

Santa Margarita Area Advisory Council

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MINUTES (FINAL)

7 PM, Wednesday, May 7, 2014

Santa Margarita Community Hall

22501 I Street, Santa Margarita, CA 93453

Members Present: Robert Stockel, Guy Rathbun, John Beccia, Sue Christian, George Sullivan, Mike Cole, Stuart Souza, Jeremy Burns, Joseph Fariss, Dana Tryde, Joe Patterson, Tamara Kleemann, Bob Righetti, JoAnn Head

1. **Call to order:** Chairman Peterson called the meeting to order at 7:06pm
2. **Pledge of Allegiance**
3. **Approval of the minutes:** Chairman Patterson asked for discussion/comments on the minutes for the April 2, 2014 meeting minutes. No comments were made by the general council. Patterson requested that his Food Safety Fundraiser announcement be moved from "Council Announcements" to "Public Announcements. Guy Rathbun moved that the minutes be approved per Patterson's request. The motion was seconded by John Beccia. The motion passed unanimously with 1 abstention by Stuart Souza.
4. **Approval of the agenda:** Chairman Patterson called for any additional agenda items and approval of the night's agenda. JoAnn Head moved to accept the agenda as written. The motion was seconded by Dana Tryde and pass unanimously.
5. **Review of Meeting Structure:** Chairman Patterson reviewed the following meeting structure.
 - a. Audio/Video Recorders
 - b. SMAAC meeting procedure for project review
 - c. Rules for presenting testimony
 - d. Agenda item requests – submit requests no later than ten days prior to meeting. Requests to be submitted through representatives to Chairman. Late requests must be submitted in writing and may be included in the agenda at the Chairman's discretion.
6. **Treasurer's Report:** Treasurer Head reported the check account balance stood at \$430.33 with the most recent check made out to the Lions Club for \$210 for the meeting rental fee for the Santa Margarita Community Hall. It was unclear to Head what the fee covered as some monies were owed for past fees and the amount was intended to also cover the monthly fee for several future months. Chairman Patterson stated he'd spoken with Tom Severn, Lions Club President, and that the monthly fee was \$40. Patterson determined that he and Head would do a three way email with Severn to determine exactly what the \$210 payment covered.

A discussion followed regarding paying the rental fee in advance. There was general agreement and George Sullivan suggested that fewer payments would be more efficient. Chairman Patterson confirmed with Supervisor Arnold's Legislative Assistant, Jennifer Caffé, that the county funds provided by Arnold to SMAAC were made annually in July. Patterson committed to obtaining the required application for County funding for next fiscal year.

7. **Open comment:**
 - a. Public announcements/comments
 - i. Justin Fareed made a self introduction and announced his candidacy for Congress, running against Lois Capps. Visit his website at justinfareed.com for the issues and ideas he is focused on. He is concerned with the current federal budget and deficit spending. Locally his concerns are infrastructure and water stability.
 - ii. It was noted that the recent Santa Margarita Community wide yard sale was very slow and competed with community yard sales, on the same day, in Templeton, Cayucos, Garden Farms, Atascadero, and one other. Patterson stated normally the Garden Farms event benefits from being held on the same day as Margarita's and that they are both tied to the pick-up of extra trash, no additional charge, the following week sponsored by Mid-State Solid Waste. Members of the public agreed to bring the

scheduling concern to Santa Margarita Beautiful, sponsoring Margarita's event, and the Garden Farms organizers.

- iii. Patterson made his last announcement for his fundraising event for Jack's Helping Hand. Fun events are planned for kids with the focus on teaching food safety. Donations are \$20/\$10 for adults/children and can be purchased at Itrulycare.com or directly from Patterson. The fundraiser is on May 17 at the Santa Margarita Community Park.

b. Council announcements/comments

- i. Dana Tryde and Robert Stockel provided an update on the Community Advisory Council Training held on May 2. Tamara Kleemann, Sue Christian, JoAnn Head and Guy Rathbun also attended. The training included an introduction by Jim Bergman, Planning Director and Supervisor Bruce Gibson. It provided background on the County Land Use Planning process, the California Environmental Quality Act (CEQA) and where the Community Advisory Councils fit into the local planning process. A review of the county planning department website was also provided. The review focused on Geographic Information System (GIS) and Permit information available at the site. Current and historical permit information is available via the GIS by each property parcel and is searchable in multiple ways. Each Advisory Council, in attendance, was presented with a map of their council geographical area. Head provided the SMAAC map to Patterson. Patterson stated he would obtain a copy of the map as a .pdf and have it posted on the SMAAC website.

