Have you ever seen anyone undevelop a new development?

The best way to limit negative impacts to our natural and cultural resources is to locate new development within our existing development boundaries, which have been shown by the county's own consultant to have plenty of room to accommodate all the growth projected for our county throughout the term of this General Plan Update.

The GPU should strongly discourage, if not outright ban, the development of new towns. Any proposed planned communities should be located within existing development boundaries, where they will provide just as many jobs and invigorate existing communities.

Until we've filled up development within our

existing boundaries, there's no need for detrimental sprawl development outside of them.

Our agricultural and open space lands are vital resources to the health, economy, and beauty of Tulare County, and they should continue to be so for generations to come.

Please adopt a strong, consistent, enforceable plan with the healthy growth alternative that has been proposed by the Tulare County Citizens for Responsible Growth. Thank you.

CHAIRMAN ISHIDA: Thank you. We've reached that time where if there are people here wishing to speak that cannot come back at seven o'clock, please feel free to come up.

Lauren, I have you next anyway.

MR. GRAY: Thank you. Members of the board --

CHAIRMAN ISHIDA: Your name and address.

MR. GRAY: My name is Gary Gray. I live at 1721 West Burrell here in town, Visalia, two blocks away.

I'm strongly opposed to this EIR, this FEIR, to be certified at this time and would like to try to convince you because of the air quality and dust that more work needs to be done.

This document, 10,000 pages, five feet tall,

only has 28 pages addressed to the air quality. It's no secret that Tulare County ranks in the top ten of the worst counties for air quality nationally. Maybe whatever other study you look at, maybe it's in the top three, one or two, but certainly we can do better here if we know that there is a problem, to challenge the authors, the group that has prepared this FEIR, to do a better job and come up with some better standards that are required.

Essentially, they said it is what it is. Nothing can be done. And they found that it was significant, but there is nothing we can do about it, and I don't believe that.

CEQA gives us here in California -- they place you as the lead agency to provide a forum for the public to come forward to address these issues and to get an FEIR, a draft plan, right.

I think you have problems with it, you're going to face legal challenges, and I believe that the air quality is what you really need to address. Thank you.

CHAIRMAN ISHIDA: Lauren?

MS. SARIO: Good afternoon, supervisors. Lauren Sario, 2182 Penlan, Exeter, California.

I just wanted to thank Supervisor Worthley for reading that comment. I really appreciated hearing it,

and I appreciated the constitutional merit that was in that.

I work for my parents' construction company. We do construction design management. We've been doing business in Tulare County for 30 years.

And this afternoon, I have noticed that a lot of people are here, and I don't know the motivation, they're saying a lot of things about these gentlemen that worked really hard to prepare this General Plan and the environmental impact report and all the corresponding documents, and they -- I was here, I have seen it, and I know that it's got a lot of wonderful things in it, and they worked hard on it the past 10 years.

The past couple of hours, they've been able to reinforce all of the diligence that they've done in preparing the General Plan for us.

And they've pointed out, again this afternoon, and I know that they've gotten input from a lot of constituents, they spent countless hours working with your professional planning staff, their careful review with your attorneys, and the General Plan is ready, and as a business owner in Tulare County we need it.

So I'm here today to urge you and to ask you to pass it, get it out so that, as business owners, we can

get to work and start building the success of Tulare County.

We need a plan. And another thing that they pointed out today with their presentation was that the county is growing, and it's with or without a General Plan.

I'm a civil engineer. I understand the importance of a General Plan. We have to have it. We can't be growing without any ways to grow.

So we're going to keep growing with or without this, but our county needs it, and the General Plan is ready for your approval. That's what I'm here to urge you to do today.

In all due respect to Constance, I don't believe that regulation equals responsibility. As a business owner, when I see the word encourage, that means something to me. I don't need a list of laws and specific regulations to protect my property that my family has been working in for 30 years. I don't need someone to tell me how to do that. I want to protect it for myself and the generations to come.

So regulation does not equal responsibility. And the General Plan presents a really good opportunity for Tulare County to grow.

And I just want to thank you, again, for all

the work that you guys do, again for that statement that you made with the constitutional merit. I appreciate what you guys do. I know it's not an easy job, and I thank you for your time and for your service. And I just hope that you guys approve the General Plan and we can get to work for you. Thank you.

CHAIRMAN ISHIDA: Thank you.

MR. MAZE: Good afternoon, members of the board and staff. My name is Bill Maze. I reside at 1601 West Cherry Avenue here in Visalia.

As a fourth generation Tulare County resident and a member of the local chamber board, although I'm not speaking on their behalf, I'm president of American H20 Systems, I want to voice my support for the General Plan that you have before you gentlemen today.

I come from a business perspective, being a local businessman and agricultural person and other agricultural establishments.

And, as you all know, as a former supervisor that sat at this desk, I have a unique appreciation for the gravity of the long-term implications of what you are asked to do on this measure.

You have already heard and will hear many more spirited opinions telling you that the General Plan has

too much of something or not enough of another item.

Unfortunately, this has gone on far too long at this juncture. What you cannot do is act or deter by the loudest and most irate voices in this room.

It is essential to cut through the rhetoric, remain focused on the core issues. Our county is growing. You heard the last young lady say that as well.

Businesses cannot wait any longer to chart their long-term business plans. And whether they are going to be ready, willing, and prepared to accommodate their business plans, or are they just going to go down the road. That's a possibility as well.

It's unfortunate that our economic times have encountered such hardships over the last few years, but even worse for the state, our political jurisdictions have deteriorated to the point of pitting one against the other with -- as my interpretation -- egregious being the state versus the counties of California, and we certainly had suits that endeavored back in the '90s because of that.

I think as a result of this, we're seeing lots of reactionary policy-making take place and, as the old cliche says, time to take the bull by the horns and go with it.

Again, today is a crucial vote to this county. It's essential that a blueprint be implemented to denote and guide us on how this county is going to grow over the next decade.

As you formulate your positions and set this course, be very mindful to think long term and large scale, to think comprehensively, wisely, and independently.

My prayers are with you, gentlemen. Thank you for your time.

CHAIRMAN ISHIDA: Thank you, Bill.

MR. PUGH: Good afternoon, esteemed members of the board and Mr. Chair. I am Jared Pugh, 33112 Globe Drive, Springville, California.

First off, I wish to offer my congratulations to the board, their staff, and associating agencies that put their time and effort into this vast and comprehensive plan.

However, I must also offer some facts that have unfortunately been missed.

We are a county rich in natural resources, as outlined by the aggregate value availability in the California report of 2006 which was diligently prepared by the California Department of Conservation as an addendum to their geologic survey from that same year.

This report and many more independent surveys just like it stipulate that the annual impact of the construction and aggregate industries in Tulare County has been estimated to exceed a market value of one billion dollars annually. And with current inflation, the market growth could potentially be higher.

This essentially means that construction and aggregates potentially have as much market value as the county's current leading industry, dairy.

These studies further stipulate that over 50 percent of all aggregate products sold locally are used in public work projects, meaning that our aggregate industry literally maintains the very infrastructure that Tulare County relies on for its economic wealth and could be a useful ally as we continue to grow our county.

These products could also be used as a great boon to the local economy as much as the focus of this plan to conserve agricultural lands as we bolster current urban centers.

Despite this, this current plan again fails to recognize the colossal potential of developing a local aggregate industry as it could vastly reduce the cost of infrastructure development as well as provide many environmental benefits.

Instead, the plan not only bumbles through the procedures and administration that potential mineral companies would need to file, but also fails to include White River in its environmental impact report.

The General Plan takes into account the environmental impact of the Tule River watershed as well as Deer Creek, yet again fails to include the White River, which has been proven in the aforementioned geologic surveys to have materials and minerals that can provide sustainable jobs in our county not only for the next 20 years, but in fact the next 100 years.

In conclusion, the main problem with the 2030 plan being presented is that it is not a plan for change in growth, but rather business as usual.

Tulare County should be looking to diversity its economic growth rather than continue to invest all of its economic energy in only one industry.

The flaws are many, but the potential is great. I implore you to recognize the many benefits a hardy aggregate industry would bring to our county. Recognize the minerals we have available to us readily. Recognize our mineral wealth by bringing White River into the General Plan into a mixed-use zone, but most of all recognize that Tulare County has the tools to be

an economic powerhouse, if only it had the plan. Thank you.

CHAIRMAN ISHIDA: Thank you.

Ma'am, before you start, can you come back at seven? Come on forward. Is there anyone else that cannot come back at seven?

MS. SELF: Thank you for letting me speak. I am Mona Fox Self. I live in Three Rivers, California. I'm a retired adjunct faculty member from COS.

This is my issue. It's about something that hasn't really been mentioned a lot. And that's the proximity of the development to the park and how it will impact the park.

I'm not employed by the park. But you spoke of individual property rights of those people who own the land to do what they wish with their land.

But how have you taken into consideration common property rights? The park belongs to all of us, and its assets belong to all of us.

I'm speaking of the foothill development corridor and what it will do to the park, to visitors to the park, to people who live nearby.

For instance, you mentioned that you made some mitigation for dark skies. But if Three Rivers decides to have a dark sky and aims its lights down and Yokohl

City has street lights, you're going to have a city next to the park, and you're going to have an orange glow that will forever mitigate the dark night sky. So it will be impossible to see the dark stars 50 years from now, the dark skies and the Milky Way, and to have the enjoyment, the spiritual, the aesthetic beauty of that experience.

I want to ask you one question. How does the procedure for the creation of new cities really direct growth toward the existing cities anyway? The two seem to be contradictory. Thank you.

CHAIRMAN ISHIDA: Thank you.

MR. KEEN: Mr. Chairman, and board, and public, I'm Russ Keen from Lindsay, I live at 21142 Road 224, and I -- this has been a very interesting afternoon and to see the tremendous amount of work going into this, tremendous amount of thought has been put to all of it.

I didn't come with the intention of having anything particular to say, except that I think we need to keep in mind that this valley can produce, this county, and this expanded valley can produce food for the world probably better than any place else in the world, particularly at this level, and that is so important.

