



WEEKLY UPDATE NOVEMBER 10 - 16, 2019

EARLY WARNING: APCD HEARING BOARD

THE HEARING BOARD HEREBY GIVES NOTICE that it will conduct a public hearing on **MONDAY, NOVEMBER 18, 2019**, at 9:00 a.m. The location of the hearing will be the South County Regional Center, 800 West Branch Street, Arroyo Grande, California. Interested persons may appear at this hearing and give testimony.

DUNES DUST PLAN VIOLATIONS

COLAB
San Luis Obispo County



DINNER & FUNDRAISER

11th Anniversary

SAVE THE DATE!

Thursday March 26, 2020

Alex Madonna Expo Center

details coming soon...

*United We Stand, Supporting
a Vision of Liberty & Prosperity*

COLAB San Luis Obispo County
805-548-0340 colabslo@gmail.com

THIS WEEK

**NOOSE TIGHTENS ON DUNES RIDING
APCD TO APPOINT HEARING BOARD MEMBERS
THEY GO INTO ACTION ONLY 5 DAYS LATER
THEY COULD SHUT DOWN THE DUNES**

NO BOARD OF SUPERVISORS MEETING

CANNABIS AND AG WORKER HOUSING AT PC

LAST WEEK

**BUILDING AND FIRE CODE CHANGES SET FOR NOVEMBER 19, 2019
HEARING**

**FEE INCREASES FOR PLANNING, AG COMMISSIONER, PUBLIC
HEALTH & PUBLIC WORKS SET FOR NOVEMBER 19, 2019 HEARING**

**\$500,000 EMERGENCY PLAN FOR PG&E POWER SHUTOFFS
APPROVED**

**ECON DEVELOPMENT CONTRACTS WITH EVC AND SLO
HOTHOUSE – APPROVED
NOTHING ON DIABLO RETENTION**

**DRAFT LETTER REPUDIATING STATE AND LOCAL
ACCUSATIONS ON PASO WATER PLAN APPROVED IN
CONTENTIOUS DISCUSSION**

**SLOCOG BUYER'S REMORSE ON STACK & PACK
\$15 MILLION HOMELESS GRANT APPLICATION APPROVED
THE HOMELESS INDUSTRIAL COMPLEX MARCHES ON**

**BUDGET GOVERNING FINANCIAL PRINCIPLES
ADOPTED**

BUDGET PREPARATION SUBSTANTIVE PRIORITIES ADOPTED

EXCELLENT 5-YEAR FINANCIAL MODEL WARNINGS PRAISED

**PLANNING AND DEVELOPMENT WORK PROGRAM
ADOPTED**

PUBLIC FACILITIES EXACTION FEE INCREASES APPROVED

**PASO WATER BASIN OFFSET REQUIREMENTS EXTENDED FOR 2
YEARS AND MAY BE EXTENDED FURTHER UNTIL SGMA PLAN
BECOMES OPERATIONAL**

**SLO COLAB IN DEPTH
SEE PAGE 26**

**EXTREME GAS COSTS, HOMELESS DRUGGIES,
WATER SHORTAGE, DETERIORATING ROADS,
FAILING SCHOOLS: WHO IS TO BLAME?**

*The Alternate Universe of the California of today belongs to Jerry
Brown, Gavin Newsom, and Nancy Pelosi*

BY KATY GRIMES

IS CALIFORNIA BECOMING PREMODERN?

BY VICTOR DAVIS HANSON

THIS WEEK'S HIGHLIGHTS

No Board of Supervisors Meeting on Tuesday, November 11, 2019 (Not Scheduled – Day after a National Holiday Veterans Day).

VETERANS DAY 2019

THE BEST STILL SERVE



U.S. Air Force Airman 1st Class Courtney Metzger is a Security Forces Journeyman with the 128th Air Refueling Wing. Check Out Airman Metzger's Attitude At The Link Below – CONTROL CLICK <https://www.facebook.com/128ARW/videos/vb.167761127165/10152088490147166/?type=2&theater>



REMEMBER THOSE WHO SERVED



San Luis Obispo County Air Pollution Control District (APCD) Meeting of Wednesday, November 13, 2019 (Scheduled)

Item B-2: Consideration of Appointment of Air Pollution Control District Hearing Board Members. These are important appointments because the Board hears appeals by both businesses and agriculture. Critically, and in a few weeks, the Hearing Board will hear the complaint by the APCD against State Parks, asserting that it is failing to make progress on the so-called Dunes Dust Public Works Plan (PWP). The PWP is a 5-year plan to progressively reduce the blowing dust and sand which is alleged to be stirred up beyond the ambient level by off road riding and camping. The write-up summarizes the function of the Hearing Board:

The Hearing Board is a five member quasi-judicial panel authorized under the California Health and Safety Code to provide relief from air district regulations under certain circumstances. As defined in state law, the Hearing Board is the sole entity in the District authorized to hear and act on:

- Petitions by companies for variances from permit conditions or regulations;*
- Petitions by the District for abatement orders (an abatement order requires a company operating out of compliance to take specific actions or shut down its operation; this is a severe remedy reserved for serious violators or immediate threats to public health and safety);*
- Appeals by companies and third parties from the granting of permits, permit conditions, permit denials or suspensions, denials of emission reduction credits and denials of pollution control plans.*

- Petitions by companies for variances from permit conditions or regulations;*

- Petitions by the District for abatement orders (an abatement order requires a company operating out of compliance to take specific actions or shut down its operation; this is a severe remedy reserved for serious violators or immediate threats to public health and safety); (This is the action requested in this case)*

• Appeals by companies and third parties from the granting of permits, permit conditions, permit denials or suspensions, denials of emission reduction credits and denials of pollution control plans.

Applicants include:

Public Member:

Robert Cambell
James Fitzgerald
Stuart Jenkins *
William Johnson **
Lyndi Love-Haning
Lauren Miller
Benjamin Parker
Brad Snook
Kara Woodruff *

Current Members
EILEEN MACKIN-GETZOFF, CHAIR
YARROW NELSON, VICE CHAIR
RYAN ANDREWS
ROBERT CARR
WILLIAM JOHNSON

Attorney Alternate:

Joseph Irwin Stuart Jenkins *
Cynthia Replogle
Kara Woodruff *

Medical/Health Member:

Robert Campbell *
Robert Lapidus

Medical/Health Member Alternate:

Robert Campbell *



* Indicates applicant that applied for more than one vacancy on the Hearing Board

** Indicates Incumbent Public Member with term expiring on 9/28/2019

The applications of the candidates can be reviewed at the link:
https://slocounty.granicus.com/MetaViewer.php?meta_id=385370

When it opens: Scroll down to page B-2-4. The info starts at that point. Does anyone know any of these people and where they stand on the dunes issue? Within 5 days of their appointment, they are expected to make a decision on the APCD's complaint and proposed sanctions against

the State Parks Department relative to the implementation of the stipulated agreement for dust reduction. Some may be incumbents, but how can the new ones absorb the complexities and history of the issue in just 5 days?

Planning Commission Meeting of Thursday, November 14, 2019 (Scheduled)

Note that **Item 6** below has been scheduled and then continued several times in the past at the request of the applicant.

Item 6 - 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 an extensive and detailed critique. A group named Californians for Sustainable Communities is challenging the adequacy of the CEQA review and is 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 complaint letter describes Californians for Sustainable Communities as:

“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."

Item 8 - Agricultural Worker Housing. This is a positive step and should be supported.

PROJECT SUMMARY

The proposed ordinance amendments would incentivize and remove barriers for developing agricultural worker housing. Agricultural worker housing is generally defined as residential dwellings, including mobile homes, or group quarters, such as dormitories or bunk houses and mess halls, occupied by employees of agricultural or ranching operations and the spouses and children of those employees. The County has an existing ordinance that governs agricultural worker housing (currently called "farm support quarters") for both inland and coastal areas. These ordinances generally regulate allowance of agricultural worker housing based on the land use category, size of parcel, and amount of agricultural operation that existing on the subject property or within a five-mile radius. The number of workers or residential units allowed is determined through the existing agricultural use.

TABLE 1: SUMMARY OF ORDINANCE FRAMEWORK	
Direction	Proposed Ordinance Amendment
Reduce minimum lot size	<ul style="list-style-type: none"> Reduce minimum lot size for group quarters from 20 acres to 5 acres. Retain no minimum lot size for single-family or mobile home dwellings
Expand the distance to agriculture for calculating density	<ul style="list-style-type: none"> Eliminate the requirement that the agricultural use used to calculate density be located within 5 miles of a group quarters
Expand land use categories where agricultural worker housing is allowed	<ul style="list-style-type: none"> Enhance and incentivize agricultural worker housing in the Agriculture and Rural Lands land use categories Retain existing limitations in other land use categories, recognizing that a caretaker dwelling is allowed in the Residential Rural land use category
Combine single-family agricultural worker dwellings and group quarters into a new Agricultural Worker Housing section	<ul style="list-style-type: none"> Maintain the distinction between single-family agricultural worker dwellings and group quarters while combining the density tables for consistency
Increase the number of agricultural worker dwellings that may be approved without a discretionary land use permit	<ul style="list-style-type: none"> Increase the allowance for a ministerial permit to 12 single-family dwellings or 36 beds in group quarters to comply with the State Employee Housing Act

APCD Hearing Board Meeting of Monday, November 18, 2019, 9 AM, South County Regional Center, 800 West Branch St., Arroyo Grande (Scheduled)

Agenda Item - The actual agenda for the meeting was not posted as of this writing. However the related notice and proposed abatement order have been posted. The full order recommended by the staff can be seen, under **Addendum I** on page 33 at the back of this Weekly Update below.

