



# **COLAB SAN LUIS OBISPO WEEK OF APRIL 9 - 15, 2017**

## **ALERT**

**Evidentiary Hearings in the Application of PG&E to Retire  
the Diablo Canyon Power Plant (A.16-08-006)**

**When: Wednesday, April 19, 2017 10:00 AM - 4:00 PM**

**CPUC Hearing Room A, 505 Van Ness Ave., San Francisco; also available via  
webcast**

## **THIS WEEK**

**OAK TREE PROTECTION ORDINANCE ON BOS  
AGENDA**

## **LAST WEEK**

**“YOU’RE GUILTY UNTIL PROVEN INNOCENT”  
BUT  
BROWN ACT SMEAR CAMPAIGN FIZZLES**

**RE-VOTE ON SGMA FUNDING CONFIRMS BOS  
MAJORITY INTENT TO FUND COUNTY WATER  
DISTRICT ROLE**

**LAFCO APPROVES ESTRELLA-EL POMAR-  
CRESTON WATER DISTRICT**

**SLO COLAB IN DEPTH**

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**Brown's New Transportation Taxes Will Hurt Working-  
Class Commuters Most**

**By Marc Joffe**

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**Transportation tax hikes an insult to taxpayers**

**By Jon Coupal**

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**Pothole Coast Highway**

**With its dams and roads crumbling, California faces an infrastructure crisis.**

**By Kerry Jackson**

**THIS WEEK'S HIGHLIGHTS**

**Board of Supervisors Meeting of Tuesday April 11, 2017 (Scheduled)**

**In General:** There do not appear to be any matters of important policy interest in the morning session.

### Matters After 1:30 PM

**Item 23 - Oaks Ordinance.** The proposed ordinance regulating the cutting of oak trees in oak woodlands is before the Board for adoption. The Planning Commission has recommended that it be approved. It was generated as a result of the clear cutting of 350 acres of oaks and other trees by a subsidiary of the Resnick Agricultural Corporation, which is blamed for water exploitation in Kern County. The area where the cutting took place is characterized by traditional small scale agriculture carried out by families. The area is also characterized by marginal fractured rock aquifers.

Here the proposed ordinance is to be applied to the entire unincorporated county wherever oak woodlands normally occur. No data has been presented that similar clear cutting has been a problem generally. There is some assertion that over the decades the areas covered by oak woodlands have been eroded. Again, no analysis has been presented.

It is not clear, if the ordinance is adopted, how the County will deploy staff to enforce it and/or what that patrolling, or whatever, will cost.

Key provisions of the ordinance are quoted below:

#### **22.58.040 –Clear-cutting of Oak Woodlands**

*A. Prohibition on steep slopes. Clear-cutting of Oak Woodlands on slopes of 30 percent or greater is prohibited on any site in any land use category, except for the following:*

- 1. As specified in an approved Oak Woodland Management Plan, pursuant to Section 22.58.070.*
- 2. To establish a fence line, where the amount of tree removal is the minimum necessary to install adequate fencing.*
- 3. To create a fire break or conduct a prescribed burn in consultation with or as required by Cal Fire or other applicable fire agency with fire safety jurisdiction.*

*B. Clear-cutting of Oak Woodland on slopes of less than 30 percent slopes. Clear-cutting of Oak Woodland on slopes of less than 30 percent is allowed as follows:*

- 1. As allowed as a component of the granting of a Minor Use Permit or Conditional Use Permit, pursuant to Section 22.58.050 for an allowed use as identified in Table 2-2, or for the harvesting of wood where no land use is proposed.*

2. *As specified in an approved Oak Woodland Management Plan, pursuant to Section 22.58.070.*

3. *To establish a fence line, where the amount of tree removal is the minimum necessary to install adequate fencing.*

4. *To create a fire break or conduct a prescribed burn in consultation with or as required by Cal Fire or other applicable fire agency with fire safety jurisdiction.*

**22.58.050 – Permit Requirements**

A. *Clear-cutting of one to three acres of Oak Woodland. Minor Use Permit approval is required to clear-cut between one (1) and three (3) acres of a Site's Oak Woodland over a ten year period.*

*Clear-cutting shall be cumulative where clear-cutting may not exceed the maximum allowable by this section during one event or multiple events occurring over a ten year period.*

B. *Clear-cutting of more than three acres of Oak Woodland. Conditional Use Permit approval is required to clear-cut more than three (3) acres of a Site's Oak Woodland over a ten year period. Clear-cutting shall be cumulative where the clear-cutting may not exceed the permitted amount during one event or multiple events occurring over a ten year period.*