Look at what China is doing. It's producing

everything else but, but they sure want our food, and we can balance our trade with food, and we can actually food feed the world, and that's a better way than to keep from having wars it seems to me.

So thank you for all you do, and let's keep in mind and all see that ag is important in this valley because we can with food feed the world. Thank you, very much.

CHAIRMAN ISHIDA: Thank you. Okay. We have time. I have three remaining requests at this point in time. Peter and Carol Clum, do you want to testify now or do you want to wait until seven?

MS. CLUM: I'll do it now.

CHAIRMAN ISHIDA: Peter, you can come up, too, if you want to do it now.

MS. CLUM: Carol Clum, 45638 South Fork Drive, Three Rivers.

Tulare County's Climate Action Plan does not include all sources of greenhouse gas emissions. A greenhouse gas inventory must be complete. Fuel combustion accounts for more than 85 percent of the greenhouse gas emissions in California.

Some of the sources omitted are propane combustion, gas flaring in conjunction with oil drilling, airport emissions, railroad emissions,

greenwaste burning, wood stove and fireplace burning, and wild fires. The county can't just ignore propane emissions.

In the unincorporated county, almost every home, business, and industry uses propane to heat the building and heat the water.

Eagle Mountain Casino uses 700,000 gallons of propane a year, according to Jim Bailey, salesman for Delta Liquid Energy, in a telephone conversation with me on March 10, 2011.

Agricultural uses of propane include forklifts, drying and roasting nuts, packing houses, dairy sterilizers, and warming greenhouses.

Other uses include recreational vehicles, plumbing, welding, firing barbecue grills, and heating pools. For what reasons would the county not compile a complete inventory of greenhouse gas sources other than the expense and difficulty of compiling the inventory and subsequent pressure to lower emissions.

The supervisors may not want certain special interests to bear the expense of reducing their emissions, for instance, dairies, agriculture, construction, and industry.

The county bears the burden to make its best efforts to investigate potential environmental impacts.

In so doing, the county must consult with the propane suppliers as I did.

Our supervisors believe if it becomes more expensive to do business in Tulare County, developers will flock to nearby counties and Tulare County will lose potential tax revenue. Global climate change and public health are of little concern.

What is so disturbing about this General Plan Update is the supervisors' overriding quest for tax revenue. They have disregarded the residents' desire for cleaner air, a reliable water supply, safe drinking water, and minimal loss of agricultural land.

It's true residents want good year-round jobs, but not at the expense of their health or their wells going dry. Residents want low income and middle class housing near their jobs, not upper middle class second homes which residents can't afford in distant foothills.

CHAIRMAN ISHIDA: Peter?

MR. CLUM: Peter Clum, 45638 South Fork Drive, Three Rivers, California.

The FEIR was made available August 30th of last year. Now, two days short of a year later, one should ask if this plan is as good as the county has repeatedly told us, what has taken a year to get to

this point.

Since August 30th, 2011, the county has spent at least another $425,000 on the General Plan Update. Total taxpayer money consumed is over three and a half million dollars. Was the $425,000 expended since last August used to make changes for the better in response to public comments? Not that I can tell. Rather, the taxpayers' money has been spent trying to create out of thin air required findings which must be based on substantial evidence in the record.

The county has this big challenge. A statement of overriding considerations is required and offers a proper basis for approving a project despite the existence of unmitigated environmental effects, only when the measure is necessary to mitigate or avoid those effects have been properly found to be infeasible.

CEQA does not authorize an agency to proceed with a project that will have significant unmitigated effects on the environment based simply on a weighing of those effects against the project's benefits unless the measures necessary to mitigate those effects are truly infeasible.

Such findings of infeasibility must be based on substantial evidence. And that's a major problem for

the county when it comes to the General Plan Update.

The mitigation measures are either nonexistent or so vague, undefined, lacking in performance criteria, and unenforceable that they are illusory.

The county's approach to mitigation in almost every instance appears to be, at best, an amorphous measure that does not commit the county to any specific mitigation measures to reduce the significant environmental impacts and does not provide any objective performance standards by which the success of the county's mitigation actions can be measured.

The only criteria for success of the ultimate mitigation plan adopted is the subjective judgment of the county, which presumably will make its decision outside of any public process after the project has been approved.

Reliance on tentative plans for future mitigation after completion of the CEQA process significantly undermines CEQA's goals of full disclosure and informed decision making.

And, consequently, these mitigation plans have been overturned on judicial review as constituting improper deferral of environmental assessment.

CHAIRMAN ISHIDA: Thank you.

With that, we're at five o'clock. This meeting

is now recessed until seven o'clock this evening.

(A recess was taken.)

CHAIRMAN ISHIDA: Okay. We will reconvene on the General Plan public comment period. I want to go over a couple rules again since a lot of you are new this evening.

We're allowing three minutes of comments from each individual. You cannot defer your time or yield your time to another or reserve time to speak again.

Because we have a large group of people, we request that you do not restate or repeat comments, testimony, or information, or duplicate any comments, testimony, or evidence given by speakers before you, that you do not read extensively from written material that you intend to submit to the board.

Please limit your remarks to the subject at hand, and that subject is the proposed 2030 General Plan, Climate Action Plan, and final EIR, as well as proposed mitigation monitoring and reporting plan and statements of overriding consideration.

If you have a written statement or a written comment, we ask you to submit the written statement or comment instead of reading your statement or comments into the record. The board will have an opportunity to review any written material and ask any questions.

If you have written material, would you please give them to our clerk. Our clerk is sitting right up front, Michelle.

There will be no clapping, cheering, or other out of order comments will be allowed. Violations of this rule may cause the room to be cleared.

We are here to listen to your comments. There will not be dialogue between the board and the speakers in the three minutes.

If you have a question, please direct the question to me, and we'll refer it to staff to answer the question later in the meeting.

I have the sole discretion on the three minutes. If I find that you're repeating something over and over, I will cut your three minutes down.

So, please, hopefully, we'll hear new comments about our General Plan.

The meeting this afternoon went very, very well. The people who spoke in their three minutes all brought up a little bit different subject matter on our General Plan.

With that, I'm going to open the general comments. And I have a list of people here.

I think I'll start with Laurie Schwaller because she was the first one that put one in. Is

Laurie here?

MS. SCHWALLER: Good evening, Mr. Chairman, supervisors, and fellow citizens. My name is Laurie Schwaller. I live at 43857 South Fork Drive in Three Rivers. Thank you for the opportunity to speak and for scheduling an evening hearing.

Since late in 2003, when public participation on the General Plan process was first invited, the people of Tulare County have provided input to the county at every opportunity detailing what they want from this constitution that will guide growth and development here for the next 20 to 40 years, impacting our lives and the lives of our children and grandchildren.

The public's vision expressed in workshops held county-wide at the outset of this process was summarized in the 2008 plan: Clean air, a reliable water supply, growth focused in our existing communities, preservation of our agricultural and open space lands, and a more diverse economy.

In the 2010 version, that information was deleted. It no longer appears in the plan documents.

Early on, the county set up a technical advisory committee to help guide the draft plant. But the county disbanded that committee well before most of

its members felt that their job was done or that their advice was heeded.

In 2008, about 90 agencies, organizations and individuals provided over 1500 pages of comments and hours of oral testimony on the 2,000-plus page draft plan. Almost all called for extensive revisions to the proposed plan due to its vagueness, ineffectiveness, inconsistency, failure to comply with state law, and lack of responsiveness to the public's input and vision. The county went back to the drawing board.

Two years later, in 2010, the revised plan was recirculated. Again, over 1500 pages of written and oral comments came in, most pointing out that the plan had fundamentally not been improved, had actually gotten worse in some areas, and was still definitely not responding to the hundreds of questions, suggestions, legal requirements, and constructive criticism that had been presented.

Fifteen months later, in 2011, the county released the draft final EIR and the Planning Commission received more comments.

The county had continued to ignore the wishes of the public, the requirements of the law, and its responsibility to its residents and neighbors to provide a strong, clear, effective plan, and instead

continued to insist on a plan that provided flexibility instead of accountability, vagueness instead of clarity, no meaningful mitigation, virtually no reliable implementation measures, and definitely not a range of alternatives with a clearly environmentally superior alternative.

CHAIRMAN ISHIDA: Your time is up.

MS. SCHWALLER: Well, I have a couple more sentences.

CHAIRMAN ISHIDA: I'm sorry.

MS. SCHWALLER: Thank you.

CHAIRMAN ISHIDA: We have so many people, Laurie, today.

MS. SCHWALLER: I'll send it in to you. Thanks.

CHAIRMAN ISHIDA: Okay. Before we go on, we have a new group of people here today, and I'd like Supervisor Worthley to read something we're going to add to the General Plan which kind of identifies our responsibilities as a Board of Supervisors.

SUPERVISOR WORTHLEY: This is something I drafted and proposed that we add as a preface to the plan. It doesn't change any of the plan itself. It just gives, I think, a proper kind of context.

Foundational to every free society a nation is

right to ownership and use of private property. Often expressed as part of the inalienable rights of citizens, the Fifth Amendment to the United States Constitution declares that private property shall not be taken for public use without just compensation.

Article one, section one, of the Constitution of the State of California reads as follows: All people are, by nature, free and independent and have inalienable rights. Among these are enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety happiness, and privacy.

Every elected official office from the highest office of the land to the local school board trustee takes an oath before holding office to uphold and defend the United States Constitution and for California elected officials the California Constitution.

In adopting the 2030 Tulare County General Plan, the Board of Supervisor are charged with establishing policies and procedures that impact private property owners while upholding and protecting these foundational inalienable rights. The Tulare County Board of Supervisors is dedicated to fulfilling its constitutional oath while judiciously adopting

plans that will protect the health and welfare of our county residents and consistent with the value statements outlined in the goals and policies report.

Balancing private property rights with police power requires continued vigilance and sober judgment and is the ultimate goal of this 2030 Tulare County General Plan.

CHAIRMAN ISHIDA: Thank you, Supervisor Worthley.

The other thing I forgot to do is we may have people here that are represented by a group, and a group spokesman would have 15 minutes to address the General Plan.

Is there any group here that would like to address the board?

Please give your name and address for the record and what group you represent.