The Hearing Board can actually take whatever action it deems appropriate. For example, it could reject the staff recommendation, which is essentially a very strict set of deadlines for the State Parks Department. Or it could adopt the staff recommendation in its entirety or with modifications. Troublingly, it could impose much more severe sanctions, including reduction in riding area from that which is now proposed by the APCO, limiting hours of operation of the Dunes Park, or even shutting it down.

Notice of Hearing of the APCD Hearing Board 11/1/2019

THE HEARING BOARD HEREBY GIVES NOTICE that it will conduct a public hearing on MONDAY, NOVEMBER 18, 2019, at 9:00 a.m. The location of the hearing will be the South County Regional Center, 800 West Branch Street, Arroyo Grande, California. Interested persons may appear at this hearing and give testimony.

THE HEARING BOARD WILL GIVE CONSIDERATION to the following:

Petition Related to the Existing Stipulated Order of Abatement 17-01: Petition by the San Luis Obispo County Air Pollution Control District (SLOAPCD) for a modification of the existing Stipulated Order of Abatement 17-01 or issuance of an Order of Abatement to the California Department of Parks and Recreation Off-Highway Motor Vehicle Division to address violation of the existing Stipulated Order of Abatement (17-01) and continued violations of California Health and Safety Code Section 41700 and SLOAPCD Rule 402 – Public Nuisance and continued violation of SLOAPCD Rule 1001 – Coastal Dunes Dust Control Requirements with respect to particulate matter and dust resulting from riding activities at the Oceano Dunes State Vehicular Recreation Area, operated by the California Department of Parks and Recreation Off-Highway Motor Vehicle Division

Interested persons may examine the petition at the SLOAPCD District Office located at 3433 Roberto Court, San Luis Obispo, CA 93401 by contacting Ms. Alyssa R. Roslan, at aroslan@co.slo.ca.us to facilitate review of the petition or to be notified of any changes related to the scheduling of the hearing. You may also review the Petition and Proposed Order by [clicking here](#), listed under "Upcoming Hearing Board Actions."

Supporters of dunes recreation, the economy, and the intergenerational family traditions of the dunes need to show up for this one.

LAST WEEK'S HIGHLIGHTS

Board of Supervisors Meeting of Tuesday, November 5, 2019 (Completed)

EARLY WARNING ON FIRE AND BUILDING CODE CHANGES CONTAINED IN ITEMS 1 AND 2 BELOW:

Item 1 - Submittal of a resolution to amend provisions of the California Building Standards Code based on local climatic, geological, or topographical conditions and introduction of ordinances amending the Fire Code and the Cayucos Hazard Abatement, both contained in Title 16 of the San Luis Obispo County Code to be consistent with the most recently adopted State codes and general cleanup. Hearing set for November 19, 2019. The Board set the hearing for November 19th to consider revisions and various changes to the County Fire Code and the Cayucos Hazard Abatement area. The Fire Code changes pertain to expanded requirements for rural roads and driveways. Increased widths and load bearing capacities constitute the key changes. There are also increased vegetation distance requirements for areas around water tanks and other structures. These changes could result in increased costs for farmers, ranchers, and rural residents. The changes for the Cayucos area mainly pertain to upgraded brush clearance requirements.

All these can be seen at the link below. Click on the various attachment tabs to see the details. You have to guess which ones pertain to which issues and documents, as they are unlabeled as to specific subject.

<https://agenda.slocounty.ca.gov/iip/sanluisobispo/agendaitem/details/11077>

Item 2 - Submittal of a resolution to amend provisions of the California Building Standards Code based on local climatic, geological, or topographical conditions and 2) introduction of an ordinance amending the Building and Construction Ordinance, Title 19 of the San Luis Obispo County Code, to be consistent with the most recently adopted State codes and to implement other non-substantive changes. Hearing set for November 19, 2019. The Board also set the matter for a hearing on November 19th for public comment and consideration. There are numerous changes in the Definitions section of the ordinance, which should be of interest to builders, contractors, developers, and agriculturists. The general theme is to add detail and specificity.

The Board letter summarizes some of the major changes in the list below. However, we believe that it is more extensive.

Adoption of Appendix Q of the California Residential Code, Tiny Homes. This will complement the land use requirements for tiny homes and provides relaxed building code requirements.

- Updated Chapter 3 – Building Codes by restructuring Tables 903.1 and 903.2 for easier understanding and two methods of calculating fire sprinkler requirements for revisions and alterations. This will provide flexibility and options.
- Updated Chapter 7 – Plumbing Code to reflect onsite wastewater (septic) permit requirement authority.
- Updated Chapter 11 – Stormwater Management to be consistent with state permit language.

For example, if you have an old chicken coop, tank tower, shed, or other structure, you may be required to obtain a separate retroactive permit prior to building your barn, putting an extension on your home, or other development. This is another way for the Planning Department to generate revenue.

- c. Refusal to Issue Permits. The Building official may refuse to issue a permit, or refuse to extend, or renew any permit to any person who has a structure or structures without the benefit of permit on the property. Permits will be issued and receive final inspection in a manner and sequence determined by the building official.

There was considerable discussion on this new requirement. The staff did not know if the State had required it or if someone in the County had inserted it gratuitously. They will be back to report.

There are changes to the requirements for fire sprinklers in existing construction per the tables below:

There is an extensive section pertaining to septic systems, which includes parcel size, distance from structures, rainfall, and density.

There are also new requirements for calculation of foundation structures on slopes.

See the link below. When it opens, click on the tab Amendments to Title 19 (Showing Changes) <https://agenda.slocounty.ca.gov/iip/sanluisobispo/agendaitem/details/10955>

ANOTHER EARLY WARNING – FEE INCREASES:

Item 3 - Introduction of an ordinance implementing the County Fee Schedule "A" for Calendar Year 2020 and Fee Schedule "B" for Fiscal Year 2020-21. Hearing date set for November 19, 2019. The Board also set a hearing to consider regulatory processing fees and service fees for the FY 2020-21 fiscal year. During the hearing on November 19th, the public and impacted businesses will have an opportunity to comment. It should be noted that these are not the large exaction fees imposed on development to mitigate its impact. These are the fees for staff processing of applications or for providing specific services.

Most of the increases are attributed to increased staff salary and benefit costs.

Note that in the past some Board members have challenged any resistance to fees on the basis that, “I receive no complaints and no one ever shows up at Board meetings to complain.”

Some of the key fee increases on the docket for the November 19 hearing include:

Background: The County has almost 2,000 different fees, most of which are not increasing. Some are actually decreasing. Staff did a nice job of isolating and presenting in the tables above, summarizing some of the important ones which are increasing for next year. The ability to hold the line to a great extent is appreciated.

Item 5 - Request to approve budget adjustments in the total amount of \$500,000 from General Fund contingencies to fund emergency expenses related to preparation for a Public Safety Power Shutoff event, by 4/5 vote. The Board approved the transfer. Staff stated that the expenses are prospective and would be made if a blackout or series blackouts occur. This certainly wasn't clear from the write-up, which stated in part:

In order to ensure the County is prepared for a PSPS event, the department is requesting \$500,000 in General Fund Contingencies to complete the PSPS Task Force priority activities. Actual expenditures will be approved by the County Administrative Officer and reported to the Board in Quarterly Financial Reports.

The Plan can be seen at the link:

<https://agenda.slocounty.ca.gov/iip/sanluisobispo/agendaitem/details/11108>

Open and click on the tab: *PSPS Coordination Procedure.*

ECONOMIC DEVELOPMENT ITEMS:

Item 8 - Request to approve a FY 2019-20 renewal agreement with the Cal Poly Corporation to support the SLO Hothouse - Center for Innovation and Entrepreneurship in the amount of \$200,000 to be paid out of FC 290 - Community Development to enhance economic development. The Board approved the contract extension unanimously. The Hothouse provides space, training, and expert advice to startup companies. This is an extensive report about the operations, which can be accessed at the link:

<https://agenda.slocounty.ca.gov/iip/sanluisobispo/agendaitem/details/11138>

Background: The list of advisors appears to contain substantially qualified successful experts. The Report states in part:

Through our Open Office Hours program, from January to June 2018, we offered over 60 hours of counseling services from our expert advisors. Specialty Advisors staff an office at the SLO HotHouse at certain hours of the week and are available for drop-in counseling and advice. Any

Company or Coworker, affiliated with our programs, can consult with these experts - without having to make an appointment - to ask a question relevant to the Advisor's area of expertise. The Advisors participating in the program have the expertise to assist clients in the following areas: accounting, sales training, market research, intellectual property, bank loans, and customer development, insurance and legal.

