COLAB
San Luis Obispo County

The Coalition of Labor Agriculture and Business

WEEKLY UPDATE OCTOBER 6 - 12, 2019

10th ANNIVERSARY

COLAB
San Luis Obispo County

FALL FORUM

CHANGING THE LAW

HOW WE CAN SAVE DIABLO & OUR LOCAL ECONOMY

Redefining Nuclear Power as Renewable

Thursday, October 24th

5:30—7:30 PM

Thousand Hills Ranch
550 Thousand Hills Rd.
Pismo Beach

From the 101 in Pismo Beach, take Price Canyon Rd. 1.8 miles, turn left onto Thousand Hills Rd. (use caution, as the road is somewhat hidden around a bend in the road and it comes up on you suddenly) follow the road for approximately one mile to the red roofed barn on right!

Appetizers and beverages will be served.

Assemblyman Jordan Cunningham

Attend our interactive forum with Assemblyman Cunningham. Hear about his brilliant legislation, ACA 18, which could change the political environment and benefit the natural environment.

Kindly RSVP before October 18th — there is no charge for this informative event!
Email: colabslo@gmail.com or call (805) 548-0340

THIS WEEK

CANNABIS GROW APPLICATIONS HIT HEADWINDS

LAWYERED UP OPPONENTS TO CONTEND AT PLANNING COMMISSION

NO BOARD OF SUPERVISORS MEETING

LAST WEEK

BOS TO RESTUDY MONTEREY BAY POWER

HILL AND GIBSON ATTACK LATEST STUDY – LAMBAST CPA FIRM
THEY WANTED TO SIGN UP ASAP
OTHER BOARD MEMBERS PRUDENTLY CONCERNED ABOUT LONG TERM FINANCIAL LIABILITY AND LAYERING BY A NEW GOVERNMENT AGENCY

YET ANOTHER LARGE SOFTWARE CONVERSION PROJECT APPROVED

STATUS OF EXISTING ONES NOT CONSIDERED
HOW IS THE BIG PLANNING PERMITTING SYSTEM GOING?

SLO COLAB IN DEPTH
SEE PAGE 20

MONTEREY POWER AND OTHER CCAs DON'T SAVE CUSTOMERS MUCH MONEY – IF ANY
BY MIKE BROWN

CLIMATE CHANGE ADVOCATES TARGET NEW HOMES
BY TIMOTHY L. COYLE

SACRAMENTO CONTRADICTIONS: POOP PATROL, PLASTIC STRAWS AND THE CONSTITUTION
BY DAVID TER-PETROSYAN

THIS WEEK'S HIGHLIGHTS

No Board of Supervisors Meeting on Tuesday, October 8, 2019 (Not scheduled)

No Board of Supervisors meeting this week. The next regularly scheduled meeting is on Tuesday, October 22, 2019. A strategic planning meeting had been scheduled for October 15, 2019 but has been cancelled.

Planning Commission Meeting of Thursday, October 10, 2019 (Scheduled)

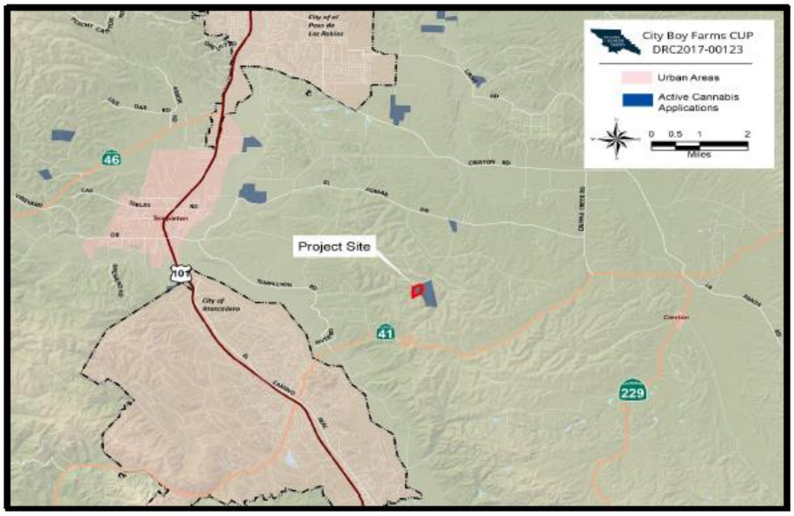
Cannabis Permits Hit Headwinds: One is recommended for approval (but has heavy opposition) and one is recommended for denial.

Item 4-A: Hearing to consider a request by City Boy Farms for a Conditional Use Permit (DRC2017-00123) to establish outdoor and indoor cannabis cultivations, outdoor and indoor commercial cannabis nurseries, cannabis manufacturing, non-storefront dispensary, and ancillary processing and transport activities. The project includes construction of a 37,350-square-foot greenhouse, and 8,000-square-foot metal building and would result in approximately 10-acres of site disturbance on an approximately 25-acre parcel. A modification from the setback standards is requested to reduce the required setback to the eastern property line from 300 feet to 100 feet. A modification from the parking standards is also requested to reduce the required number of parking spaces onsite from 67 to 36. The proposed project is within the Agriculture land use category and is located at 4225 South El Pomar Road, approximately 4 miles northeast of the community of Atascadero. The staff seems to recommend approval of this one, as it has prepared the requisite findings and conditions. However, there appear to be both substantial neighbor and area opposition. There are strong letters in the file from neighbors pleading for the project not to be approved. The Templeton Community Advisory Group Committee has prepared and extensive and detailed critique. A group named Californians for Sustainable Communities is challenging the adequacy of the CEQA review and demanding a full environmental impact report (EIR). They have retained the San Francisco Law firm Adams Broadwell Joseph & Cardozo (ABJC). The firm specializes in land use, zoning codes, CEQA, natural resources and related matters. The firm has filed a number of letters, one of which presents extensive assertions with citations about how the County failed to follow CEQA properly in evaluating the proposed project.

ABJC's main compliant letter indicates Californians for Sustainable Communities is "Californians for Sustainable Communities is an unincorporated association of individuals and labor organizations that may be adversely affected by the potential public and worker health and safety hazards, and the environmental and public service impacts of the Project. The coalition includes International Brotherhood of Electrical Workers Local 639, Southern California Pipe Trades District Council 16, and District Council of Iron Workers of the State of California, along with their members, their families, and other individuals who live, recreate and work in the County.

It is puzzling that a group of private sector labor unions would be bringing in heavy artillery to attempt to stop this application. One might think that it would be the wine industry, which often objects to odors which can bother visitors and disturb winery events such as weddings. Unions usually become involved when jobs and/or an industry are at risk in cases such as the City of SLO gas appliance ban ordinance or the Phillips 66 rail spur application. Is there a connection we don't understand between the El Pomar area and the unions? They may certainly be a force when the County is considering the CEQA aspects of Diablo property reuse.

It would be very helpful if they engaged in advocacy for housing and abolishing the whole "smart growth panacea."