MR. LASKE: Thank you, Supervisor Ishida. My name is Gary Laske. My address is 4677 North Safford in Fresno. I represent the Tehipite chapter of the Sierra Club, and so far have we had any representative that represents the Sierra Kaweah chapter? I believe not.

So I want to just check in with you all. I was here for the Planning Commission meeting last fall, and

I wish to thank you for reaching a conclusion to this process soon.

And that I wanted to express gratitude to Supervisor Worthley for his commentary on our vigilance to balance the police powers with the private property rights.

And I wish to express here that my experience with CEQA includes time served as an environmental planner for Caltrans, as well as training at the University of California for more years than I care to mention as a graduate Ph.D. student.

So I just wish to -- I spoke previously. I spoke to only one issue, and that was the importance of a stable and finite project description in an EIR, the environmental impact report as we know.

The purpose of CEQA, which works 98 percent of the time without litigation or conflict, is that the public is informed about the likely environmental impacts of any project in the State of California.

And I'll share with you one of my supervisor's commentary at Caltrans. I asked him. He's been in the job 40 years, and he's a really priceless asset.

I said to him when is an EIR -- when does an EIR need to be prepared? He said an environmental impact report needs to be prepared if there is

controversy.

So it is in many ways not a cut-and-dry decision. It's something we all have to involve ourselves in this estimating of what these impacts will be.

I wish to revisit my one point, to remind you all that the project description needs to include all projects which are not only approved, but foreseeable, in the near future.

And typically that means that they've come before the planning department for review, but in the case of some projects we've had in this county we've had extensive effort put into the Yokohl Ranch project, and that if this project does -- does appear at any point in the documentation for this General Plan Update, then an EIR needs to examine that and what the likely ramifications are for traffic, groundwater, and the others. So I just wish to mention that because I'm sure that will come up again.

I also wish to point out that the police powers include the public trust, that the streams of California belong to all of the residents, the citizens of California, that the quality of the air, that the quality of our groundwater that we all want to protect and, for that matter, the farmlands are a public asset

that go beyond the property owners. So that we all wish to cherish our agricultural lands and we wish to preserve them for the future.

And I'll just be another minute here. I won't use my entire time. I just wish to say that when I was an environmental planner at Caltrans, I worked in projects in Napa County, and I discovered that every time somebody wants to buy a house or a property in Napa County that they need to sign a document, acknowledging that agriculture is the primary driver of our economy, and we are here -- we recognize that protecting agriculture is the foremost priority of our county, and I would love to see those kinds of teeth in the General Plan here, in our agricultural element, because when I saw that presentation this afternoon on the future of water, we saw a statement made by the consultant that in the future we're planning to move from agriculture to more residential housing.

And we need to protect not just our prime farmlands but our grazing lands as well. They're the legacy that will make this a special county.

I don't live in this county, but I have been involved for two and a half years in this General Plan as an observer and a participant.

I want to thank you for the hard work you have

done and the decision you have ahead of you.

CHAIRMAN ISHIDA: Thank you.

If you represent an organization, this is the time to speak.

MS. CID: Can I go first?

CHAIRMAN ISHIDA: Yes, if you represent an organization, that's fine.

While she's coming up here, we do have translating -- translation available. Julieta is in the back. If anybody needs translation, we have the equipment to do that.

MS. CID: Okay. So my name is Amparo Cid. I'm with the California Rural Legal Assistance Foundation, and we just respectfully request that in good faith the honorable members of this board keep in mind SB 244, which was a bill that was moved forward by Wolk, which went into effect on January 1st, 2012, while engaging in this important conversation about the Tulare County General Plan 2030 Update.

So SB 244 was signed on October 7, 2011, and as I mentioned previously went into effect this year in January. And it sets forth new requirements and requires local agencies to plan for disadvantaged unincorporated communities through the Local Agency Formation Commission planning process and General Plan

updates.

And this was brought forth because the US census data shows that approximately one million Californians live in disadvantaged unincorporated communities. And as you all know, these communities lack basic infrastructure, such as streets, sidewalks, street lights, storm drains, parks, safe housing, and other basics.

And I just wanted to, once again, bring forth this requirement and just ask that in good faith you keep into account SB 244 as you move forward with this process because it does set out certain requirements and just wanted to make sure that everyone was up to speed with that. Thank you, so much.

CHAIRMAN ISHIDA: Thank you.

Are there any other groups represented tonight?

Mary Lou, you were going to be next.

MS. BURBERY: Yes. Good evening. Thanks for the opportunity to speak to you. My name is Mary Lou Burbery. I live at 2542 West Laurel Court in Visalia.

I'm speaking very briefly as co-president of the League of Women Voters of Tulare County.

The National League of Women Voters takes certain public policy positions, such as representative government, which promotes open government, open

governmental systems, but the position which concerns us here is the one on national resources.

Our local league here in Tulare County has taken the natural resource of water and studied it as it relates to the San Joaquin Valley. We are concerned that the General Plan is failing to protect adequately this very precious resource.

The plans which I have heard here today lean quite heavily on water conservation for one thing, and there is some other questions which I would have to ask in the future.

The other concern is that of water quality, and we are concerned about having clean water for our children, who deserve water which is nourishing and not poisoned.

Our other concern is the failure to adequately address the problem of air quality. And, again, our children should certainly not have to suffer from asthma and respiratory infections caused by dirty air.

So the League of Women Voters supports the healthy growth alternatives proposed by the Tulare County Coalition for Responsible Growth, and I urge you to support it also.

Also, we would -- I would be happy for you to demonstrate representative government by being

responsive to these requests. Thank you for the opportunity of speaking.

CHAIRMAN ISHIDA: Thank you. Okay. Are there any other groups?

MS. SETON: Good evening, everybody, Phoebe Seton, California Rural Legal Assistance, Inc. Business address is 2215 Kern Street, Fresno, California.

First, I want to thank you all for setting time out so that people can participate both in the daytime and the evening and for having interpretation services.

A few points that I'd like to raise that draw primarily on a letter that we submitted in November that I can resubmit. You all have it in your records, though.

One is the issue of hamlets and those communities that have been left out of hamlet designation, including Tuleville and Matheny Tract, and therefore left out of the benefits of hamlet designation and the planning benefits of being a hamlet and would like to see corrections to those.

Another issue that we outlined extensively in our letter in November is certain inconsistencies that remain between especially the planning framework and the public facilities and services element and the

housing element.

I can discuss them in greater detail, but they -- largely regarding the emphasis of investing in existing communities -- I'm sorry -- investing in communities that already include infrastructure consistent with the housing element commitment to investing in infrastructure in existing communities.

That may sound like sort of two sides to the same coin, but it's a very different planning framework, small P, small if, not Planning Framework in terms of the element.

So we need to see consistency with the housing element that really concentrates on investing in existing communities, including infrastructure investment, and not the flip which we have in the planning framework and the public facilities and services which is investing solely in communities that already have that infrastructure.

One other issue that's come up recently that I think that several of the supervisors are aware of, are Tulare County's commitment to looking at consolidation, extension of services, and other alternative service delivery options to improve efficiency in high quality services, and we see that as at odds and inconsistent with the focus on developing new community services

districts, which also is outlined in the planning framework, and we'd like to see more consistency there to demonstrate that sometimes developing new special districts does not promote the housing element and General Plan goals of improving services and infrastructure.

Finally, the issue of the MOU is between the cities and the counties. We are concerned that the current MOUs will not provide either the conservatism in infrastructure necessary in those areas between the cities and the sphere of influence in the urban development areas and boundaries, and also that communities will not be sufficiently protected by industrial and other uses, and I would like to see more public review and public comment opportunities for those MOUs. Thanks, so much.

CHAIRMAN ISHIDA: Thank you.

MR. BREON: Good afternoon, Chairman Ishida, board members. My name is Craig Breon. I'm speaking on behalf of the Sierra Nevada Alliance. We work with more than 90 member groups up and down the Sierras and have about four different member groups who work in this county. I won't take nearly 15 minutes.

I did provide a transparency. If it can be put up, that's great. If it cannot, that's okay, too.

CHAIRMAN ISHIDA: It's coming.

MR. BREON: Since I'm speaking on behalf of the Sierra Nevada Alliance, I thought I'd start by talking about the Sierra itself and the planning in the foothills growth management plan.

You know, I came into this in January, so obviously I missed years of excitement on this issue, but when I read through the document, there is a pretty fundamental disconnect between a lot of the very worthy goals that you have and what is likely to happen out on the land as a result of the actual language that you put together.

And this foothills growth management plan is just a very good example of that. I mean, the idea of deciding where in the foothills might be appropriate for development and, in particular, aligning those -- the darker blogs in there in that yellow -- along transportation corridors theoretically, that's a good one. That's a sound planning principle.

But the reality of what is going to occur out there just doesn't make any sense. These roads that go up into the foothills aren't true -- they aren't along true transportation corridors in any sense of the word. They don't connect jobs to housing to services. They don't contain public transit opportunities.

What you essentially have here is a plan to develop an extensive area of the foothills that most likely would be developed in the kind of traditional manners of wealthier housing developments that are served primarily by cars, and -- well, you see one proposal in Yokohl Valley and this would make for many others. That's what I mean by disconnect.

The planning ideas are there, the idea of locating development along transportation corridors, the idea of having mixed-use development, which these areas would be zoned for, those ideas are there, but the reality is it's not going to occur like that.

And if you look at one place after another in the General Plan Update as proposed, that's what you come across.

I think almost everybody here would agree with the basic goal that some of the rural communities in this county are appropriate places to develop and would greatly benefit by appropriate levels of development and raising the level of city services in those areas.

But the mere fact that you've opened up so much of the rest of the county to potential development, whether it's through the transportation corridors, through the weaknesses that have come up in the foothills growth management plan, through some

additional weakness in the rural valley lands plan, and through the whole new towns provisions, the reality is the developer is generally going to go the cheaper and easier route to develop, and that's going to be for any larger developments on open land, in agricultural areas, or in the foothills, and it will have made it relatively easy for them to bypass the existing rural communities that we all agree would most likely benefit from development.

