COLAB San Luis Obispo County — The Coalition of Labor Agriculture and Business

WEEKLY UPDATE APRIL 14 - 20, 2019

THIS WEEK

NO BOARD OF SUPERVISORS MEETING THIS WEEK

LAFCO HOT POTATO LEGAL OPINION

LAST WEEK

PUBLIC SAFETY LABOR CONTRACTS AND THE NEED FOR FUTURE FUNDING

SGMA PLANNING SEEMS ON TRACK BUT ARE FOLKS READY TO ACCEPT THEIR WATER REDUCTIONS OR TIERED RATES?

&

DID WE NEED TO SPEND MILLIONS ON THE OBVIOUS?

ARE BIG SGMA CONSULTANT CONTRACTS BID?

COUNTY PRETTY HEALTHY BUT NOT CLEAR HOW EXPENDITURES IMPACT THE OUTCOMES

MOST PEOPLE IN SLO DIE OF CANCER, CARDIO, AND STROKES

&

COUNTY ADDED 16,000 CLIENTS UNDER OBAMA CARE – WHAT IF IT ENDS?

&

WHAT WOULD MEDICARE FOR ALL COST?

CANNABIS APPEALS – 1 PERMIT DENIED, 2 APPROVED AS MEETING RAN INTO THE NIGHT

PLANNING COMMISSION QUESTION:

IS SIPPING WINE AT A WINE EVENT DIFFERENT THAN AT A WEDDING? OK! YOU CAN HAVE A WEDDING AT A WINERY

COLAB IN DEPTH

SEE PAGE 19

NUCLEAR POWER CAN SAVE THE WORLD

Expanding the technology is the fastest way to slash greenhouse gas emissions and decarbonize the economy.

BY JOSHUA S. GOLDSTEIN, STAFFAN A. QVIST, AND STEVEN PINKER

CALIFORNIA WILDFIRES ARE BURNING DOWN PUBLIC UTILITIES

BY CHRISS STREET

THIS WEEK'S HIGHLIGHTS

No Board of Supervisors Meeting on Tuesday, April 16, 2019 (Not Scheduled)

San Luis Obispo County Local Agency Formation Commission Meeting of Thursday, April 18, 2019 (Scheduled)

Item B-2: Memorandum From Legal Counsel Regarding Estrella-El Pomar-Creston Water District. The Commission's Counsel opines that the LAFCO did have the power to modify a condition for the approval of the EPC District.

Background: Approval **C**ondition 11 had, in part, originally required that unless the County relinquished its water management authority over the portion of the Paso Basin covered by the District, it could not become a Ground Water Sustainability Agency (GSA) under the State Ground Water Management Act (SGMA). The County refused, and thus the future of the district was subject to doubt. The clarified language removed the requirement that the District become a GSA unless the County does at some point relinquish its authority. The District will continue to be subject to SGMA requirements but will not have a vote on the Paso Basin Coordinating Committee, which is an interagency committee of cities, water districts, and the County, developing the basin Groundwater Sustainability Plan (GSP).

LAFCO modified Condition 11 to extend the deadline for 2 years while the GSP is being developed and then submitted to the State Water Resources Board for review and approval. The question then arose about the Commission's authority to grant such a modification and waiver.

The Commission approved rewording Condition 11 of its original creation of the District last fall. The vote was split 4/3 with Supervisors Arnold and Compton and Atascadero Councilwoman Roberta Fonzi voting no and Tom Murry, Ed Waage, Robert Enns and Marshall Ochylski voting yes. The two Supervisors and Mrs. Fonzi have been concerned about this district from the outset due to its fragmented checkerboard footprint and the ability to vote water policy over a large portion of the basin on the basis of acres owned. Moreover the County Board majority (Arnold, Compton, and Peschong) does not wish to relinquish the County's water management policy control over the basin.

It may be that someone is thinking that there could be changes in the Board of Supervisors in the next 2 years which would be more favorable to the County relinquishing its water management authority in the area covered by the EPC District.

It will be interesting to see if anyone challenges the legal opinion.

LAST WEEK'S HIGHLIGHTS

Board of Supervisors Meeting of Tuesday, April 9, 2019 (Completed)

Item 14 - New 3 Year labor Contract with the Sworn Deputy Sheriff's Association (SDSA). The contract was approved on the consent calendar without comment.

The Board ratified a new 3-year contract with the SDSA. The old contract expired on December 31, 2018 and is replaced by a new 3-year contract. The stated salary raise is 1.5%, but other increases in compensation are provided by means of increasing the County offset to the employees' costs for health insurance, pension contribution, educational attainment payment, and assignment to special squads (such as detectives, dog handler, dive team, standby pay, etc.). Another provision is that the 5-step salary range is expanded to contain a 6th step. Employees normally advance one step per year. Each step is worth a 5% increase in salary. The costs are summarized in the table below.

Table 1.

Item	Fiscal Year 2018-19	Fiscal Year 2019-20	Fiscal Year 2020-21	Fiscal Year 2021-22 and Annual Ongoing
Wages	$0	$188,840	$646,820	$1,293,640
Cafeteria Contribution Increases	$35,050	$206,175	$206,175	$206,175
Cash In-Lieu Elimination	$0	$0	-$110,394 (savings)	-$220,788 (savings)
HSA Contribution Match	$0	$0	$750	$1,500
Pension Equity Adjustment	$74,202	$439,758	$450,971	$458,910
Standby, Court On-Call, and Court Call-Back	$5,550	$32,648	$32,648	$32,648
Career Incentive	$11,934	$70,200	$70,200	$70,200
Assignment Pays	$13,533	$79,609	$79,609	$79,609
Total Costs	$140,270	$1,017,229	$1,376,779	$1,921,894

BU	Class	Title	Current Range	Current $ Per Month	2020 Range	2020 $ Per Month
BU 27	338	Deputy Sheriff	3936	$6,822 - $8,294	3995	$6,925 – 8,417
BU 27	340	Sheriff's Senior Deputy	4342	$7,526 - $9,147	4407	$7,639 – $9,284

Item 18 - Receive and file a report on the implementation of Sustainable Groundwater Management Act efforts in six local priority groundwater basins; and request authorization to pay invoices that reflect an additional cost allocation for the purpose of developing a

Groundwater Sustainability Plan for the Paso Robles Sub basin. The report was received on the consent calendar without comment.