Our experts include:

- Caliber Accounting - Accounting*
- Carmel & Naccasha – Law*
- Fitch Even – Law*
- Glenn Burdette – Accounting*
- Glick, Haupt and Marino LLP- Law*
- Stradling, Attorneys at Law- Law*
- Pacific Western Bank- Finance and Lending*
- MindBody – Legal Transactional*
- iFixit – IP Legal*
- Entrada Ventures – Venture Fund •Live Eye Wear – IP & Legal*
- Stradling – Attorneys at Law*
- City of SLO (Mayor Harmon) – Civic Engagement*

Perhaps Harmon used Rules For Radicals as the textbook. Her SLO Progressives colleague Nick Andre seems to be gone from the fold. He is reportedly now in the cannabis business.

Item 10 - Request to approve a FY 2019-20 agreement with the Economic Vitality Corporation in the amount of \$10,000 to implement economic development programs identified in the Economic Element of the County General Plan. The allocation was approved unanimously. The Board letter summarizes the work to be done as:

The following is expected of the EVC as terms of the FY 2019-20 agreement:

- Assist the County by facilitating implementation and preparing updates as needed for a countywide economic strategy;*
- Convene at least one seminar on a topic related to the economic strategy that will assist and improve county businesses and the county economy;*
- Act as a referral agency to the County, engaging cluster industry stakeholders and facilitating input on proposed policy adoption and modification actions. Topics for which such referral services will be needed by the County include but are not limited to workforce housing amendments and procedures for economic impact analyses of discretionary permit applications;*
- Monitor opportunities for statewide action pertaining to economic initiatives such as California Forward, the California Economic Summit, and the California Stewardship Network. Engage cluster industry and the community stakeholders as feasible and appropriate; and*

□ *Establish and maintain collaborative relationships with economic development and workforce development partners locally and in adjacent regions (Monterey, Santa Barbara, Ventura).*

It is too bad COLAB doesn't take government money. The County could provide \$10,000 to assist us to work on keeping Diablo open. Why don't they make a contract with one of these economic development not-for-profits to support Assembly Member Cunningham's efforts?

Item 11 - Request to authorize the County Administrative Officer to send a response letter to the California State Board of Food and Agriculture regarding outreach and engagement to the irrigated agriculture community in the Paso Robles Groundwater Basin in regards to the Sustainable Groundwater Management Act (SGMA). Ultimately the CAO was authorized to send the letter on a 3/2 vote, with Hill and Gibson dissenting. There was considerable argument and debate. Supervisor Compton distilled the issue perfectly and with vigor. See the entire segment of item 11 by clicking on the link below. When it opens and the video starts running, advance the time selection bar to 9:59 minutes and let it play.

https://slocounty.granicus.com/MediaPlayer.php?view_id=48&clip_id=3417

As we reported last week, the of California Department of Food and Agriculture sent a letter to the SLO Board asserting that that the County had neglected farmers in the preparation of the Paso Water Basin Groundwater Sustainability Plan (Paso GSP). This then sparked a pile-on by Supervisors Hill and Gibson plus representatives of some of the new water districts in the basin.

By way of background and as we reported several weeks ago:

Representatives of the El Pomar – Creston Water District and the Wine Alliance complained that “agriculture” was not included in the development of the SGMA Plan for the Paso Robles Water Basin. The complaints put an exclamation point on what appears to be a coordinated political campaign effort to hijack the Basin Water Plan and to undermine Supervisor Debbie Arnold's re-election efforts.

It is not a coincidence that the State Board of Food and Agriculture rebuked the County, and particularly Supervisor Arnold. This was followed up by a slanted multi-column article in that week's issue in the *SLO New Times*, a proudly leftist weekly. This was further followed up by the appearance of Paso water district advocates during the Board meeting, who made the same complaints. Of course and on cue, Supervisors Hill and Gibson chimed with full-feigned sympathy and indignation.

Hill: “I am concerned about the letter from the State; it's indicative of favoring some to the exclusion of others.” “We need to address this.”

Gibson: “The Groundwater Sustainability Plan (GSP) has serious shortcomings – there are no specific plans or fees for implementation.”

The County Executive Officer had prepared a proposed response on behalf of the Board of Supervisors to the California Department of Food and Agriculture. Significantly, the Food and AG Commission has no authority or role in the SGMA groundwater management plans.

Item 22 - Request to: 1) approve a resolution authorizing submittal of two applications to the California Department of Housing and Community Development (HCD) for No Place Like Home (NPLH) funding in the amount up to \$15,000,000, for a one-time payment aimed at providing permanent supportive housing for persons who are in need of mental health services and are experiencing homelessness or at risk of homelessness, and; 2) authorize the Health Agency Director or his designee to sign the standard agreement and all other documents required for participation, acceptance and application that does not increase the level of General Fund support required by the Health Agency. The application was approved for submittal to the State.

Background: In 2016 voters approved \$2 billion in debt for the No Place Like Home (NPLH) program, which provides funds for constructing and acquiring housing for the homeless, subject to the condition that the County would provide supportive mental health services for the residents. The County was awarded \$6.2 million under a previous round. The funds are competitive. It is not known exactly how the County would use the funds if they are awarded. It is likely that there would be competitive proposals from homeless serving agencies and not-for-profits.

If the County were to be awarded the full \$15 million, it should have a plan to leverage the dollars beyond the nominal amount and also build projects with an economy of scale to maximize the impact. Pursuant to the Housing First strategy, the County should develop a quick plan to house and shelter as many of its 1600 homeless as possible.

The Homeless Industrial Complex marches on.

BUDGET PLANNING MATTERS: Items 41 and 42 below pertained to the County's overall budgetary strategy, the Board's overall budgetary policies, and potential future scenarios based on the economy and labor costs.

Item 41 - Review of the FY 2020-21 Budget Goals and Policies, Budget Balancing Strategies and Approaches, and Board Priorities. The Board conducted a fairly involved review of the information, had questions, and spent some time. There were 2 specific parts of this item – 1) Goals and Policies and 2) Budget Balancing Strategies and Board Priorities. The Board unanimously reaffirmed its overall financial policies and substantive priorities.

1. Goals and Policies

The Goals and policies portion provides the staff an opportunity to make sure that the overall budget financial policies are in line with the current Board of Supervisors overall intentions. There are 34 Budget Policies, most of which are standard good public administration budgeting

practice, such as the rule that the proposed budget will be balanced as to expenditures and revenues.

A disappointing change proposed for this year would make it more difficult to contract out for services. This is strange, given the high fixed and growing cost of relying on government employees. The proposed wording addition states:

18. Privatization of Services: County departments are encouraged to identify and recommend opportunities for cost savings whenever possible, including the privatization of services that are beneficial to the County and legally possible. Analysis will include review of existing services, including the possibility of eliminating contracts with outside vendors and instead using "contracting in" with existing personnel and the development of a transition process for those services approved for privatization. In implementing significant new services, a thorough cost and program analysis shall be conducted to ascertain if privatizing will result in reduced costs, increased services and accountability.

Fortunately, the staff clarified that they did not mean to prohibit or weaken the County's ability to consider privatization. There was a considerable colloquy on word smithing before the Board would agree to receive the report.

A Prudent Policy: This is a new one which is positive. The County is warning everyone that it will not pick up the costs of collapsing fire districts, water districts, and community service districts. The trend is likely to continue as the State and local policies drive costs ever upward and sabotage economic growth. They should have included the cities in this one, as the "sustainability" of the smaller and weaker ones' becomes ever more precarious as salary and pension costs relentlessly displace funding for the actual services.

Funding for Independent Special Districts: As independent special districts are autonomous government agencies fully independent of the County in governance, the provision of services, and funding, the County shall not subsidize an independent special district with County General Fund monies nor should any property tax exchange result in a net fiscal loss to the County.

2. Budget Balancing Strategies and Board Priorities

This section is really a set of rules and techniques for how to balance the Budget if revenues are insufficient. Its overall emphasis seems to be on staff retention:

When faced with financial difficulty, the County should identify budget balancing strategies that address both short and long-term budget gaps, while also minimizing the impact of budget reductions to the community and employees. It also becomes increasingly important to focus on employee retention as the cost of turnover can outweigh savings produced by vacancies. Focusing on creative and cost neutral or low-cost options to manage turnover at a strategic rate is imperative to maintaining service during difficult times.

Wonder what the sentence highlighted above means?

Item 42 - Consideration of a five-year financial planning outlook for the County of San Luis Obispo. The Board heard the presentation and was impressed with the quality tool which has been developed. There was properly widespread praise.

Background: In a very positive development, the County has extended and refined its 5-year financial forecasting. It has added new data points including additional types of revenue and alternative assumptions about the economy. At this point SLO County is probably the most advanced County in the State with regard to this type of modeling. The County may also be ahead of the cities in this regard.