City Boy Farms CUP
DRC2017-00123
Urban Areas
Active Cannabis Applications
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Project Site
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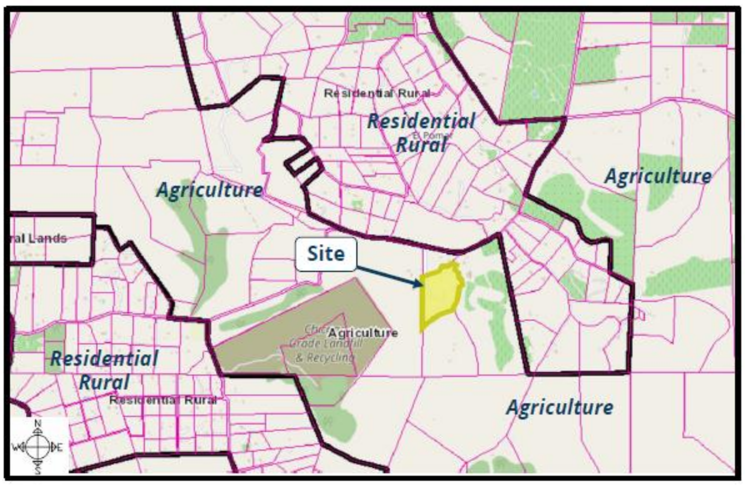
101
41
229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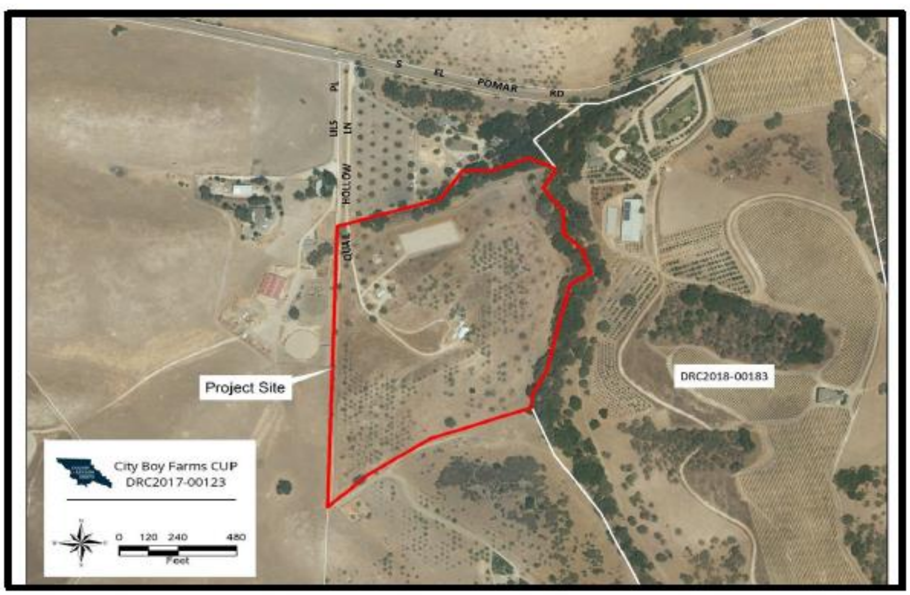

S EL POMAR RD
QUAIL HOLLOW LN
Project Site
DRC2018-00183
City Boy Farms CUP
DRC2017-00123
0 120 240 480
Feet

Table 1. Project Components

Project Component	Proposed Cannabis Activity	Building Floor Area	Total Cannabis Canopy
Outdoor Cultivation	Cannabis Cultivation	n/a	130,680 sq.ft.
Outdoor Commercial Nursery	Commercial Cannabis Nursery	n/a	139,230 sq.ft.
Existing Shade Structure	Protection/Security for Sea Trains	960 sq.ft.	n/a
Existing Accessory Structure	Commercial Cannabis Nursery	160 sq.ft.	160 sq.ft.
New Greenhouse	Indoor Cultivation Commercial Cannabis Nursery Storage Aisles/Walkways	22,000 sq.ft. 6,850 sq.ft. 7,470 sq.ft. 1,030 sq.ft. Total: 37,350 sq.ft	22,000 sq.ft. 6,850 sq.ft.
New Metal Building	Manufacturing Processing Office Non-Storefront Dispensary Secure Loading Bay* Restroom	1,900 sq.ft. 780 sq.ft. 600 sq.ft. 600 sq.ft. 4,000 sq.ft. 120 sq.ft. Total: 8,000 sq.ft.	n/a
New Security Building	Site Security	100 sq.ft.	n/a
New Storage Shed	Fertilizer Storage	100 sq.ft.	
New Sea Trains (2)	Drying and Curing	640 sq.ft.	
Total Floor Area, All Uses		317,220 sq.ft.	
Total Area of Disturbance		+/- 10 acres	
Tree Removal		200 Almond Trees, 17 Walnut Trees	
Signage		Two – 36" x 36"; One – 24" x 24"	
Parking		36 total spaces including 2 ADA accessible spaces	
Employees		34	

* 1,400 square feet of the secure loading bay will be used for trimming activities during harvest.

Item 5-A: Continued hearing (from September 26, 2019) to consider a request by Henry Mancini/Darren Shetler for a Conditional Use Permit (DRC2019-00142 – formerly DRC2018-00171) to establish 21,600 square feet of indoor mixed-light cannabis cultivation within five greenhouses, 3,643 square feet of indoor nursery within one greenhouse, seven cargo containers for material storage, and related site improvements. A modification from the parking standards is requested to reduce the required number of parking spaces onsite

from 50 to 12. The project would result in the disturbance roughly 3 acres of a 16.21-acre parcel. The proposed project site is within the Agricultural land use category and is located at 457 Green Gate Road, approximately 2 miles southeast of the City of San Luis Obispo. The staff recommends that the application be denied due to the existence of an illegal grow and other zoning violations. At the request of the applicant it had been continued from the September 26, 2019 meeting.

Components of the project are summarized in Table 1.

Table 1 Proposed Structures & Buildings		
Building / Structures	**Project Component**	**Building Floor Area Gross Square Feet (SF)**
Greenhouse (5 @ 4,320 sf each)	Mixed-Light Indoor Cultivation	21,600
Greenhouse (1 @ 3,643 sf)	Ancillary Cannabis Nursery	3,643
Cargo Containers (7 @ ~ 320 sf each)	Material Storage	2,240
Total		**27,483**

The staff recommendation for denial is extensive. The paragraph below presents a summary of their reasoning.

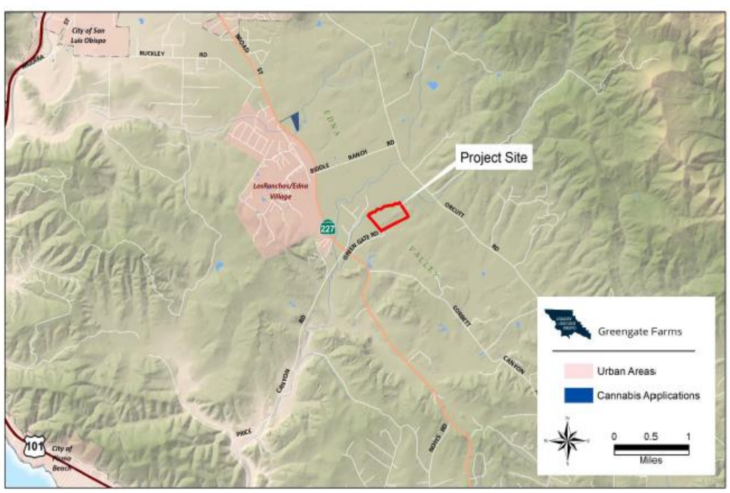
Verified Cannabis-Related Violations

E. Based on the applicant's recent cannabis related violations on the site, the proposed project or use may contribute to repeat violation(s) on the site and as such, the findings contained in Sections 22.40.050(E)(6) and 22.40.060(E)(6) of the County's Land Use Ordinance cannot be made. The subject site is not in compliance with all laws, rules, and regulations pertaining to land uses, building and construction, health and safety, and any other applicable provisions of County Code. Specifically, in October 2018, cannabis cultivation occurred at 445 and 457 Green Gate Road without an approved land use permit or state license and within structures that did not have required building permits. In February 2019, after the property was previously informed during the enforcement action for the 2018 cannabis related violation that cannabis activities were prohibited on the parcels until the required permits and licenses were obtained, cannabis activity, specifically the processing and storage of cannabis, recommenced on 445 Green Gate Road without required State or local permits. In March 2019, the applicant was informed the project was being elevated to a Conditional Use Permit and the required findings of Sections 22.40.050(E)(6) and 22.40.060(E)(6) had been triggered because of the cannabis related violations. In June 2019, the applicant used unpermitted structures and unpermitted electrical and lighting (previously cited in October 2018) to grow hemp. These activities are inconsistent with State and local laws and raise concerns regarding public health and safety. The Planning Commission hereby finds that those violations are verified. The applicant agreed to remedy previous violations through stipulated orders. The stipulated order expressly warned that any use and occupancy of unpermitted structures was prohibited under County Code and would be subject to further enforcement action. The Planning Commission finds that the subject *violations are an egregious failure to adhere to the County's rules and regulations and not the result of excusable mistake, inadvertence or neglect. Based on the nature and extent of the recent violations, the level of public concerns over cannabis facilities and the findings that are required by the Land Use Ordinance for such facilities, the Planning Commission cannot find that the proposed use will not contribute to repeat violations at the site.*

Separately there are letters on file from neighbors who are strongly opposed to odors from the illegal operation, which is asserted to be underway.