So, once again, the goals of the plan don't meet what is likely to occur as a result of the tendency toward flexibility, vagueness, whatever you want to call it, and the notion that most of this land can be proposed for development in one way or another without adequate standards to channel development truly to the areas we want and to truly protect some of the most valuable resources in terms of agricultural and ranch lands and open space from some of the more likely proposals that we're going to get.

I'll end with a bit of philosophical comment about this whole Fifth Amendment notion. I spent ten years on the Planning Commission in my town. I had to continually balance private property rights against what I would call community property rights or community property interests.

It's not an easy balance. But you can plan in the midst of that. My town, a small town in the Bay Area, very not representative of this area, found that in order to reduce the level of homes that were planned in our hillsides, which was 2,000, when it was county unincorporated land, eventually we ended up with less than 100 homes there, it's down-zoned that area three different times, and yet it's always been accepted, there's never been a lawsuit, it was always in the context of strong planning, and it was always in the context of making that balance between public interests in certain things like air quality and aesthetics, scenic byways, et cetera, and the needs of private property rights.

And I spent ten years doing that balancing act, and also none of my decisions were ever sued, which I'm very proud of.

Lastly, on the same issue, when you're thinking about private property rights, I explain this situation. If you're outside of Lemon Cove and you're a citrus grower, your private property rights are affected by the fact that you're along one of these transportation corridors and near one of these large brown blobs, and you don't necessarily know if the citrus grove next to you is going to stay a citrus

grove or is going to become a medical facility or a planned unit development of 2,500 people, or a cement factory, or a light industrial complex.

You have fundamentally affected the property rights of people who are living in this community or would move, say, retire and want to move to a small ranch in the hillsides because you haven't told them what the land next to them is going to be. They don't know. And that disturbs their property rights as well. Thank you.

CHAIRMAN ISHIDA: Okay. Are there any other groups here today that would like to make public comment?

Seeing no other group, we're going to go back to the individual public comments. We're going to stick to the three minutes because I have a handful of requests.

We're going to start with Chris Moi.

UNIDENTIFIED SPEAKER: Chris has written comments, and he's not going to speak.

CHAIRMAN ISHIDA: Brian Newton. Please state your name and address for the record.

MR. NEWTON: Sure. My name is Brian Newton. I live at 1407 West Laurel Avenue in Visalia.

I want to thank you all for hosting this

evening meeting. I'm really pleased with the turnout.

First, I want to reiterate what Greg Schwaller said earlier, quote, in all the public hearings, not one person has only spoken for new towns in Tulare County, and I will add with good reason.

Look at the one new town proposal, Yokohl Ranch, a few miles southeast of Exeter.

This new town has a potential buildout of 10,000 homes with 30,000 people.

This plan doesn't channel development into the existing communities that need development. It doesn't match with the housing needs of the growing population of Tulare County where much of this population growth is expected in the working class -- the working Hispanic class population.

It takes up ranch lands that were found to be unsuitable for large-scale development in the foothills growth plan.

It will be an entirely car-dependent community. It will worsen air quality. It will strain existing water resources. It will greatly alter the rural character of that portion of the county. I could go on.

But under this plan, we're not looking at just one new town. We could be looking at several new towns

over the life of the plan.

This is simply unwise. It's going to be unwise planning. Thank you for the opportunity to speak.

CHAIRMAN ISHIDA: Thank you.

Steve Peck.

MR. PECK: Thank you, Mr. Chairman, members of the commission, Steven Peck with Peck Planning and Development.

First, I'd like to congratulate the commission, the board, and the staff. This is a long process. There is a reason you've only had one update in the last 30 or 40 years. It's a hard process.

I went through one myself with the City of Visalia, plus others as a consultant, and it's not an easy task. I commend Jake and his crew, as well as you and your predecessors, on bringing this to a conclusion, you know, at this time.

Previously, I submitted some correspondence regarding your growth corridor policies. I'm not going to reiterate that and read that into the record.

I just would like to highlight that I think your approach to identifying specific eligible intersections for regional visitor serving types of -- kinds of growth are good policies. There are some implementation measures that I think need some

clarification, you know, specifically the interim measures with regards to the 99 corridor growth policies. They seem to defeat your own overall approach to that. I would only want to remind you to look at that again. I know that's been brought to your attention before, and we brought it to the commission's attention.

That concludes my comments. Again, good luck this evening and beyond, and I'll submit my written comments to the clerk.

CHAIRMAN ISHIDA: Thank you.

Allen Dimick.

MR. DIMICK: My name is Allen Dimick. I live at 2128 North Grove Court in the lovely City of Visalia. I thank you for the evening session so I have an opportunity to speak. Otherwise, I wouldn't.

The first question I have is does anybody remember what the cost of a gallon of gas was ten years ago? It was about $1.35 a gallon. What's it now, fluctuating between $3.50 and $4.25 a gallon, give or take, depending on whether a refinery blows up or not. What's it going to be ten years from now when these new towns get built? Are they even going to be economically viable with the commuting distances and things of that nature? What are we looking at, five,

six, seven dollars a gallon? That's something to think about there.

The long commutes, you know, if somebody has to live in Exeter, go to Yokohl Valley or Visalia, because not everybody is going to work there that is going to live there, you know, they're going to put 20 to 45 miles a day on their car. What's that going to do to our air quality?

I mean, what is -- also, you know, it's my understanding was that the cities -- all eight of the incorporated cities opposed this plan a few years ago. I don't know if that's changed or not. Also, the cities have also offered an unprecedented revenue sharing idea with the county.

You know, if they directed new growth to the city, they would share some of the spoils with the county. Doesn't that make sense?

Preserve our ag land, put the growth in the cities, you know, and that way as the cost of gas and other things go up, you know, people can live close to where they work, close to where they go to school, close to parks, close to public transportation.

And also it's my understanding that as soon as this plan gets adopted, the lawyers are going to start making a lot of money on both sides of the issue on

this thing.

Wouldn't the county be better off spending the money on police, firefighters, teachers than giving it to lawyers defending this thing, especially since you've been updating the same basic plan for about two or three years, you know, it's like how much lipstick can you put on a pig, you know. Thank you.

CHAIRMAN ISHIDA: Okay. I have a request from counsel for Laurie Schwaller. If you have some written comments, could you please give them to our clerk.

MS. SCHWALLER: I did, but I scribbled on them. Can I print them out and send them to you?

CHAIRMAN ISHIDA: No. The comment period will be closed.

MS. SCHWALLER: Okay.

CHAIRMAN ISHIDA: Thank you.

Terry Manning.

MR. MANNING: Good evening, Chairman Ishida and members of the board and all you wonderful people who showed up tonight. I say good evening with great relief.

My name is Terry Manning. I live at 41576 Yokohl Drive in Springville.

I always believe that probably something is going to happen at a Board of Supervisors meeting or

public hearing that surprises me. And, sure enough, it happened. I became speechless.

When I heard your colleague's private property preface to the General Plan, I was struck speechless.

However, in the interim, when we had a chance to go eat, I had a nice chipotle salad, and my speech came back to me, so here I am.

I know that -- is it the Declaration of Independence that says something about inalienable rights, and they are life, liberty, and the pursuit of happiness. I didn't remember property, but maybe it's in there somewhere. And I sort of thought maybe property rights were inalienable until I had to get a building permit.

I promise today that I will not be the loudest or the most irate of the speakers. In fact, I enjoy being here. I love a microphone. All of us football game announcers love a microphone. Am I right? Of course.

I was also very happy and surprised to see the words healthy growth alternative on the screen this morning -- or this afternoon, a phrase I have heard many times, and I heard several times later in the afternoon.

However, that healthy growth alternative, it's

my understanding, was dismissed rather early and for reasons I still don't understand.

I think I can tell you how you can get us all off your back, all of us citizen activists who, once we elected you, wouldn't shut up. We just kept coming back as if somehow our patriotism just wasn't satisfied with casting a vote.

But here are the things I think that I hope your General Plan, my General Plan, has. I hope that you have determined that you will base the location, density, and amount of growth within urbanized areas on their desire and capacity to accommodate growth.

That you would locate development, except that which is directly related to agriculture, within existing development boundaries without loopholes or exceptions that allow for leap frog new towns or growth corridor development.

That you would require or incentivize -- that was the shortest three minutes in my life.

CHAIRMAN ISHIDA: Thank you.

MR. MANNING: I guess I'm done.

CHAIRMAN ISHIDA: You're done.

Del Strange.

MR. STRANGE: Good evening, Mr. Chairman, board members, Ladies and Gentlemen.

My name is Del Strange. I live at 464 East Jackson Avenue in Tulare, California.

Water is a precious resource. We've heard several people say that this evening, and it's been said many times.

The final EIR does not, and I repeat does not, adequately address the ominous situation of water shortages within the indigenous watershed of Tulare County and the fact that population growth within the county has already exceeded local water resource sustainability.

We're relying on over 50 percent of the water that we use in this county from outside sources, primarily the Friant Kern Canal and Millerton Lake.

The county's primary Kaweah basin groundwater aquifer has been for more than 70 years now, and still is, in a long-term level of decline and state of depletion.

The overall groundwater quality is declining, especially in relation to the nitrates and salts, and will continue to do so for decades to come due to contaminants already introduced into our lands and into the ground which have not yet leached into that groundwater.

A nearby foothill city's wells are all

contaminated with nitrates at this time, and its water is no longer potable or drinkable for its citizens, and the city cannot find a source of water to take care of its citizens. The final EIR and the General Plan Update do not adequately address these facts.

Any new development within Tulare County must provide hard evidence that adequate water supplies will be available to sustain such new development even during periods of severe drought conditions and declining potability of the existing groundwater supplies.

Therefore, it is incumbent upon your board to return the FEIR and the Tulare County General Plan Update 2030 for adequate water resource analysis and future usage.

Thank you for the opportunity to comment.

CHAIRMAN ISHIDA: Thank you.

Shirley Kirkpatrick.

MS. KIRKPATRICK: Good evening. That sounds good. My name is Shirley Kirkpatrick. I'm here representing myself and my family. I live at 23114 Carson Avenue in Exeter.

I'm handing you three sheets of paper. If you kind of just follow along with me, I'm just going to hit the tops and try to get it done in three minutes.