This item contained an overall report on the status of the progress of the preparation of the 6 required groundwater management plans (GSPs), required under the State Groundwater Management Act (SGMA). The subject water basins are displayed in the list below:

- Cuyama Valley Groundwater Basin ("Cuyama Basin"; Basin No. 3-13)
- Salinas Valley – Paso Robles Area Subbasin ("Paso Basin"; Basin No. 3-4.06)
- Salinas Valley – Atascadero Area Subbasin ("Atascadero Basin"; Basin No. 3-4.11)
- San Luis Obispo Valley Groundwater Basin ("SLO Basin"; Basin No. 3-09)
- Los Osos Valley Groundwater Basin ("Los Osos Basin"; Basin No. 3-8)
    - Los Osos Valley – Los Osos Area Subbasin (Basin No. 3-8.1)
    - Los Osos Valley – Warden Creek Subbasin (Basin No. 3-8.2)
- Santa Maria River Valley Groundwater Basin ("Santa Maria Basin"; Basin No. 3-12)
    - Santa Maria River Valley – Santa Maria Subbasin (3-12.01)
    - Santa Maria River Valley – Arroyo Grande Subbasin (3-12.02)

It appears that good progress is being made and that the required GSPs will be adopted and filed with the State (for approval or rejection) by the 2020 or 2022 deadlines. Some basins have a 2020 deadline and some a 2022 deadline.

In the big picture the impact of this overall project and its basin specific sub projects has been to:

1. Generate huge reports, massive appendences, interminable meetings, and anxiety all in the name of systematic exploitation of the obvious. The County and everyone else knew that certain steps had to be taken and have been talking about them for years.

2. Enrich a number of environmental and engineering consulting firms.

3. Divert the Board of Supervisors, staff, and citizens from real problems (and solutions).

The draft Paso Basin version is now far enough along to illustrate these points. Aside from recalculating the basin decline and overdraft for the umpteenth time (with new expense each time), the report lists the following solutions:[1]

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[1] We are using the term overdraft in its colloquial meaning. That is how much more water is pumped out of the basin than goes in. The state has never officially declared the basin in overdraft.

- Tiered groundwater pumping fees.
- Progressive ramp down of the groundwater pumping rates to the sustainable yield.
- Expanded use of recycled water.
- Entering into either long-term or short-term contracts for excess surface water from the Nacimiento Reservoir that can offset groundwater pumping.
- Entering into long-term or short-term subcontracts for State Water Project water from the Coastal Branch Aqueduct.
- Developing storm water infiltration projects in appropriate areas of the Subbasin.
- A project to increase reservoir storage behind the Salinas Dam; and a cost analysis and marketability study of delivered water.
- Implementation of enhanced best management practices for crop irrigation, including irrigation system efficiency.

Virtually all these ideas could have been converted into projects years ago or even in 2013 when this issue was first politicized by some enviro advocates (well before the emergence of SGMA).

Has the study team considered that the owners who have achieved quiet title will be exempt, since it is all the appropriators including the municipalities and water districts which will be responsible for meeting these requirements?

Was This Always About Commerce? Stay tuned as the draft plans are finalized. The acid test is whether or not the impacted growers, citizens, cities, and special districts will agree to their proportionate reductions. Or will they insist on phased requirements, which the State Department of Water Resources will not approve? Perhaps the State Department of Water Resources will accept most plans, since one of the real purposes of SGMA has already been met and will continue on into the future – hundreds of millions in consulting contracts statewide for various consultants and contractors who prepare the groundwater assessment, monitoring plans, wildlife plans, and economic impacts analyses; attend endless citizen stakeholder meetings; prepare the actual groundwater management plans; and then shepherd them through the adoption and approval process.

Item 19 - Request to approve a professional consultant services contract with Water Systems Consulting, Inc., in an amount not to exceed $1,457,208, to develop a groundwater sustainability plan for the San Luis Obispo Valley Groundwater Basin. The Board awarded a contract to a local firm to prepare the groundwater sustainability plan (for the San Luis Obispo - Edna Valley Groundwater Basin). Both the County and the City of San Luis Obispo are leads on this package.

It was not clear from the write-up if the process included competitive bidding or a competitive request for proposals, and if so, what other companies bid and what were their prices. Or was this simply negotiated without a basis?

Item 25 - Submittal of a report on the San Luis Obispo County Community Health Assessment and Community Health Improvement Plan. The report was presented and received. Board members lavished praise on the staff for all the good services they provide in the clinical and preventive health services.

Background: This was an extensive set of reports which focused on historical and current trends with respect to material and child health, chronic disease, infectious disease, nutrition, access to health care, housing impact on health care, smoking, alcohol, etc. A separate report focuses on what the County and about 100 allied agencies, not-for-profits, hospitals, and others do to make improvements.

The large killers are cancer, cardiac disease, and stroke. It is not clear from the data if these are heavily age related. In other words you can be old and have all sorts of problems which weaken you, but it's a stroke or your heart stops, and that's what goes on the death certificate. It doesn't say the guy smoked 3 packs of Camels and drank a quart of scotch every day for 20 years.

All in, it's interesting but does not link budget cost centers to various types of performance measures and outcomes, so it's more a PR document than a management report. In other words if smoking leads to cancer and cardio vascular disease, which County program cost center is trying to reduce this, how many FTE's are involved, at what cost? Then, what are the performance trends? In other words does it make any difference? **Separately, the County is very happy with the Affordable Care Act (Obama Care) per the highlighted "Good News Spotlight" below:** No one had any comments on this potential problem. Perhaps it is too hot a potato.

Good News Spotlight

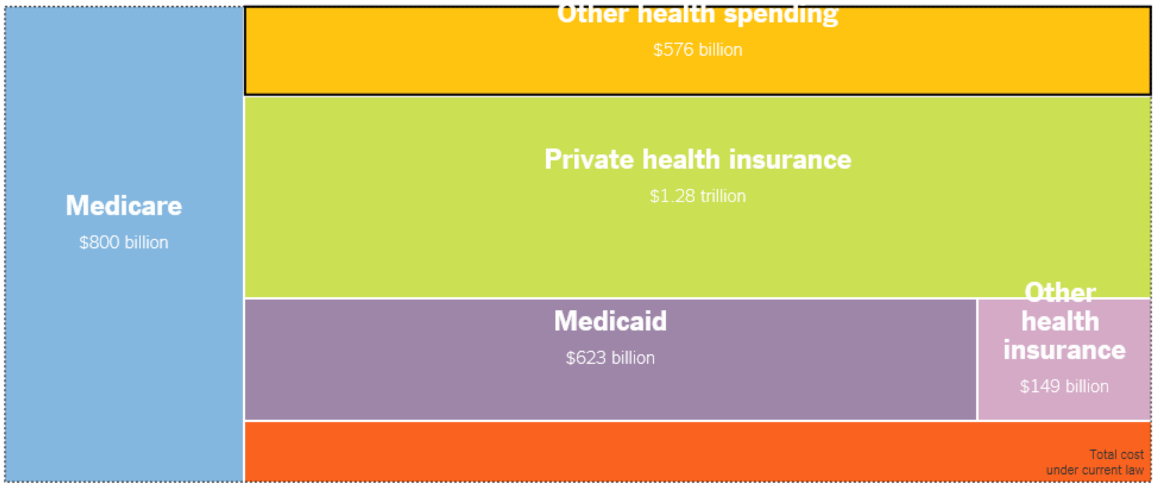
With Affordable Care Act, More Residents Have Health Coverage

The Affordable Care Act (ACA) went into effect in January 2014, allowing millions of uninsured people nationwide to obtain comprehensive health coverage. The percentage of San Luis Obispo County residents with health insurance jumped as the law went into effect, increasing from 84 percent in 2010 to 90 percent in 2016. This means more than 16,000 County residents who lacked health insurance now have comprehensive health coverage that allows them to see a primary care doctor or specialist, have surgery if needed, fill prescriptions, and get regular screenings to catch illness early, when it can be treated most effectively.