8. Public Safety – 7:22pm (8 min)

- a. Cal Fire / County Fire Department: Dave Fowler Fire Captain at Parkhill Rd provided an update. The rural burning program ended 4/30/14. There is a June chipping event scheduled for the Parkhill, Pozo, Las Pilitas, and HuerHuero areas. A mailer was sent to residents of those areas. Applications to participate in the chipping event are due at the start of June. Agricultural Burn Permits are still available. CalFire is also conducting road clearing and fuel breaks. A grant funded fuel breaks in the Parkhill area. Areas classified as very high risk in HuerHuero and Las Pilitas areas are the current focus. Responding to questions Fowler stated they are subject the CEQA requirements for working in riparian areas and permitting through the state Fish and Wildlife agency. Fowler did not know if Fish and Wildlife would issue permits for riparian areas to property owners. Patterson said property clearance information is available at readyforwildlife.org. There was appreciation for the Tassajara Creek Road clearance work. CalFire will inspect property and provide an assessment of their clearance efforts and provide guidance on needed work. Kleemann stated she'd previously benefited from the chipping event and promoted it as an alternative to rural burning especially during our current drought with its associated high fire risk.
- b. Sheriff's Department: No sheriff's representative was present. Patterson stated he'd spoken with the sheriff and asked if the council would like their attendance at a future meeting. There was general council agreement to seek attendance by a sheriff's representative. Patterson will contact both the Sherriff and the CHP to arrange attendance, possibly on a quarterly basis.
- c. Highway Patrol: No CHP representative was present.
- d. Other Agencies: No other agencies were present.

- 9. CSA 23 Update:** CSA 23 Chairperson Art Giumini provided the update. CSA 23 is focused on the Hwy 58 crosswalk at Encina and just got new lights. Water status is currently O.K. with the well level currently at 15 feet. Patterson and Giumini agreed to correspond via email to make sure they're on the same page for information. Giumini's email address is acgardening@gmail.com

- 10. Public Information Committee Report:** Sue Christian and Tryde discussed an idea to increase public awareness regarding SMAAC. Christian noted that during the election many people had never heard of SMAAC or its purpose. She suggested we consider doing a SMAAC Facebook page linked to our website. This would be free like a mailer but at no expense. There was general council consensus that we need to increase public awareness of SMAAC. Additional ideas for increasing our public presence were also discussed: 1) Giumini suggested using the kiosk at the post office, but Guy Rathbun felt it received little use. Giumini's experience with the kiosk was different as listing his contact information for CSA 23 at the kiosk has resulted in multiple contacts regarding CSA 23 issues; 2) George Sullivan mentioned he doesn't use the current wave of social media but maybe we should consider using them;

John Beccia said we should use anything to spread the word, but be careful and clear about what constitutes official SMAAC business versus public information SMAAC is providing as a courtesy; 3) Tryde, who served on the Los Osos Advisory Council, suggested a pot luck and meeting to bring people together which Los Osos did successfully – Patterson commented that due to food safety issues he would be against a pot luck; 4) Sullivan suggested posting a SMAAC contact list at the Kiosk and also place a sandwich board at the post office, apparently used in the past, prior to meetings to announce the location and the agenda. Time for further discussion was limited and the council decided to consider these issues further at a future meeting.

11. County Monthly Status Report Review: Patterson decided to skip item eleven and move on to the Air Pollution Control District (APCD) topic.

12. New Business – 7:50pm (45 min)

- a. APCD Presentation on Burning Program and Q&A – Mark Elliott, Air Quality Specialist, Compliance. (see their website for additional details – slocleanair.org)

Elliott provided background regarding APCD. APCD was created in 1970 to regulate stationary sources of air pollutants. It is governed by a 12 person board consisting of the County Board of Supervisors and representatives from each incorporated city. They have 23 ½ staff positions, which have not changed in the last 10 years. Formerly APCD were county employees, but now APCD is an independent special district. See their website for their mission statement, basically to realize and preserve clean air for all. Elliott mentioned/stressed the importance of regulating air pollutants for human health reasons. Current statewide requirements address particulate matter (PM) requirements to limit exposures to PM10 (microns) and PM2.5. Problems currently exist in South County where PM10 standards were exceeded about ¼ of the year and potential PM2.5 problems exist as the 365 day average was close to the state standard.

APCD makes recommendations to the Planning Commission on CEQA issues for large projects proposed for the county on potential air pollution issues and their mitigation. They have a proposed budget of \$4.2 million for FY 14/15, a 6% reduction from last year. Their funding is 50% from permitting fees for stationary pollutant sources; 25% from vehicles registered in SLO county (\$4/car); 7% from property taxes; 5% from State and Federal aid programs, and about 20% from other user fees (including the burn permits) and civil penalties for pollution violations. APCD also manages about \$17 million in pass through money from grants and uses it to fund air pollution reduction via replacing old stationary engines (agricultural well pumps, etc.) and manage vehicle fleets.