It provides the Board, management, the unions, and the public a tool to evaluate the probable consequences of various potential economic scenarios as well as the long term impact of current spending decisions (such as raises and benefit improvements) on the future. The analysis and alternative graphs are extensive and can be seen at the link:

<https://agenda.slocounty.ca.gov/iip/sanluisobispo/agendaitem/details/11109>

Item 43 - A request to receive and file 1) a report on Department of Planning and Building Priorities and provide staff direction as necessary and 2) the Annual General Plan Progress Report. The Board of Supervisors listened to the presentation but did not seem too bothered about the extensive amount of work involved. It is likely that the Tier II projects cannot be accommodated in the near term. (See the lists below and on the next page)

Background: The report provided details of the Department's work load. Processing data for items such as permit applications, building permits, etc., are included. The bigger issue is the development of plan elements, ordinances, and regulations. For example, the Department is preparing Round III of cannabis regulations, which is and has been a huge amount of work. The essence of the item is for the Board of Supervisors to see what they are completing and to determine what else they can work on. It seems as if they are being asked to do a great deal.

***The Following Projects Have Been Completed Since 2018
Priorities Report:***

- *Cannabis Ordinance Phase II*
- *County CEQA Guideline Update*
- *EnerGov Implementation Phase I*
- *Housing In-Lieu Fee Ordinance*

Projects (Carried Over) from Last Fiscal Year:

- *Cannabis Ordinance Phase III*
- *Hemp Ordinance*
- *Water Offset Ordinance (On this agenda at Item xx)*
- *Funding Options for Affordable Housing*

Recommended Projects to Move to Tier I

- *Airport Land Use Update*
- *Building Code Update (Mandated)*
- *Density Bonus (Mandated)*
- *Fair Housing Plan (Mandated)*
- *Housing Element Update (Mandated)*

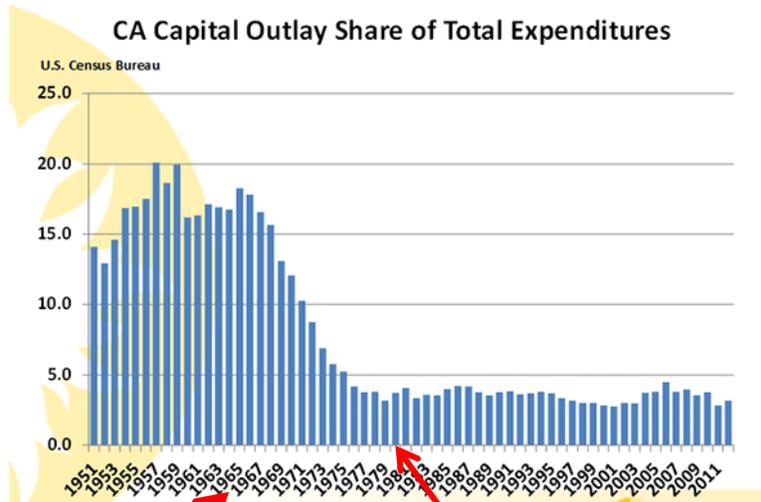
Tier II Projects

- *Craft Distilleries Ordinance*
- *Inland Vacation Rental Ordinance*
- *Mining Combining Designation Update*
- *Safety Element Update and Coastal Flood Risk Assessment*
- *Sign Ordinance*
- *Tiny Home Ordinance Amendments – Housing Package*
- *Urban Small Wineries*
- *Vacation Rental Hearing Officer Process*

It is not clear how they can get all this work done and/or what additional staffing and consultant resources would be required at what cost. For our money, they could leave the vacation rental ordinance alone. The Coastal Flood Risk Assessment is a red herring provoked by several State Agencies, including the Coastal Commission, on the theory that the seas are rising and that all the coastal counties and cities must develop managed retreat plans ultimately calculated to prevent and then remove any existing development along the coast (not just low lying but also on top of bluffs).

Item 45 - Hearing to consider 1) receiving and filing the FY 2018-19 Annual Report for the Public Facilities Fees program and 2) submittal of a resolution to amend the Public Facilities Financing Plan and Title 18 (the Public Facilities Fees Ordinance) of the County Code to provide for future public facilities that will be needed from 2019 to 2040. The Board heard the presentation and adopted the increases. There was no public opposition.

Background: The “fees” presented in this section are actually development exactions adopted to help offset the capital costs of expanded facilities, which are necessary because of increased population generated by the new development. As government labor expenses (salaries and pensions) displaced capital budgets over the years, (see chart below) the Legislature enabled cities and counties to impose fees. The fees must be reviewed each year in terms of how much has been collected and how much has been expended on which projects.



Public sector unions
legalized in California

Prop. 13 is often blamed but did
not take effect until 1980. The
decline had already occurred.

**Public Facilities Finance Program
County Projects Implemented Under PFF Program**

- 40 projects were funded with PFF fees in FY 2009-10 through FY 2018-19
- 9 Fire projects
- 5 Library projects
- 2 General Government projects
- 3 Law Enforcement projects
- 21 Parks projects
- In addition, there are 18 active projects

Please see the table on the next page for further details on the fee increases:

TABLE 1

EXISTING PUBLIC FACILITIES FEES					
EXISTING	RESIDENTIAL (per unit)		NON-RESIDENTIAL (per 1000 Sq ')		
Fee Category	Single Family	Multi-Family	Commercial	Office	Industrial
Parks ^A	\$2,303	\$1,753	-	-	-
Sheriff	\$280	\$213	\$226	\$378	\$163
General Gov't	\$533	\$406	\$432	\$719	\$309
Fire ^B	\$1,994	\$902	\$902	\$902	\$902
Library	\$454	\$345	\$143	\$239	\$103
Admin Fee 2.0%	\$111	\$72	\$34	\$45	\$30
Total Fees	\$5,675	\$3,691	\$1,737	\$2,283	\$1,507
PROPOSED PUBLIC FACILITIES FEES					
PROPOSED	RESIDENTIAL (per unit)		NON-RESIDENTIAL (per 1000 Sq ')		
Fee Category	Single Family	Multi-Family	Commercial	Office	Industrial
Parks	\$2,492	\$1,752	-	-	-
Sheriff	\$693	\$482	\$244	\$542	\$174
General Gov't	\$1,038	\$723	\$366	\$812	\$261
Fire	\$2,025	\$1,409	\$714	\$1,584	\$510
Library	\$696	\$499	\$71	\$157	\$51
Admin Fee 2.0%	\$139	\$97	\$28	\$62	\$20
Total Fees	\$7,083	\$4,962	\$1,423	\$3,157	\$1,016
NET DIFFERENCE:	\$1,408	\$1,271	(\$314)	\$874	(\$491)

Item 46 - Hearing to consider 1) the submittal of a resolution amending Title 22 and Title 19 (LRP2019-00007) of the County Code extending the Water Neutral New Development programs in the Paso Robles Groundwater Basin to January 1, 2025, and formalizing procedures for managing the Agricultural Offset Ordinance regarding application review and establishment of water duty factors and 2) submittal of a resolution amending the Position Allocation List for FC 142 – Planning and Building extending the sunset date for 1.00 FTE Limited Term Planner I/II/III position to December 31, 2024. The Board unanimously adopted the extension but only after making a number of changes. The most important was to limit the extension to January 2022. The idea is to assess what progress has been made in terms of beginning to implement the SGMA Groundwater Sustainability Plan (GSP) as well as other actions which could help to bring the basin into balance. The Board went along with the Planning Commission and disallowed off site water offsets – that is, sale water credits to parcels not contiguous with the sending parcel.

The latter is controversial in that some of the members of the new water districts and the Paso Basin Wine Alliance wish to maintain the current practice.

Background: County officials have now realized that the State-mandated State Groundwater Management (SGMA) plan for the Paso Groundwater basin, even when submitted and approved, may have no actual impact during its early years. This is because administrative and operational features will have to be developed, owners will have to install meters, and the Water Districts and County will have to finance and construct various works to recharge or otherwise supplement water, and so forth.

The basic principle is that farmers desiring to add a crop or change a crop must demonstrate how they can maintain a 1:1 ratio of water used on the particular parcel of land. For example, if a crop is proposed that will use more water than that which was previously planted, less acreage would be planted. The issue is further complicated by “water duty factors,” which are based on the amount of water a particular type of crop uses annually, calculated in acre-feet per acre.

The original ordinance as drafted by staff eliminated the ability to have water offsets between separate non-contiguous parcels. The Planning Commission objected and removed the provision. As noted above, the Board of Supervisors restored it.

E. Eligible Sites for Participation. For the purpose of an Agricultural Offset Clearance, a site is as defined in section 22.80.030 (Definitions of Land Use). Owners of sites that overlie the PRGWB (excluding the Atascadero Sub-basin) may be granted one of two Agricultural Offset Clearance types, as described below and referenced in Table 1:

1. On-site Offset Clearance means conversion of existing irrigated crop production on the same site. An expansion to the definition of a “site” under Section 22.80.030 may be granted where contiguous parcels are commonly owned or collectively operated.