Confusion: Countering, the County write-up, attorney letters in the file assert that there are no violations. There is also a confusing back and forth about which parcel and who in the area had violations, if any. The Planning Commission is going to have to let staff lay it out. The site is depicted in the graphics below:

Figure 3 – Aerial of 445 & 457 Green Gate Road



LAST WEEK'S HIGHLIGHTS

Board of Supervisors Meeting of Tuesday, October 1, 2019 (Completed)

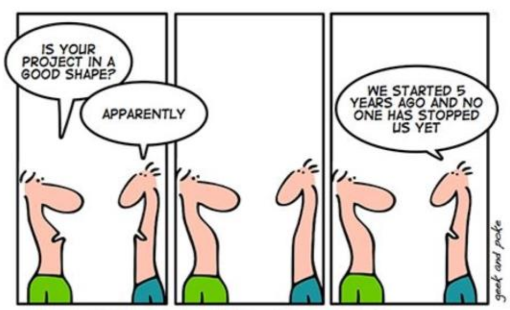
Item 25 - Request to: 1) approve a project in the amount of $1,848,650 to migrate the Behavioral Health Electronic Health Records (EHR) system and all clinical data from Cerner Corporation's current Anasazi platform to the new Millennium platform; 2) waive the competitive request for proposal process and approve a sole source FY 2019-20 contract with Cerner Corporation in an amount not to exceed $477,367; and 3) authorize the Health Agency Director or designee to approve amendments to the Cerner Contract up to 25% of the amount of agreement 4) approve a corresponding budget adjustment in the amount of $1,848,650. The Board approved the contract unanimously on the consent calendar. However, there were some questions. Supervisor Peschong asked why the County had to pay a maintenance contract in the same year as the software is being installed Staff indicated that making such payments is "standard County practice." This is what we call a "non- answer."

Oddly, staff indicated that this was standard practice because of difficulty installing new software packages. This seems ridiculous. Why would the County pay for maintenance on software which is not fully installed and running in the production mode? It should still be the vendor's problem. Why would the County even accept it from the vendor and make the final payment if it is not working correctly? They actually cited problems with the highly touted $2 million Planning Department Permitting system, which has been floundering and which has now disappeared into a black hole.

Background: This is yet another large software conversion project within the County Government which may take years to complete.

One Time Costs:

Hardware:	$125,000
Software:	$144,807
Services:	$435,560
Project Management:	$180,000
Limited Term staff:	$446,000
Cost for First Year Maintenance:	$229,908
Contingency:	$287,375
Estimated Total:	$1,848,650



Item 44 - Request to 1) receive and file the feasibility study of Community Choice Aggregation as provided by Monterey Bay Community Power (MBCP) and 2) provide staff direction on preferred next steps for Community Choice Aggregation (CCA). After considerable public comment, Board inquiry, and some Board debate, it was determined to commission a new study to probe the matter more deeply. There is no urgency, since the County had already missed this year's deadline to sign up. The extra time will benefit the County because there has been a rush by other jurisdictions to join on the theory that CCA is a panacea. Reportedly the next time the County could join would be in 2021 or 2022 (although we believe

Supervisor Gibson's close relationship with MBCP's Chairman Bruce McPherson - a former State Senator and former Monterey County Supervisor - could rate an exception). In any case the delay will provide time to assess how MBCP and other CCAs around the State are doing. It will also allow time to assess how certain changes being considered by the CPUC will impact the finances.

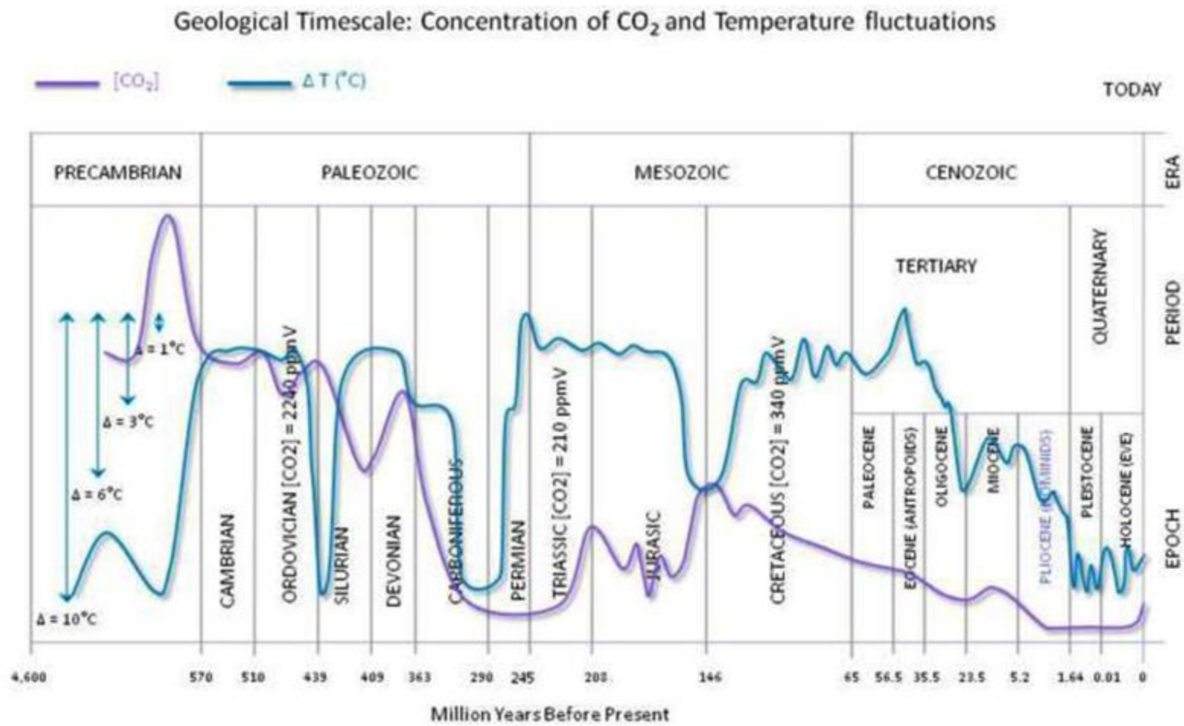
The centerpiece of the action was a study, conducted by an independent certified public accountant, prepared at Board direction to analyze the feasibility of the County joining the Monterey Bay Community Power Authority. The study concluded that joining would be risky and would become riskier over a period of years. Under some scenarios, it could cost the County general fund tens of millions of dollars, if not more.

The full text of the study can be accessed at the link https://agenda.slocounty.ca.gov/iip/sanluisobispo/agendaitem/details/10945

Once it opens, click on the tab Feasibility Study. It is not too long (only 12 pages) or too technical, and it provides many interesting facts about Monterey Bay Power's operations to date as well as the risks.

Last Weeks's COLAB Update report on MBCP: The report is lengthy and rather than repeating if all here, it can be reviewed at the link below. Supervisor Hill criticized the report as being based on climate change denialism. We were not given an opportunity to rebut his criticism publicly. Readers may reflect that over time, we have presented many writings and graphics displaying the history of climate change over both geologic time periods and in recent times on these very pages. http://www.colabslo.org/archives.asp.

Please see the example below on the next page.



1- *Analysis of the Temperature Oscillations in Geological Eras* by Dr. C. R. Scotese © 2002. 2- Ruddiman, W. F. 2001. *Earth's Climate: past and future*. W. H. Freeman & Sons. New York, NY. 3- Mark Pagani *et oll*. *Marked Decline in Atmospheric Carbon Dioxide Concentrations During the Paleocene*. Science; Vol. 309, No. 5734; pp. 600-603. 22 July 2005.
Corrected on 07 July 2008 (CO2: Ordovician Period).

In the interest of brevity it will not be repeated here. However to fully understand the issues it should be read by those who missed it in the September 29 - October 5 Weekly Update at the link **http://www.colabslo.org/archives.asp. When it opens click on the Weekly Update for September 29 - October 5, 2019.**

At the Board Meeting: Supervisors Hill and Gibson were mad and attacked the report and its author, who was not present to defend herself. Legally the County should provide her an opportunity to present her findings and clear her name and reputation, which was disparaged by the two Supervisors.

