



**WEEKLY UPDATE
AUGUST 16-22, 2020**

THIS WEEK

IT GETS UGLIER BY THE WEEK

PHILLIPS 66 PLANT TO SHUT DOWN

**SLO RIOT GANG THREATENS DA, SHAKES DOWN
BUSINESSES – BROWN SHIRTS BACK
BE PREPARED FOR A REALLY BIG RIOT STAFFED BY OUTSIDERS
SLO TRIBUNE EDITORS BACK SURRENDER**

**SUPERVISOR HILL HAD OFFICE ROMANCE
SEXUAL HARASSMENT CHARGES BEING INVESTIGATED
BREAKING UP IS HARD TO DO AT TAXPAYER EXPENSE**

MAJOR PASO BASIN WATER POLICY

CANNABIS FUTURE IN QUESTION

LAFCO CANCELED

LAST WEEK

COVID NOT GOING AWAY
CITIES USE IT AS EXCUSE FOR TAX INCREASES

**COUNTY COUNSEL APPOINTED TO NEW 4-YEAR
TERM - COMPTON DISSENTED**
DO COUNTY DEPARTMENT HEADS GET PERFORMANCE REVIEWS?

HEARING NOTICE FOR PASO WATER MORATORIUM
MAJOR POLICY IMPACTS ON BASIN OVERLIERS

**INTEGRATED WATER PLAN CONTINUED TO
HEARING ITEM**
429 PAGES OF POLICY ON CONSENT CALENDAR & IMPACTS NEED AIR OUT

INTEGRATED WASTE AUTHORITY LITE
GIVING OUT PATRONAGE TO ENVIRO GROUPS

**PLANNING COMMISSION WORKS ON LOS OSOS
LAND USE AND CIRCULATION PLAN**

COLAB IN DEPTH
SEE PAGE 33

THE SINGULARITY IS NEAR
BY MALCOLM POLLACK

Can we, for the sake of our children's children, find at the last moment a way to reverse course, to step back from the brink, to find a future timeline that avoids the dreadful singularity of civil war?

YES, THIS IS A REVOLUTION
BY ABE GREENWALD

THIS WEEK'S HIGHLIGHTS

TOO MUCH ON THE AGENDA FOR ONE DAY CRUCIAL PASO BASIN POLICY AND MAJOR CANNABIS POLICY

UGLIER BY THE WEEK

In addition to the two major policy issues on the County Board of Supervisors agenda (cannabis regulations and Paso Basin water policy), there are the persistent and growing threats of instability in the background, which have largely been fomented by the progressive left politicians leading the State and localities. The accumulated impacts of their policies are pushing society to the tipping point.

1. Be Ready for a Big Multi-Night Riot: Contrary to their stated position, the coalition of protestors which is exploiting the George Floyd death would like nothing better than to have District Attorney (DA) Dan Dow charge charismatic activist Tianna Arata, with felonies related to her actions, which are alleged to have gone beyond the normal bounds of peaceful demonstrations. Certainly disrupting freedom of movement and commerce on Highway 101, one of the State's 3 major north south arteries, was illegal and dangerous. Certainly her burning and stomping on the American flag, though perhaps currently deemed not illegal, displays her hatred for our heritage, laws, and civilization.

The City of SLO, SLO County, the State, and the regional public safety mutual aid consortium should be informed in advance of any formal charges and should be ready to implement a pre-prepared advance plan to defend the citizens and property of the City. Sufficient staffing under a unified command should be in place in advance to prevent violence, looting, arson, and corollary problems. Our estimate is that about 1000 sworn officers should be on alert for immediate deployment once an announcement of any charges is to be forthcoming. This will be expensive but will be tax dollars well spent.

The force should be sufficient to contain multiple groups of violators as soon as the first rock, firebomb, broken window, or other violation occurs. The foam rubber, beanbag, and wooden dowel munitions should be deployed in sufficient strength to stop any mob in its tracks. The frontline control forces should be backed up with separate arrest teams with sufficient transport to immediately remove offenders from the area. These arrestees should be penned at Kansas Avenue or other remote area to prevent them from returning to downtown SLO. Often potential rioters will demonstrate peacefully if confronted with sufficient police deployments. It is expected that local radicals are arranging to bus in outside forces, just they did in the effort to prevent the expansion of the tank car facility at Phillips 66.

2. Citizens Should Stand in Solidarity with the DA: District Attorneys have the sole authority and responsibility for determining whether an individual should be charged with specific violations based

on the evidence. The DA should not be subjected to mob rule by those who wish to control the outcome. Vicious diatribes by partisan interests in the media (Tom Fulks in particular), demonstrations at the DA's home, and threats against him and his family demonstrate conclusively that the current protest movement in SLO has highjacked the issue of police reform in the black community for other purposes. The public should judge accordingly.

True to form, the San Luis Obispo Tribune lead editorial of Sunday August 16, 2020 shamefully advocated for surrender to the mob. Even if Arata is not charged there will be a celebration riot.

Of course, many will reflect that the most significant event in the history of western civilization concerns a public official who deferred to the mob with regard to charging an innocent person and freeing a bandit.

Please see page 33 below, in the COLAB In Depth section for profound articles on the national policy context of these events and conditions.

3. Brown Shirts in Downtown San Luis Obispo: Business people have told us that they have been threatened by protesters who have strongly suggested that they post signs supporting the Black Lives Matter movement and make donations. This was a technique used by Hitler's Brown Shirts throughout the 1930's. The implication is that their business or property will be skipped by fire bombers and looters during future riots. Hopefully, law enforcement is vigorously pursuing these offenders and will make arrests.

Failure of government to fully effectuate control of **Items 1 and 2** above can only lead to calls for citizens to take matters into their own hands. This took place during the Watts riots of August 1965, when the police and State abandoned large tracts of the City of Los Angeles. Businesses and their employees determined to defend their property and jobs.

4. Why are you Paying Taxes? Government that has lost its ability to maintain peace and defend liberty and property has no reason for existence. Elected officials who cannot get this under control should be recalled swiftly and voted out if they are up for election in the near term. Appointed officials must have plans ready to execute in advance and prepare sufficient forces to prevent destruction. If they are too intimidated or lack the will, they should be dismissed. The next broken window, the next stolen merchandise, the next firebomb, and the next shakedown threat constitute this failure. The public should rise up and replace their failed officials as fast as possible.

5. Belated Investigation of Harassment Charges Against the Late County Supervisor Hill. For several years COLAB has repeatedly called for the Board of Supervisors to undertake an outside independent investigation of Supervisor Hill on these very pages. Observation, repeated complaints from citizens, threats to other public officials, outright nasty behavior, and all the rest provided ample evidence that things were amiss. For whatever reason, the current County Counsel and several successive County Administrators opposed the Board's desire to order the investigation.