C. *Removal of Heritage Oaks. Minor Use Permit approval is required to remove any Heritage Oak.*

**22.58.060 – Oak Woodland Management Plan**

*An Oak Woodland Management Plan may be used to allow clear-cutting of Oak Woodland. Plans shall be administered by the landowner or land manager. The cumulative amount of clear-cutting allowed in an Oak Woodland Management Plan, as defined by this ordinance, shall not exceed 5 percent of a Site's total Oak Woodland Canopy, or result in the conversion of the Oak Woodland for an allowed use as identified in Table 2-2, without an approved land use permit pursuant to Section 22.58.050.*

*Plan Preparation and Verification. Oak Woodland Management Plans shall be prepared by a qualified individual acceptable to the Director of Planning and Building. A list of qualified individuals can be found at the Department of Planning and Building. The plans shall be verified for consistency with this ordinance (Chapter 22.58) by the Planning Director and filed with the Department of Planning and Building.*

*The plan at a minimum shall include:*

A. *Site location. Address or Assessor Parcel Number(s);*

B. *Objectives. Maps, or other information demonstrating how the objectives specified in the Oak Woodland Management Plan will be accomplished; and,*

C. *Timeframe. A proposed time frame, not to exceed ten years. Time frames may be extended or*

*renewed, however, not prior to the final year of the plan. All extensions or renewals shall be consistent with this Title as applicable at the time.*

*D. Conservation Easement. Landowner may elect to place the Site covered by the Oak Woodland Management Plan into a conservation easement pursuant to Civil Code Section 815-816. During the initial time frame set out in the Oak Woodland Management Plan, the landowner shall not be subject to amendments to the Oak Woodland Ordinance, Chapter 22.58, et. seq. unless the Board of Supervisors places a moratorium on oak tree removal throughout the inland portions of the County.*

#### **22.58.070 – Violations/Enforcement**

*In the event of a violation of this Ordinance or any requirement imposed pursuant to this Ordinance, the County may, in its discretion and in addition to all other remedies, take such enforcement action as is authorized under Title 22 and Title 1 of the County Code and any other action authorized by law, including without limitation enforcement through a civil injunction or the imposition of penalties up to \$25,000 per violation. No development, planting, or cultivation of the site will be allowed for a period of not less than seven years after the violation, except as authorized by an approved Conditional Use Permit.*

**Item 24 - Extension of the Existing Oak Tree Urgency Interim Ordinance.** This item is on the agenda in case Item 23 above is not approved and more work is required. It is a contingency. The urgency ordinance expires on April 16<sup>th</sup>. A 4/5 vote is required to extend. It could be extended to April 18, 2018 if necessary.

## **LAST WEEK'S HIGHLIGHTS**

### **Board of Supervisors Meeting of Tuesday, April 4, 2017 (Completed)**

**HILL/GIBSON SMEAR CAMPAIGN FIZZLES:** Items 27 and 28 below are interrelated in that the alleged Brown Act violations discussed in Item 27 were supposed have occurred in relation to water matters contained in Item 28. The bottom line is that all of this was designed to attempt to wound the new Board majority, disrupt their policy work, and ultimately provide negative ammo for whomever the alt left puts up to run against Compton in 2018.

**Item 27 - Alleged Brown Act Violations by Supervisors Arnold, Compton, and Peschong.**

**Alleged Brown Act Violation # 1:** The first one asserted that the Board majority violated the Brown Act (California Open Meeting Law) on March 7, 2017, when it voted 3/2 to change its policy on funding planning for compliance with the State Groundwater Management Act (SGMA). Specifically, during the March 7<sup>th</sup> meeting and after the staff presentation, Arnold proposed a motion for the County to use its own water district funds to do the SGMA planning in unincorporated areas that are not in other water management districts. The vote passed 3/2 with Gibson and Hill dissenting.

As noted below in the section on Item 28, below, the Board voted 3/2 to affirm its intent to fund SGMA planning in those areas which are not under control of a City or water district. This vote cured the alleged Brown Act violation on this one.

**Background:** After the original March 7<sup>th</sup> vote it was alleged that the meeting was not properly noticed for the Board to take an action, since the words, “and take such action as directed” (a nicety which has often been overlooked in the past by Gibson and Hill themselves), were not contained in the title of the related agenda item. The County Counsel has said she thought that, at the time, the action was proper and did not violate the Brown Act but that the County should avoid the costs of litigation and simply re-do the vote.