2. Off-site Offset Clearance means New or Expanded Irrigated Crop Production on any site which obtains all or a portion of its planting credits from an off-site sending site through the reduction or elimination of water use from the sending site.

Agricultural Offset Clearance Requirements
<ul style="list-style-type: none">• New crop production on site of crop being replaced• New crop production cannot exceed water demand of previous crop(s)• New crop production may exceed acreage of previous crop• Existing and proposed commodities of crop production must be declared• Site inspections• Well meter installation prior to final inspection

Table 1 – Agricultural Offset Clearance Categories

On-Site Offset Clearance	Off-Site Offset Clearance
<ul style="list-style-type: none"> • New crop production on site of crop being replaced • New crop production cannot exceed water demand of previous crop(s) • New crop production may exceed acreage of previous crop • Existing and proposed commodities of crop production must be declared • Deed restriction on property • Site inspections • Well meter installation prior to final inspection 	<ul style="list-style-type: none"> • New crop production on different site (receiving site) as crop being reduced or taken out of production (sending site) • New crop production on receiving site cannot exceed water demand of crop production from sending site • New crop production on receiving site may exceed acreage of crop production on sending site • Commodities of crop production to be replaced on sending site and proposed for receiving site must be declared • Receiving site cannot be within an area of severe decline, as defined by Figure 30-2 • Landowner agreements • Deed restriction on sending and receiving sites • Site inspections • Well meter installation prior to final inspection

Table 3 – Existing Crop-Specific Applied Water by Crop Type

Crop Group	Applied Water (AF/Ac/Yr)
Alfalfa	4.5
Citrus	2.3
Deciduous	3.5
Strawberries	2.3 ⁽¹⁾
Nursery	2.5
Pasture	4.8
Vegetables	1.9
CBD Hemp	1.5⁽²⁾
Vineyard	1.25 ⁽¹⁾
Supplementally Irrigated Dry Cropland	0.1⁽³⁾
<p>1. Information obtained from RCD Program, UCCE, UC Davis (Strawberries 2011 data)</p> <p>2. Information obtained from UCCE, San Luis Obispo County Cooperative Extension, April 2019</p> <p>3. Supplementally irrigated Dry Cropland application requirements outlined per Section G.3.C above.</p> <p>Source: Table 9 of the Agricultural Water Offset Program, Paso Robles Groundwater Basin, October 2014.</p>	

When both the urgency ordinance and the permanent ordinance were approved, County officials promised that the permanent ordinance would expire when the SGMA Plan was submitted.

No one knows how long the State will take to review and approve or reject the Plan nor is there any real estimate of when various provisions will begin to have an impact once it is approved.

The full text of the annotated ordinance, which compares the current and proposed, can be accessed at the link:

<https://agenda.slocounty.ca.gov/iip/sanluisobispo/agendaitem/details/11047>

When it opens click on the tab Attachment 2 - Amendments to Title 22 and 19 Redline to see all the changes and current proposed language.

San Luis Obispo County San Luis Obispo County Council of Governments (SLOCOG) Meeting of Wednesday, November 6, 2019 - 9:45 AM (Completed)

Item B-2: Year End Legislative Report. The item consisted of a presentation by the SLOCOG Sacramento lobbyist regarding the 2019 Session of the Legislature and in particular new laws and funding formulae for transportation.

The discussion became more animated as SLOCOG Board members realized that the Legislature had approved or is considering approval of a number of measures which require and/or make it easier to zone in housing. Taller buildings and higher densities, which are required, jolted the largely suburban oriented members.

Some of these are summarized below:

AB 68	Ting (D)	Land-use: accessory dwelling units	The Planning and Zoning Law authorizes a local agency to provide, by ordinance, for the creation of accessory dwelling units in single-family and multifamily residential zones and sets forth required ordinance standards, including, among others, lot coverage. This bill would delete the provision authorizing the imposition of standards on lot coverage and would prohibit an ordinance from imposing requirements on minimum lot size.	ENACTED
AB 148	Quirk-Silva (D)	Regional transportation plans: sustainable communities strategies	Current law requires certain transportation planning agencies to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system. Current law requires the regional transportation plan to include, if the transportation planning agency is also a metropolitan planning organization, a sustainable communities strategy. This bill would require each sustainable communities strategy to identify areas within the region sufficient to house an 8- year projection of the emergency shelter needs for the region, as specified.	Active Bill-In Committee Process

AB 490	Salas (D)	CEQA: affordable housing development projects: admin & judicial streamlining	Would establish specified procedures for the administrative and judicial review of the environmental review and approvals granted for projects that meet certain requirements, including, among others, the requirement that the projects are affordable housing developments. Because a public agency would be required to comply with those new procedures, <u>this bill would impose a state-mandated local program.</u>	Active Bill-In Committee Process
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AB 782	Berman (D)	CEQA: exemption: public agencies: land transfers	CEQA requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would exempt from CEQA the acquisition, sale, or other transfer of interest in land by a public agency for certain purposes, or the granting or acceptance of funding by a public agency for those purposes.	ENACTED
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AB 1239	Cunningham (R)	Planning and zoning: housing element	The Planning and Zoning Law requires that the housing element sets forth a schedule of actions during the planning period that the local government is undertaking or intends to undertake to implement the policies and achieve the goals of the housing element. This bill would authorize the department to allow a city or county to substitute the provision of units for up to 25% of the community's obligation to identify adequate sites for any income category under the above-described schedule of actions if the governing body of the city or county has adopted both (1) an ordinance that implements requirements under state law, as well as any applicable requirements of the city or county, relating to accessory dwelling units and meets certain requirements and (2) an ordinance establishing a permitting process and appropriate standards to regulate short-term rentals of single-family dwellings in order to accomplish specified objectives.	Active Bill-In Committee Process
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AB 1483	Grayson (D)	Housing data: collection & reporting	The Planning and Zoning Law requires the planning agency of a city or county to provide by April 1 of each year an annual report to, among other entities, the Department of Housing and Community Development (department) that includes, among other specified information, the number of net new units of housing that have been issued a completed entitlement, a building permit, or a certificate of occupancy, thus far in the housing element cycle, as provided. This bill would require a planning agency to include in that annual report specified additional information regarding housing development projects located within the jurisdiction, and other information as provided.	ENACTED
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Chickens beginning to Come Home to Roost:

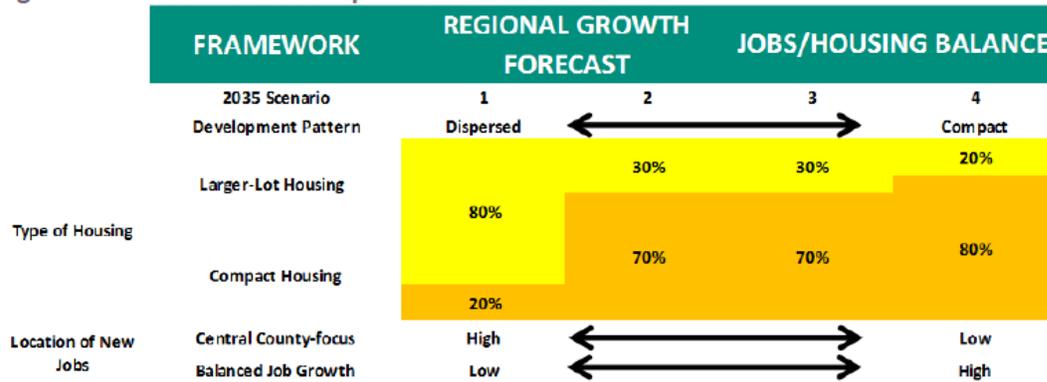
It is ironic that most of the members are suddenly concerned, as they have repeatedly supported the Sustainable Communities Strategy (SCS) section of the Regional Transportation Plan (RTP). This support has been based partially on the utilitarian grounds that the SCS, which provides for higher densities, alternative modes of transportation, taller buildings, and forcing people out of their cars, is a requirement to have an approvable RTP. An approved RTP is required in order for cities and counties to receive state and federal transportation funds. Furthermore, many city council members and 2 County Supervisors are climatists and support “smart growth” schemes

on the theory that low-density suburban living is bad for the planet and contributes overly to CO₂ generation and global climate warming.

Essentially the SLOCOG unanimously adopted a development strategy (Scenario3), which allocates 70 % of new development to compact housing per the SCS chart below. Each City and the County will be responsible for their proportionate share of this strategy.

The problem is that the people don't want to live in dense stack-and-pack communities and don't want to be forced onto public transportation.

Figure 13-10: Scenario Development Framework



Newly adopted and pending State laws create enforcement mechanisms including fines, withholding of transportation funds, and other sanctions for jurisdictions which don't comply.

Now, the city council members are starting to hedge: "These requirements should really be for metropolitan cities and not rural and suburban areas such as the central coast."