The article below on the next page explores some of the dilemmas at the national level.

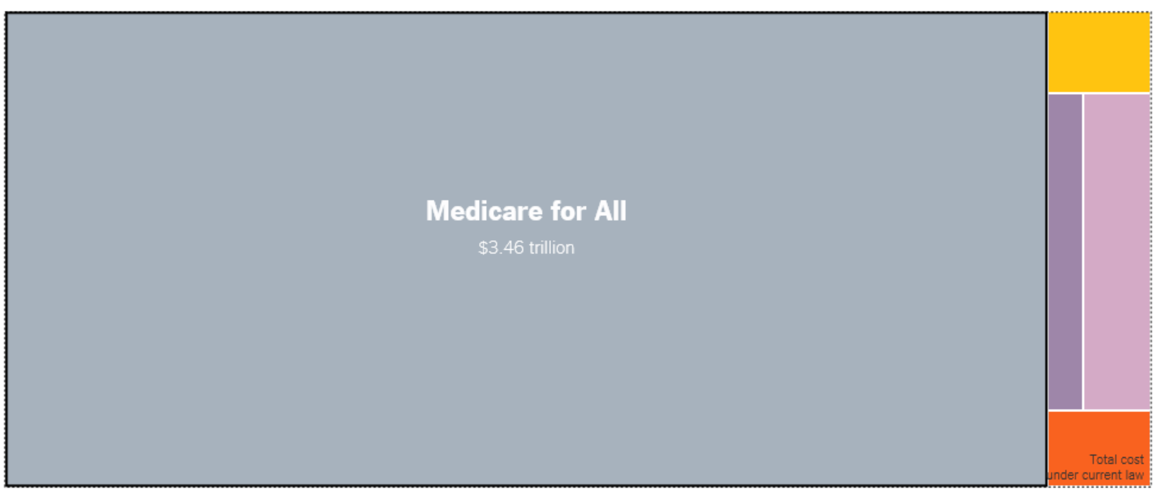
The New York Times

Would ‘Medicare for All’ Save Billions or Cost Billions?



CURRENT EXPENDITURES

WITH MEDICARE FOR ALL



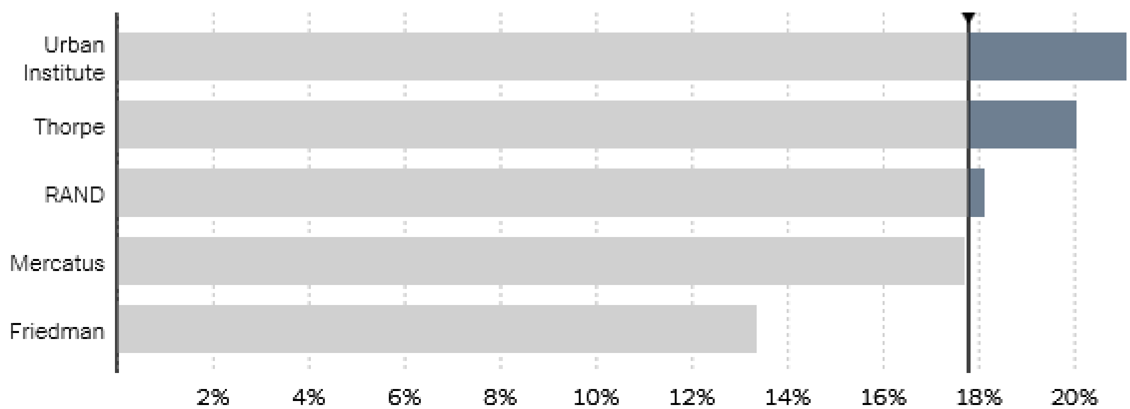
How much would a “Medicare for all” plan, like the kind being introduced by Senator Bernie Sanders on Wednesday, change health spending in the United States?

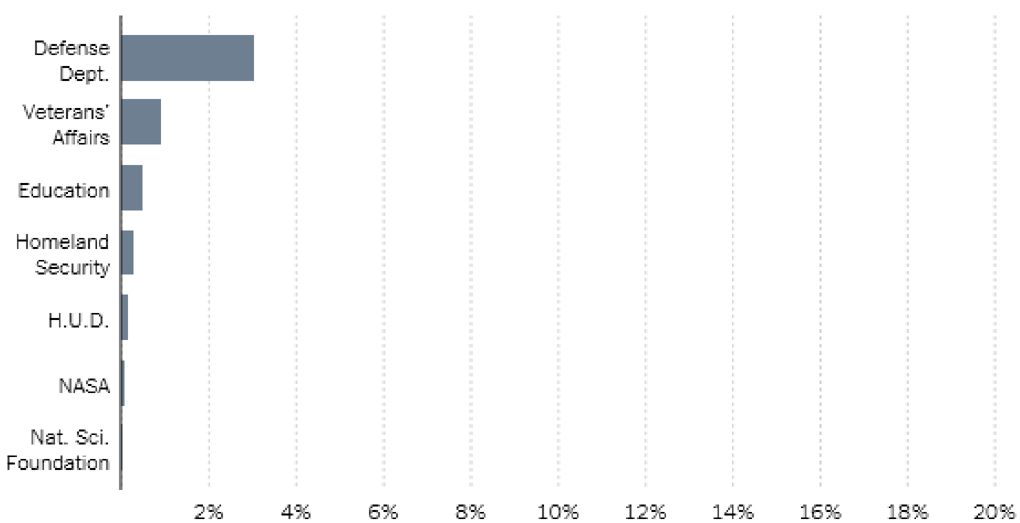
Some advocates have said costs would actually be lower because of gains in efficiency and scale, while critics have predicted huge increases.

We asked a handful of economists and think tanks with a range of perspectives to estimate total American health care expenditures in 2019 under such a plan. The chart at the top of this page shows the estimates, both in composition and in total cost.