I want to limit my discussion to farmland conservation easements, mitigation measures for farmland conversion, and buffer zones between ag and non-ag land uses.

From my notes on the earlier GP workshop before the board, Mr. Cox said he had reservations about conservation easements.

I question why we can't have a meaningful dialogue. I see the word once in a while in the General Plan, but it doesn't have any backing, it doesn't have any action.

You're going to tell me you've done it. Well, yes, we do have two happy farmers in Tulare County on the farmland, and you made it possible, very quietly, but you made it possible because of the Road 80 widening Caltrans-required mitigation.

And I want -- I'm here to tell you that there is lots more farmers in this county who are not afraid of the word perpetuity, who would like to dedicate their farmland forever, but we need -- that needs to be funded, and so I say we need to have a mitigation fund from developers to mitigate lands taken out of ag, either through money or comparable land purchase.

We need these tools because the Williamson Act, as you said this morning, is weakened, and the RVLP is going to be extremely weakened with the boxes around

all these little hamlets and communities.

You need to look to other counties. They get it. Even Fresno County right now is working on their update, and they're pulling in their positions. They're going to go to in-fill.

Yolo County, you have a page -- first page of their ag element, beautiful template. Go use it.

You don't want to look to Ventura County. The citizens took their actions on their own and passed a SAR initiative several years ago, and now they're living with it, and we might have that in Tulare County.

I really did want to get to the last page, Supervisor Ishida, to talk about -- all right. I'll post it widely. Just kind of a fun little part. Mary McCaslin song, John Dofflemyer poem, Soylent Green, Mr. Vander Poel describes -- you know.

I do hope you will name a committee, just put it in writing, let's have some discussion, and let's get this done. Thank you.

CHAIRMAN ISHIDA: Thank you.

Lois Brannon.

MS. BRANNON: Everything I have to say has been said.

CHAIRMAN ISHIDA: Adam Livingston.

MR. LIVINGSTON: Thank you for the opportunity to comment. My name is Adam Livingston. I can be reached at 427 South Garden Street, Visalia, California.

I do conservation planning work for Sequoia River Lands Trust, the region's preeminent land trust, and I'm currently doing an economic study of the economic and environmental benefits of directing new development into in-fill as opposed to agricultural areas.

Before voting on the proposed update, I believe the board should give further consideration to those benefits, including increased tax revenues, lower infrastructure costs, and as you embark on the SB 375 process fewer vehicle miles traveled per unit of population density.

And SRT would be happy to work with you on these issues going forward. Thank you.

CHAIRMAN ISHIDA: Thank you.

Sopac Mulholland.

MS. MULHOLLAND: Good evening, supervisors, Chairman Ishida, and staff.

Thank you, very much, for providing this opportunity to talk tonight. My name is Sopac Mulholland, and I reside in Springville at 32657 Globe

Drive, and I have been ranching in the Springville area with my family since 1957.

I currently serve as the executive director of the Sequoia River Lands Trust, which I have done since its inception in 2002.

I have three things that I want to talk about. One is I've been before you over and over again, and I just want to say the promise has been we're going to look at an Oak and Woodland management plan when we get the General Plan done. So, hopefully, you'll stand behind your word and we can move forward with that.

I think it's really important for our community to have a plan like that. That's a common way of protecting some of the valuable resources we have in the foothills, and again we're willing to work with you to provide templates, do whatever we can. So that was one thing I wanted to bring up tonight.

Another thing I would like to talk to you about is to let you know again our expertise in the field of ag mitigation. We're doing it up and down the valley, and it's extremely important to us that we recognize and establish the values behind ag.

In order to do that, we found it very successful in working with everybody from solar companies to ranches and farmers and developers to do

that. We've got an expertise. We can help you with some of that if you decide to set up a committee to talk about it which was mentioned earlier tonight.

And then I also wanted to just quickly comment on the fact that SRT is a charter member of an organization called the Southern Sierra Partnership, and the other members in that partnership are the Audubon Association of California, the Nature Conservancy, the Sierra Business Council, Tejon Ranch, and the Conservation Biology Group, and we spent three years doing a study which I have shared with Chairman Ishida before, identifying what's really, really important in the Sierra in terms of protecting the resources that we have there, and -- surprise of surprises -- it is connectivity and protection of conservation for economic, social, and good living environments.

And we've all watched what happened in the San Fernando Valley. We don't want to repeat that.

I think that you sent me as a representative of the Smart Growth Council, the Supervisors of Tulare County, and I represented you on that. I completely believe in the smart growth principles that we came back to you with, and I would urge that you look at some of the alternatives that we brought back to you

and consider adopting them at this time.

Thank you, very much, for your time.

CHAIRMAN ISHIDA: Okay.

Scott Spear.

MR. SPEAR: Good evening. Thanks for the opportunity to address you tonight, Chairman Ishida, board, and the staff.

I have farmed in Tulare County for over 40 years. I have served in conservation organizations, I'm chairman of the board of the Sequoia River Lands Trust, I sit on the Tulare County Ag Advisory Committee, and I would like to comment that in the General Plan, Central Valley Farmland Trust is mentioned as a land or a conservation organization. They do not work in the south valley. Sequoia River Lands Trust is a regional land trust. Our territory is Fresno, Kings, Tulare and Kern County.

We are assisting both Kern and Fresno counties currently with developing ag land mitigation policy. I do not see that in the General Plan.

It seems ironic to me that the San Joaquin Valley, that an argument could be made it is the most productive ag valley in the history of the world.

Tulare County currently, as Tricia Stever mentioned, is the number one county in the nation for

ag production. We do not have an ag land protection or mitigation policy.

It seems outrageous that our resource or our dirt is a national treasure, a national resource to be protected.

So I would encourage you to work with Sequoia River Lands Trust. We are happy to work and advise at any level on a mitigation policy. It would go through the Tulare County Ag Advisory Committee, and I know the committee, as I sit on it, would be happy to lend its expertise to make sure that this county, who rotates between number one and number two in the nation, has a policy that protects its most valuable resource, and protect the industry that brings the greatest amount of revenue to this county. Thank you.

CHAIRMAN ISHIDA: Craig Breon. I think you already spoke.

MR. BREON: Yes, I did.

CHAIRMAN ISHIDA: Elizabeth Johnson.

MS. JOHNSON: Good evening, honorable Board of Supervisors. My name is Elizabeth Johnson. I'm with Coalition for Clean Air. We're a statewide nonprofit advocacy agency for clean air.

I would like to take a minute to talk about the health implications of planning, such as those that are

before you tonight.

Thank you for allowing me this opportunity and for having your meeting in the evening.

The San Joaquin Valley has the worst air quality in the nation. Our kids are growing up with staggering rates of asthma, obesity, diabetes, cancer, heart attacks, and strokes.

There is a clear intersection between these issues and planning as planning is a crucial public health tool.

When planning is disbursed, new towns proposed, the need to use a vehicle increases. Thus, vehicle miles traveled. The more miles people travel, the more pollution is emitted into the air.

Also, when people cannot access the services within walking or biking distance, they naturally walk and bike less.

Lack of exercise and pollution affect people's health and quality of life.

Not clearly identifying where development should go, which is in established communities, it also hurts families, businesses, and government.

Families have to spend more on gas, for example, businesses have to spend more on getting to and from meetings, hospitals spend more on serving

hospital admissions, and government spends more on providing services, leaving even less money to take care of the aging infrastructure in existing communities.

This lack of clarity as to where exactly different uses will go will present a lot of problems. Specifically, it will be almost impossible to know what to input into transportation models at the NPO level for developing a regional transportation plan.

If we do not know where development is going, we don't know where we need to put in roads or where we need to widen them, et cetera.

Apart from the crucial securing of funding for infrastructure, having model inputs will be critical in meeting SB 375 objectives and air quality conformity.

It is with the health and quality of life, not only the residents of Tulare County in mind, but of all those who breathe valley air that I respectfully ask that you reject this plan. Thank you.

CHAIRMAN ISHIDA: Could you state what your address is?

MS. JOHNSON: The Coalition for Clean Air's address is 1140 North Van Ness, Fresno, California, 93728.

CHAIRMAN ISHIDA: Thank you.

Chip Ashley.

MR. ASHLEY: Supervisors, thanks for the opportunity to speak tonight.

My name is Chip Ashley. I live in Fresno County, and I hope that's okay.

CHAIRMAN ISHIDA: Just give me your address and I'll be happy.

MR. ASHLEY: I live 31277 Watts Valley Road, Toll House, California, 93667.

CHAIRMAN ISHIDA: Thank you.

MR. ASHLEY: The main reason I'm here tonight is because I am a member of the Fresno COG. Well not the COG itself, but I sit on the transportation technical committee, and I participated in the SB 375 target setting process which we just completed a few weeks ago.

And as the previous speaker said, we did decide on targets of five percent reductions in greenhouse gasses by 2020 and 10 percent by 2035.

Unfortunately, that's probably far too little, and it's going to be far too late, but at least we're doing something. And the reason it's going to be far too little, far too late, is because climate change is coming on us a lot faster than anybody anticipated.

I heard a report this morning that said that

the ice sheets in the arctic are disappearing at an unprecedented rate. They are -- have melted more this summer than ever before, and we still have several more weeks of melting to go.

As that increases, we lose the planet's air conditioning system, and the dark water absorbs heat. So this planet is absorbing heat from the sun a lot faster as we produce more and more greenhouse gasses with more and more vehicle miles traveled.

And we don't plan sufficiently for that by asking for more in-fill so that people can drive a lot less. We're contributing to that problem.

Now, five years from now, I guarantee you, you're going to kick yourself for doing this plan here. You need to really rethink this.

And thank you, very much. I appreciate it.

CHAIRMAN ISHIDA: Thank you.

Dale Simmons.

MS. SIMMONS: Good evening. My name is Dale Simmons. I live at 1501 South Mountain Street in Visalia.

I wasn't planning on speaking, but I've been trying to write some notes on my little pieces of paper, so I will come up with something.

Basically, it seems like we're having an

800-pound gorilla in this Tulare County process, and that's the Boswell Company who wants to make the Yokohl Valley development.

So far they have water rights to the development, but for how long. What is going to happen with climate change? Climate change is real.