All we can say is we warned you and requested that you organize and fight back for years. Wait until their constituents figure out that their elected officials already signed their freestanding house dream's death warrant. The City of Berkeley is one of the suburban towns that lead the way. See the results on the page below.

Background: There were a number of other actions related to both Federal and State funding programs which required consideration by the Commission. These were in line with previously adopted policies. There were also a number of housekeeping items and status reports. There did not seem to be any direct references to plans for a sales tax measure in the future.



“Affordable” housing in Berkeley – kind if looks like the new hotels in SLO. Folks really don’t want this stuff in downtown Templeton, Nipomo, Santa Margarita, Paso Robles, or Cambria. The City of SLO has obviously already imbibed the Kool Aid.

Right around the corner are single family homes. Who wants this monster casting a shadow on your back yard?

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

**CALIFORNIA’S UTILITY BREAKDOWN,
EXTREME GAS COSTS, HOMELESS DRUGGIES,
WATER SHORTAGE, DETERIORATING ROADS,
FAILING SCHOOLS: WHO IS TO BLAME?**

The Alternate Universe of the California of today belongs to Jerry Brown, Gavin Newsom, and Nancy Pelosi

BY KATY GRIMES

“You don’t believe in climate change. You are excused from this conversation.” ~Gavin Newsom



California was developed over the course of a century, yet it has taken only a few decades to tear it down. Incompetence, excessive government, corruption, nefarious oligarchs and Democrat dominance for 40 years is what is responsible for California’s utility breakdown, extreme gas costs, homeless druggies, water shortage, deteriorating roads, and failing schools.

Politicians are now trying to convince Californians that this is our “new normal,” and we need to get used to contributing more, with less in our pockets.

California is up in flames. San Francisco, Los Angeles, Sacramento, San Diego are littered with human waste and drug needles from the hundreds of thousands of drugged up vagrants living on the streets. The same large cities also have high numbers of homeless veterans, and illegal aliens.

Instead of addressing California’s crisis, House Democrats all voted to pursue impeachment proceedings against President Trump: Rep. Jared Huffman, John Garamendi, Mike Thompson, Doris Matsui, Ami Bera, Jerry McNerney, Josh Harder, Mark DeSaulnier, Nancy Pelosi, Barbara Lee, Jackie Speier, Eric Swalwell, Jim Costa, Ro Khanna, Anna Eshoo, Zoe Lofgren, Jimmy Panetta, TJ Cox, **Salud Carbajal**, Julia Brownley, Judy Chu, Adam Schiff, Tony Cardenas, Brad Sherman, Pete Aguilar, Grace Napolitano, Ted Lieu, Jimmy Gomez, Norma Torres, Raul Ruiz, Karen Bass, Linda Sanchez, Gil Cisneros, Lucille Royball-Allard, Mark Takano, Maxine Waters, Nanette Barragan, Katie Porter, Lou Correa, Alan Lowenthal, Harley Rouda, Mike Levin, Juan Vargas, Scott Peters, Susan Davis.

Remember these names. Remember the impeachment inquiry.

Most of those U.S. Representatives are from the state’s largest cities.

Meanwhile, Gov. Gavin Newsom picks ridiculous fights on Twitter with President Trump, responding to this Tweet:



Donald J. Trump

✓ @realDonaldTrump

The Governor of California, @GavinNewsom, has done a terrible job of forest management. I told him from the first day we met that he must “clean” his forest floors regardless of what his bosses, the environmentalists, DEMAND of him. Must also do burns and cut fire stoppers.....

83.5K

[6:11 AM - Nov 3, 2019](#)

[Twitter Ads info and privacy](#)

45.6K people are talking about this

Every year, as the fire’s rage & California burns, it is the same thing-and then he comes to the Federal Government for \$\$\$ help. No more. Get your act together Governor. You don’t see close to the level of burn in other states...But our teams are working well together in.....

54.2K

[6:11 AM - Nov 3, 2019](#)



Gavin Newsom

✓ @GavinNewsom

You don’t believe in climate change. You are excused from this conversation.

[https://twitter.com/realdonaldtrump/status/1190995034163892226 ...](https://twitter.com/realdonaldtrump/status/1190995034163892226)

Donald J. Trump

✓ @realDonaldTrump

The Governor of California, @GavinNewsom, has done a terrible job of forest management. I told him from the first day we met that he must “clean” his forest floors regardless of what his bosses, the environmentalists, DEMAND of him. Must also do burns and cut fire stoppers.....

167K

[8:41 AM - Nov 3, 2019](#)

[Twitter Ads info and privacy](#)

43.4K people are talking about this

One Man's Reality

A recent column by [Joe Mathews](#) at Fox and Hounds Daily blamed Republicans for California's demise.

"Modern California is in almost all respects the creation of Republicans," Mathews said. "Even now, when Democrats hold so many elected offices, the structures of this place remain fundamentally Republican."

"But now, in the face of all this Republican history and Republican reality, Trump's Republicans look in the California mirror and somehow see the enemy."

Mathews could not be more wrongheaded and delusional.

The Impulse to Blame is Strong

More than 2.5 million Californians are or have been without power in at least 36 counties, while parts of the state burn. Utilities warn the [power outages](#) could go on for 10 years because of infrastructure disrepair.

As Governor Newsom struggles to stay in control of the state, he continues blame "climate change" and "extreme weather" for the wildfires, as well as to [criticize](#) utility giant PG&E daily for its failure to invest in its infrastructure and technology. The media cabal is joining Newsom in pointing all the blame at PG&E.

Newsom never acknowledges that his state government is in charge of the hyper-regulation of these utilities.

As Newsom searches for [someone to blame](#), he needn't look that far. His predecessor, Gov. Jerry Brown for whom Newsom was Lt. Governor for eight years, is responsible for implementing the majority of the climate change and environmental restrictions on water, natural gas and nuclear power, and impositions of 33%, then 50% and finally 100% renewable energy mandates on the utilities.

At the behest of radical environmentalists, California largely banned the cutting of trees underneath transmission lines, and pretty much ended most logging in the state including forest thinning. Estimates of 140 million dead trees in California's forests are becoming wood tinder. PG&E used to be allowed to clear away foliage near the power lines 10 feet on each side. Environmentalists objected, and the foliage clearance area was reduced to just four feet.

Now Gov. Newsom is now trying to appease his critics and virtue signal his environmental bonafides by appointing his cabinet secretary, Ana Matosantos, to serve as his “[energy czar](#)” to oversee the state’s utilities.

“Californians who have experienced power outages might think it odd that the governor should look to a “czar” figure to address a statewide energy problem,” California Globe’s Lloyd Billingsley [reported](#). “Californians also have grounds to regard Ana Matosantos as a dubious selection for the job.”

“Tzarina of Energy” Matosantos manages to get herself elevated and appointed to lofty jobs, but has a [history](#) of serving up few results other than consequences. The friend who coined “Tzarina of Energy,” commented, “The California Government, The Party has no intention of improving our condition and in fact is working with alacrity to make it worse.”

As California falls further into debt, Newsom hasn’t reduced spending – his budget is the largest in state history. He’s given more free health care and education to illegal aliens. He and Democrats are building designer homes and apartments for homeless vagrants. He’s granted clemency and pardoned violent felons, and signed bills to grant them the privilege of voting.

Victor Davis Hanson [recently wrote](#):

“California’s three most powerful politicians — House speaker Nancy Pelosi, Senator Dianne Feinstein and Governor Gavin Newsom — are all multimillionaires. Their lives, homes, and privileges bear no resemblance to those of other Californians living with the consequences of their misguided policies and agendas.”

“The state’s elite took revolving-door entries and exits for granted. They assumed that California was so naturally rich, beautiful, and well-endowed that there would always be thousands of newcomers who would queue up for the weather, the shore, the mountains, and the hip culture.”

“Yet California is nearing the logical limits of progressive adventurism in policy and politics.”

Hanson sums this up with:

“No one would dare to connect the crumbling infrastructure, poor schools, and failing public health care with the non-enforcement of immigration laws, which has led to a massive influx of undocumented immigrants from the poorest regions of the world, who often arrive without fluency in English or a high-school education.”

“Has California become premodern?”

Joe Mathews sees the problem much differently:

“And so they make war against all of our Republican-ness—our direct democracy, our commitment to environment and health, our technological supremacy, our love of immigration and free trade, our tradition of independent governance and regulation. Nixon and Reagan, those

great California anti-communists, must spin in their graves as the president seeks election help from China's communists, and writes love notes to the dictator in Pyongyang.”

The leftist solution to this statewide government malpractice will be an escalation of environmental mandates, more and larger tax increases, more water and energy rationing, more restrictions on agriculture, more business-killing policies, while millions more fed-up middle-class taxpayers flee the state.

“Democrats have supermajorities in both houses of the legislature. Only seven of the state's 53 congressional seats are held by Republicans. The result is that there is no credible check on a mostly coastal majority,” Hanson says.