In all of these estimates, patients and private insurers would spend far less, and the federal government would pay far more. But the overall changes are also important, and they're larger than they may look. Even the difference between the most expensive estimate and the second-most expensive estimate was larger than the budget of most federal agencies.

Estimates of U.S. health care expenditures under Medicare for all in 2019, as a share of G.D.P.





The big differences in the estimates of experts reflect the challenge of forecasting a change of this magnitude; it would be the largest domestic policy change in a generation.

The proposals themselves are vague on crucial points. More broadly, any Medicare for all system would be influenced by the decisions and actions of parties concerned — patients, health care providers and political actors — in complex, hard-to-predict ways. But seeing the range of responses, and the things that all the experts agree on, can give us some ideas about what Medicare for all could mean for the country's budget and economy.

These estimates come from:

Gerald Friedman, a professor of economics at the University of Massachusetts, Amherst, whose estimates were frequently cited by the Bernie Sanders presidential campaign in 2016.

Charles Blahous, a senior research strategist at the Mercatus Center at George Mason University, and a former trustee of Medicare and Social Security.

Analysts at the **RAND Corporation**, a global policy research group that has estimated the effects of several single-payer health care proposals.

Kenneth E. Thorpe, the chairman of the health policy department at Emory University, who helped Vermont estimate the costs of a single-payer proposal there in 2006.

Analysts at the **Urban Institute**, a Washington policy research group that frequently estimates the effects of health policy changes.

Right now, individuals and employers pay insurance premiums; people pay cash co-payments for drugs; and state governments pay a share of Medicaid costs. In a Sanders-style system or one recently introduced by Representative Pramila Jayapal and the Congressional Progressive Caucus, nearly all of that would be replaced by federal spending. That's why some experts describe such a system as single-payer. (Other Democrats who are supporting coverage expansion through Medicare have offered more modest proposals that would preserve some out-of-pocket spending and a role for private insurance.)

The economists made their calculations using different assumptions and methods, and you can read more about those methods at the bottom of this article.

These two estimates, for example, from the Mercatus Center and the Urban Institute, differ by about $730 billion per year, roughly 3 percent of G.D.P. The two groups don't often agree on public policy — Mercatus tends to be more right-leaning and Urban more left-leaning.

The biggest difference between the Mercatus estimate and the Urban one is related to how much the new system would pay doctors, hospitals and other medical providers for health services. Mr. Friedman's estimate, the least expensive of the group, assumed that the government could achieve the largest cost savings on both prescription drugs and administrative spending.

How much would doctors and hospitals and other providers be paid?

Pay too little, and you risk hospital closings and unhappy health care providers. Pay too much, and the system will become far more expensive. Small differences add up.

Estimated increase in Medicare payment rates paid to medical providers

Friedman	Bayous	Thorpe	Urban	Rand
0%	5%	6%	7%	9%

In our current system, doctors, hospitals and other health care providers are paid by a number of insurers, and those insurers all pay them slightly different prices. In general, private insurance pays medical providers more than Medicare does. Under a Medicare for all system, Medicare would pick up all the bills. Paying the same prices that Medicare pays now would mean an effective pay cut for medical providers who currently see a lot of patients with private insurance.

For a Medicare for all system to save money, it needs to reduce the health care industry's income somewhat. But if rates are too low, hospitals already facing financial difficulties could be put out of business.

Neither Mr. Sanders's legislation nor the Jayapal House bill specify what the Medicare for all system would pay, but they say that Medicare would establish budgets and payment rates. So our estimators offered their best guess of what they thought such a plan might do.

Mr. Thorpe said he picked a number higher than current Medicare prices for hospitals, because he thought anything lower would be unsustainable. Mr. Blahous said he constructed his starting estimate at precisely Medicare rates, though he thought the real number would most likely be higher. He also reran his calculations with a more generous assumption: At 111 percent of Medicare, around the average amount all health insurers pay medical providers now, the total shot up by hundreds of billions of dollars, about an additional 1.5 percent of G.D.P.

How much lower would prescription costs be?

By negotiating directly on behalf of all Americans, instead of having individual insurance companies and plans bargain separately, the government should be able to pay lower drug prices.

Estimated reduction in drug spending

Friedman	bayous	Thorpe	urban	rand
31%	12%	4%	20%	11%

Patients in the United States pay the highest prices in the world for prescription drugs. That's partly a result of a fractured system in which different payers negotiate separately for drug benefits. But it also reflects national preferences: An effective negotiator needs to be able to say no, and American patients tend to want access to the widest array of cutting-edge drugs, even if it means paying more.

A Medicare for all system would have more leverage with the drug industry because it could bargain for the whole country's drug supply at once. But politics would still be a constraint. A system willing to pay for fewer drugs could probably get bigger discounts than one that wanted to preserve the current set of choices. That would mean, though, that some patients would be denied the medications they want.

All of our economists thought a Medicare for all system could negotiate lower prices than the current ones. But they differed in their assessments of how cutthroat a negotiator Medicare would be. Mr. Friedman thought Medicare for all could reduce drug spending by nearly a third. The Urban team said the savings would be at least 20 percent. The other researchers imagined more modest reductions.

How much more would people use the health care

By expanding coverage to the uninsured, adding new benefits and wiping out cost sharing, Medicare for all would encourage more Americans to seek health care services.

Estimated increase in use of health care

Friedman	bayous	Thorpe	urban	rand
7%	11%	15%	—	8%

Medicare for all would give insurance to around 28 million Americans who don't have it now. And evidence shows that people use more health services when they're insured. That change alone would increase the bill for the program.

Other changes to Medicare for all would also tend to increase health care spending. Some proposals would eliminate nearly all co-payments and deductibles. Evidence shows that people tend to go to the doctor more when there's no such cost sharing. The proposed plans would also add medical benefits not typically covered by health insurance, such as dental care, hearing aids and optometry services, which would increase their use.

The economists differ somewhat in how much they think people would increase their use of medical services. (Because of the way the Urban Institute team's estimate was calculated, it couldn't easily provide a number for this question.)

What would Medicare for all cost to run?

Right now, the health care system is complicated, with lots of different payers and ways to negotiate prices and bill for services. A single payment system could save some money by simplifying all that.

Estimated administrative costs as a share of all spending

Friedman	bayous	Thorpe	urban	rand
2%	—	6%	6%	5%

The complexity of the American system means that administrative costs can often be high. Insurance companies spend on negotiations, claims review, marketing and sometimes shareholder returns. One key possible advantage of a Medicare for all system would be to strip away some of those overhead costs.

But estimating possible savings in management and administration is not easy. Medicare currently has a much lower administrative cost share than other forms of insurance, but it also covers sicker people, distorting such comparisons. Certain administrative functions, like fraud detection, can have a substantial return on investment.