Also, that the San Joaquin Valley blueprint is a process that Tulare County participated in, and that has growth in the Tulare County cities as being concentric.

And, finally, I wanted to say thanks to the Tulare County Citizens for Responsible Growth for all their volunteer time, and everyone else's volunteer time here, which -- ballpark -- I have heard an estimate of 23 dollars an hour for anybody who volunteers and -- so if the Tulare County Citizens for Responsible Growth volunteered a thousand hours, that's $23,000 of value that they've put toward his effort. So, financially, you know, people are here for a reason among their doing their volunteer work.

And I wanted to thank them also for putting together the healthy growth principles, the draft, and I would like you to seriously consider their stand. Thank you.

CHAIRMAN ISHIDA: Thank you. Dale was our last

request to speak. I'm going to open it up. Is there anyone else wishing to speak on this matter? Please come forward. It would help if you just get in line. It would move things faster.

So, sir, if you want to be on deck.

MS. DUNDEE: Hi. My name is Suzanne Dundee. I live at 201 West Whitendale Avenue in Visalia.

I wanted to reiterate before the board the six principles of a healthy growth alternative, which would essentially be in conflict with any development in the Yokohl Valley that is being proposed at least in the back of people's minds, if not in the forward of certain commercial interests.

The six principles of a healthy growth alternative are that we should base the location, density, and the amount of growth within urbanized areas on their desire and capacity to accommodate growth.

We should locate development, except that which is directly related to agriculture, within existing development boundaries without loopholes or exceptions that allow for leap frog, new town, or growth corridor development, such as that envisioned in Yokohl Valley.

We should require or incentivize efficient development within or contiguous to existing urbanized

areas.

We should make community and hamlet development boundaries meaningful long-term planning boundaries by firmly limiting the circumstances under which they can be expanded.

We should discourage the conversion of agricultural lands to urban uses, agricultural lands being our prime treasure in Tulare County and the valley, and offset unavoidable impacts to agricultural lands and natural resource areas with mandatory mitigation measures, such as conservation and agricultural easements which other folks have already addressed.

And, finally, we should provide strong, clear policies with concrete enforceable implementation measures that include definite time frames, funding sources, and departments within the county or other jurisdictions in charge of monitoring and enforcement. Thanks for your attention.

CHAIRMAN ISHIDA: Did you want to enter your notes to the clerk?

CHAIRMAN ISHIDA: Sure.

Please come forward.

MS. ESPERANZA: Good evening. Thanks for the opportunity to speak. I wasn't planning on speaking,

so this is going to be rather impromptu.

My name is Annie Esperanza. I live at 47050 Generals Highway, number 314, in Three Rivers, California.

I've been an air quality specialist for almost 30 years now, studying and monitoring air pollution in this area.

I come to you not specifically as an air quality specialist, but as a person who was born and raised in this county and continues to live and work here.

One of the things that I have found out in my job as an air quality specialist -- I'd like to focus on one thing -- that's ozone.

Most of you know that, you know, there is really three main reasons that we have such a bad ozone issue here in this area, and one of them is topography. The other one is climate, and the other one is human activities.

Now, topography. We're not about to flatten the coastal ranges or the Sierra Nevadas, heaven forbid, and we're not going to -- we generally cannot change the weather or control it, but we can have an honest and true effect on human activities in this area. And the human activities in Central California

has been devastating to our air quality.

When it comes to ozone, it's the one pollutant that I study that affects not only vegetation, both crops and natural vegetation, but human health, and what I believe is that this is -- this plan is the perfect opportunity to move forward and try to make those reductions in the precursors that create ozone that makes the air pollution so poor in this region of California.

I encourage you to think about that as you continue to work on the plan. I encourage you to think about reducing the precursors to ozone, primarily in mobile sources, such as automobiles, and help us all by doing that. Thank you, very much.

CHAIRMAN ISHIDA: Thank you.

MR. MANRO: Good evening, gentlemen, and thank you, very much, for having a hearing in the evening where many working people could have a chance to speak for a change.

My name is Don Manro. I live 693 East Kern in Tulare.

And you have a lot of information and evidence that you -- that's before you from comments on two different EIRs and comments from the public, and I just want to emphasize that the General Plan Update document

and EIR are fundamentally in violation of the planning guidelines and the CEQA guidelines.

And just a couple of specific criticisms. The presentation of staff, to me, was quite misleading, mostly for what it didn't say. I think it was pretentious in terms of being objective, but it didn't emphasize the major problems that this plan presents, which is that there are a myriad of significant unavoidable impacts that the plan has that you will be overriding with a statement.

And I think that when the public originally met at the workshops, they expected to have a plan that would improve the quality of the natural resources, and it is obvious at this point to people that have read the documents that it is only going to make it worse.

And then one more criticism, and that is the master responses to comments are also misleading. One of the major statements, which is a copout, is that the plan only is required to be general, but that doesn't -- but the courts and the legislative intent is that the maps must be specific as to where the growth occurs. Thank you.

MS. NICHOLS: My name is Ellen Nichols. I live at 456 North Y Street in Porterville.

My only credentials for being here are two

local resident grandchildren who are asthmatic in a family where we've never had asthma before.

Some half dozen years ago, when the much heralded General Plan came out for review, I went to my public library and perused as much of it as I could, and I quickly realized that I don't speak government speak.

And so I consulted with some friends of mine, one of whom is a professional planner, who -- well, I won't tell you what she said about the plan, but it was not very flattering.

And not only do I not speak government speak, I don't speak politically correct speech, so I'm going to summarize in everyday language what I think a lot of people have been saying, which is we have lofty objectives in the plan.

I see very little in the way of teeth there when it comes to enforcing those regulations enabling what this actually says to be carried out. Thank you.

MR. BLACK: Chairman Ishida, supervisors, my name is Marshall Black. I live at 40831 Balch Park Road, Springville.

I wanted to cover a couple of things. One, I am not a native to Tulare County, but I've been here 40 years, so it's about the next best thing. I have lived

in the foothills most of that time. I have a background in biology and in environmental science.

When I first moved here, I was quite proud to find the planning tool that was available on this county for preserving ag land and establishing growth corridors up in the foothills.

Unfortunately, over the years that I have lived in the foothills I have seen that plan fall apart because of not enough teeth in administering the plan and not enough attention paid to protecting the resources and infrastructure in the foothills.

I'm not going to focus today on things like the development in Yokohl Valley. I'm really an optimist, and I believe in the long run of time the ridiculousness of that proposal will see its way through to an end, and we'll get on with our life.

What I am concerned about is the idea that this board and the administration of this county would walk away from its responsibility for providing clear guidelines for the preservation of ag land under the guise of protecting individual rights of property.

What I think this board's responsibilities are is to provide a clear template for clear -- for growth and the maintenance of ag land in this county over time.

To walk away from that responsibility, I think, is irresponsible and negligent. Thank you.

MS. BLUESTING: Hi, Chairman Ishida and the supervisors. Thank you for this opportunity to speak tonight and for holding this meeting after work.

What I wanted to comment on is I grew up --

CHAIRMAN ISHIDA: Excuse me. I need your name and address.

MS. BLUESTING: I'm sorry. Lori Bluesting. My address is 35261 James Avenue in Springville. Sorry about that.

I grew up in the San Fernando Valley, and in the San Fernando Valley there is a lot of growth in the foothills, and in the foothills what's happened is they were prone to fires, mud slides, and flooding.

And so it was -- in looking back, they say, well, we shouldn't have built these homes in the foothills, and it seems like with our growth along transportation corridors that we could be at risk for these same kinds of problems, so it seems important to keep the growth in current areas and to revitalize those areas, and so I just wanted you to look again at the TCCRG's healthy growth principles. Thank you.

MS. BRANNON: My name is Lois Brannon, 1310 Bradley Court, Exeter California. I handed in my slip

to speak, and I said everybody had said everything that I wanted to say, which is pretty much so, except for the fact that your speech about -- or your quote about property rights.

I got to thinking about that as I was sitting there, and I wondered how you are going to do what you're going to do about the Supreme Court ruling on CEQA.

They said that it's -- that it is a constitution for future development of the county for the next 20 years.

Can your ideas of private property rights supersede the Supreme Court of the state? Won't you be sued? The Attorney General's office said that the plan as it is has no teeth, and it's not legal.

I am wondering what you are planning to do about that. Thank you, very much. I hope you give that some thought.

CHAIRMAN ISHIDA: Thank you.

We're approaching the time period that is very critical. And I don't want to stop the public comments, but we may have to proceed past nine o'clock if we want to see a resolution to this issue tonight, or do you want to come back tomorrow morning at nine o'clock.

So I encourage anyone who wants to speak, please come forward now. If you have documents to submit to the clerk to put in the record, they need to be in the record before I close the public comment. So, please, come forward.

MS. SELIGMAN: Good evening. My name is Kathleen Seligman, and I live in Three Rivers at 46136 South Fork Drive.

I think it was many years ago, maybe in the mid '90s, I found myself at a workshop in Bakersfield, and it was filled mostly with planners from around the country -- I mean not the country, but from California, and the person who was leading it was a man named Michael Friedman.

And he was probably an up and coming person and was considered to be somewhat of a celebrity in talking about what makes for a town that tourists will come to.

And he had taken this survey all over the country, and I think in some parts I'm pretty sure in Europe, and he had -- he found that over and over again that there was about ten towns that tourists over and over and over again said if they could go anywhere they would go to these particular towns, and they showed them, and what happened as a result is that people got very excited. In fact, you could have almost called

him a motivational speaker, because by the time he had finished, you know, people were standing up and hooting and hollering and cheering, and the sense of inspiration was pretty palpable. I know that I really experienced it.

At this particular time, after the meeting, I ran in to a well-known character here at the county, Mr. George Finney, and I said, wow, what do you think, and he had that really well-known smile that he gets, everyone knows it, and he goes it was pretty great. It will never happen here.

And I went, well, come on, why, and he said it will just never happen here.

And so I walked away a little dismayed, but still inspired, and I have gone through a lot of envisioning processes through this process, and if I could envision anything right here and right now I would envision that you all would have a change of heart and that you would see that the people here is your really natural resource.

