



2023 Elfin Forest Road
Elfin Forest, CA 92029

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Devon Muto, Chief of Planning
Dept of Planning and Land Use
5201 Ruffin Road
San Diego, CA 92123

January 30, 2012

RE: Red Tape Reduction Task Force

Dear Devon,

This letter is in response to your email requesting comments from Planning and Sponsor Groups on December 16, 2011.

The Elfin Forest Harmony Grove Town Council has reviewed the Red Tape Reduction Task Force report's findings and recommendations related to the Community Planning and Sponsor Groups.

We do not agree that modifying, limiting or eliminating community planning and sponsor groups will "streamline land use permitting processes for Land Use and Environment Group (LUEG) customers and maintain the County's goal of providing safe, livable communities," as is the mission statement of the "Task Force."

Instead the elimination of organized planning and sponsor groups will *increase* time, efforts and costs for Land Use and Environment Group (LUEG) customers, as well as for the county taxpayers.

Volunteer citizens each month spend hundreds of hours in aggregate throughout the county providing a local forum for taxpayers to hear about upcoming projects that might affect them, and provide input in land use decisions. The alternative for the citizens of North County especially would be to drive down to San Diego and take time off work to attend either Planning Commission or Board of Supervisors hearings, most likely spending at least half a day for 3 minutes of testimony.

Planning and sponsor groups also add value to developers by providing them with invaluable insight into community history, character and desires, resulting in shortened project planning timelines and therefore reduced costs. Additionally, these planning groups are an essential component of the democratic process and protect San Diego County's environment and the character of rural communities resulting in "safe, livable communities."

We also strongly oppose the notion of term limits for these volunteer positions, because their value depends on the "depth of the bench" and the collective expertise that takes years to garner. Many projects can also take several years to complete and it is helpful to preserve the institutional memory on the Planning Groups to best guide those to fruition.

The greatest concern with the report as it relates to CPGs is the lack of definition of concrete, specific issues with the CPG as an institution, as opposed to gripes about a few individuals. Vague issues are

mentioned with “some” groups, in testimony the Task Force Chair estimated under questioning perhaps 5 or 6 groups out of 26 might have some members who stepped out of bounds, but it is difficult to gauge the efficacy of the proposed solutions when the problem they are trying to solve is so ill-defined.

The much vaunted issue of liability to the county because there may have been violations of the Brown Act by some CPG members needs to be examined in the ironic light that the Board of Supervisors themselves in this case have been accused of violating the very same public meeting law. Furthermore, in decades of existence what the county has paid in legal fees because of the conduct of a CPG member is very little considering the thousands of meetings over the period that have been conducted without legal exposure or costs, saving the time of county employees, therefore taxpayer dollars.

Other concerns related to the Red Tape Reduction Task Force report include:

- Recommendations come from a one-sided, and biased, “task force” of members representing developer interests and did not include the perspective of the public in matters of public interest;
- The task force went way beyond procedural redundancy and got into matters that trigger a more broadly based stakeholder group review. Thus, the members have departed from the "good government" goals that created it. Some examples of the overreach include:
 - The recommendations would allow developer-paid consultants to self-certify their own studies – consultants work for the applicant, only staff works for the public;
 - The recommendations would allow developers to determine what to include in their Environmental Impact Reports (EIRs) – this would undermine the integrity of the CEQA process;
 - The recommendations would eliminate the Resource Protection Ordinance, which in many instances is not duplicative but crucial to protecting sensitive habitats.

In summary, our position is that the Red Tape Reduction Task Force Findings and Recommendations need to first be evaluated by staff as professional impartial planners as to their impact, just like any other project that affects the land use process. Then the staff findings should be discussed in an open forum with public input so that community interests are considered. We recommend that planning and sponsor groups be part of this process as they represent the diversity of their various communities, and they represent the best opportunity for citizen participation because they are held locally and in the evening.

Respectfully,

Sincerely,



Jacqueline Arsivaud-Benjamin, Chair
Elfin Forest/Harmony Grove Town Council Board

cc: Megan Jones