Elliott has been involved in the burn program since the 1970s. Initially no backyard or agricultural burn permits were required. Eventually burning became an air pollution issue in the county and permits were required, but at no cost. The permit system was an educational program on proper burn techniques and limited backyard burning to certain days for health and fire hazards. Burn days are determined by meteorological predictions by the Air Resources Board in combination with APCD's meteorologist for inversions, which trap smoke. Afternoon winds are needed to disperse smoke. There are 2 forecast zones: 1) Inland – east of the coast range and north of Cuesta Ridge and 2) Coastal – the rest of the county. CalFire also establishes allowable burn days based on fire hazards.

The Agricultural Burn program consists of 400-500 permits per year, which are valid for 1 year from the date of purchase. Ag permits are only available to agricultural production generating income.

There are about 650 backyard burn permits issued annually which since 2006 are only available in the rural areas due to a mandate to reduce PMs generated by burning. Since early 2000 the APCD Board required cost recovery for the burn programs and instituted fees. As an alternative to burning APCD provided the seed money for the area wide chipping events, managed by CalFire, in the rural areas as a free service. CalFire also requires a backyard burn permit, at no cost, that is education based regarding allowable burn days and other safe burning practice requirements.

Elliott opened the meeting to questions from the council and public. Sullivan asked about the backyard burn fee – currently its \$50 and not predicted to go up. Head asked when the burning season typically ends – usually around 4/30 each year, but this year it never really opened due to the drought and high fire hazard (determined by CalFire). This resulted in permits being issued that weren't used. Refunds can be requested and are granted. There was a question on enforcement – 3 inspectors are available for enforcement which is based on a combination of complaints by the public and staff observations as they are out in the county. Citations and fines are possible, but contacts are usually limited to educational information unless there is a very serious issue. Giumini asked if burning was allowed within the Santa Margarita town limits – no it's limited to rural areas outside of incorporated cities or town reserve lines, including Shandon. The only exception is the City of Atascadero which made a decision to run its own program. They require no permits but have regulations determining safe burn practices and limit burning to safe days. They do enforce their program. Bob Righetti commented that the fees were excessive and infringed on his right to burn down and dead material to reduce the fire hazards at his property and to limit insect and disease issues those materials present to the environment. Righetti spoke of his Forest Service background and experience in control burn programs they conducted. Elliott acknowledged Righetti's expertise, but stated that the APCD Board is the appropriate contact for fee discussions. Elliott said the Board is always open to public contact. Multiple people made suggestions on how to reduce the fee. Sullivan commented that issuance of a multi-year burn permit could be one answer. Elliott commented that a multi-year approach seemed like a good idea. Elliott encouraged people to contact the Board.

13. Continued Business – 8:35pm (0 min)

a. None

14. 5th District Supervisor's Report: Supervisor Arnold's Legislative assistant Jennifer Caffé provided an update. The Assembly Bill sponsored by Katcho regarding formation of a water district to manage the Paso Robles water basin was discussed in committee where a switch to 1 person 1 vote was made. That suggestion failed and the bill moved on to the Assembly as written with 1 vote per acre. CSA 23, SLOCOG, and Caltrans met on the El Camino Real (Hwy 58) and Encina crosswalk to discuss safety issues. The County Commissions on Aging and the Status of Women are accepting applications for participation.

15. Chairman's report:

- a. Brief Report of CAC Chairman Meeting on March 7, 2014
 - i. Ground Water Basin
 - ii. SLO County Drought Response
 - iii. Long Range Planning
 - iv. Website Demonstration
 - v. Economic Development Activities

Patterson reported that the above topics were very similar to the presentation made by James Caruso last month at SMAAC. He said the chairman training was valuable.

Patterson is attempting to get a monthly status report from planning. Patterson needs our help and input in determining meeting agenda items. Make sure you read the emails he sends periodically about planning issues and select topics of interest to suggest for our agendas.

The letter authorized by SMAAC last month, regarding our and the public's comments on the county wide proposals for water management (Caruso's presentation) went to the Planning Dept. Stockel obtained Matthew Ottoson's, planning staff, notes and compared it to his notes. Paterson made the same comparison. They determined Ottoson's notes were complete and more detailed than their own. Ottoson's notes were attached to the letter as the record for the council and public comments.

Standing committee assignments are as follows:

Bylaws – Sophie Treder, Tamara Kleemann, and Butch Pope
Public Information – Dana Tryde and Sue Christian

Frontage Rd/Hwy 101 – George Sullivan, Doug Fillipponi, and Dana Tryde
Elections – determinations will be made closer to the election

- 16. Adjournment – 9:18pm** Tryde made a motion to adjourn seconded by Rathbun (MPU).
a. Next Meeting – June 4, 2014 at 7:00pm

Prepared by Robert Stockel
SMAAC Secretary

Corrections made per discussion at the June 6, 2014 SMAAC meeting as a condition of approval. 1) Spelling correction in Item 3 to Patterson's name; 2) substitution from "dooryard" to "rural" in Item 8a.