Hill stated that "the study was not useful on any level." Gibson said he had a communication from MBCP that indicated the study contained appalling inaccuracies. Hill stated that rejection of joining now was based on ideological reasons. He singled out COLAB and its Government Affairs Director as being climate change denialists based on last week's Update and a similar attack, Hill made two weeks ago. Of course there is no opportunity to rebut such attacks from the dais by this elected so-called "public servant." This is vintage Hill, who bullies and threatens those who disagree with him. In this regard he is definitely confirming some of the criticisms launched against him by his opponent in the current Supervisorial race.

He went on with much blather about how CCA (a government entity) is competition for PG&E, which should please conservatives. By not joining, "SLO County is isolated from and out of step with the state and our neighboring cities and counties." He again stated, "I am not a fan of this report."

There were 29 public speakers, of whom 23 were in favor of joining MPCP and 6 who were opposed. Those in favor included the trained edgy radical types, a retro retired professor, and some brainwashed emotional young people plus a few of the regulars. The business community, PG&E, unions, realtors, homebuilders, and agriculture were absent, no doubt fearing retribution for engaging in something that is so far only tangentially related to their activities.

Key findings of the report:

The key cautions listed by the consultant include:

Risk Analysis of Joining MBCP

We have determined that there are some significant risks in joining the MBCP. We will outline each area we believe creates a financial risk below. It is intended to be a summary discussion of risks, and not intended to be comprehensive or quantify risks.

Another risk related to these purchase commitments is the purchase price was entered into for over 20 years when we cannot determine the price of energy that far into the future. If the rate to customers falls below the purchase commitment price, the County will be required to assist in funding the ongoing operations of the MBCP as the MBCP would be operating at a loss.

Procurement

The MBCP has already entered into contracts to purchase renewable energy until 2042. The commitments that were entered into may not be sufficient to provide power supply to the load requirement or may be in excess of what is required.

If the MBCP is required to purchase more renewable energy on the open mark the cost may exceed the rate paid by customers because of the demand in the open market. There is a significant shift in communities to provide renewable energy options to consumers and rate payers.

If the commitment is more than required by the MBCP, they will be required to resell, possibly at a lower rate than the purchase.

Regulatory Landscape

There are many regulatory challenges that effect utilities in California. CCA's are only lightly regulated by the California Public Utilities Commissions. However, there are substantial regulations that require attending from those advocating for Community Choice.

There are several bills still pending that may change the procurement responsibility of the CCA. Currently the CCA is able to procure whatever mix of power they choose. The pending regulations will require a procurement responsibility governed by the CPUC. This may result in a different mix of any current long-term contracts that the MBCP already has, creating a financial impact that they may not be prepared to undertake or have planned ways to mitigate it.

2020 marks a historic year for the State of California. It is the first state that will require solar panels on new single-family homes and multi-family buildings that are up to three stories high. This requirement will be able to be met a few different ways. The homebuyer can purchase the panels outright, lease them, or enter into a power purchase agreement. Homes that are often shaded from the sun are exempt from the standard. The new standard may not create a direct risk for the MBCP immediately, however, as the cost of solar panels decreases over the next decade, homeowners may be choosing to install solar panels on their own homes and no longer need to purchase energy from MBCP creating a decrease in demand, but an increase in rates to the other customers of the MBCP. The homeowner that owns their solar is required to sell the net power back to the grid at retail rates, this creates a higher cost to the residential customers of MBCP.

Pacific Gas & Electric

Pacific Gas & Electric (PG&E) manages the distribution of power and customer billing of the MBCP. PG&E filed for bankruptcy on January 29, 2019. PG&E maintains it will continue operation, gas and electricity that will continue to be provided and reliable. The uncertainty of the future of PG&E is a risk. The CPUC would ensure that energy would continue, however, the cost to continue with the MBCP may be prohibitive and you may see many customers opting-out.

Opting-Out

It is understood that many consumers prefer to be energy efficient and green to reduce greenhouse gases. However, when it comes to the agricultural and commercial customers their bigger concern will be cost. If it is cost prohibitive to participate in the MBCP you could see a significant number opting-out, therefore, increasing the cost to the residential customers.

California Public Utilities Commission

The California Public Utilities Commission (CPUC) monitors entities for procurement diversity and capacity, as well as, many other regulations. The entities are required to contract for sufficient capacity if peak load is called upon, as well as, have a certain mix of energy, not just renewable. If they don't meet these requirements, they are issued a citation and fined.

The CPUC Resource Adequacy Requirement issues the most fines of any of the Energy Citation Programs. Of the recent CCA's citations in 2018, Pioneer Community Energy was fined $2.4M dollars. In 2019, Pioneer Community Energy was fined $137K, East Cay Community Energy was fined $1.5M and San Jose Energy was fined $6.8M. San Jose Energy has appealed the fine.

The citations can be avoided as long as MBCP has plans to meet the capacity and portfolio requirements. PG&E may not always have the excess capacity to purchase; therefore, backstops must be in place.

Conclusion

There are many factors to consider when joining MBCP. It is very young company that doesn't have a proven track record of sustainability. The first few years look promising, however, the proforma years 2020 through 2025 seem more realistic and similar to other CCA's.

In the first few years 2018 and 2019 MBCP charged PG&E rates so they could build up their reserves target of 50% of Total Expenditures. This is why their bank balances look so healthy. Those reserves will flatten out or be depleted in the proforma years based on their projected model of cost-plus, therefore, charging less to consumers. This is a wonderful concept if you can be certain of your costs. The utility industry is very regulated, and prices are based on supply and demand. With more CCA's flooding the market along with the regulations imposed by the CPUC (portfolio diversity and total load requirements) prices are sure to increase over the years. Therefore, they will have to dip into their rate stabilization reserves to cover cost of energy.

The County should feel confident in the MBCP Resource Adequacy and their Energy Portfolio mix programs. If the MBCP does not have enough capacity if the Peak Load is called upon or they don't have the right mix of energy in their portfolio, they could be fined by the CPUC. Therefore, the County should have a solid understanding of the MBCP business practices to ensure they don't have any exposure with the CPUC.

Within this list a particularly disturbing caution is included:

The County may also want to consider setting up a sinking fund that they would budget an annual amount to go to for times when the MBCP has deficits, or if they chose to leave the MBCP they would have funds in their reserves to cover the commitments they are responsible for, currently through 2042.

This one is particularly disturbing. How many millions should the County contribute each year?

We believe since MBCP is a very new Aggregation and they are changing the way they will bill consumers starting in the 2020/2021 fiscal year, going to the cost-plus model it would be prudent to understand how they ascertain their net electricity rates, as this is the biggest driver in the whole model. We would also want to be assured they have the best practices for their energy mix and load portfolio to ensure the CPUC would not have any reason to fine the MBCP. We would want to have more historical knowledge before we felt comfortable making such a significant financial commitment into perpetuity.

Other Objections (very summarized – again, please see last week's update:)

1. Pressure to Join – the Lemming Effect: The Board is under severe pressure to join MBCP. Advocates ask, "Why haven't you already joined?" "All the other cities and counties are joining." Historically, California cities and counties have been particularly susceptible to financial lemming lures, often with costly or even disastrous results:

2. Renewable Energy Contracts – Paper Green Power: Part of the pitch for CCA's including MBCP is the idea that householders and commercial customers will be receiving all renewable or CO_2 free energy. This is not exactly true. See last week's Update for the facts.

3. MBCP's Trade Secrets?

Where does MBCP's power actually come from? The Authority's very elaborate and marketing oriented website does not contain details in in this regard.

Actually the County's consultant strongly recommends that the County understand this, as it is the "biggest driver of the whole model."

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COLAB filed a records request with MPCP seeking this information. Shockingly, MBCP refused to disclose the contract costs and power supply amounts on the grounds that the numbers constitute legal "trade secrets" of MBCP. They have the information but will not provide it.

Again, see last weeks update for the details. http://www.colabslo.org/archives.asp When it opens click on the Weekly Update for September 29 - October 5, 2019.