We noted that often items which are on the agenda for status reports or information or which arise collaterally out of discussion of another matter often result in direction to staff. In fact the issue in this case, as noted above, was how to fund SGMA planning. The Board gave general direction to staff to see how it could be funded out of existing revenues rather than a new tax.

## **Alleged Brown Act Violation # 2**

The Board voted 3/2 (Hill and Gibson dissenting) to not request the District Attorney to investigate and to not hire an outside investigator to assess whether or not Supervisors Peschong, Compton, and Arnold violated the Brown Act.

The discussion was lengthy and nasty. There were 35 public speakers of whom 8 were pro investigation and 27 were opposed. The pro investigation speakers unabashedly confirmed that their real interest is to attack Supervisor Compton as part of their impending effort to unseat her during the next Supervisorial election. Most of the speakers were from the 4<sup>th</sup> Supervisorial district. The group is partially composed of activists opposed to the recently rejected Philipps 66 rail spur project. It appears that their core is made up alt left organizers involved in rallying the Democratic Party to take a more extreme left stance, attack President Trump, and otherwise work to overturn their defeat in the 2016 elections nationally.

Reportedly Supervisors Gibson and Hill have invaded Compton’s district and visited with this group and its affiliates to encourage them to work on the defeat of Supervisor Compton so that they can recapture the Board majority in 2019. One of them personally told us that they intended to defeat her. When we asked him if he intended to run for Supervisor, he manifested some anger and stated, “we have some surprises for you.”

The individual is apparently not aware that COLAB does not provide campaign contributions and does not endorse candidates.

Alt left cadres such as SLOSENSE were heavily promoting the call for an investigation. They were also promoting a large turnout to pressure the Board with numbers and public comment. In this regard, they were not so effective.

**Hill and Gibson Drop the Hot Potato:** Greg Grewal, stated on the record that the alleged letter was a fraud and that the version submitted to the Board had been tampered with. Tellingly, neither Hill nor Gibson attempted to question Grewal. Obviously they didn't want to open up an opportunity for Grewal to explicate the details, since such transparency would betray their demand for an investigation as an opportunistic political stunt.

**You're Guilty Until Proven Innocent:** Most remarkably but not surprisingly, Laurie Gage, who first asserted the Brown Act violation, stated that if the Board did not vote for an investigation, it confirmed the guilt of the accused Supervisors. Here is the absolute pure distillation of the mind of left in this country. Others echoed this dangerous and unjust sentiment, which is the essence of the whole collectivist leftist mentality.

**Background:** No one ever produced any hard evidence that a violation had occurred. There was only a very weak and tenuous inference being pushed by one individual, Laurie Gage, who has been heavily involved in water politics and advocacy for the creation of the proposed AB 2453 Paso Basin Water Management District. That district was overwhelmingly rejected by the voters. Arnold, Peschong, and Compton have been opposed to new taxes and fees for funding State mandated groundwater management planning.

During the public comment period of the March 21, 2017 Board meeting, rural Paso Robles resident, Pro Water Equity leader, and pro tax advocate Laurie Gage strongly suggested that Supervisors Arnold, Compton, and Peschong are guilty of California Open Meeting Law (Brown Act) violations. Gage hedged her bet by stating that there were "possible violations."

Gage essentially posited (without naming names) that Board majority Supervisors Arnold, Compton, and Peschong violated the Brown Act by conducting an illegal serial meeting through an intermediary. The issue was on a vote for the County to fund the cost of planning for compliance with the State Groundwater Management Act (SGMA) using funds that were already being collected. The Board had previously adopted a policy (although the meaning of the vote is in dispute) last the fall that would have ultimately required voters in the unincorporated area (and who are not in a city or water district) to vote to tax themselves to pay the costs of SGMA planning. If that future Proposition 218 vote were to fail, those residents would be condemned to very costly State management of the groundwater in their area.

Supervisors Hill and Gibson immediately called for an investigation by the County District Attorney. They actually wanted an immediate vote but were stopped by County Counsel Rita Neal because the matter had not been noticed and a vote could be construed as a Brown Act violation.