The economists all said administrative costs would be lower under Medicare for all, but they differed on how much. Those differences amount to percentage points on top of the differing estimates of medical spending. On this question, there was rough agreement among our estimators that administrative costs would be no higher than 6 percent of medical costs, a number similar to the administrative costs that large employers spend on their health plans. Mr. Blahous said a 6 percent estimate would probably apply to populations currently covered under private insurance, but did not calculate an overall rate.

But what will it cost *me*?

All of these estimates looked at the potential health care bill under a Sanders-style Medicare for all plan. In some estimates, the country would not pay more for health care, but there would still be a drastic shift in who is doing the paying. Individuals and their employers now pay nearly half of **the** total cost of medical care, but that percentage would fall close to zero, and the percentage paid by the federal government would rise to compensate. Even under Mr. Blahous's lower estimate, which assumes a reduction in overall health care spending, federal spending on health care would still increase by 10 percent of G.D.P., or more than triple what the government spends on the military.

How that transfer takes place is one of the least well explained parts of the reform proposals. Taxation is the most obvious way to collect that extra revenue, but so far none of the current Medicare for all proposals have included a detailed tax plan. Even if total medical spending stayed flat over all, some taxpayers could come out ahead and pay less; others could find themselves paying more.

Raising revenue would require broad tax increases that are likely to be partly borne by the middle class, potentially impeding passage. Advocates, including Mr. Sanders, tend to favor funding the program with payroll taxes.

For some people, any increase in federal taxes might be more than offset by reductions in their spending on premiums, co-payments, deductibles and state taxes. There is evidence to suggest that premium savings by employers would also be returned to workers in the form of higher salaries. But, depending on the details, other groups could end up paying more in tax increases than they save in those reductions.

After Mr. Sanders's presidential campaign released a tax proposal in 2016, the Urban Institute tried to calculate the effects on different groups. But it found that the proposed taxes would pay for only about half of the increased federal bill. That means that a real financing proposal would probably need to raise a lot more in taxes. How those are spread across the population would change who would be better or worse off under Medicare for all.

About the estimates

Our economists differed somewhat in their estimation methods. They also examined a couple of different Medicare for all proposals, though all the plans had the same major features.

Gerald Friedman calculated the cost of Medicare for all by making adjustments to current health care spending using assumptions he derived from the research literature. His measurements didn't capture the behavior of individual Americans, but estimated broader changes as groups of people gained access to different insurance, and as medical providers earned a different mix of payments. A 2018 paper with his analysis of several different variations on Medicare for all is available here.

Kenneth E. Thorpe calculated the cost of Medicare for all by making adjustments to current health care spending using assumptions he derived from the research literature. His measurements didn't capture the behavior of individual Americans, but estimated broader changes as groups of people gained access to different insurance, and as medical providers earned a different mix of payments. A 2016 paper with more of his findings on Mr. Sanders's presidential campaign proposal is available here.

The Urban Institute built its estimates using a microsimulation model, which estimates how individuals with different incomes and health care needs would respond to changes in health insurance. The model does not consider the effects of policy changes on military and veterans' health care or the Indian Health Service, so its totals assumed those programs would not change. It also measures limits on the availability of doctors and hospitals using evidence from the Medicaid program. The team at Urban that prepared the calculations includes John Holahan, Lisa Clemans-Cope, Matthew Buettgens, Melissa Favreault, Linda J. Blumberg and Siyabonga Ndwandwe. Its detailed report on Mr. Sanders's presidential campaign proposal from 2016 is available here.

Charles Blahous calculated the cost of Medicare for all by making adjustments to current health care spending using assumptions he derived from the research literature. His measurements didn't capture the behavior of individual Americans, but estimated broader changes as groups of people gained access to different insurance, and as medical providers earned a different mix of payments.

His calculations were made based on Mr. Sanders's 2017 Medicare for All Act, which indicated that states would continue to pay a share of long-term care costs. A 2018 paper with more of his findings is available here, and includes both sets of estimates for Medicare provider payments.

The RAND Corporation built its estimates by making adjustments to previous single-payer analyses. The original estimates used a microsimulation model, which estimates how individuals with different incomes and health care needs would respond to changes in health insurance. The RAND model, which it uses to estimate the effects of various health policy changes, is called RAND COMPARE. Calculations were made assuming a Medicare for all plan that offers coverage with no cost sharing and long-term care benefits. The RAND team that prepared the estimate includes Christine Eibner and Jodi Liu. A copy of the report is available here; Ms. Liu's 2016 study of how different approaches to single-payer might affect its costs is here.

End of article

Some COLAB questions:

If Medicare For All allowed the same rates for doctors, hospitals and pharmaceuticals which current Medicare allows now, and absent private supplemental insurance and Medicaid, would there be any doctors, hospitals, and pharmaceuticals left at all?

Would some Federal Board decide which chronic diseases are treated and which are not?

Would some Federal Board decide when patents are too old or too sick to deserve treatment?

The County needs to have a plan for 3 scenarios:

1. The ACA is abolished and not replaced.

2. The ACA is abolished and is replaced by an as yet undeveloped plan.

3. Medicare for all.

Cannabis Appeals in Nipomo – A Long Afternoon and Longer Evening

In General: Items 32, 33, and **34** below were all appeals by neighbors of Planning Commission approved cannabis operations in Nipomo. All 3 had been approved by the Commission approved in accordance with the County and State adopted regulatory provisions. The **Item 32** appeal has been superseded by the discovery by the State and County that there have been a number of violations which will probably result in the operation being shut down. The Board denied a permit for **Item 32** and approved permits for **Items 33** and **34**.

An attorney who represented several of the opponents asserted that the County misused the State blanket CEQA exemption for cannabis and should have required an EIR for the projects. The County Counsel acknowledged using the CEQA waiver provision but counter opined that a negative declaration based on the facts did not violate the County's duty to assess each application on a project by project basis in terms of CEQA.