Keep in mind that MBCP is a government entity, not a for-profit private corporation which owns proprietary processes, technology, financial, and/or other assets, which if disclosed publically would advantage competitors.

4. A New Government:

MBCP is a new government entity (a joint powers authority) consisting of member counties and cities created in 2017. The key alleged benefits include:

a. 3% rebates on the average electric bill each year.

b. More renewable and more CO_2-free energy than is provided by PG& E.

c. "Free" stuff like electric auto charging stations, subsidies for energy improvements, and eventually MBCP-owned electrical generating facilities.

d. Local Control.

Of course, if the State counted nuclear and large hydro as CO_2-free and renewable, PG&E would be over 70% green energy already. With respect to rebates, and as the County's study demonstrates, it will become increasingly difficult over time for MBCP to generate surplus income to generate rebates and other benefits. (See the 5-year projections in the study.)

Now You're on the Board of Directors of an Electric Company: Local control is ostensibly provided by the governance structure of MBCP. This is a complex, layered system consisting of a Policy Board of local county supervisors and city council members appointed by their respective jurisdictions. There is also a separate Operations Board consisting of city managers and county executive officers appointed by the member jurisdictions. The counties and the larger cities will each be entitled to a representative on each board. The smaller cities will have representatives covering groups of cities.

MBCP, as government entity, is exempt from State and local taxes, utility taxes, franchise fees, and perhaps migration fees on new development (for example if it built an energy generating facility, manufacturing facility, or headquarters). It is not clear if the pass through payments which MBCP must pay PG&E for transmitting power, maintaining the system, and billing it customers will contain a portion of PG&E's State and local taxes, and if so how much.

Managing a large and growing regional electrical utility is not an easy or rinky-dink enterprise.

Meanwhile, the elected officials and city and county administrators on the two Boards are already heavily tasked and attempting to run their own jurisdictions. The county supervisors, in addition to being on their own boards, are also on their respective Council of Government Boards, APCD Boards, waste management boards, water and flood control boards, and others. Some are appointed to their county LAFCO and war on poverty board (CAPSLO in our case), as well as regional and state membership organizations. Each week they receive large 3-ring binders often containing hundreds pages of complex agenda items often representing critical and costly policy issues.

How will the member appointed by SLO County have time to become an expert and absorb a whole new and complex business that has meetings every 3 months? Will they be driving up to Monterey? How much control can they actually exercise? Won't they be highly dependent on the staff? Who will set the Board agenda?

San Luis Obispo County Council of Governments (SLOCOG) Meeting of Wednesday, October 2, 2019, 8:30 AM (Completed)

Item A-1: 2019 Regional Housing Needs Allocation (RHNA): Final Plan Adoption. The Board unanimously adopted the 8-Year RHNA Final Plan. The cities and counties have accepted their housing allocations, and the plan can now be forwarded to the State for review and approval. The cities and the County are not required to force the housing to be built, but they must approve sufficient zoning to accommodate the numbers for each income level. These will be demonstrated in the updates to each jurisdiction Plan of Development Housing Element.

Regional Housing Need Allocation (2019)

Jurisdiction	Total Allocation	Very Low 24.60%	Low 15.50%	Moderate 18.00%	Above Moderat 41.90%
Arroyo Grande	692	170	107	124	291
Atascadero	843	207	131	151	354
Grover Beach	369	91	57	66	155
Morro Bay	391	97	60	70	164
Paso Robles	1,446	356	224	259	607
Pismo Beach	459	113	71	82	193
San Luis Obispo	3,354	825	520	603	1,406
Unincorporated	3,256	801	505	585	1,365
Regional Total	**10,810**	**2,660**	**1,675**	**1,940**	**4,535**

2019 RHNA: Jan. 1, 2019 - Dec. 31, 2028 (10 years)

The box score for the 2013-18 RHNA for units actually reported by the jurisdictions demonstrates that only above market housing met the target and in fact substantially exceeded it. The other categories underperformed, as they cannot be produced under the current regulatory conditions and smart growth ideology, which rations land and housing.

As we have stated in the past, the whole RHNA process is an expensive Kabuki Theater designed to mislead the public that something is actually happening.

categories.

Final 5th-Cycle RHNA Reported New Units by Jurisdiction

Jurisdiction	Very Low Income % Complete	Low Income % Complete	Moderate % Complete	Above Moderate % Complete	RHNA Total	Total Permits	Total RHNA Remain	Total % Complete
Arroyo Grande	0%	45%	0%	58%	242	76	166	31%
Atascadero	49%	42%	248%	149%	393	489	(96)	124%
Grover Beach	0%	35%	0%	152%	165	114	51	69%
Morro Bay	0%	0%	7%	58%	155	40	115	26%
Paso Robles	172%	114%	240%	91%	493	696	(203)	141%
Pismo Beach	0%	50%	0%	395%	153	265	(112)	173%
San Luis Obispo	58%	17%	6%	169%	1,143	1,019	124	89%
County of San Luis Obispo	15%	42%	66%	278%	1,347	1,864	(517)	138%
TOTAL	**47%**	**42%**	**77%**	**191%**	**4,091**	**4,563**	**(472)**	**112%**

Status information is available to 2019: http://www.hcd.ca.gov/community-development/housing-element/index.shtml (File: 5th Cycle Annual Progress Report Permit Summary.xls)

ALERT: ITEM D-11 BELOW - THIS WAS A SLEEPER ITEM ON THE CONSENT AGENDA WHICH WILL HAVE PROFOUND IMPACT ON FUTURE DEVELOPMENT.

Item D-11: SLOCOG Transition from Level of Service (LOS) to Vehicle Mile Traveled (VMT) (ADOPT REGIONAL THRESHOLDS). • Residential—11.42 VMT per capita • Office—7.3 VMT per employee. The Commission adopted the new standards on a 9/3 vote with Supervisors Arnold, Compton, and Peschong dissenting. The item was slated to go through on the consent agenda. SLO Vice Mayor Andy Pease (of natural gas ban fame) had a minor question. The item was removed from the consent calendar. It turned out that Supervisor Compton had a number of major questions. Also Supervisors Peschong and Arnold bored in on some of the obvious issues. For example, what if someone is proposing a residential subdivision in a suburban area that causes the VMT to actually grow? The bar charts on the pages below demonstrate that the VMT already exceeds the standards being proposed for the suburban and exurban village centers.

A CEQA analysis would find that the standards where being exceeded, which in turn could result in the denial of the project or the imposition of costly mitigation measures which would render the project unfeasible.

Supervisors Compton and Arnold both asked if this formula would further concentrate housing in the cities. SLOCOG staff was somewhat flummoxed by the issue. They pointed out that CEQA is not a regulatory scheme, but an environmental impact disclosure process. Compton was quick to point out that while that could be seemingly true, CEQA is used to launch lawsuits to stop projects dead in their tracks

This point engaged both Gibson and Hill, who argued that adopting the VMT standard does not foreclose housing, because even if CO_2 counts on a prospective protect resulted in a Class I negative environmental impact the Board could override it. Fat chance – Ask them about the Phillips 66 Rail Spur project or the Laetitia Winery cluster subdivision project.

Even if they did override a Class I impact in the name of housing, someone like the Sierra Club would sue.

Background: People and businesses in the land development, home building, commercial development, architectural and design fields, attorneys, realtors, lenders, and investors need to pay attention to this emerging issue in the future.

Per a State statute, SB 743 adopted in 2013, traffic impacts will no longer be based on the current level of service standards (LOS). Instead they will be based on vehicle miles traveled (VMT). Evidently the Bill gave everyone until 2020 to adopt thresholds. Similar to CO_2 reductions required under climate laws, jurisdictions will have to design new projects to help reduce traffic measured in VMT by 15% from 2015 levels. Dense projects near transit will get a break. The tables below are general models of potential impacts. The red line is the current level and the green line is the 15% VMT reduction level. Different views of the same data are presented below.