The cause of Gage's ostensible accusation is a January 27, 2017 letter from rancher Greg Grewal to an undisclosed property buyer, encouraging him to withdraw his new property from one of the new proposed water management districts being formed in the Paso Basin to allow local property owners to represent themselves in the SGMA process. One paragraph in Grewal's alleged letter states:

4. **After various conversations with the current BOS supervisors (confidentially) they are going to declare the county the GSA (with regards to SGMA.) This action is to happen in the immediate future. They have no intentions of charging extra fees, as the county flood control board already performs all the actions required of the GSA, is already doing all the studies, etc. mandated by the state and will continue to do so. They already collect county taxes for this purpose and so have no need to raise fees or charge a new tax.**

Hill and Gibson have demanded a District Attorney investigation to determine if the other Supervisors told Grewal they were planning to change the policy that had been adopted last fall. During the March 7 Board of Supervisors meeting, Supervisor Arnold proposed the change during a discussion of the status of staff work on the SGMA process as it impacts various water basins in the County. In the end and after much rancorous debate, Supervisors Arnold, Compton, and Peschong voted for the change. This vote was then used as "evidence" that the Brown Act violation had occurred.

**Item 28 - Re-Vote on Policy of Funding State Groundwater Management Act SGMA Planning for Unincorporated Areas of the County.** The Board voted 3/2 (Hill and Gibson dissenting). The narrow issue was would Supervisors Compton, Arnold, and Peschong recast their votes to direct staff to include funding for SGMA planning in the FY 2017-18 Budget? The larger issue was whether or not the Board majority would allow Hill and Gibson to manipulate thousands of unincorporated area residents into a zero sum game with two bad choices: whether to impose a new tax on themselves or be forced into having the State do their SGMA water planning at very high State imposed costs.

Hill and Gibson framed the issue as double taxation, stating that people living in the cities and in those water districts which are doing their own SGMA Plans were paying through their local bills and assessments. They spun the idea that use of County District funds or County General Fund dollars would constitute a form of double taxation. The problem with this argument is that the people who live outside of cities, community service districts, or water districts have only the County for their local government. They too are paying into the County-wide water district and the County general fund (though property taxes, sales taxes, hotel taxes, etc.).

Why should they be penalized because they have not layered other governments on themselves? It's not as if they are going to receive any water from the initial 3 years of the program. It's

simply development of long-range basin balancing plans. Gibson/Hill skills got up and said, “we are already paying for our water so the people in the unincorporated/non district areas should have to pay too.” But the people in the unincorporated/non-district areas don’t receive municipal water. They have to drill, maintain, and pump wells. Moreover they have been paying into the County water district for years.

What if the rural residents said, “We have been paying property taxes which go to the jail, district attorney, public defender, mental health, local match on welfare, etc., but we hardly ever use those programs? We shouldn’t have to pay.”

As Arnold pointed out, the County’s highest budget priority is to meet State mandated duties imposed on the County. SGMA is obviously an unfunded mandate imposed on the County.

When Compton pointed out that some of Gibson’s constituents in the outer Los Osos basin area would be the hardest hit because of the very high costs proposed for their SGMA Plan, Gibson countered that he was working with the State to have the Los Osos basin boundaries changed so they would not be included at all. Why isn’t he helping get other disputed basin boundaries reduced to have people exempted?

The bottom line is that the Board majority is protecting its constituents, as well as Hill and Gibson’s constituents, from ending up under the costly heel of the state for SGMA purposes.

**Local Agency Formation Commission (LAFCO) Meeting of Thursday, April 6, 2017  
(Completed)**

**Item B-1: Formation of the Proposed Estrella-El Pomar-Creston Water District.** The Commission approved the formation of the new district on a vote of 5/2 with Commissioners Fonzi and Arnold dissenting. Commissioners Compton and Ochylski voted for the formation but expressed some reluctance and concern.

The approval is subject to a vote of the members on actual formation of the district and a separate vote on approval of the assessments. Since the district is entirely voluntary, it is expected that these votes will be approved. The voting is based on the acreage which a particular member owns.

Interestingly, Dana Merrill, a long time grape grower who has worked very hard on various district proposals, indicated that last Tuesday’s vote at the Board of Supervisors to manage SGMA in non-district areas was positive.