Mathews is living in a parallel reality if he really thinks California's demise is because of Republicans. “Due to Democrat policies encouraging massive influxes of immigrants, and the flight of middle-class citizens, the California of Ronald Reagan, George Deukmejian, and Pete Wilson long ago ceased to exist,” Hanson said.



The California of today belongs to Jerry Brown, Gavin Newsom, Nancy Pelosi, Dianne Feinstein, Adam Schiff, and all of the state's elected Democrat politicians who appear to be on a fast track to destruction.

Elections have consequences. Californians are living with the results.

Katy Grimes

Katy Grimes, the Editor of the California Globe, is a long-time Investigative Journalist covering the California State Capitol, and the co-author of California's War Against

Donald Trump: Who Wins? Who Loses? By Katy Grimes, November 4, 2019 .

IS CALIFORNIA BECOMING PREMODERN? BY VICTOR DAVIS HANSON

More than 2 million Californians were recently left without power after the state's largest utility, Pacific Gas and Electric — which filed for bankruptcy earlier this year — preemptively shut down transmission lines in fear that they might spark fires during periods of high autumn winds.

Consumers blame the state for not cleaning up dead trees and brush, along with the utility companies for not updating their ossified equipment. The power companies in turn fault the state for so over-regulating utilities that they had no resources to modernize their grids.

Californians know that having tens of thousands of homeless in their major cities is untenable. In some places, municipal sidewalks have become open sewers of garbage, used needles, rodents, and infectious diseases. Yet no one dares question progressive orthodoxy by enforcing drug and vagrancy laws, moving the homeless out of cities to suburban or rural facilities, or increasing the number of mental hospitals.

Taxpayers in California, whose basket of sales, gasoline, and income taxes is the highest in the nation, quietly seethe while immobile on antiquated freeways that are crowded, dangerous and under nonstop makeshift repair.

Gas prices of \$4 to \$5 a gallon — the result of high taxes, hyper-regulation, and green mandates — add insult to the injury of stalled commuters. Gas tax increases ostensibly intended to fund freeway expansion and repair continue to be diverted to the state's failing high-speed rail project.

Residents shrug that the state's public schools are among weakest in the nation, often ranking in the bottom quadrant in standardized test scores. Elites publicly oppose charter schools but often put their own kids in private academies.

Californians know that to venture into a typical municipal emergency room is to descend into a modern Dante's *Inferno*. Medical facilities are overcrowded. They can be as unpleasant as they are bankrupting to the vanishing middle class that must face exorbitant charges to bring in an injured or sick child.

No one would dare to connect the crumbling infrastructure, poor schools, and failing public health care with the non-enforcement of immigration laws, which has led to a massive influx of undocumented immigrants from the poorest regions of the world, who often arrive without fluency in English or a high-school education.

Stores are occasionally hit by swarming looters. Such Wild West criminals know how to keep their thefts under \$950, ensuring that such "misdemeanors" do not warrant police attention. California's permissive laws have decriminalized thefts and break-ins. The result is that San Francisco now has the highest property crime rate per capita in the nation.

Has California become premodern?

Millions of fed-up middle-class taxpayers have fled the state. Their presence as a stabilizing influence is sorely missed. About one-third of the nation's welfare recipients live in California. Millions of poor newcomers require enormously expensive state health, housing, education, legal, and law-enforcement services.

California is now a one-party state. Democrats have supermajorities in both houses of the legislature. Only seven of the state's 53 congressional seats are held by Republicans. The result is that there is no credible check on a mostly coastal majority.

Huge global wealth in high-tech, finance, trade, and academia poured into the coastal corridor, creating a new nobility with unprecedented riches. Unfortunately, the new aristocracy adopted

mindsets antithetical to the general welfare of Californians living outside their coastal enclaves. The nobodies have struggled to buy high-priced gas, pay exorbitant power bills, and deal with shoddy infrastructure — all of which resulted from the policies of the distant somebodies.

California's three most powerful politicians — House speaker Nancy Pelosi, Senator Dianne Feinstein and Governor Gavin Newsom — are all multimillionaires. Their lives, homes, and privileges bear no resemblance to those of other Californians living with the consequences of their misguided policies and agendas.

The state's elite took revolving-door entries and exits for granted. They assumed that California was so naturally rich, beautiful, and well-endowed that there would always be thousands of newcomers who would queue up for the weather, the shore, the mountains, and the hip culture.

Yet California is nearing the logical limits of progressive adventurism in policy and politics.

Residents carefully plan long highway trips as if they were ancient explorers charting dangerous routes. Tourists warily enter downtown Los Angeles or San Francisco as if visiting a politically unstable nation.

Insatiable state tax collectors and agencies are viewed by the public as if they were corrupt officials of Third World countries seeking bribes. Californians flip their switches unsure of whether the lights will go on. Many are careful about what they say, terrified of progressive thought police who seem more worried about critics than criminals.

Our resolute ancestors took a century to turn a wilderness into California. Our irresolute generation in just a decade or two has been turning California into a wilderness.

This Article First Appeared In The SLO Tribune And Other Papers On October 31,2019 And Was Originally Posted In The California Globe Of October 31, 2019. Victor Davis Hanson is a Senior Fellow of the Stanford University Hoover Institution and a leading national columnist, TV commentator, and author . Dr. Hanson has appeared at several COLAB events.

ADDENDUM I

**BEFORE THE HEARING BOARD OF THE SAN LUIS OBISPO COUNTY
AIR POLLUTION CONTROL DISTRICT
STATE OF CALIFORNIA**

In the Matter of

**SAN LUIS OBISPO COUNTY AIR POLLUTION CONTROL DISTRICT,
Petitioner,**

**CALIFORNIA DEPARTMENT OF PARKS AND RECREATION OFF-HIGHWAY
MOTOR VEHICLE RECREATION DIVISION,
Respondent.**

Case No. 17-01

[PROPOSED] ORDER TO MODIFY EXISTING STIPULATED ORDER OF ABATEMENT AND/OR ISSUE A NEW ORDER OF ABATEMENT

Hearing Date: November 18, 2019

Time: 9:00 am

Location: South County Regional Center 800 West Branch St., Arroyo Grande, California 93420
The Petition to Modify the Existing Stipulated Order of Abatement and/or Issue a New Order of Abatement came on for hearing on November 18, 2019 at South County Regional Center, 800 West Branch Street, Arroyo Grande, California 93420.

On proof made to the satisfaction of the Hearing Board that Good Cause exists to modify the existing Stipulated Order of Abatement (“Original Stipulated Order”) in Case 17-01, between San Luis Obispo County Air Pollution Control District (“District”, “APCD”, or “Petitioner”) and the California Department of Parks and Recreation Off-Highway Motor Vehicle Recreation Division (“Parks”, “OHMVR”, or “Respondent”), the Hearing Board issues following modification of the Original Stipulated Order of Abatement requiring Respondent to:

1. Complete installation of perimeter fencing for the 48-acre vegetated foredune project described in Section 3.1.6 of the Third Draft Work Plan, and shown in its Exhibit 9, by January 1, 2020, with the planting of native vegetation begun by April 1, 2020. Table 5-5 of the Third Draft Work Plan shall be updated to reflect these deadlines. With regard to the CEQA and Coastal Commission approvals discussed in Section 3.1.6 and Table 5-5 of the Third Draft Work Plan, Respondent shall work as expeditiously as possible to obtain those approvals. Until the foredune project is approved by the California Coastal Commission and mitigation measures are fully implemented, non-motorized public access to the vegetated foredune proposed project area may be permitted as long as plantings are protected, but offhighway vehicle activity and camping is prohibited after January 1, 2020.
2. Complete all other elements of the Third Draft Work Plan dated October 15, 2019, and submitted by Respondent to the APCO, by the timelines proposed in that document, except as noted below and in compliance with any conditional approval of the Work Plan by the District. A true and correct copy of the Third Draft Work Plan is attached hereto as Exhibit A and incorporated herein by this reference.
3. Implement the 40 acres of season dust controls as discussed in Section 3.1.5 of the Third Draft Work Plan, with the following modifications:
 - i. The dust controls must be undertaken within areas of the ODSVRA where off-highway vehicular activity is currently allowed.
 - ii. By January 1, 2020, Respondent shall submit a proposal that shall include the specific season dust control measures that will be utilized, and proposed locations of the specific measures, to the APCO and Advisory Group. This proposal shall include an implementation plan schedule, including, but not

limited to, an increment of progress schedule and a final completion date

iii. Within 10 business days of receipt of Respondent's proposal, the Advisory Group shall evaluate the proposed measures and locations and recommend to the APCO whether to approve the proposals. If requested by the Advisory Group, the APCO may extend the 10-day business day deadline by up to an additional 10 business days.

iv. Within 5 business days of receipt of the Advisory Group's evaluation the APCO shall either approve the measures and locations or provide Respondent with comments explaining why the proposal is not approvable.

v. If the initial proposal is not approved, Respondent shall submit a new proposal by February 1, 2020, which addresses the deficiencies identified by Advisory Group and the District.

vi. Within 10 business days of receipt of Respondent's proposal, the Advisory Group shall evaluate the proposal and recommend to the APCO whether to approve the measures and locations. If requested by the Advisory Group, the APCO may extend the 10-day business day deadline by up to an additional 10 business days.

vii. Within 5 business days of receipt of the Advisory Group's evaluation, the APCO shall either approve the measures and locations or impose a 40-acre season dust control measures project for the Respondent to implement.

viii. By March 15, 2020, Respondent shall begin implementation of the approved plan, or imposed 40-acre project, and Respondent shall comply with the implementation plan schedule, including, but not limited to, an increment of progress schedule and a final completion date, as approved, or imposed, by the APCO.

ix. Respondent must fully fence the 40 acres of season dust controls project perimeter to exclude off-highway vehicular activity by March 15, 2020, and the Respondent shall complete the project by April 1, 2020.

x. This project shall be maintained until at least October 31, 2020.