Figure 1: Average Daily VMT Generated by Residents in Incorporated Cities (2015)

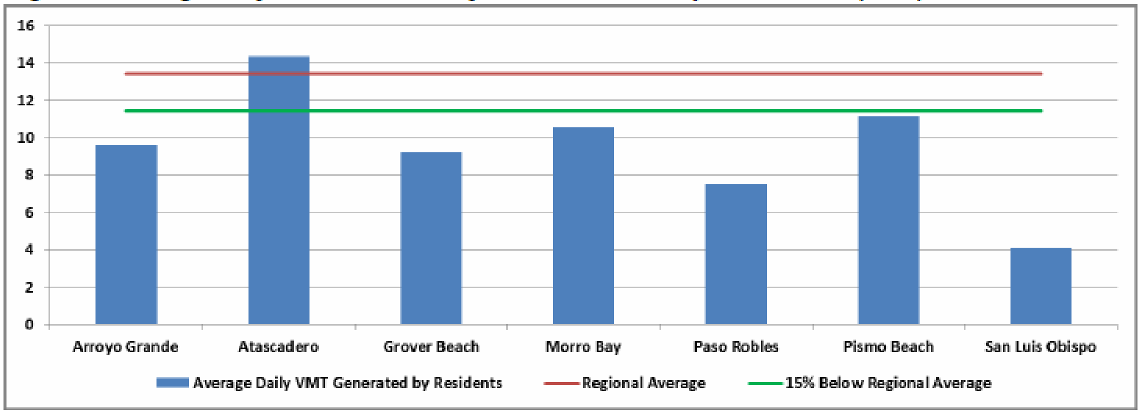
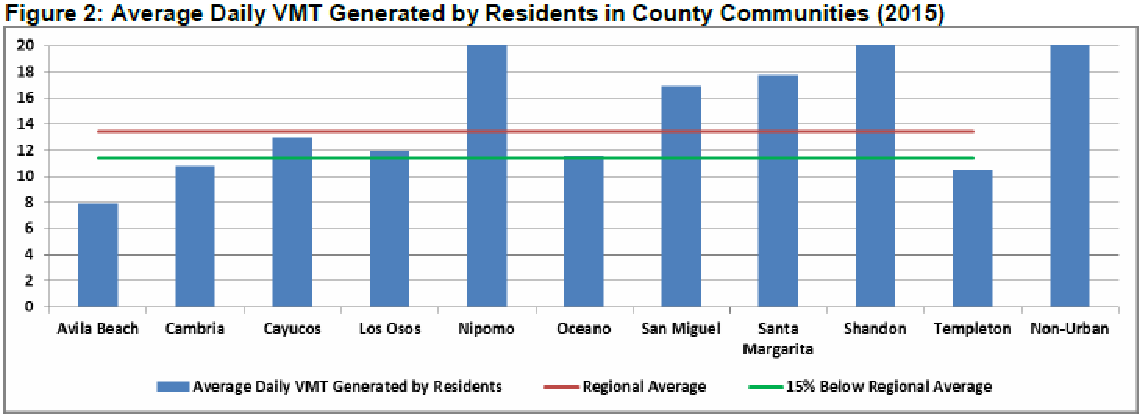


Figure 2: Average Daily VMT Generated by Residents in County Communities (2015)



Note: Shandon and Non-Urban Areas exceed the chart with 59 and 30 respectively. The unincorporated area as a whole, excluding Cal Poly, has an average of 21 VMT per resident.

Figure 3: Average Home to Work VMT Generated by Employees in Incorporated Cities (2015)

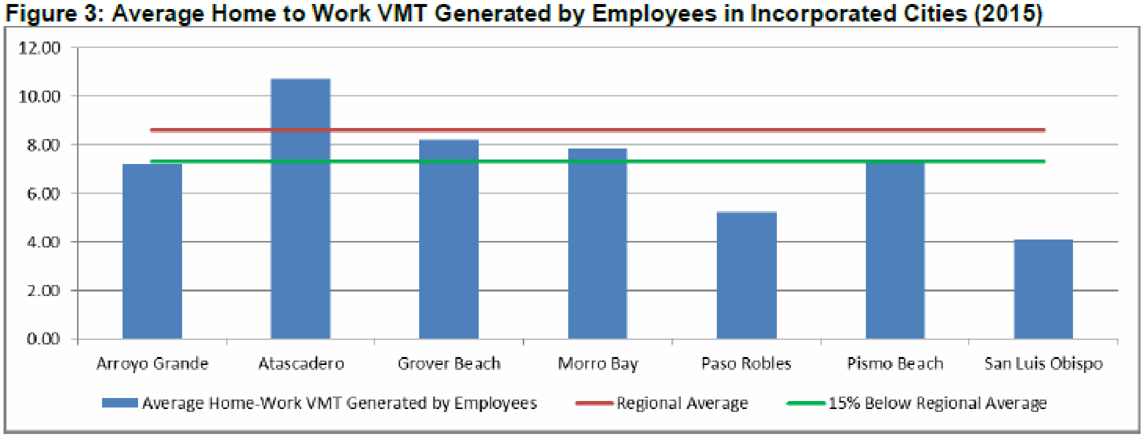
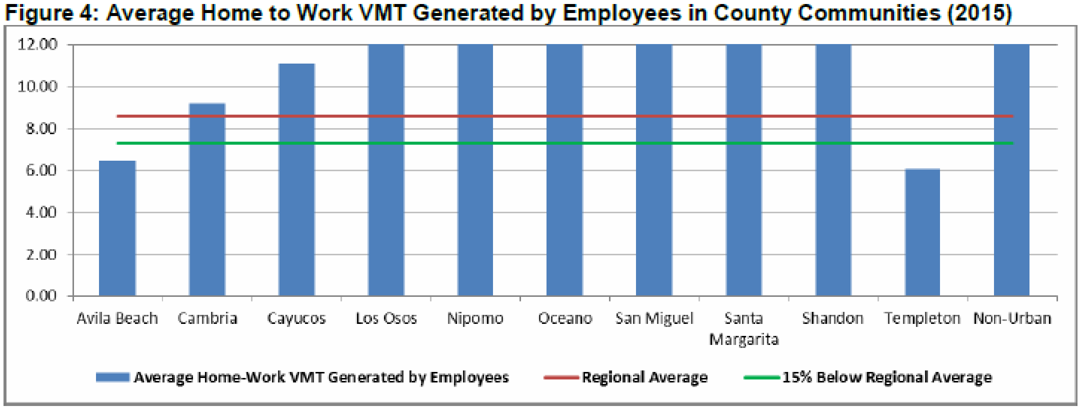


Figure 4: Average Home to Work VMT Generated by Employees in County Communities (2015)



Note: Los Osos, Nipomo, Oceano, San Miguel, Santa Margarita, Shandon, and Non-Urban Areas exceed 12 VMT per employee.

Won't the exceedances demonstrated in the chart above be used to attack projects all across the county?

Different jurisdictions are in varying stages of amending the Circulation Elements of the General Plans and other regulations to comply with the new regulation by July 2020.

Read the full report and a technical appendix at the link: https://www.dropbox.com/sh/e5ne5fbfxta4yxg/AADl1AKUhOzltQ7NeNp_MHP6a/October%202019/Agendas%20and%20Reports?dl=0&preview=D-11+SLOCOG+Transition+from+Level+of+Service+to+Vehicle+Miles+Traveled.pdf&subfolder_nav_tracking=1

Please see the article on page 23, which describes how VMTs may be okay in San but not so great in rural areas.

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

MONTEREY POWER AND OTHER CCA'S DON'T SAVE CUSTOMERS MUCH MONEY – IF ANY

BY MIKE BROWN

Last week the SLO County Board of Supervisors ended up directing staff to conduct yet another study of the feasibility of the County signing up with the new government authority Monterey Bay Community Power (MBCP). Proponents were emotionally crowing about the alleged dollar savings and all the green energy throughout the meeting.

It turns out that there are published tables which display the costs of power offered by the various CCA's as well as PG&E.
In fact Marin Clean Energy, the most mature of the CCA's, has the pertinent table included right in its own website.

Marin Clean Energy

The table below illustrates the costs for an average residential user.