Laurie Gage, who had initiated the Brown Act violation smear campaign on Arnold, Compton, and Peschong spoke in favor of the district and indicated she had signed up personally. In extolling the district virtues, she talked about local control and having access to a local governing board. In doing so she said, we will see them in the community at the store and events.” Is it possible she is plotting illegal serial meetings with a future district board? After all, if when she

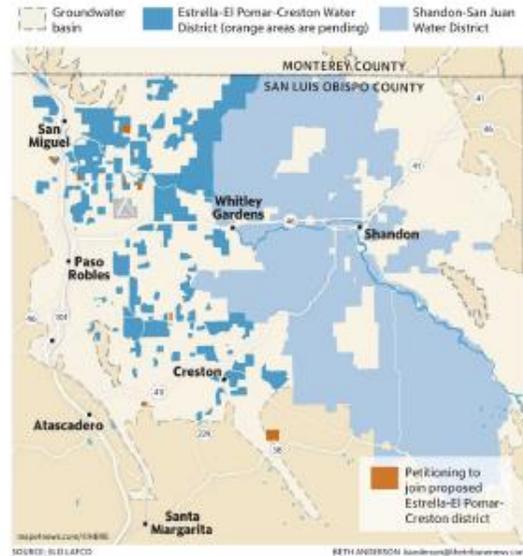
talks to 3 of the 5, might not she be setting up the same situation for which she chastised the 3 Supervisors?

**Background:** The proposed district is being created as a voluntary entity to provide its members a voice with respect to compliance with the State Groundwater Management Act (SIGMA). The various water districts, cities, and the County (representing areas not included the cities and water districts) will come up with groundwater management plans and then conform them to meet the overall requirements of SGMA.

Its boundaries are non-contiguous. LAFCO can only approve a non-contiguous boundary if the proposed District areas are within 2 miles of each other or areas are separated by a state hospital. The proposed service area and current pattern is consistent with the two-mile requirement. Therefore, this non-contiguous service area pattern is allowable under the Principal Act. The service area is the boundary where the District would have jurisdiction and authority.

#### North County water districts take shape

Property owners in the Paso Robles groundwater basin are joining to create their own water districts. The two new districts likely will include only a fraction of landowners in the basin but would provide oversight for a sizable chunk of the region. In the east, Shandon-San Juan would cover 14,500 acres and 66 larger landowners, nearly 25 percent of the basin. Estrella-El Pomar-Creston would oversee 45,000 acres and at least 190 smaller landowners, about 8 percent of the basin. Together, the two districts would cover about 33 percent of the water source.



An interesting aspect of this agenda item is that it contains considerable discussion of the potential problems that may arise in coordinating between the multiple jurisdictions that overlie the Paso Basin vis-a-vis compliance with the State Groundwater Management Act (SIGMA).

For example, one paragraph states:

*The local agencies may want to take separate and possibly conflicting actions in preparing the Groundwater Sustainable Plan (GSP). This could lead to disagreement among the agencies with*

## SLO COLAB IN DEPTH

In fighting the troublesome, local day-to-day assaults on our freedom and property, it is also important to keep in mind the larger underlying ideological, political, and economic causes and forces

### Brown's New Transportation Taxes Will Hurt Working-Class Commuters Most

By Marc Joffe



*Working-class commuters will help fund more pike paths for the wealthy if the governor's proposed transport plan makes it through the statehouse.*

On March 29, Gov. Jerry Brown and legislative leaders announced a 10-year \$52.4 billion transportation plan that will boost the cost of living dramatically for working-class commuters.

Transportation projects in the plan, now part of Senate Bill 1, will be funded by additional vehicle registration fees and a 12-cent per gallon increase in fuel taxes. While the registration fees will be higher for more expensive vehicles, the new gas tax is regressive – a heavy burden on already hard-pressed working-class families.

Scheduled for a vote next week, SB1 will have to earn a two-thirds majority in each chamber to become law.

The state's renewed commitment to fixing roads and bridges is encouraging, but some aspects of the plan are worrisome.

Due to rising housing prices along the coast, many Californians have opted to accept long commutes from the Inland Empire, Eastern Contra Costa County and other distant suburbs. The higher gas tax will make these long commutes more expensive.

By national standards, California already has very high fuel costs. According to AAA statistics, the average gas price in California is 31 cents higher than the Nevada average, 72 cents higher than the Arizona average and 85 cents higher than the Texas average. People have been moving from California to these lower cost states for many years, and the new taxes and fees in SB1 could exacerbate that trend.

Although much of the gas tax revenue will be devoted to roads and bridges, some of the money will be siphoned off for more debatable purposes. Some \$7.5 billion will be spent to “improve local public transportation.” But many of these systems are not cost-effective. As we reported recently, most transit agencies recover less than 20% of their costs from passenger fares. In Livermore, for example, the local transit authority incurred costs of \$10.53 per passenger in

2015, recovering only 14% of that in fares. It would be better for riders and taxpayers to reduce service, and instead provide subsidized Lyft and Uber rides for those who cannot afford them.