In fact, any official of the County who knew of incidents of harassment in or related to the workplace are required by law to report them. The County is then required to investigate them. The policy in the past has been to cover them up and then pay the alleged victim off. It is well known in County circles that Hill had harassment conflicts (not necessarily sexual) with another employee. There have been threats to Board members, bizarre night phone calls and emails to constituents and officials.

Had these matters been investigated in a timely manner and underlying causes discovered, Hill might still be alive today and would be enjoying his retirement.

At this point and again, we have no knowledge of the separate matters which are asserted to be under investigation by the FBI.

6. Rolling Blackouts Are Back: Beginning on Friday, August 15, 2020, in another confirmation of the failure of public policy, electrical energy blackouts resumed for the first time since 2011. It was a hot afternoon and evening, and the California Independent System Operator ordered various utilities to lower the loads in certain areas. Hundreds of thousands were affected. Meanwhile, the progressive left, the California Public Utilities Commission, and apparently our own local officials, except for Assemblyman Cunningham, are hell-bent on letting Diablo close in a few years. Meanwhile, the City of SLO is banning natural gas. Be ready for more blackouts on Monday and Tuesday.

One thing that the blackouts show is that the whole idea of the Community Choice Energy (CCE) agencies such as Central Coast Power, importing clean GHG-free energy, are a total fake. We get the same energy we always got, and the CCEs wield energy certificates to build patronage government empires on the backs of the gullible citizens.

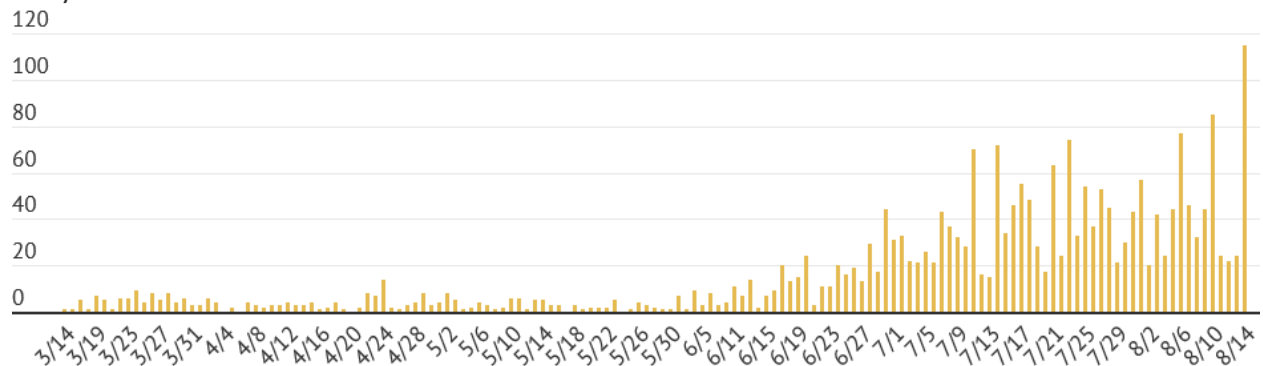
7. Local COVID Response Is Hit and Miss - Test everyone: Set up a system to get everyone tested. It could be done by voter precinct, census tract, zip code, or any other geographic zone. Mobilize the County employees who are sitting at home and teach them to conduct the test. It should be a predecessor for the availability of vaccine distribution when it becomes available.

Board of Supervisors Meeting of Tuesday, August 18, 2020 (Scheduled)

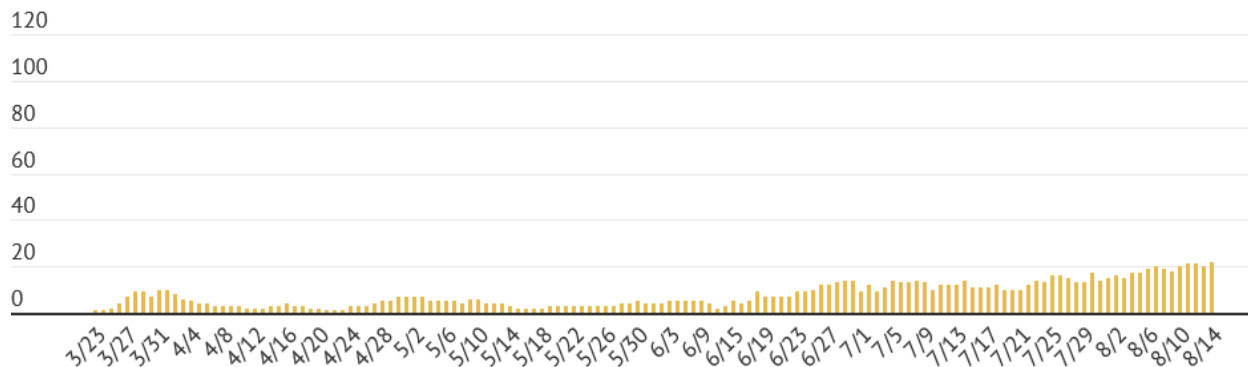
Item 1 - Update on COVID-19 in San Luis Obispo County. The tables below display an inconclusive trend. The new cases oscillate between 20 and 40 per day, punctuated by spikes of 70 to 80. August 14th was the highest new case day yet. Hopefully it will not become a trend.