4. Complete an additional 4.2 acres of permanent dust controls within the high emissions area just south of the western edge of the "Pavilion Hill" vegetation island shown in Attachment 1 of the Original Stipulated Order. The Original Stipulated Order specified this as one of the areas to be fenced off and revegetated or implement an alternate mitigation measure as approved the APCO, as part of the Initial Particulate Matter Reduction Actions. Alternatively, Respondent may establish this additional acreage in a different location within the ODSVRA upon approval by the Advisory Group and APCO. The Respondent must comply with the following mitigations:

i. The Respondent shall establish a perimeter fence around the additional 4.2 acres of permanent dust control area by March 15, 2020. Off-highway

vehicular activity and camping is prohibited within the fenced area.

ii. The Respondent shall complete internal controls by June 1, 2020. Internal controls may be fence arrays, strawbales, or revegetation.

iii. The Respondent shall maintain the area as specified in Section 1.b of the Original Stipulated Order.

iv. If Respondent chooses to seek Advisory Group approval for a different location, the selection and approval process shall follow the same timeline as that established above for the selection and approval of the 40-acres of season dust control measures, paragraphs 1.c.ii thru 1.c.x, above.

5. Conduct the field calibration of MetOne Particulate Profiler Equipment, which is described in Section 3.1.19 and Attachment 4 of the Third Draft Work Plan, using equipment other than the "APCD Portable BAM station." In discussions between the District and Respondent, it has now been determined that the District's equipment is not suitable for this purpose.

6. Complete conditions 2 through 5 of Advisory Group's October 23rd response to Respondent's Third Draft Work Plan (Exhibit B):

2. The 2019 [Work Plan] "Implementation Schedule" (Sec. 5) shall include a table specifying a detailed process for [Advisory Group] consultation and evaluation, including submission of interim reports and work plans ["Interim Work Plans"] as follow-on updates to the 2019 [Work Plan]. This table shall include the following tasks and schedules for completion:

a. Determine processes for obtaining values for all evaluation metrics contained in Attachment 8 of the [Particulate Matter Reduction Plan] (Oct 2019 - Nov 2019).

b. Obtain and report final values for all evaluation metrics for the 2019 [Work Plan] reporting period (Dec 2019).

c. Prepare and submit [Interim Work Plans] ([First Interim Work Plan]: Dec 2019, [Second Interim Work Plan]: Mar 2020).

d. [Advisory Group] reviews [Interim Work Plans], including evaluation metrics, to determine progress toward the [Particulate Matter Reduction Plan] goals. Based on its review [Advisory Group] submits adaptive management recommendations to inform creation of subsequent [Interim Work Plans] and [Work Plans] ([First Interim Work Plan]: Jan 2020, [Second Interim Work Plan]: Apr 2020).

e. [Respondent] prepares an outline 2020 [Work Plan] for consideration by [Advisory Group]. This outline [Work Plan] shall include tables specifying proposed implementation schedules for the 2020 [Work Plan] (May 2020).

f. [Advisory Group] reviews outline 2020 [Work Plan] and provides initial feedback to [Respondent] on elements to be included in the full 2020 [Work Plan] (June 2020).

g. [Respondent] prepares the full 2020 [Work Plan], which shall include values for all evaluation metrics for the associated reporting period (July 2020).

3. The 2019 [Work Plan] "Implementation Schedule" (Sec. 5) shall provide a more detailed planting schedule, either through amendments to Tables 5-1, 5-3, and 5-5, or through inclusion of a new table. In Appendix A to this letter, [Advisory Group] offers recommendations for elements to be included in this detailed planting schedule.

4. Each task listed above shall be completed by the last day of the final month for performance of the task. Thus, the first and second [Interim Work Plans] shall be submitted no later than December 31, 2019, and March 30, 2020, respectively, and the outline 2020 [Work Plan] shall be submitted by May 31, 2020. To ensure timely completion of these and all other tasks included in the 2019 [Work Plan], we encourage [Respondent] to consult early and often with [Advisory Group].

5. As indicated in the above schedule of tasks, going forward [Advisory Group] shall be given a minimum of 30 days to review and comment on all [Interim Work Plans] and [Work Plans]. Exceptions to this 30-day review period shall be granted only by written consent of [Advisory Group] and APCO. For all other tasks requiring [Advisory Group] consultation and review, [Advisory Group] requests at least 10 business days for completion of [Advisory Group] reviews. It is expected that [Respondent] will adhere to these review periods to maintain effective communication and due process toward the requirements of the [Order for Abatement] and [Particulate Matter Reduction Plan].

This Hearing Board further orders the following additional modifications to the Original Stipulated Order:

7. For each year from 2020 through 2022, the approval process for the Work Plans, specified in Section 5 of the Original Stipulated Order, shall be modified as follows:

i. The Respondent shall submit a draft Work Plan to the Advisory Group for their review and recommendations by July 1 of each year. The deadline for submittal of the draft Work Plan to the APCO shall remain August 1 of each year, but Respondent is encouraged to submit earlier. The draft Work Plan submitted to the APCO shall have incorporated the Advisory Group's recommendations.

ii. Notwithstanding the deadlines in the previous sections, the Advisory Group's review and recommendations of the draft Work Plan shall be completed within 10 business days after the draft Work Plan is submitted. If requested by the Advisory Group, the APCO may extend the 10 business day deadline by up to an additional 10 business days.

iii. Upon receipt of the Advisory Group recommendations, the APCO shall have 7 days to either return the Work Plan to Respondent with an itemization of deficiencies for correction; or, if the draft Work Plan appears provisionally approvable, the APCO shall schedule a public workshop subject to the conditions described below.

iv. If the APCO deems the draft Work Plan deficient and returns it to Respondent with an itemized list of deficiencies of correction, Respondent shall have up to 21 days to submit a corrected Work Plan to the Advisory Group for further review.

v. Subsequent reviews by the Advisory Group and the APCO will follow the same timeline as noted in sections ii and iii, above, with Advisory Group review and submittal of recommendations due 14 business days after receipt of Respondent's next corrected Work Plan. APCO review and comments are due 7 business days after receipt of the Advisory Group's recommendations.

vi. The iterative submit—review—revise process may repeat until October 1, after which Respondent may submit no further drafts. If approval of the draft Work Plan has not occurred prior to October 1 of each year, the Advisory Group and APCO shall complete their reviews of the most recently submitted draft by the timelines specified above if they have not already done so. If the APCO determines that the draft Work Plan is provisionally approvable, the APCO shall schedule a public workshop, as described below. If the APCO determines the draft Work Plan is not approvable, the APCO shall impose conditions on the draft Work Plan prior to approval. Respondent must comply with the implementation of the additional conditions imposed by the APCO and the schedule of increments of progress associated with those conditions.

vii. Regardless of the number of revisions, a public workshop shall be held on the draft Work Plan prior to APCO approval. The APCO shall publish a 15-day notice of public workshop within 7 days of receipt of a provisionally approvable plan. The notice shall announce the availability of the draft Work Plan and Advisory Group recommendations, solicit public comments, and solicit public participation at the workshop to review the draft Work Plan and Advisory Group recommendations.

viii. Within 7 days of conclusion of the public workshop, the APCO shall either approve the draft Work Plan or return the draft Work Plan to Respondent with an itemization of deficiencies for correction. Respondent shall have 21 days to submit a revised Work Plan to the Advisory Group. The Advisory Group shall have 14 days to review the revised Work Plan and issue its recommendations, and the APCO shall have 7 days to schedule a subsequent public workshop (subject to the same 15-day notice as above) or return the revised Work Plan to Respondent for another revision, at which point the revise-review cycle continues, subject to the previously enumerated deadlines.

8. Section 5.e. of the Original Stipulated Order is modified to read: “If a disagreement arises between Respondent and APCO regarding the approval of the [Work Plan], either Party may request a hearing before the Hearing Board to resolve the disagreement.”

9. Unless specifically modified by this Order, all other provisions of the Original Stipulated Order shall remain in full force and effect.

Dated this ___ day of November, 2019

Dr. Yarrow Nelson,
Vice-Chair
San Luis Obispo County
APCD Hearing Board



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