The bill also devotes \$1 billion to bicycle and pedestrian projects. While bicycle commuting provides great exercise and is good for the environment, it is simply not an option for many working-class commuters. Instead, bicycle infrastructure often benefits affluent, recreational riders. Is it fair to require struggling families in the Inland Empire to pay more for gas so that Silicon Valley techies can go more places on \$12,000 Trek bikes?

*Marc Joffe is the Director of Policy Research at the California Policy Center. In 2011, Joffe founded Public Sector Credit Solutions to educate policymakers, investors and citizens about government credit risk. His research has been published by the California State Treasurer's Office, the Mercatus Center at George Mason University, the Reason Foundation, the Haas Institute for a Fair and Inclusive Society at UC Berkeley and the Macdonald-Laurier Institute among others. He is also a regular contributor to The Fiscal Times. Prior to starting PSCS, Marc was a Senior Director at Moody's Analytics. He has an MBA from New York University and an MPA from San Francisco State University. This article first appeared in the California Public Policy Center's Prosperity Forum of March 30, 2017.*

## **Transportation tax hikes an insult to taxpayers**

**By Jon Coupal**

It's easy to spend money when it's not your own. That's the case with the proposed massive tax hikes on California drivers announced Wednesday by Gov. Jerry Brown.

The \$5.2 billion in taxes imposed annually are aimed squarely at the middle class — citizens who see their cars not as a luxury but as a necessity to get to work, take the kids to school and run their errands at the end of a long day. The governor and his tax-and-spend allies — including interests that get rich off the taxpayer dime — are pushing a gas tax hike of 12 cents per gallon on top of our already high gas tax plus higher vehicle registration fees that average out to about \$50 per vehicle. This would leave California with the highest gas and car taxes in the nation by far.

Not surprisingly, taxpayers are not buying what the governor is selling. A Public Policy Institute of California poll shows that a majority of Californians, including 42 percent of Democrats, oppose the taxes. A recent California Chamber of Commerce poll showed that 80 percent of voters want to see spending reforms first, before new taxes.

There is a good reason for the lack of trust between the people and their government when it comes to transportation spending. General fund spending has increased by \$36 billion over the last six years, and not one dime has been spent on transportation infrastructure. If legislators

don't view transportation as a critical priority, why should California drivers support even higher taxes?

No one doubts that California's roads and highways are in terrible shape. But the blame for this rests squarely on our political class, not hard-working taxpayers who already live in a state that has the highest income tax rate in America as well as the highest state sales tax.

The question has always been one of priorities. How is it that the state budget is near record highs and yet no money can be found for transportation? Over the years, billions of dollars of truck weight fees have been diverted from road repair to pay off bond debt which, for all other state bonds, are repaid out of the general fund, not out of revenue that is supposed to be dedicated to transportation.

And no discussion of transportation spending would be complete without addressing the nation's biggest boondoggle: high-speed rail. Hundreds of millions of dollars of cap-and-trade money every year are going to prop up this floundering project that could be better spent on transportation systems people actually use. And a further \$3 billion in sales taxes on the purchase of new and used vehicles annually could be used to fund road repair.

While some of these solutions are easier to implement than others, the point remains that the Legislature could easily designate tens of billions of dollars of existing revenues to transportation without shortchanging other programs.

Perhaps the biggest insult to taxpayers is that the governor and the ruling party in Sacramento have no intention of letting the voters have a say on this tax. If they can get two-thirds of each house to approve this permanent tax increase, it's a done deal. That explains why the governor is trying to rush a vote on this damaging proposal this coming week.

If citizens are as disgusted with this unnecessary and damaging tax proposal as those of us who see what's really going on in Sacramento, they need to let their elected representatives in the state Assembly and Senate know now. Tell them that willful neglect of transportation infrastructure is never an excuse to increase regressive taxes on millions of beleaguered taxpayers and drivers.

*Jon Coupal is president of the Howard Jarvis Taxpayers Association. This article first appeared in the Orange County Register of April 2, 2017 and here via Flashpoint on April 3, 2017.*

## **Pothole Coast Highway**

**With its dams and roads crumbling, California faces an infrastructure crisis.**

**By Kerry Jackson**

The Pacific Coast Highway stretch between Dana Point in Orange County, Calif., at the southern end, and Fort Bragg in Mendocino on the northern end, “is a bucket-list trip,” the *New York Daily News* enthused two years ago. “Stretching 650 curve-hugging, jaw-dropping miles along the ruggedly beautiful central coast of California, Highway 1 is one of the most scenic roads in the country.”