Daily COVID-19 Cases

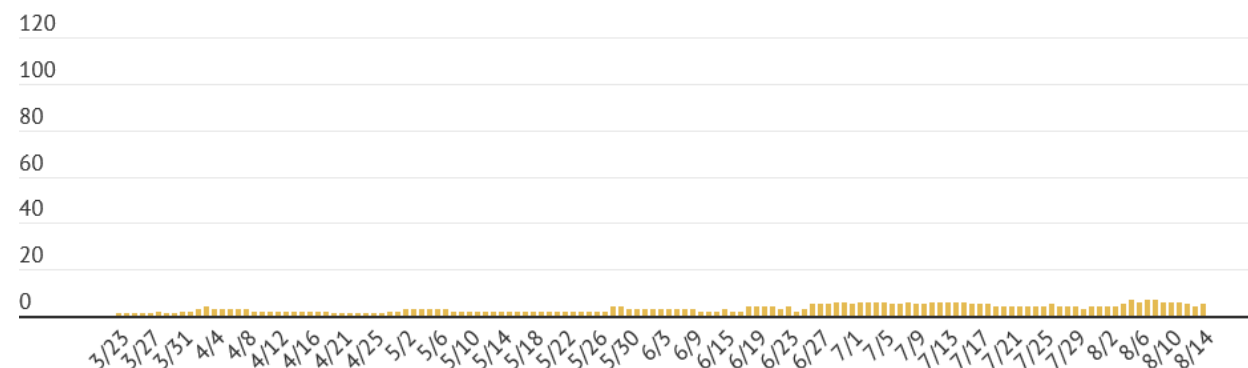
Daily New Cases



Daily Hospitalized Cases



Daily New ICU Cases



Item 2 - Request to approve a two-year grant agreement with REACH (formerly the “Hourglass Project”) in the total amount of \$550,000 to be used for regional economic development activities, and authorize a budget adjustment from the SB 1090 – Economic Development designation to Fund Center 104 – Administrative Office in the amount of \$300,000 to support the initial payment, by 4/5th vote. As noted to the left, the item would normally require a 4/5 vote, as it was not included in the Adopted FY 2020-21 Budget. If any Supervisor demurs, there could be a problem. This item is yet another example of a major policy item placed on the consent agenda, thereby forestalling a full update and public discussion.

It is not clear from the write-up if there is urgency in providing the initial \$300,000 to REACH this week. Suspiciously, the write-up states that the staff will present a report on September 22, 2020 on economic development in general including REACH. Funding now and then having the policy discussion is putting the cart before the horse. Why wouldn’t they post this item as a business item at that time? You would think that the Board would want to see the performance report before granting REACH a new \$500,000. The County already provided \$300,000 last year.

Is this yet another instance where staff is going to say, “If you don’t approve it now, the program will lapse?” Staff created deadlines. The Public Defender Contract, County Counsel re-appointment and salary, and Integrated Water Management Plan are recent examples.

This is a worthy project. Nevertheless, the Board needs to exercise normal financial and performance review at least annually prior to allocating more money.

Board of Supervisors’ Fiduciary Responsibility:

The REACH website, states in part that:

The work will be funded primarily by a private-sector investors and supplemented by a mix of corporate, philanthropic and/or government grants and/or contracts.

Given this original premise, what are the amounts provided to date and by fiscal year for the REACH/Hourglass operating budgets?

TYPE	FY 2019 – 20	FY 20-21	TOTAL
County*			
Cities			
State Grants			
Pvt. Sector Investors			
Corporate			
Philanthropic			
Federal			
Other			
The Board should see this table filled out prior to making further grants			
Total			

*** Note the County is using Diablo closure mitigation money, which is really PG&E money which PG&E agreed to pay as part of the closure provision before the CPUC. It’s ultimately ratepayer money. It was funneled through the State.**

The staff on behalf of the Board should review the financials of not-for-profit contractors as part of preparing and making grant funding recommendations. These would include their annual adopted budgets and comprehensive annual financial reports. We could not find these on the REACH website. It is not known if the staff has looked at them as part of its analysis and prior to making its recommendation. When asked, staff referred us to REACH. This misses the point. It is staff’s responsibility and ultimately the Board of Supervisor’s responsibility to review these documents prior to granting hundreds of thousands of dollars.

Background: The overall purpose of REACH is to create 15,000 new “good paying” jobs by 2030. The jobs would be in both SLO and Santa Barbara Counties. An underlying purpose is to replace the nearly 2000 high paid head of household career benefited jobs being lost with the Diablo Nuclear Power Plant closure. One related question is: are the 15,000 new jobs assumed to be on top of the current labor force numbers (209,597), including Diablo, or net of its closure, which would then be 13,000?

The Plan states that good paying jobs should be more than \$50,000 per year. One might reflect that the average job at Diablo pays \$146,000 per year.

The recommended 2-year grant (see Attachment 2) includes:

- 1. Supporting the development of a new/revised County Economic Element;*
- 2. Continued development and implementation of the regional economic development strategy;*
- 3. Working to increase job growth in technology-related clusters in agriculture, renewable energy, aerospace, defense, and precision manufacturing, plus more traditional technology such as software and hardware development;*
- 4. Representing regional interests related to economic development and marketing with organizations such as GO-Biz, CA Fwd, CA Stewardship Network, REAL Coalition, and the Governor's military council;*
- 5. Engaging local government elected officials and private sector leaders in economic development to ensure alignment of efforts, as well as implementation of specific initiatives that are part of regional economic development strategies; and,*
- 6. Mapping physical assets and developing metrics specific to San Luis Obispo County economic development.*

Item 11 - Request to authorize the Planning and Building Department Director to enter into a Memorandum of Understanding with the County of Santa Barbara and the City of Santa Maria regarding coordinated preparation and review of the Environmental Impact Report for the Phillips 66 pipeline replacement and relocation project. The permit application for this project was withdrawn, as Phillips has announced that its Nipomo refinery will be closed by 2023. The pipeline brings oil from the Exxon facilities in Santa Barbara County to the refinery. The refined product is then shipped to the Phillips San Francisco Plant in Rodeo, California.¹ A portion of the announcement is displayed below.

Oil refinery company shutting down Central Coast facility by 2023

ARROYO GRANDE, Calif. - Phillips 66 energy has announced they will shut down the Santa Maria refining facility in Arroyo Grande in 2023.

The 1,780-acre facility has operated on the Nipomo Mesa near Highway 1 for 60 years.

Only about 200 acres, or roughly 11 percent of the land, is used for company operations. The remainder is grazed by cattle, held as open space or used as a preservation area for wildlife in the Nipomo Dunes.

According to the Phillips 66 website, the primary function of the Santa Maria Refinery is to convert heavy crude oil into high quality feed-stock for further processing into gasoline, diesel and jet fuel.

The company also sponsors local sports at Cuesta College, and at Nipomo High School.

The facility employs 140 people full-time. The fate of those employees is unclear at this time. When reached for comment, a spokesman for the company said, "Phillips 66 is committed to working with all its employees and respective Unions as impacts

¹ **The San Francisco Refinery is an oil refinery complex located in Rodeo, California and in Arroyo Grande, California, in the San Francisco Bay Area and Santa Maria Valley. These two locations, although more than 200 miles apart, are considered one location. They are directly connected by a 200-mile pipeline. [Wikipedia](#) , August, 2020.**

on the workforce are known. We will honor all collective bargaining agreements with the various employee unions that are impacted.”