Residential *

E-1 *

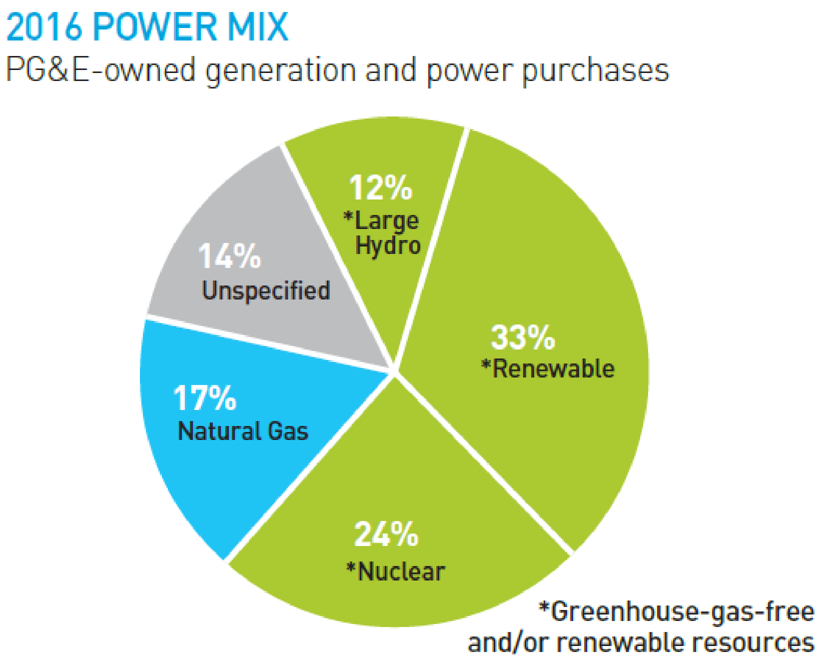
Residential: E-1	PG&E	PGE Solarchoice (100% Renewable)	MCE Light Green (50% Renewable)	MCE Deep Green (100% Renewable)
Generation Rate ($/kWh)	$0.11757	$0.09436	$0.08700	$0.09700
PG&E Delivery Rate ($/kWh)	$0.13938	$0.13938	$0.13938	$0.13938
PG&E PCIA/FF ($/kWh)	N/A	$0.02979	$0.03044	$0.03044
Total Electricity Cost ($/kWh)	$0.25695	$0.26353	$0.25682	$0.26682
Average Monthly Bill ($)	**$127.37**	**$130.63**	**$127.31**	**$132.26**

Monthly usage: 496 kWh
Rates are current as of July 1, 2019

Note that PG&E's base rate includes a mix which is already 79% CO2 free because of nuclear, large hydro, and solar. The State will not allow hydro and nuclear to be counted.

Meanwhile PG&E's 100% renewable is $1.63 per month cheaper than Marin Clean Energy's equivalent.

If the State counted large hydro and nuclear in PG&E's base mix as CO2 free, PG&E's, it is greener and cheaper than Marin Energy's Light Green.



Example - A Large Residential User

The algorithm is nearly the same proportionately for each CCA

E-TOU B*

Residential: E-TOU A	PG&E	PGE Solarchoice (100% Renewable)	MCE Light Green (50% Renewable)	MCE Deep Green (100% Renewable)
Generation Rate ($/kWh)	$0.11371	$0.09050	$0.08243	$0.09243
PG&E Delivery Rate ($/kWh)	$0.14254	$0.14254	$0.14254	$0.14254
PG&E PCIA/FF ($/kWh)	N/A	$0.02979	$0.03044	$0.03044
Total Electricity Cost ($/kWh)	$0.25625	$0.26283	$0.25541	$0.26541
Average Monthly Bill ($)	**$285.66**	**$292.99**	**$284.72**	**$295.87**

Monthly usage: 1115 kWh
Rates are current as of July 1, 2019

Sonoma Clean Energy
Ditto for Sonoma Clean Energy.

Residential *

E-1 *

Residential: E-1	PG&E	PGE Solarchoice (100% Renewable)	CleanStart (42% Renewable)	EverGreen (100% Renewable)
Generation Rate ($/kWh)	$0.09838	$0.09529	$0.06648	$0.09148
PG&E Delivery Rate ($/kWh)	$0.14300	$0.14300	$0.14300	$0.14300
PG&E PCIA/FF ($/kWh)	N/A	$0.02919	$0.02977	$0.02977
Total Electricity Cost ($/kWh)	$0.24138	$0.26748	$0.23925	$0.26425
Average Monthly Bill ($)	**$119.85**	**$132.94**	**$118.79**	**$131.20**

Monthly usage: 497 kWh
Rates are current as of March 1, 2017.

E-6*

Residential: E-6	PG&E	PGE Solarchoice (100% Renewable)	CleanStart (42% Renewable)	EverGreen (100% Renewable)
Generation Rate ($/kWh)	$0.09096	$0.08787	$0.05618	$0.08118
PG&E Delivery Rate ($/kWh)	$0.14561	$0.14561	$0.14561	$0.14561
PG&E PCIA/FF ($/kWh)	N/A	$0.02919	$0.02977	$0.02977
Total Electricity Cost ($/kWh)	$0.23657	$0.26267	$0.23156	$0.25656
Average Monthly Bill ($)	**$184.58**	**$204.88**	**$180.67**	**$200.18**

Monthly usage: 780 kWh
Rates are current as of March 1, 2017

Monterey Bay Community Power

The logic remains the same for MBCP.

Residential *

Tiered Rate Plan E-1*

Residential: E-1	PG&E	PGE Solar Choice (100% Renewable)	MBChoice (100% Carbon-free)	MBPrime (100% Renewable)
Generation Rate ($/kWh)	$0.11757	$0.09436	$0.08981	$0.09981
PG&E Delivery Rate ($/kWh)	$0.14074	$0.14074	$0.14074	$0.14074
PG&E PCIA/FF ($/kWh)	N/A	$0.02979	$0.03044	$0.03044
Total Electricity Cost ($/kWh)	$0.25831	$0.26489	$0.25831	$0.26831
Average Monthly Bill ($)	**$108.83**	**$111.60**	**$108.83**	**$113.04**

Monthly usage: 421 kWh

MBCP does not reduce its monthly bill but instead pays the customer a 3% rebate at the end of the year. Accordingly, an average residential customer would pay $108.83 per month to either PG&E or MBCP, annually $1305.96 per year. With the 3% rebate the MBCP customer would save $39.18 per year for an annual bill of $1266.78 which is a saving of $3.25 per month for 100% carbon free energy of which 65% is currently large hydro. A customer using 100% renewables would actually pay more than the PG&E 100 % renewables customer.

EV-A*

Residential: EV-A	PG&E	PGE Solar Choice (100% Renewable)	MBChoice (100% Carbon-free)	MBPrime (100% Renewable)
Generation Rate ($/kWh)	$0.09972	$0.07651	$0.07196	$0.08196
PG&E Delivery Rate ($/kWh)	$0.12389	$0.12389	$0.12389	$0.12389
PG&E PCIA/FF ($/kWh)	N/A	$0.02979	$0.03044	$0.03044
Total Electricity Cost ($/kWh)	$0.22361	$0.23019	$0.22361	$0.23361
Average Monthly Bill ($)	**$287.60**	**$296.07**	**$287.60**	**$300.46**

Monthly usage: 1,286 kWh

What is actually going on Here?

Why are the politicians so hysterically pushing CCA? Clearly, there are de minimus quantitative advantages on either the CO_2 side or the financial side. Remember the Diablo Nuclear Power Plan forestalls almost 8 million metric tonnes of CO_2 every year.

CLIMATE CHANGE ADVOCATES TARGET NEW HOMES

BY TIMOTHY L. COYLE

If you thought the rancor surrounding climate change was all about the weather, think again. Housing development has always been in the gun sites of campaign enthusiasts and it continues to be.

Disguised as climate-change activists, radical environmentalists are spewing the same rhetoric and advocating the same "enlightened" land-use concepts they've been spewing for decades. With newfound vigor they say housing is sprawling into the countryside, eating up precious, irreplaceable farmland and causing greater dependence on automobiles to get residents to and from their jobs.