What the newspaper didn’t mention is that anyone winding along California roads might think that the Big One has already hit. Streets and highways across the state are in awful shape: a cracked, crumbling mess pock-marked with potholes, which tend to grow larger due to time, weather, and government negligence.

Some potholes grew so monstrous after recent heavy winter rains that California Highway Patrol officers in Oakland actually named one— “Steve.” They should have called it “Jerry,” after Governor Brown, who has done little about the state’s failing infrastructure except talk about it, while continuing to seek funding for a costly and unnecessary high-speed rail system. A bit of help for the weary motorist who’s thinking about making a justifiable claim against Caltrans for the damage it’s done to his car? Not in Brown’s California. Chapman University professor and *City Journal* contributing editor Joel Kotkin wrote last year in the *Orange County Register* that Brown’s goal “is to make congestion so terrible that people will be forced out of their cars and onto transit.”

Not all of California’s infrastructure problems can be blamed on the winter weather. In 2015, in the midst of a withering drought, the *Mercury News* reported that a family’s car hit a “killer pothole” near Sacramento with such force that its airbags inflated. Repairs would have cost nearly \$15,000, so the insurance company wrote it off as a total loss. Though that might sound like a one-off event, California roads are indeed wrecking cars. “Deficient roads” in the Los Angeles area cost motorists an [average \\$2,800](#) in annual repair costs. The state implicitly admits that its roads are a mess through a law that enables car owners who feel they’ve “lost money or property as a result of any action or inaction by Caltrans” to make five-figure claims against the agency.

The Reason Foundation, which for decades has rated road conditions across the country, ranked California roads 42nd in the nation in its [22nd Annual Highway Report](#). The state is 45th in rural-interstate pavement condition, 48th in urban-interstate pavement condition, and 48th in congestion in urbanized areas, the study says. “Half of the nation’s rural interstate mileage in poor condition is located in just five states,” says *Reason*’s Adrian Moore, and California is one of them. Media reports say that nearly 60 percent of the roads need repair. Will Kempton, a former Caltrans director, told the *Los Angeles Times* in February that road conditions were the worst he’d ever seen.

Roads aren’t the only infrastructure breaking down in California; its dams are no longer trustworthy. The Oroville Dam in the Sierra Nevada foothills almost failed this winter when its main spillway fell apart. It didn’t, but its near-collapse was a warning, as the *New York Times* reported, that the state’s “network of dams and waterways is suffering from age and stress.” The *San Francisco Chronicle* said a year ago that “there are 200 dams in California that are at least partially filled with mud and are approaching the end of their working lives.”

This isn't a surprise to policymakers, who've been on notice for some time. According to the Association of Dam Safety Officials, California had 334 "high-hazard potential" dams in 2005; by 2015, 678 earned that designation. Officials were told in 2005 that the emergency spillway at the Oroville Dam posed a serious risk.

Also vulnerable are the state's levees, especially those in the Sacramento-San Joaquin River Delta network. Problems in this patchwork of largely muddy banks, built by farmers rather than civil engineers, put much of the state's water supply at grave risk.

Rather than fix the state's vital artery system and shore up its dams and levees, Brown and other policymakers prefer to focus on the shiny bauble of high-speed rail and a fanciful mixture of mass transit and bike lanes in an effort to move Californians out of their cars and into forms of transportation favored by Sacramento's political bosses. Those who resist the agenda because they want to maintain the freedom facilitated by cars are likely to be hit with a new fuel-tax hike (in a state that already has some of the highest fuel taxes in the country).

More taxes, tolls, or user fees might be tolerable if the additional dollars improved the roads. But California has a history of taxing motorists to pay for pet projects that have zero connection with improved street and highway conditions. The Golden State's existing patterns of density and sprawl have made reliance on car travel a necessity for most residents. Mass-transit advocates can wish for magical people-moving networks that will make cars obsolete, but the state's planners need to focus on repairing the infrastructure we already have before they start implementing their dreams of a shining California future.