Congratulations to the Nipomo Nimbys, Antifa carpetbaggers, SLO Tribune, and everyone else who worked to strangle the facility. Whether the workers can be retrained by the REACH consortium to become research technicians at comparable wages and benefits at a Diablo “Innovation Park” built on the ruins of the current nuclear plant is a question. It’s time for the enviros and anti-fossil fuel people to put up or shut up: What new green \$164 million (assessed value of the plant) facility will they deliver to replace the plant and hire as many people at equivalent or better salaries and benefits? Other than the property taxes, jobs, and economic multipliers, Phillips is a huge contributor to the Community. Its website displays its community service component.

An Integral Part of the Community

Santa Maria Refinery is passionate about local causes in the areas of education, public safety and environmental causes. We commit funds to local organizations and our employees step up as active volunteers. You'll see us at Nipomo High School football games, picking up trash on the Mesa and sponsoring women's basketball programs at Cuesta College. The Santa Maria Refinery's staff helps with chamber of commerce programs, toy drives and fundraisers. We are part of the community, and we use our time and funds to improve lives here.

*Arroyo Grande High School
California Polytechnic State University
Cuesta College
Dana Elementary School
Mesa Middle School
Special Olympics
San Luis Obispo County YMCA
Derricks to Desks Program
American Red Cross
American Youth Soccer Organizations
Boys and Girls Campfire Association
Lucia Mar Unified School District
Nipomo Chamber of Commerce
Nipomo High School
Arroyo Grande Chamber of Commerce
Nipomo Football League*

*Orcutt Basketball League
Orcutt Youth Softball
Pacific Wildlife Care
Santa Maria Girls Softball
The Dunes Center
Five Cities Youth Basketball
Santa Maria Valley Economic
Development Association
San Luis Obispo Literacy Council
Santa Barbara MS Bike
Tour & Fest
Santa Maria Valley Discovery Museum
Start to Finish Multiple Sclerosis
Bike Tour
Adopt-A-Highway Clean Up Program
Salmon Enhancement*

Item 18 - Hearing to consider a request by the County of San Luis Obispo to adopt an Urgency Ordinance extending the expiration dates of land use permits and land use permit applications.

This is a positive step to grant 2-year extensions for permit applications, execution of permitted projects, and other time-limited activities.

Proposed Urgency Ordinance

o Extends Land Use Permit Applications (not yet approved) by 2 years. The current deadline is 90 days from date of last information request or hearing.

o Extends Land Use Permit approvals by 2 years. Allows builders an additional 2 years to complete substantial site work (i.e. “sticks in the air”). The current deadline is 24 months for MUPs and CUPs.

o Time extensions are in addition to already issued extensions and are retroactive to March 4, 2020.

The ordinance does not apply to land subdivisions.

Item 19 - Hearing to 1) consider an ordinance amending Title 22 and Title 23 of the County Code (LRP2015-00013) to revise the County’s sign ordinance in order to be consistent with the U.S. Supreme Court decision Reed v. Town of Gilbert regarding First Amendment speech and content neutrality; and 2) consider policy approaches addressing billboards and billboard decommissioning. As a result of a US Supreme Court Decision restricting the ability of localities to regulate the content of signs, the County must update its sign ordinance. One benefit is that directional signs, which are now limited to wineries, will be expanded to all agricultural uses.

There is also a discussion of billboards. Essentially, to remove them, the taxpayers must compensate the owners and billboard companies. This can be a very expensive process.

Item 20 - Hearing to consider 1) a request by the County of San Luis Obispo to amend the County Land Use Ordinance (Title 22) and Buildings and Construction Ordinance (Title 19) to: A) Use the State’s boundary of the Paso Robles Groundwater Basin; B) Clarify the application requirements for an Agricultural Offset Clearance regarding fallowing; C) Specify that parcels bisected by the Paso Basin for purposes of the Agricultural Offset Ordinance are subject to the ordinance if using water from the Paso Robles Groundwater Basin; and D) Remove the term “de minimis” from applicable areas for the Agricultural Offset Ordinance and replace with the term “exempt[ion]” and/or other language as appropriate; 2) an addendum to the Supplemental Environmental Impact Report (SEIR) prepared for the Countywide Water Conservation Program in 2015 and Notice of Exemption; 3) a request to consider the environmental determination for amending Paso Basin Planning Area Standards and amending the Agricultural Offset Ordinance to extend the 5-year lookback period, increase the allowed irrigation volume for sites without irrigated crop production, and re-allow offsite transfers of planting credits. The item comes to the Board of Supervisors as a series of possible amendments, not necessarily recommendations from the Planning Commission. It will be difficult for the Board of Supervisors to sort out. Relatedly and as we discuss further in this report, the item should be postponed until after the COVID lockdown ends and the public can fully participate in community meetings and before the Board of Supervisors.

When these issues were first considered back in February, there were so many problems with the staff recommendations that the Planning Commission sent them back for rework. It has profound implications for farmers, ranchers, and other overlayers in the Paso Basin. The current issues are derived from the Board’s original decision in 2014 to place the Basin under a water use moratorium. At that time the Board promised that the moratorium would end when the SGMA plan for the Basin was completed. Late last year everyone realized that completing the Plan in and of itself would not protect the basin because it would take years to implement the water saving mechanisms, fees, and regulations. This in turn meant that the moratorium had to be extended.

Similarly, it was determined that the Basin boundary included in the SGMA plan does not match the State’s official boundary. The issues detailed below are some of the fallout.

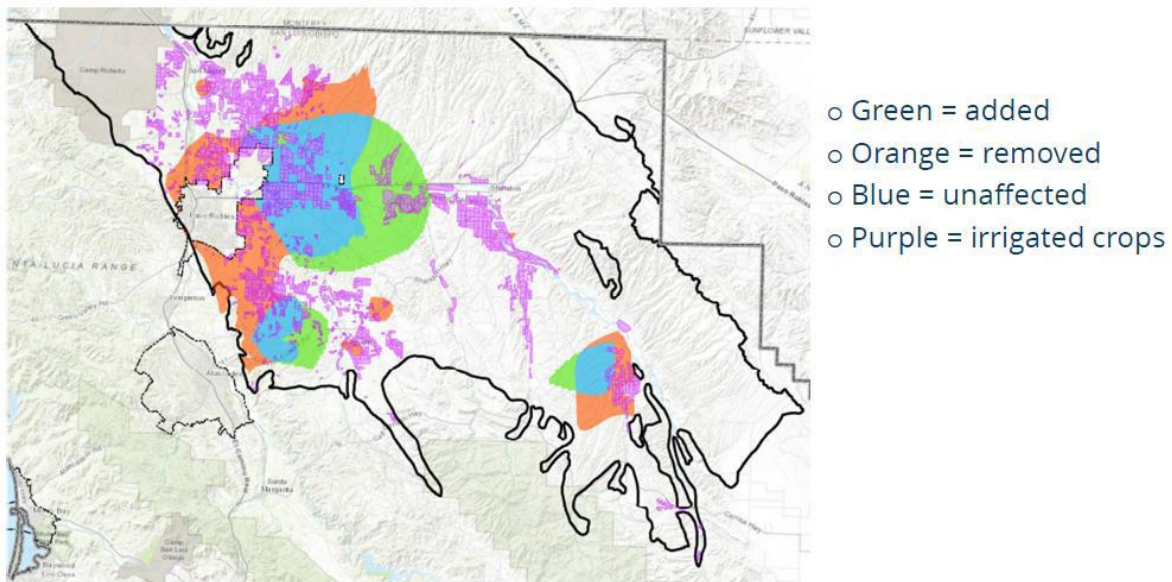
Staff has conflated 2 major policy issues:

1. Paso Basin Boundary Conformity With State Bulletin 118. The issue of adding 101,000 acres to the far eastern side of the Basin was already causing concern among many impacted property owners, especially those on the fringe, whose property will be partially within the Basin and partially outside under the new boundaries.

A larger problem has emerged. The adopted SGMA Paso Basin Groundwater Sustainability Plan (GSP) for the Basin contains substantially different areas defined as “in severe water decline” than did previously accepted documents. The issued is detailed below.

2. Major changes in Basin Areas of Severe Decline. The new map below displays the difference. This change was not highlighted when the Board of Supervisors adopted the GSP. It is not known if the Board members were aware of the huge difference.

Major Changes in Areas Defined as In Severe Decline



Folks in the orange areas are relieved, but did the County cost some of them money or the loss of their business by imposing the more severe provisions of the moratorium on them? What if the data was wrong? Do they have recourse? The people in the green areas are now subject to more severe restrictions. Someone needs to give a detailed presentation on the science underneath the change.

The table below presents the same data in tabular form. Over 26,000 acres are added from the areas of severe decline, and 36,000 are removed. The shift has huge implications and impacts for every property owner whose land is changing status. Those in areas of severe decline are subject to more strict water regulation and development restrictions than those outside.

Table 2: Summary of Changes to the Area of Severe Decline Map

Area of Severe Decline			
Change	Area (acres)	Properties	Property Owners
Added	26,443	455	300
Removed	36,936	1,767	1,437
Net Change	-10,493	-1,312	-1,137
Percent Change	-14%	-32%	-34%

3. How could the analysis have changed so radically from 2018 until 2019? The areas of severe decline on previous maps remained essentially the same for a decade and a half. During this period, the County spent millions of dollars on 3 successive studies which tracked the progressive drop in water levels in various parts of the basin.

Oops, how does much of that get thrown out and replaced?

When Planning Commissioners asked the question, staff said that the consultant that developed the GSP plotted the data and developed the map. Staff also indicated that the data was from County monitoring wells. But the data was always from the same County monitoring wells. Why the sudden change? The staff answer was what we call a non-answer. It does not explain the underlying analysis, measurements, or anything else that would justify the radical revision.

Either the County spent millions of dollars over the past decades for data which was wrong and then established a moratorium on that basis or the SGMA study is wrong, or worse yet, was it somehow manipulated? Perhaps the County needs a forensic audit on this subject.

4. Moratorium Based on Wrong Data? The County water moratorium established in 2014 on an emergency basis, and then made permanent by ordinance following a study and more consultant work, was and is based on the data and map which has now been radically changed. After all, a swap of 63,406 acres in a basin of 400,000 acres (SLO County Portion) is not insignificant.

Similarly, a swap of 2,577 properties is not insignificant. Remember, the data was used to impose a water moratorium on a 400,000-acre basin with the most severe restrictions in the areas defined as “in severe decline.”

5. Is the Whole Moratorium Illegal? If the data can be substituted so easily, was and is the moratorium even legal? How could 36,936 acres, which had been listed and regulated as “in severe decline,” suddenly be removed from the projection without a CEQA analysis?

6. County Staff Can’t Make Up Its Own Definition of DeMinimus: The staff and Commission have changed the meaning of the legal term “de minimis” as it pertains to water use. Under the water code and in SGMA, it means a user of 2 acre-feet per year. The Commission cannot just decide that the staff can set its own version. It has been speculated that the staff wishes to remove the de minimis label because its omission would allow the County and the other water districts to slap a fee on overlayers. They cannot do this where the users are labeled as de minimis under state statute.

The Department of Public Works recommended clarifying the term “de minimis” in the Agricultural Offset Ordinance to avoid confusion with the definition in the GSP. The Agricultural Offset Ordinance in Title 22 allows a one-time exemption for sites outside the Area of Severe Decline without existing irrigation to plant irrigated crops with a water demand of up to 5 AFY per site. This exemption is currently labeled as a “de minimis” exemption. The GSP and California Water Code define “de minimis” groundwater users for SGMA as those who use 2 AFY or less for domestic use. The attached ordinance removes the “de minimis” label from the 5 AFY exemption, keeping the exemption intact, to avoid confusion with the GSP definition

7. What About the People Whose Quiet Title Has Been Confirmed? The report glaringly omits the status of the over 850 properties which have been confirmed in their Quiet Title to the water underlying their thousands of acres of land in the basin. Neither the County nor the other water districts may regulate these users without having the specifics approved by the Superior Court under the terms of the Quiet Title determination.

The significance of this omission could blow the whole SGMA effort as well as this map revision right out of the water, so to speak. The staff has divided the various projects related to regulation of the basin into 3 phases.

Phase 1 (adopted, effective December 5, 2019)

- **Extend the termination date for the Water Neutral New Development Standards from the date of GSP adoption to January 1, 2022.**
-
- **Eliminate off-site transfers of water demand to convert irrigated crops.**

- **Include an applied water factor for hemp and supplementally irrigated dry cropland in the Agricultural Offset Ordinance.**

- **Establish a process to determine applied water factors for crops not specified in the Agricultural Offset Ordinance.**

- **Require a recorded disclosure form instead of a deed restriction for the Agricultural Offset Program.**

COLAB NOTE: Phase 1.5 was supposedly directed by the Board in December, 2019. It is true the Board directed that Planning work to conform the boundary of the basin to the SGMA Plan. But reconfiguring the Area of Severe Decline was not part of the direction.