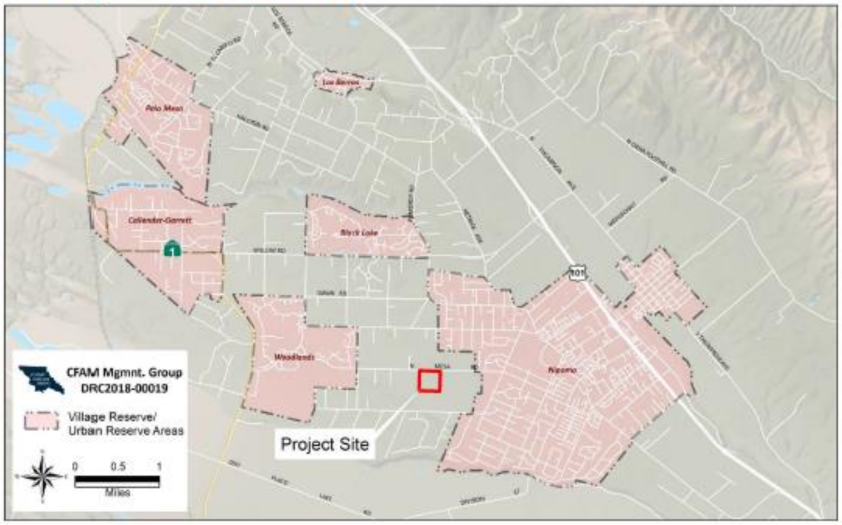
Item 32 - Hearing to consider 1) an appeal (APPL2018-00004) by Sally Dean, Pamela Kremza, Ron and Linda Ralphs and Judy Murphy of a request by CFAM Management Group, Inc. for a Conditional Use Permit (DRC2018-00019) to establish an indoor (mixed-light) cannabis cultivation and cannabis nursery operation within existing on-site greenhouses totaling 286,632 square feet on a 39.09-acre parcel located at 887 Mesa Road in Nipomo, within the South County Inland Sub Area of the South County Planning Area or 2) continuing this hearing to a date off calendar. The board voted unanimously to approve the appeal and deny the project. The applicant claimed that it was operating legally and that the County enforcement staff was not following the law. The enforcement process vis-a-vis the violations will move forward separately.

Background: This was a former flower greenhouse operation which then became a medicinal marijuana farm. It is now under enforcement actions for a variety of violations that supersede the appeal issues.

ENFORCEMENT HISTORY

Date	Issue	Description	Results
July, 2017	Exceedance of allowable number of flowering plants.		Re-inspection confirmed compliance.
March, 2018	Odors	Complaint received	N/A
January, 2019	Odors	Cannabis odors	Initial visit, no odors detected; follow-up visit, odors detected
February, 2019	Odors	Cannabis odors	Odors detected
February, 2019	Odors	Cannabis odors	
February, 2019	Odors	Cannabis odors	
March, 2019	Permit and Process Violation	Processing and manufacturing violations, unpermitted use of structures	Violation and abatement; Cannabis Hearing Officer (CHO) hearing process initiated; pending state investigation

PROJECT LOCATION

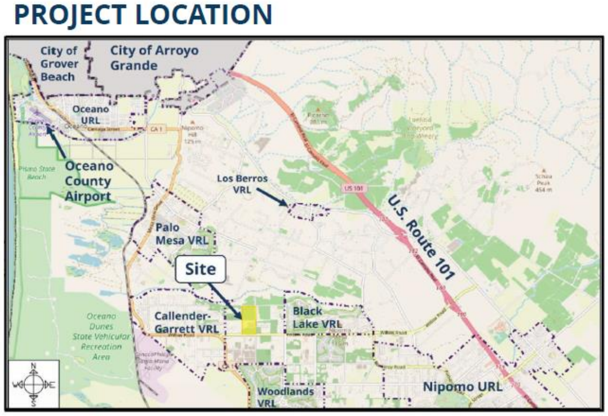


The staff recommended denial of the permit and upholding the appeal.

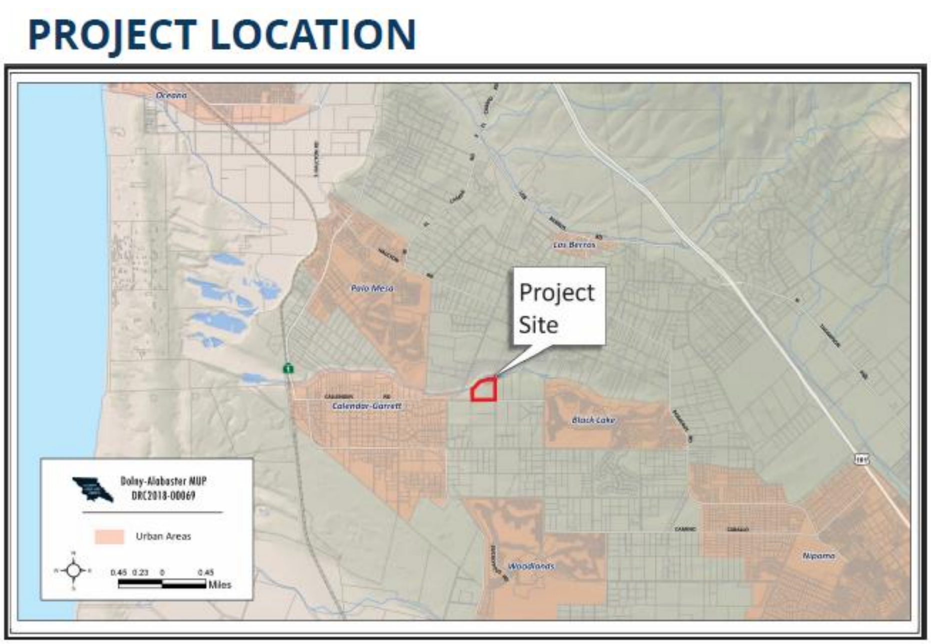
Item 33 - Hearing to consider 1) an appeal (APPL2018-00006) by Morgan Holland of a request by SLO Cultivation, Inc. for a Conditional Use Permit (DRC2017-00118) to establish an indoor (mixed-light) cannabis cultivation, indoor cannabis nursery, and a non-storefront dispensary located on three parcels totaling approximately 75 acres at the project site located at 1808 and 1810 Willow Road and 520 Albert Way, in the community of Nipomo, within the Inland Sub Area of the South County Planning Area and 2) the environmental determination that the project is categorically exempt under CEQA, pursuant to CEQA Guidelines Section 15061(b)(2). The Board denied the appeal and approved the project 4/1 with Supervisor Compton dissenting.

The staff recommended denial of the appeal and provided rebuttal to the appellant's assertions about water, traffic, visual issues, and odor.

PROJECT LOCATION



Item 34 - Hearing to consider 1) an appeal (APPL2019-00001) by Roy M. Holland of a request by Michael Dolny and Alabaster Inc. for a Minor Use Permit (DRC2018-00069) to establish an indoor cultivation of up to 22,000 square feet of cannabis on a portion of a 32-acre project site located at 502 Albert Way in the community of Nipomo, within the Inland Sub Area of the South County Planning Area and 2) adoption of the Environmental Document prepared for the item. The Board voted5/0 to deny the appeal and approve the project.



The project is completely enclosed and the presentation was pretty impressive.