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*Kerry Jackson is the Pacific Research Institute's fellow in California studies. This article first appeared in the March City Journal.*



## **ANNOUNCEMENTS**

**NOTE THAT THE EVENT BELOW IS JUST ABOUT SOLD OUT**

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# COLAB

Santa Barbara County

**26th Anniversary Dinner!!!**

**April 29, 2017**

**At the Chumash Casino Resort**

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*Colin & Brad*

*Masters of Improv Comedy*



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**THEN COME JOIN US FOR**  
**ARROYO GRANDE SPORTSMAN'S CLUB**  
**21<sup>ST</sup>. ANNUAL KIDS' OUTDOOR ADVENTURE DAY**

**Enjoy \*fishing, \*archery, \*panning for gold  
\*an air rifle gallery \*candle making and more!**

**WHEN: SATURDAY, May 20, 2017 or SUNDAY, May 21, 2017**

**WHERE: *Once Your Application is approved, you will receive a map with directions to our location.***

**WHAT TIME: YOU MUST BE THERE NO LATER THAN 8:30 A.M. FOR REGISTRATION**

**HOW DO I GET STARTED? Download the application from our website:**

**www.AGSPORTSMANSCLUB.COM and Mail It To:**

**AGSC**

**475 Corralitos Rd.**

**Arroyo Grande, CA 93420**

**Applications must be received no later than, May 9, 2017**

**WHAT SHOULD I BRING TO THE EVENT? BRING SUNSCREEN, WATER AND A HAT WITH YOU.  
WE WILL SUPPLY ALL THE REQUIRED EQUIPMENT.**

**KIDS AND PARENTS WILL BE TREATED TO A HOTDOG BBQ WITH ALL THE TRIMMINGS FOR  
LUNCH.**

**FOR MORE INFORMATION, PLEASE CALL: (805) 481-5838 or 534-4040**

**PLEASE NOTE: LATE REGISTRATIONS WILL NOT BE ACCEPTED.**

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**THE  
ANDY CALDWELL  
SHOW**

**The only local talk show to cover the entire Central Coast!**

Central Coast Government watchdog, taxpayer, business and traditional values advocate Andy Caldwell interviews leaders and scholars on a variety of local, state and national issues.

Andy is Live Monday Thru Friday 3:00 PM to 5:00 PM

**Call in .... 1-888-625-1440**

Visit [www.theandycaldwellshow.com](http://www.theandycaldwellshow.com) for more information

Streaming Live on [www.am1440.com](http://www.am1440.com) and [www.newspress.com](http://www.newspress.com)



**AM1440**  
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Santa Barbara News-Press Radio

**SUPPORT COLAB!  
PLEASE COMPLETE THE  
MEMBERSHIP/DONATION FORM  
ON THE NEXT PAGE**

Coalition of Labor, Agriculture and Business  
San Luis Obispo County  
"Your Property – Your Taxes – Our Future"  
PO Box 13601 – San Luis Obispo, CA 93406 / Phone: 805.548-0340  
Email: colabslo@gmail.com / Website: colabslo.org

## MEMBERSHIP APPLICATION

### MEMBERSHIP OPTIONS:

General Member: \$100 – \$249  \$ \_\_\_\_\_ Voting Member: \$250 - \$5,000  \$ \_\_\_\_\_

Sustaining Member: \$5,000 +  \$ \_\_\_\_\_

*(Sustaining Membership includes a table of 10 at the Annual Fundraiser Dinner)*

General members will receive all COLAB updates and newsletters. Voting privileges are limited to Voting Members and Sustainable Members with one vote per membership.

### MEMBER INFORMATION:

Name: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

### How Did You Hear About COLAB?

Radio  Internet  Public Hearing  Friend

COLAB Member(s) / Sponsor(s): \_\_\_\_\_

### NON MEMBER DONATION/CONTRIBUTION OPTION:

For those who choose not to join as a member but would like to support COLAB via a contribution/donation. I would like to contribute \$ \_\_\_\_\_ to COLAB and my check or credit card information is enclosed/provided.

Donations/Contributions do not require membership though it is encouraged in order to provide updates and information.  
Memberships and donation will be kept confidential if that is your preference.  
Confidential Donation/Contribution/Membership

### PAYMENT METHOD:

Check  Visa  MasterCard  Discover  Amex NOT accepted.

Cardholder Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Card Number: \_\_\_\_\_ Exp Date: \_\_\_/\_\_\_ Billing Zip Code: \_\_\_\_\_ CVV: \_\_\_\_\_

TODAY'S DATE: \_\_\_\_\_

(Revised 2/2017)