As you can tell from the brilliance from which they speak, they are more than happy to sit at the table with you and come together and co-create a plan that all of us can thrive under and be proud of and be happy with, and I think that that is what I envision

and hope for. Thank you.

MS. REID: Hello, my name is Lita Reid, L-i-t-a R-e-i-d. I'm an attorney and a former journalist, and I'm familiar with the operation of developing general plans. I have studied many of them. I have studied environmental impact reports.

I came -- moved here 14 years ago. Yes, I didn't state my name. And I would respectfully prefer not to for professional reasons, such as former clients getting out of jail. I don't want them to know where I am.

In the desert, we had a far different experience than you would expect. I mean, desert it's dry, right? All the drought years, we were fine because we were on the east side of the Sierras, and fault strike geology, and all the water sifted down through the Sierras and fed right into our aquifer. So although we were dry on top, we had all the water that we needed as the ongoing resource. You hear about drought in Death Valley. We had the water.

Now, at one time, there was a question about development, how much could we develop, and nobody could answer a question that I asked, how much can we sustain, what is the carrying capacity of our desert?

We had one eminent geologist. Both of these

people worked for the Navy. One of them said we're overdrafting our water basin. The other said, no, we have plenty of water.

The one who said we have plenty of water was an alfalfa rancher in addition to working for the Navy. So his opinion might have been tainted.

Well, I would like to know here, and I did read the environmental impact section on water with great interest, was have we determined a carrying capacity? How much water do we need?

And I realize the environmental impact report addressed how much farmland, how much water farmland needs, how much housing needs, but how much do we really have?

The environmental impact report addressed changing climate. It's warming. We have seen some unprecedented drought conditions. Are we going to see more of that and can we survive it? Can there be something built into the General Plan that would trigger action? Thank you for your time.

CHAIRMAN ISHIDA: Thank you.

Is there anyone else wishing to address?

While you're thinking about it, counsel --

MS. BALES-LANGE: Yes, sir.

CHAIRMAN ISHIDA: Counsel, do I have the

authority to extend our time?
MS. BALES-LANGE: You mean beyond nine o'clock?
CHAIRMAN ISHIDA: Yes, nine o'clock.
MS. BALES-LANGE: Absolutely. You also have the authority of going once, going twice, to close the public comment period, and then the matter can come back to your board for discussion.
CHAIRMAN ISHIDA: Okay. I'm waiting for any other public comment.
MS. BLACK: Good evening. My name is Katie Black, and I live in Springville, or above Springville, 40831 Balch Park Road.
I have lived there for 40 years, and prior to that other than when I went away to college I have lived in Tulare County since 1955 or six.
Anyway, I think many people tonight have addressed my concerns, but one thing I wanted to urge you to do, I've been on boards before, and you can get very committed to the work you've already done, and you think of all the time that you have put in and the people you've hired, but sometimes you're still on the wrong road.
And sometimes it's better and more courageous to realize that even though it means more work and stepping back and spending even more years on something

that's already many years overdue and just say, okay, you know, we're wrong, we can still fix this a little bit, and I would like to see you all surprise me and actually have the courage to do that and address some of these very important issues that everyone here has brought up. Thanks so much.
CHAIRMAN ISHIDA: Thank you.
Last call for public comment. Seeing no one, the public comment period is now closed, and we'll bring it back to the board.
We're going to take a recess. That recess may be at least 15 minutes. So feel free to get up and walk around.
(A recess was taken.)
CHAIRMAN ISHIDA: The board is back in session, and I'd like to ask the board that we continue past nine o'clock, whatever the preference is of the board, to resolve this matter tonight. I see everybody is in agreement to extend this meeting past nine o'clock.
With that, we'll turn it back over to staff.
MR. BRYANT: Thank you, Mr. Chairman, members of the board. Staff and consultants have reviewed the written and oral testimony received during the public hearing.
None of the comments received presented

significant new information under CEQA.
The General Plan Update and EIR comments have been responded to in the documents before you tonight, including the final EIR.
Many of the General Plan Update policies requested by the commenters tonight are already included in the General Plan Update.
As an example, the preservation of ag land is discussed in the rural valley lands plan, agricultural element 1.6; addressing conservation easements, agricultural element 1.7; preservation of ag land, foothill growth management plan policy 5.1; protect ag lands, mountain and framework plan 1.9 regarding ag preserves.
In regards to focusing and managing growth within urban areas, urban development is included or the focus and management of urban growth is directed in the following policies: Planning framework 1.2, location of urban development; land use policy 1.1, smart growth and healthy communities; land use 1.8, encouraging in-fill development; air quality policy 3.2, in-fill near employment; and public facilities and services, policy 1.15, efficient expansion.
In regards to air quality, its comments are addressed in the air quality element and in the Climate

Action Plan, including implementation section 9.5 in the air quality element.
Regarding water quality, water quality is addressed in the water resources element. Water quality is specifically addressed in policies 2.1 through 2.8, and water quantity is addressed specifically in policies 3.1 to 3.13, including the implementation section in the water quality element 11.4.
Presented for your consideration today are our four separate resolutions. Staff is requesting a separate action on each one.
The first resolution, public hearing on the proposed Tulare County General Plan 2030 Update, proposed Climate Action Plan, and Proposed Final Environmental Impact Report.
The second resolution, public hearing on the proposed Tulare County General Plan 2030 Update, Proposed Final Environmental Impact Report.
The third resolution, public hearing on the proposed Tulare County General Plan 2030 Update. Included in that recommendation is to adopt the proposed General Plan Update amendment, including the errata sheet entitled Additional Comments to General Plan Update.

And the final resolution, public hearing on the proposed Tulare County General Plan 2030 Update, proposed Climate Action Plan.

That concludes staff's recommendations.

CHAIRMAN ISHIDA: Thank you. We'll bring it back to the board. Supervisor Vander Poel?

SUPERVISOR VANDER POEL: Mr. Chair, I had a question for Dave. You did a very good presentation to us earlier today, but many of the members of the audience who were here now were unable to see that.

I just thought it was important to just briefly cover, real quick, the amount of public outreach and effort that you conducted during this General Plan process. Will you give us a quick synopsis of that?

MR. BRYANT: Sure. Going back to the inception of the process, there were numerous community outreach efforts. The staff went out to various communities, collected input. There was also the involvement of the technical advisory committee, which included members from the eight incorporated cities and other interests.

In addition to that, your board and the Planning Commission held numerous meetings to review and discuss the 2006 draft plan, the 2008 plan, and the 2010 plan, including joint workshops with the Tulare County Planning Commission, and also in addition to

that staff recently in 2010 conducted numerous public outreach efforts. Over 25 of those were conducted by staff. We made presentations before the eight incorporated cities, and we also went out to a number of unincorporated communities.

SUPERVISOR VANDER POEL: Thank you.

CHAIRMAN ISHIDA: Okay. Supervisor Cox?

SUPERVISOR COX: Mr. Chair, just take a couple minutes to make a few comments if I may.

I'm reminded of about ten years ago our local Visalia Unified School District had its STAR testing or state testing reported, two headlines in two local newspapers. The first one read schools fall short. The other newspaper, headlined same day, front page, said schools improve.

Obviously, the same report read by two different people. The schools had actually improved their number score, but had also at the same time fallen short of the state's expectations. The same report read by two different people interpreted two different ways.

Someone accused us this evening, or maybe this afternoon, of not reading the information. I take exception to that. Those that know me know that I do read the material that we get, all multi-volume

collection of those documents. So I'd like the public to know that I have read the document.

I wanted to read two quick things from the document, understanding that a lot of people might not have seen this. Principle four on page A-2 says limit rural residential development. Strictly limit rural residential development potential in important agricultural areas outside of unincorporated communities, hamlets, and city UABs, UDBs, i.e., avoid rural residential sprawl.

We've been accused that this General Plan promotes otherwise, and I use that from our plan to answer that.

Also, the widespread development, you know, statements. I direct the public to page 2-6, PF-1.4. It says available infrastructure. The county shall encourage urban development to locate inside existing UDBs and HDVs where infrastructure is available or may be established in conjunction with development. The county shall insure that development does not occur unless adequate infrastructure is available, that sufficient water supplies are available or can be made available, and that there are adequate provisions for long-term management and maintenance of infrastructure and identified water supplies.

I have -- since I've been on this board and before -- been a very strong supporter of in-fill development and city-centered growth, so I support that wholeheartedly, and so does this plan.

CHAIRMAN ISHIDA: Thank you. Mr. Ennis?

SUPERVISOR ENNIS: When I ran for this office six years ago, my number one concern was farmland, preserving farmland, and that's what I ran on.

I grew up in Terra Bella, and I have lived in Tulare County all my life. I saw a lot of changes. I remember when Porterville had 9,000 people in it.

To accuse this board of not protecting farmland kind of gets in my craw. We've used that rural valley lands plan ever since I've been on the board, and I saw it change a lot of different development. So don't accuse us of that.

The biggest threat to our farmers today is not Tulare County. It's the State of California and all the rules and regulations and the bills that continue to pass that affect our farmers.

Tulare County Board of Supervisors will always support our farmers, and I as a supervisor will always be there for those farmers and protect them. We'll use that rural valley lands plan, which I believe is viable for land management decisions on farmland. So that's

all I have to say about the plan.

CHAIRMAN ISHIDA: Supervisor Worthley?

SUPERVISOR WORTHLEY: Thank you, Mr. Chairman. I thought the response to my proposed preface on the General Plan was quite fascinating. I heard people testify that it was a notion, that they were speechless about the concept of private property rights, and that's the reason why I said it, because I didn't invent this, it's not something new, it is something that was built into our constitution from the founding of this country, it's built into our state constitution, and unfortunately many people have forgotten about that part of our constitution. I guess they remember some of the other parts, but they don't remember about private property rights.

But the foundation of this country really has been based upon people investing their time, their capital, their energy into private property and making it productive.

That's why it was important, I think, to set that forth as one of the things that we have taken an oath to uphold as elected officials, the United States Constitution and the California Constitution, and we recognize our police power responsibilities also to include protection of public interests, health, and

welfare, and that's the reason why I talked about the balance. This is a balancing situation.