Big Picture Relative to All Three Appeals:

Background: It appears in many cases that citizens were okay with the concept of legalization of recreational cannabis but now have buyer's remorse when cultivation, manufacturing, distribution, etc., are proposed in their area. It is uncertain whether this trend will grow or abate over time.

If these appeals continue at the present or an increasing rate, it will be difficult for the Board to read all of the records from the Planning Commission and other related materials.

The Board meeting lasted until about 9:30 in the evening as a result of the 3 lengthy cannabis appeals.

Planning Commission Meeting of Thursday, April 11, 2019 (Completed)

Item 10 - Modification of a Previously Approved Condition. The Commission unanimously approved the request of the Niner Wine Estates for relief from a condition under an existing permit. That permit had allowed them to host events per their original approval below:

> *The continuation of 18 special events per year in addition to industry wide events to include the following: one-event is limited to no more than 300 people, three-events are limited to no more than 200 people, four-events are limited to no more than 100 people, and ten-events are limited to no more than 75 people. Amplified music at events (from 10:00 a.m. to 5:00 p.m.) is permitted. <u>Events shall be limited to wine and agricultural industry events only (e.g. no weddings, concerts, general parties, non-agricultural trade shows / conventions, etc.</u>*

They requested an amendment to eliminate the underlined sentence. The staff recommended approval of the request. Obviously there is little difference between people sipping wine at a wine event, wedding, or general party. The Commission clearly understood and commented on this fact. Commissioners also commented that this is part of a trend and that wineries are evolving from how they had been conceived decades ago.

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

NUCLEAR POWER CAN SAVE THE WORLD

Expanding the technology is the fastest way to slash greenhouse gas emissions and decarbonize the economy.

BY JOSHUA S. GOLDSTEIN, STAFFAN A. QVIST, AND STEVEN PINKER

As young people rightly demand real solutions to climate change, the question is not what to do — eliminate fossil fuels by 2050 — but how**.** Beyond decarbonizing today's electric grid, we must use clean electricity to replace fossil fuels in transportation, industry and heating. We must provide for the fast-growing energy needs of poorer countries and extend the grid to a billion people who now lack electricity. And still more electricity will be needed to remove excess carbon dioxide from the atmosphere by midcentury.

Where will this gargantuan amount of carbon-free energy come from? The popular answer is renewables alone, but this is a fantasy. Wind and solar power are becoming cheaper, but they are not available around the clock, rain or shine, and batteries that could power entire cities for days or weeks show no sign of materializing any time soon. Today, renewables work only with fossil-fuel backup.

Germany, which went all-in for renewables, has seen little reduction in carbon emissions, and, according to our calculations, at Germany's rate of adding clean energy relative to gross domestic product; it would take the world more than a century to decarbonize, even if the country wasn't also retiring nuclear plants early. A few lucky countries with abundant hydroelectricity, like Norway and New Zealand, have decarbonized their electric grids, but their success cannot be scaled up elsewhere: The world's best hydro sites are already dammed.
Small wonder that a growing response to these intimidating facts is, "We're cooked."

But we actually have proven models for rapid decarbonization with economic and energy growth: France and Sweden. They decarbonized their grids decades ago and now emit less than a tenth of the world average of carbon dioxide per kilowatt-hour. They remain among the world's most pleasant places to live and enjoy much cheaper electricity than Germany to boot.

They did this with nuclear power. And they did it fast, taking advantage of nuclear power's intense concentration of energy per pound of fuel. France replaced almost all of its fossil-fueled electricity with nuclear power nationwide in just 15 years; Sweden, in about 20 years. In fact, most of the fastest additions of clean electricity historically are countries rolling out nuclear power.

This is a realistic solution to humanity's greatest problem. Plants built 30 years ago in America, as in France, produce cheap clean electricity, and nuclear power is the cheapest source in South Korea. The 98 U.S. reactors today provide nearly 20 percent of the nation's electricity generation. So why don't the United States and other countries expand their nuclear capacity? The reasons are economics and fear.

New nuclear power plants are hugely expensive to build in the United States today. This is why so few are being built. But they don't need to be so costly. The key to recovering our lost ability to build affordable nuclear plants is standardization and repetition. The first product off any assembly line is expensive — it cost more than $150 million to develop the first iPhone — but costs plunge as they are built in quantity and production kinks are worked out.

Yet as a former chairman of the Nuclear Regulatory Commission put it, while France has two types of reactors and hundreds of types of cheese, in the United States it's the other way around. In recent decades, the United States and some European countries have created ever more complicated reactors, with ever more safety features in response to public fears. New, one-of-a-kind designs, shifting regulations, supply-chain and construction snafus and a lost generation of experts (during the decades when new construction stopped) have driven costs to absurd heights.

These economic problems are solvable. China and South Korea can build reactors at one-sixth the current cost in the United States. With the political will, China could replace coal without sacrificing economic growth, reducing world carbon emissions by more than 10 percent. In the longer term, dozens of American start-ups are developing “fourth generation” reactors that can be mass-produced, potentially generating electricity at lower cost than fossil fuels. If American activists, politicians and regulators allow it, these reactors could be exported to the world in the 2030s and ’40s, slaking poorer countries’ growing thirst for energy while creating well-paying American jobs. Currently, fourth-generation nuclear power receives rare bipartisan agreement in Congress, making it a particularly appealing American policy to address climate change. Congress recently passed the Nuclear Energy Innovation and Modernization Act by big margins. Both parties love innovation, entrepreneurship, exports and jobs.

This approach will need a sensible regulatory framework. Currently, as M.I.T.’s Richard Lester, a nuclear engineer, has written, a company proposing a new reactor design faces “the prospect of having to spend a billion dollars or more on an open-ended, all-or-nothing licensing process without any certainty of outcomes.” We need government on the side of this clean-energy transformation, with supportive regulation, streamlined approval, investment in research and incentives that tilt producers and consumers away from carbon.

All this, however, depends on overcoming an irrational dread among the public and many activists. The reality is that nuclear power is the safest form of energy humanity has ever used. Mining accidents, hydroelectric dam failures, natural gas explosions and oil train crashes all kill people, sometimes in large numbers, and smoke from coal-burning kills them in enormous numbers, more than half a million per year.

By contrast, in 60 years of nuclear power, only three accidents have raised public alarm: Three Mile Island in 1979, which killed no one; Fukushima in 2011, which killed no one (many deaths resulted from the tsunami and some from a panicked evacuation near the plant); and Chernobyl in 1986, the result of extraordinary Soviet bungling, which killed 31 in the accident and perhaps several thousand from cancer, around the same number killed by coal emissions every day. (Even if we accepted recent claims that Soviet and international authorities covered up tens of thousands of Chernobyl deaths, the death toll from 60 years of nuclear power would still equal about one month of coal-related deaths.)