Indeed, the new life that's been breathed into radical environmental activism was inspired by a failed presidential candidate, advanced in California by a muscular, pseudo-actor-turned-nouveau-governor and inflated by a career politician who made "global warming" a life cause. Since retiring, Al Gore got rich selling a television network, Arnold Schwarzenegger returned to the wealth and glamour of Hollywood and two-time governor Jerry Brown moved to occupy 2,400 acres of farmland in Colusa County – just a short, 75-minute drive (by SUV) from Sacramento – where he traverses his sprawling ranch there in a gas-powered all-terrain vehicle. (It should be noted that both Vice President Gore and Governor Schwarzenegger travel – at least for now – by fossil-fueled private jets.)

Gore set the stage by proclaiming the ice at the North Pole would disappear by 2010. It didn't. Then, in the name of combating global warming, Schwarzenegger shepherded AB 32 – legislation to ascribe to California the world's most ambitious, and ultimately the most onerous environmental requirements – through to its enactment. After that, then-Attorney General Jerry Brown, using the new statute as leverage, began to sue local governments for failing to adequately address global warming – aka suburban housing growth.

Environmentalists have always been against urban sprawl. They have long-condemned the building of single-family homes – the choice of 88 percent of all house-hunters – and believe all of the state's population-driven housing needs can be met by infill development. Next to transit hubs. Early on they promoted no-growth, by state and local referenda. When those efforts largely failed, they turned to establishing urban limit lines – concentric circles drawn around urban areas outside of which there would only be voter-approved development. After those efforts died, they tried “smart growth” initiatives. But, no one could decide what smart growth was so that endeavor was set aside, as well.

Now their pie-in-the-sky admonitions for more infill housing are wrapped in a warning about the impending doom of the planet. Perhaps believing that fear is the great motivator environmentalists now claim that unless we build everything downtown polar ice caps will melt, the sea levels will raise and the planet will overheat. Say the most aggressive and vocal advocates of change in our social and economic lives, “the planet is destined to die in less than 12 years.”

Kicking off the United Nations-proclaimed Climate Week, one of several stories appearing newspapers worldwide is a so-called “analysis” piece from the *San Francisco Chronicle* which details what can only be explained as inevitable – the outmigration of Bay Area workers to places in the Central Valley like Tracy. Entitled “Despite climate crisis, California continues to embrace exurban sprawl”, the article says builders are ignoring the healthy-environment policies of the state and “gobbling up thousands of acres of farmland” while subjecting new homebuyers to long commutes in single-occupancy automobiles.

It had to happen. Housing in the high job-growth Bay Area – including the prolific Silicon Valley – is far from affordable for the typical family there. With the median home price exceeding $800,000 few new households can buy. Naturally, they looked to the Central Valley to reside – at a cost, however.

“Some 80,000 commuters now drive between the northern end of San Joaquin County and the Bay Area, 75 percent of them alone in a car over Altamont Pass to jobs in places like San Jose, Fremont or Pleasanton” the story reports. “Long commutes in single-occupancy vehicles means more greenhouse gas emissions.”

The last clause in that sentence is key: “more greenhouse gas emissions.” Because the sprawl-induced metric used by environmentalists to explain the emission consequences of single-family development is called vehicle miles traveled (VMT). Now, subdivisions all over the state are being judged not by their meeting a certain housing need but by how much in VMTs they generate.

That, and the energy being used by each home, is the project’s carbon footprint – a bad thing for the survival of the planet.

(And, if you thought that light rail or other public transit – no matter how deeply subsidized – could mitigate the new housing’s environmental impact, forget about it. According to the Bay Area Economic Institute, few if any (2.5 percent) of Central Valley commuters travel that way. It’s all VMTs.)

So, concludes the newspaper story, housing is a threat. In fact, some attending the U.N.'s Climate Action Summit assert that underlying economic growth leads to housing demand is to blame and needs to be curtailed if the planet is to survive. Said 16-year-old Swedish environmental activist Greta Thunberg to an approving audience at the U.N. climate event, where she appeared on stage:

People are suffering. People are dying. Entire ecosystems are collapsing. We are in the beginning of mass extinction and all you can talk about is money and fairytales of eternal economic growth. How dare you?

Whether those politics, which already tilt in that direction here in California, take hold or not remains a question.

Timothy Cole is an expert on housing and development. This article first appeared in the October 1, 2019 edition of Fox and Hounds.

SACRAMENTO CONTRADICTIONS: POOP PATROL, PLASTIC STRAWS AND THE CONSTITUTION

BY DAVID TER-PETROSYAN

The United States of America is known to foreigners as the "Land of the Free." The Founding Fathers of the United States stopped at nothing to make sure they gained their independence, and formed a new country with a government that allows people to exercise their natural rights without government interference. The Founding Fathers got many of these ideas from philosophers who were trying to pave the way for generations to come. This group of extraordinary men pulled bits and pieces from an eclectic group of classical philosophers.

From John Locke, they learned that "Life, Liberty and Property" were natural rights that could not be taken away by any government. From Montesquieu, they learned that the best form of government was a balanced one, separated power centers that could check each other from becoming too powerful – because a powerful government is how tyranny begins.

And finally, from Plato, they learned that direct democracy will lead to the tyranny of mob rule. The main purpose of the government of the United States, as the founding fathers knew it, was to protect people's natural rights – individuals being free to do whatever they want to do as long as it does not impede on the natural rights of others.

232 years have passed since the ratification of the United States Constitution in that hot, muggy room in Philadelphia on September 17, 1787. Unfortunately it seems as if the natural rights enumerated by our Founding Fathers are slipping away. This is obvious in the more populated states, such as New York and California. The purpose of the United States government is to allow individuals to engage in mutually consensual transactions – but liberals in state legislatures are busy erasing that freedom.

In California, this fundamental right is eroded by much of the legislation that gets signed on our Governor. Business owners and consumers feel the effects of these actions the most. One example is the infamous "plastic straw ban," which prohibits business owners from providing plastic straws to their customers without the customer's request. Sacramento liberals can't solve the problems of rampant homelessness, feces on every street corner, and heroin stained syringes on the sidewalks that children play on, but they have time to worry about plastic straws.

Sarcasm and snark aside, Sacramento politicians have done absolutely nothing to solve real issues that matter to real people while they cater to left wing pressure groups. As of 2018, according to the United States Interagency on Homelessness, almost 130,000 homeless people lived on the streets in California. Of those 130,000 individuals, almost 11,000 are veterans. According to the U.S. Department of Housing and Urban Development, California has the highest rate of homelessness in the country.

In San Francisco, the Mayor developed a "poop patrol" – a group of individuals who, get paid $184,000 a year in salary and benefits to clean poop of the sidewalks. Your tax dollars at work! Since politicians have limited police officers' ability to deal with homeless individuals in an effective manner, law enforcement has responded – reasonably enough – by giving up on trying to solve the problem. In the city of Sacramento, you can be fined upwards of $500 if you don't clean up after your dog. On the other hand, you can poop in front of an elementary school, and nothing will happen to you. This is what passes for logic with liberal legislators.

California is the national petri dish for over the top, uber-progressive policies, with no thought given to real-world consequences. If an individual invests money and opens a business, it is their natural right and freedom of choice as to whether or not they will serve a plastic straw. It is not the government's job to tell an individual what they can or cannot do in the business that they own.

Even some "ban the straw" advocates admit that its effect on pollution will be negligible. Banning plastic straws does virtually nothing to help the environment. According to a report by Science Mag titled "Plastic Waste Inputs From Land Into The Ocean," the United States is responsible for only

0.9% of all plastic waste in the ocean. Of that 0.9%, a whopping .004% is plastic straws. In essence, the plastic straws in the ocean that the United States is responsible for is less than .01%.

Banning plastic straws is not about the environment. It is about the liberal addiction to expanding government power into every nook and cranny of our lives. It is about controlling the lives of Americans on every issue in every way. And they don't care how high these actions raise costs for hard working consumers.

The ban of plastic straws is not only useless, an act of political onanism, but more importantly one more liberal assault on the fundamental freedoms the Founding Fathers envisioned for all of us. A sad commentary as we commemorate what is often called the greatest document ever written – the United States Constitution.

David Ter-Petrosyan is a student at Glendale Community College studying Economic Philosophy. He is a delegate to the California Republican Party. This article first appeared in the September 29, 2019 California Political Review.

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10th ANNIVERSARY

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(Revised 2/2017)