Our desire is to protect private property rights while at the same time providing for the health and welfare of our residents.

I believe this plan does that. It certainly has a lot of impacts on private property rights, and sometimes people will focus on one thing, and they miss the whole thing.

When it comes to any kind of a project, I liken it sometimes to a bicycle chain. You can have an entire chain that looks beautiful. All it takes is one part of that chain not to work, and that chain is basically useless.

And the same thing here. You can focus on one thing and say that doesn't protect this or doesn't do enough of that. You have to look at the whole.

And to use the example of protecting private property -- protecting our farm property as an example, there are some people who think the emphasis should be more on conservation easements, upon mitigation measures where people pay to develop property.

I submit to you, if you really examine that, it doesn't create one new acre of farm property. In fact, you could look at it as a way of pay to play, I'll pay

to protect that farm property over here, but if it doesn't add one acre, in the meantime I have developed this acre over here.

I think the rural valley lands plan does a much better job of stopping development altogether on farm property.

I remember some years ago, when a private school bought some property with the idea of expanding their school system on it, it was in the agricultural zoned property, and I can remember going to our Resource Management Agency director and saying, well, what is the work around the rural valley lands plan, and he looked at me and said there is none. And that project was never built. That's still farm property to this day.

It is a very effective approach to protecting farm property. It continues in this plan. And I think it does a wonderful job of what people are concerned about.

It doesn't do it in the way some people prefer, perhaps, but I think it's very, very effective.

I am prepared to make a motion, Mr. Chairman, but I understand you might want to make comments before I do so.

CHAIRMAN ISHIDA: Yes. I'd like to make a few

comments. We've been in session for over 12 hours continuously, so I hope I don't make a Joe Biden remark in my comments.

I was at a meeting of the regional rural council -- regional council of rural counties, and we had Governor Schwarzenegger's representative there explaining AB 32, which addresses greenhouse gasses.

In that meeting, I asked Governor Schwarzenegger's representative what impact does AB 32 have on global warming. His answer was none. Global warming is global. Whatever we put up in the air goes straight to the atmosphere. It is not things that linger on the ground.

So if the rest of the world does not stop greenhouse gasses, the State of California will have basically zero impact on global warming.

I'm glad the person from the Sierra Alliance was here today. I understand the frustration of zoning in the foothill communities. That zoning in Tulare County took place many years ago, and if we could back zone today without legal liability, I'm sure that this board would take a second look at it.

So I would appreciate the Alliance's support in removing that liability from back zoning some of the land we have in the foothills.

Smart growth. When I took a class in planning at Fresno State College, smart growth was about moving populations away from productive farm land. That was the basis of smart growth.

When you talk about putting our population in existing cities, let me say that Tulare -- the City of Tulare and the City of Visalia sit on some of the best farmland we have in our county.

So we would be eating up the best farmland we have in our county to keep our population in those areas.

For example, the USDA classifies grazing land -- prime grazing land -- as one acre. To support a cow calf in Tulare County you need 12 acres. That's far from the one-acre prime land that's classified by the USDA.

If you ran stock cattle, which are basically meat cattle, without calves, you're looking at seven acres to support that one animal versus the one that the USDA considers as prime agricultural land.

It's been a long process. This process started before I came on the board eight years ago, and Phil came on the board.

I remember we had a chairman in 19 -- excuse me -- 2006 that had a get 'er done comment, that we

were going to get the General Plan done, and that was why he based his get 'er done statement.

Well, I as the chairman in 2007, I also said that we would complete the General Plan.

Well, five years later, as chairman again, we're finally coming to the close, not the closed, but finally getting a General Plan approved.

We recognize it's not perfect. We recognize there will be people who will challenge sections of our General Plan. But if you don't make a plan, you'll never have a plan.

And that's simply my philosophy. So with that, I'll turn it back over to --

SUPERVISOR VANDER POEL: Mr. Chair, I wanted to make one comment. There were several comments made this evening and this afternoon that suggested that the county's General Plan was just that, it was too general, it lacked the teeth, it lacked the details necessary to make it a concrete plan.

Well, I encourage everyone to think of Tulare County differently than they think of a city's general plan and realize that Tulare County has a planning area of over 2100 square miles, whereas the eight incorporated cities in Tulare County, in total, have a planning area of approximately 130 square miles. So it

is very different.

We have also been accused of not considering disadvantaged communities or communities that don't have a hamlet designation. Well, I do take offense to that because we work hard to represent the unincorporated communities in this county, and this plan does allow for provisions that are going to give them some stability in their existence.

I think this plan, like you mentioned, Mr. Chairman, may have some details that need to be flushed out, but they are going to be flushed out in the process that is going forward.

This is a general plan. It's a general framework by which we will live. So, I, too, agree with my colleagues. I think that staff has done a tremendous job by reaching out to the public, responding to and considering all of the thousands of pages of comments and suggestions that you have received from the public, and the comments you've received this evening as well. This plan is well thought out and comprehensive in nature. It may not have every specific detail at this point in time, but it is a general plan, and it gives us the general guidance we need to go forward as a county.

CHAIRMAN ISHIDA: To build on that, I would

like to add, please, read this document. It's relatively easy to read, and it does cover what was covered today in public comment. I found it very easy to follow, which I could not follow our old general plan, and one thing I also want to add is that the e-mails that I received in the last couple of days were all forwarded to the record, and the letters that I received were forwarded to the record, and I believe that the other supervisors did the same with their e-mails. So they are in the record.

SUPERVISOR WORTHLEY: Chairman, I would be remiss before I make a motion to thank our staff. Dave Bryant has been at the helm of this for a few years now.

MR. BRYANT: About five years.

SUPERVISOR WORTHLEY: And he's only one of many. The RMA staff and I know our legal counsel, county counsel, and our staff have been every step of the way, the consultants, and the environmental folks, and this is a tremendous, tremendous moment, really, I mean, to get to this point, and he keeps referring to me, I'm the one who was going to get 'er done, in fact, in 2006 because we thought we were going to get it done, and I'm very thankful for the work that has been done, and I at this time would like to move a

resolution, a decision, certifying the proposed FEIR with the changes as set out, the minor change of the FEIR matrix, as recommended by the staff of the proposed General Plan --

CHAIRMAN ISHIDA: Excuse me. I was asked if I closed the public comment. I did close the public comment.

MR. RAPER: However, you do need to close the public hearing. I think that's -- well, I assume that the public hearing was not closed, just the comment period.

MS. BALES-LANGE: The public hearing is open until the board takes action or the board continues the matter.

MR. BRYANT: Mr. Chairman, if I could just quickly go over staff recommendation to include a separate motion and action on each of the four resolutions in the order that they're presented in the agenda item.

SUPERVISOR WORTHLEY: That's what I was proposing.

CHAIRMAN ISHIDA: I want to clear this other issue up first.

MS. BALES-LANGE: The public comment period is closed. It was closed when the chair closed it.

This is a public hearing on the General Plan. The public is, of course, entitled to be present and hear the board's discussion, see the vote, et cetera, and it will be closed when the matter is resolved by vote of the board or the board continues the hearing to some other date.

CHAIRMAN ISHIDA: Thank you. Excuse me, Supervisor Worthley.

SUPERVISOR WORTHLEY: Okay. My motion was as to letter A, move to approve the resolution of decision, Attachment A, certifying the proposed FEIR, with changes as set out in the minor change to the FEIR matrix, as recommended by staff, for the proposed General Plan 2030 Update and proposed Climate Action Plan, adopting the California Environmental Quality Act findings of fact and statement of overriding considerations and mitigation monitoring and reporting program. That's one motion.

SUPERVISOR COX: Second.

CHAIRMAN ISHIDA: Moved by Worthley. Second by Cox. Cast your vote. Motion passes unanimously.

David, if we get off track, you just let us know.

MR. BRYANT: Yes. The second resolution, public hearing on the proposed Tulare County General

Plan 2030 Update, proposed final environmental impact report.

SUPERVISOR WORTHLEY: Yes. My motion would be to approve the resolution and decision finding, Attachment B, approving the Planning Commission's recommendation and the county's existing General Plan as set out in the proposed General Plan 2030 Update as modified and recommended by the staff in the errata sheet.

SUPERVISOR ENNIS: Second that.

CHAIRMAN ISHIDA: Moved by Worthley. Second by Ennis. Cast your vote. Vote passes unanimously.

MR. BRYANT: The third resolution would be public hearing on the proposed Tulare County General Plan 2030 Update, to adopt the proposed General Plan Update amendment, including the errata sheet entitled additional comments to the General Plan Update as modified --

SUPERVISOR WORTHLEY: That's the motion I just made, Dave. That's the one -- our B was your something else. That's the motion I just made.

MR. BRYANT: I'm sorry. I apologize to your board.

SUPERVISOR WORTHLEY: So what's left is the proposed Climate Action Plan and the Notice of

Determination in compliance with CEQA guidelines.

MR. BRYANT: Yes.

SUPERVISOR COX: Mr. Chairman, I make the motion to approve resolution of decision and findings adopting the proposed Climate Action Plan.

MR. VANDER POEL: I second that motion.

CHAIRMAN ISHIDA: Moved by Cox. Second by Vander Poel. Cast your vote. Motion passes unanimously.

SUPERVISOR COX: Mr. Chair, the final recommendation would be to direct the clerk of the board to issue a Notice of Determination in compliance with CEQA guidelines in Section 15094.

SUPERVISOR ENNIS: Second.

CHAIRMAN ISHIDA: Moved by Supervisor Cox. Second by Supervisor Ennis. Cast your votes. Motion passes unanimously. That concludes --

MS. BALES-LANGE: The public hearing. You may adjourn the public hearing.

CHAIRMAN ISHIDA: Okay. I may what?

MS. BALES-LANGE: You may adjourn the public hearing.

CHAIRMAN ISHIDA: Okay. I'm adjourning the public hearing.

MR. BRYANT: Thank you, board.

(The proceedings concluded at 9:25 p.m.)

STATE OF CALIFORNIA)
) ss.
COUNTY OF TULARE)

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: September 14, 2012

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DANETTE M. HENDRIX, CSR #6412

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