Nuclear power plants cannot explode like nuclear bombs, and they have not contributed to weapons proliferation, thanks to robust international controls: 24 countries have nuclear power but not weapons, while Israel and North Korea have nuclear weapons but not power.

Nuclear waste is compact — America’s total from 60 years would fit in a Walmart — and is safely stored in concrete casks and pools, becoming less radioactive over time. After we have solved the more pressing challenge of climate change, we can either burn the waste as fuel in new types of reactors or bury it deep underground. It’s a far easier environmental challenge than the world’s enormous coal waste, routinely dumped near poor communities and often laden with toxic arsenic, mercury and lead that can last forever.

Despite its demonstrable safety, nuclear power presses several psychological buttons. First, people estimate risk according to how readily anecdotes like well-publicized nuclear accidents pop into mind. Second, the thought of radiation activates the mind-set of disgust, in which any trace of contaminant fouls whatever it contacts, despite the reality that we all live in a soup of natural radiation. Third, people feel better about eliminating a single tiny risk entirely than minimizing risk from all hazards combined. For all these reasons, nuclear power is dreaded while fossil fuels are tolerated, just as flying is scary even though driving is more dangerous.

Opinions are also driven by our cultural and political tribes. Since the late 1970s, when No Nukes became a signature cause of the Green movement, sympathy to nuclear power became, among many environmentalists, a sign of disloyalty if not treason.

Despite these challenges, psychology and politics can change quickly. As the enormity of the climate crisis sinks in and the hoped-for carbon savings from renewables don't add up, nuclear can become the new green. Protecting the environment and lifting the developing world out of poverty are progressive causes. And the millennials and Gen Z's might rethink the sacred values their boomer parents have left unexamined since the Doobie Brothers sang at the 1979 No Nukes concert.

If the American public and politicians can face real threats and overcome unfounded fears, we can solve humanity's most pressing challenge and leave our grandchildren a bright future of climate stability and abundant energy. We can dispatch, once and for all, the self-fulfilling prophesy that we're cooked.

Joshua S. Goldstein, professor emeritus of international relations at American University, and Staffan A. Qvist, a Swedish energy engineer, are the authors of "A Bright Future: How Some Countries Have Solved Climate Change and the Rest Can Follow." Steven Pinker is a professor of psychology at Harvard. This article first appeared in the New York Times of April 3, 2019.

CALIFORNIA WILDFIRES ARE BURNING DOWN PUBLIC UTILITIES

BY CHRISS STREET

California's public utilities' credit ratings are burning down after regulators determined about 70 percent of the state is now rated at high or extreme wildfire risk.

California's Democrat-controlled legislature has mastered the game of deviously nudging public utility regulators to raise fees and surcharges to pay for its progressive environmental initiatives rather than suffering the voter backlash from raising taxes.

California residents, due to abundant hydro resources and being the nation's third-largest oil producer, used to have some of America's lowest retail electricity rates. But residents paid 18.32 cents per kilowatt hour (/kWh) in 2018, about 47 percent more than the national average of 12.47 cents /kWh. Much of that staggering $14.8 billion a year extra cost was siphoned off through environmental mandates and crony spending.

The same is true for California retail gasoline prices that went from some of the lowest U.S. prices, to currently the highest price in the nation for a gallon of regular at $3.88, versus a U.S. national average is just $2.77. Of that $1.11 spread, only $.41 a gallon was due to higher state fuel taxes. About $.70 a gallon, or $4.9 billion a year, was siphoned off through corporate environmental mandates and more crony spending.

The Democrats' money machine slowed down in January after California's "inverse condemnation" law, that holds public utilities and government agencies financially liable for property damage regardless of determining negligence, forced PG&E into bankruptcy with $45 billion in property damages due to trees falling on overhead power lines during high wind events causing sparking fires in 2017 and 2018.

But as a result of the PG&E bankruptcy, the California Public Utilities Commission that regulates the industry was forced recently to update its Fire Threat Map to now rate 45 percent of the state for 'Stage 2 Elevated' wildfire risk and another 15 percent of the state for 'Stage 3 Extreme' wildfire risk.

With only the California deserts and Central Valley agricultural areas are now rated as 'Stage 1 Non-Elevated' for wildfires, Moody's Investor Services has begun reviewing the first tranche of the 14 public utilities it rates in California.

Moody's had already cut its credit rating for PG&E that serves 17 million California customers to "D" for default in January. But Moody's advised that the new PUC Threat Map assigns Stage 3 Extreme Fire risk to over 50 percent of PG&E's service areas, or about 25,000 square miles.

The only electric generator to be downgraded so far was Trinity Public Utilities that plunged from 'A2, for high quality and low credit risk; to 'Baa1' for moderate credit risk and speculative investment grade. Moody's also lowered the credit outlook for the Los Angeles Department of Water and Power with $9.32 billion in debt and the much smaller Burbank Electric with $145 million in debt and the Glendale Electric with $81 million.

Moody's apparently has not finished reviewing the gigantic Southern California Edison with $14.6 billion in debt. Together with PG&E, the investor owned utilities service about 28 million Californians.

Public utilities need to borrow billions of dollars each year to pay for infrastructure improvements and to finance the operations of their businesses. Lower credit ratings by Moody's due to higher default risks associated with wildfire risks will push up borrowing costs for all California utilities.

Both PG&E and Southern California Edison could bury all 30,000 miles of overhead power transmission lines to reduce wildfire risk. But the cost to bury a new 69 kV is about $1.5 million per mile, versus about $285,000 per mile for an overhead transmission line. Such an expense would require huge utility rate increases.

But with California Democrats already jacking up residential utility rates, the nonpartisan California Legislative Analyst Office warned that of the state's 13,996,299 housing units in 2015, about

816,000 had their gas and electric service disconnected for failure to make payment, That was up from 547,000 in 2010 at the height of the Great Recession. The LAO expressed concerns about the health and safety impacts on vulnerable populations from interruption or loss of utility services.

This article first appeared in American Thinker of April 11, 2019. Chriss Street hosts American Exceptionalism Radio M-F 7-10 PM ustream.tv/channel/americ

ANNOUNCEMENTS

10th ANNIVERSARY
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VICTOR DAVIS HANSON ADDRESSES A COLAB FORUM

DAN WALTERS EXPLAINS SACTO MACHINATIONS AT A COLAB FORUM

See the presentation at the link: https://youtu.be/eEdP4cvf-zA

AUTHOR & NATIONALLY SYNDICATED COMMENTATOR BEN SHAPIRO APPEARED AT A COLAB ANNUAL DINNER

NATIONAL RADIO AND TV COMMENTATOR HIGH HEWITT AT COLAB DINNER

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(Revised 2/2017)