- **Update the maps of the Paso Basin and the Area of Severe Decline in the Paso Basin to be consistent with the GSP.**

- **Create a fallowing registration.**

Phase 2 (pending environmental determination)

For new irrigated crop production:

- **Expand the one-time exemption for sites without existing irrigation to allow 25 acre-feet per year (AFY) instead of 5 AFY of water demand per site, considering parcel size.**
- **Extend the lookback period beyond 5 years to establish the baseline of existing irrigated crop production and water demand.**
- **Discuss re-allowing off-site transfers of water demand to convert irrigated crops**

For non-agricultural new development:

- **Revisit water offset fees and water usage assumptions for the Paso Basin.**
- **Revisit the Paso Basin Planning Area Standards prohibiting land divisions and General Plan Amendments that increase water demand.**
- **Revisit the 1:1 water offset requirement for the Nipomo Mesa.**

Background: This was considered in February. There were so many problems that the Commission sent it back for rework. It has profound implications for farmers, ranchers, and other overlies in the Paso Basin. It all came back this week and contained a disastrous bait-and-switch.

It should not have been on the agenda during the lockdown, when the public cannot organize, attend, or comment in person. To that end we asked the Commission to postpone it until the public could attend. Commissioner Campbell attempted to persuade the Commission in this regard but was unable to get them to agree.

Dear Planning Commissioners and Director Keith: June 4, 2020

This item contains major policy which will have substantial impact on overlies of all types. The matter should be postponed until after the COVID lockdown is phased out to when the meeting can be held with the public in attendance in person. This is too important to handle by zoom. Please continue the meeting until we can be present. Staff will be in the room but we won't. Just the sudden changes in the maps of the serious overdraft areas raise a myriad of questions about the whole set of policies and regulations. How could the picture change so profoundly from a few years ago to be less severe?

It is possible that many concerned citizens don't even have Zoom. Just the slide deck is 25 PowerPoints, which at 3 minutes per slide, is 75 minutes. This is a complex matter. Also this matter should be advertised beyond the normal agenda posting. According to the write up, some of the meetings with various Basin interest groups and citizens were held by zoom which is not sufficient in this case.

Please postpone until you can have a live meeting with the public in the chambers. Thank you for your understanding.

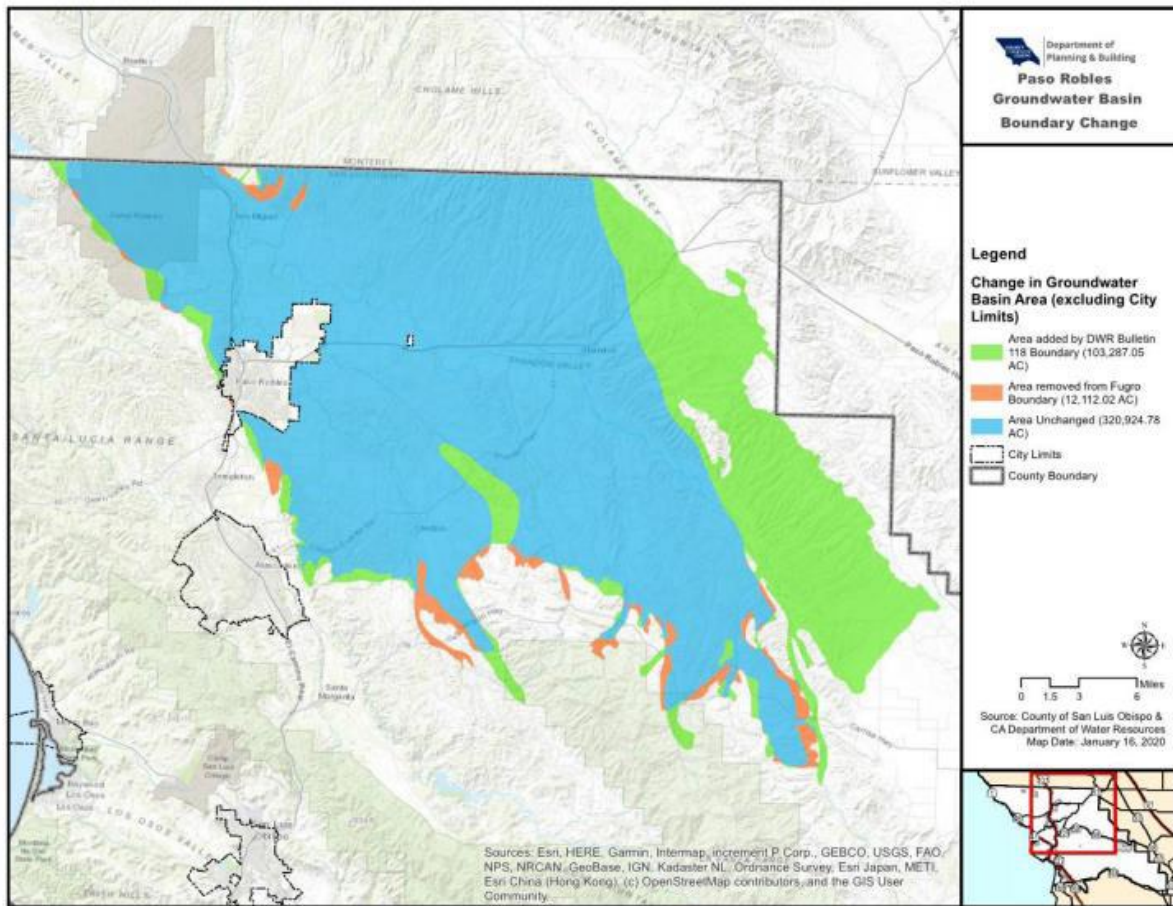
Mike Brown, Government Affairs Director COLAB

At this point the Board of Supervisors should postpone consideration of this item until after the COVID lockdown ends and the public can fully participate.

The Boundary Change: The staff recommended last December that the boundary of the area subject to the Paso Basin water moratorium and its sub-component regulations be brought into conformance with State designated Paso Basin boundaries. The Board of Supervisors agreed and directed that staff process the change through the Planning Commission. This action is necessary to conform the boundaries of the area recognized by the State and the Paso Basin Groundwater Sustainability Plan (GSP).

It means that the areas shown in green (in the map below) are added, and the areas shown in orange are deleted.

Please see the map on the next page below which depicts the massive changes.

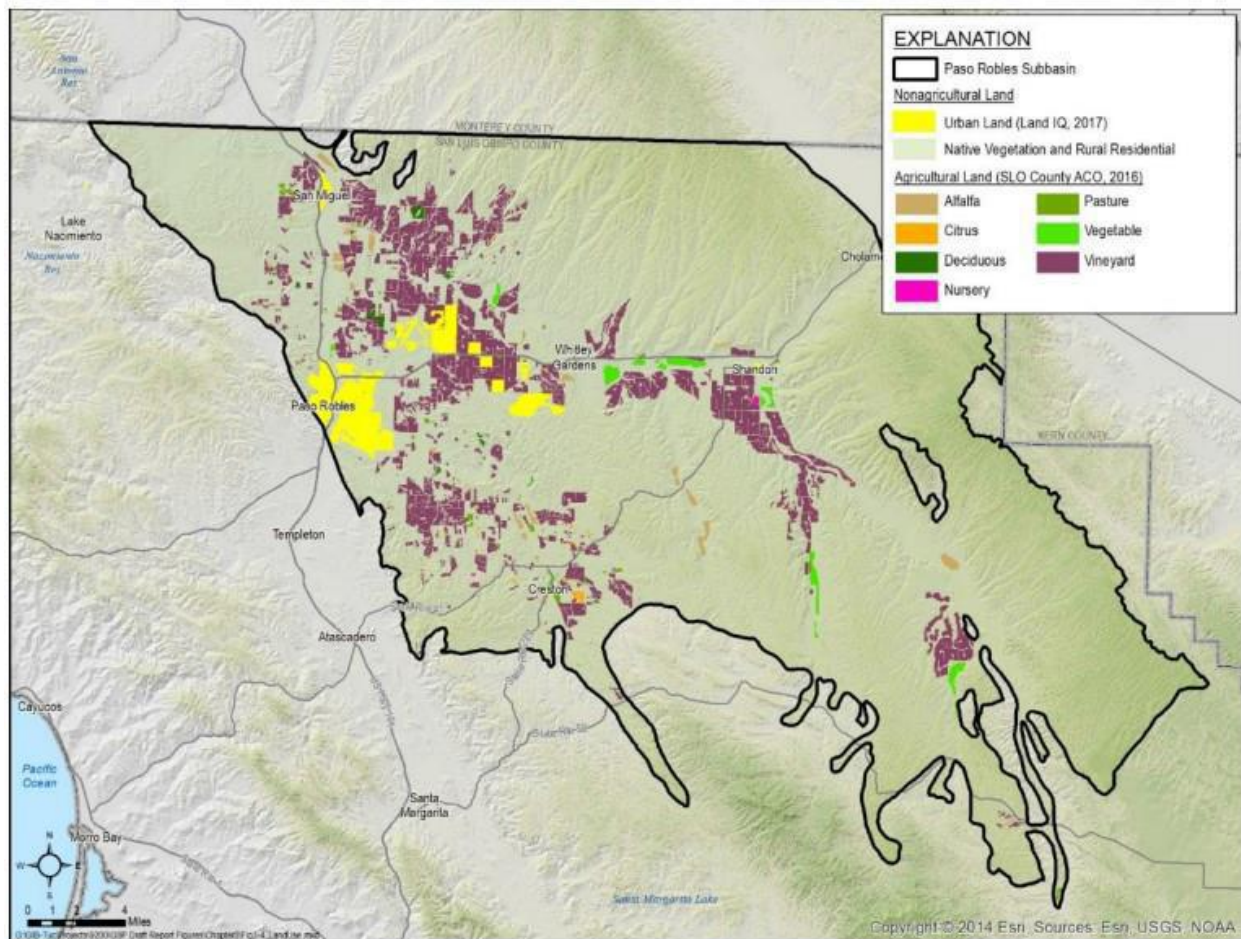


Change in Paso Basin Boundary

A summary of the differences between the Fugro and Bulletin 118 Paso Basin maps in terms of the number of included acres, properties, and property owners is shown in Table 1 below. With this update, 945 properties (524 owners) that are not currently considered to be in the Paso Basin would now be within the basin. 301 properties (244 owners) that are currently considered to be in the Paso Basin would be removed. Overall, the changes would be a 27% increase in area, 8% increase in affected properties, and 5% increase in affected property owners.

Table 1: Summary of Changes to the Paso Basin Map

Paso Robles Groundwater Basin			
Change	Area (acres)	Properties	Property Owners
Added	103,287	945	524
Removed	12,112	301	244
Net Change	91,175	644	280
Percent Change	27%	8%	5%



This change is actually pretty significant, and many cattle ranches are included. The staff writes the impact off as de minimus, stating in part:

Most of the acres added to the Paso Basin in the updated map are properties in the eastern portion of the basin where the existing land use is native vegetation and rural residential uses without existing irrigated crop production on-site. The Agricultural Offset Ordinance (Section 22.30.204) would prohibit planting new commercial irrigated crops on these properties, (except for a 5 AFY de minimus exemption if the property is not located in the Area of Severe Decline) unless off-site agricultural offsets are re-allowed in the future. Most of the added area is composed of large grazing properties with low residential density that will be minimally impacted by the 1:1 offset requirement for new construction (Section 19.07.042). The Paso Basin Planning Area Standards (Section 22.94.025) would 1) require a 2:1 water offset and low-water using landscaping for projects approved through a discretionary land use permit, and 2) prohibit General Plan Amendments that increase water demand and land divisions in the added areas, excluding San Miguel and Shandon. The Phase 2 WNN D Amendments will re-examine the requirements of the 1:1 offset ordinances and the planning area standards.

Should the impacted ranchers wish to add a residence or irrigated crops, they will now be subject to the various basin moratorium requirements.

MATTERS AFTER 1:30 PM

Item 22 - Hearing to consider a request by the County of San Luis Obispo for amendments to the Land Use Ordinance and Coastal Zone Land Use Ordinance, Title 22 and Title 23 of the County Code (LRP2019-00005,-00006) as applicable to Cannabis Activities, including, but not limited to, enhanced enforcement for violations, increased distance buffers from sensitive receptors, revisions to water offset requirements, disallowing re-permitting if an operation ceases or code violations occur, requiring fully enclosed ventilation systems, and revising standards for ancillary nursery to be encompassed in overall cannabis cultivation area.

The key issue underlying this item is fairness in terms of how the Board will treat the following classes:

1. Those permit applicants who are in the permit pipeline – that is have a permit application which has been accepted by Planning and Building for processing. Will they proceed under the regulations which were in place when they applied or new rules which could be adopted pursuant to this agenda item?
2. Potential permit applicants who were included as having filed an intent as part of the original cannabis moratorium process, who have not yet had a permit application designated by Planning and Development as accepted for processing. Again, will they proceed under the regulations which were in place when they signed up or under new rules which could be adopted pursuant to this agenda item?
3. Current operators who have received a permit and all those who may receive a permit. The inflection point arises because an approved operator must renew its permit every five years. Which rules will they come in under? Those that were in place when they were first approved or new rules which were subsequently adopted after they were approved.

Per the Board of Supervisors request last year, staff has returned with a cafeteria of potential expanded regulatory controls on cannabis. The Planning Commission reviewed these and sent its recommendations to the Board. They are presented here. The key areas under consideration include:

- 1. Establish enforcement related remedies for cannabis violations, including options and scenarios related to a “3-strike” policy*
- 2. Increase buffer distance from schools and other sensitive receptors,*
- 3. Evaluate and analyze options to prohibit outdoor cultivation*
- 4. Disallow the payment of water offset fees over the Paso Robles Groundwater Basin*
- 5. Disallow re-permitting if an operation ceases or violation occurs (no “revolving door”)*
- 6. Require enclosed ventilation systems on indoor grows*
- 7. Evaluate and analyze drying in hoop houses, and*
- 8. Revise standards for ancillary nurseries to be encompassed in the overall cannabis cultivation area.*

Click on the link below to see the changes. They are marked in red. Once the link opens, click on the tab, “Title 22 Red Line Version Amendments.”

<https://agenda.slocounty.ca.gov/iip/sanluisobispo/file/getfile/124772>

Some summary critical provisions from the Staff report include:

Previous violations:

Any site proposing cannabis activities where there have been verified violations of a County ordinance or other laws relating to cannabis within the last twenty-four (24) months shall require a Conditional Use Permit approval. Any site proposing cannabis activities which has had three (3) or more verified violations of County ordinance or other laws relating to cannabis within the last twenty-four (24) months shall be ineligible to apply for land use permit approval for any cannabis activity for a period of five (5) years from the date of the last verified violation.

Without modifying or limiting the grounds for revocation set forth above, land use permit approval shall be deemed automatically revoked for five (5) years upon a finding that the site has had three (3) or more verified violations of County ordinance or other laws relating to cannabis within the last twenty-four (24) months.

Amortization of Grows Over Time:

Limit on the number of cannabis cultivation sites. The total maximum number of applications accepted for processing for cannabis cultivation sites in the unincorporated portions of the County that cumulatively can be approved or accepted for processing shall be limited to 141. The revocation, expiration, rescission or termination of use permit approval, or the denial or withdrawal of an application accepted for processing, for cannabis cultivation on a site does not affect whether the above cap has been reached and whether any additional applications can be submitted. Once an application for a cannabis cultivation site has been accepted for processing or approved, the number of applications which can be accepted for processing for a cannabis cultivation site will be permanently reduced by one. In addition, the number of applications for cannabis cultivation which can be submitted at any one time shall be limited to 141, including permanent reduction for approved applications and applications accepted for processing regardless of whether those applications were subsequently withdrawn or approvals subsequently revoked. Renewal or modification of an approved land use permit does not qualify as a new application with regard to this limitation. Additional cultivation limitations shall be...

Distance Between Cannabis Sites:

No cannabis cultivation site shall be located within one thousand five hundred (1,500) feet of another cannabis cultivation site or cannabis nursery. Distances shall be measured from the closest property line of the existing cannabis cultivation site, to the closest property line of the property containing the proposed cannabis cultivation site. This location standard can be modified through Minor Use Permit approval when a Conditional Use Permit.

Water Restrictions:

There are some heavy-duty water restrictions for the Paso Basin and in particular areas that are listed as in “Severe Decline.” These include 2/1 offsets and no transfers between parcels or around the basin.

Should all or many of these new regs (and others not displayed here) be adopted, it will be almost impossible to site an outdoor grow anywhere in the County except in the far eastern sector.

The Commissions Actions:

The Commissioners voted 4/0 to send its list of recommendations to the Board of Supervisors. The Board had requested the Planning staff and the Commission to study 8 potential changes in the ordinances regulating cannabis. These were and are generally oriented toward strengthening the regulations and making the growing, processing, and retailing of cannabis more difficult. Per the Board of Supervisors request last year, staff returned with a cafeteria of potential expanded regulatory controls on cannabis. Accordingly, the Commission reviewed them and made recommendations to the Board. The key areas under consideration include:

1. Establish enforcement related remedies for cannabis violations, including options and scenarios related to a “3-strike” policy
2. Increase buffer distance from schools and other sensitive receptors
3. Evaluate and analyze options to prohibit outdoor cultivation
4. Disallow the payment of water offset fees over the Paso Robles Groundwater Basin
5. Disallow re-permitting if an operation ceases or violation occurs (no “revolving door”)
6. Require enclosed ventilation systems on indoor grows
7. Evaluate and analyze drying in hoop houses, and
8. Revise standards for ancillary nurseries to be encompassed in the overall cannabis cultivation area.

Before tackling each issue, the Commission wisely sought to define the overall landscape as it pertains to several global the issues.

First, they wanted to make it clear that they supported the notion that no applicant for a permit who is currently in the pipeline be punished by being retroactively subjected to the new more restricted requirement. Those applicants (102 currently) should continue to be processed under the current rules.

Secondly, they sought clarification of the 5-year renewal issue. Under the current ordinances, an approved cannabis operation will have to come in for re-permitting every 5 years. A major question is: Should they be subject to the requirements which were in place at the time they were originally permitted, or will they have to comply with the new, stricter requirements. If the new requirements are adopted by the Board, many operations would not be able to meet them. For example, if the Board were to adopt the provision banning outdoor grows, all the outdoor grows would become illegal and could not qualify for a new permit.

Would they continue as legal nonconforming uses, or would they be put out of business? This circumstance raises messy legal issues, such as taking of private property without compensation.

They were permitted under the existing rules, made investment decisions, and presumably will have built a business.

The Commissioners seemed to think that they should remain under the rules that were in place when they were first permitted. This concern will be transmitted to the Board of Supervisors.

A third global issue is the date when the new ordinances take effect. This will be especially important for those applicants already in the pipeline and those who are not yet in the pipeline but who are on the list of 141 potential applicants who are to be allowed into the pipeline under provisions of the original moratorium. These people may also have made investment decisions, but the new stricter ordinances could render their projects infeasible. For example, new stricter distance from other cannabis grows could render their parcel infeasible and thus not permissible.

The Commission adopted recommendations to the Board on some of the 8 issues summarized above, and were stalemated on others, as follows:

1. 1. Enhanced Enforcement policies/3 strikes and you're out. The Commission tied on a straw vote 2/2. The tie has been reported to the Board of Supervisors

2. Buffer Distances from sensitive receptors. These will be 1,500 ft. from the sensitive receptors and include the 300 ft. from neighboring property lines. There was some concern that the 300 ft. would be added to the 1500 ft. This recommendation again tied 2/2. There is some sentiment for including residences as sensitive receptors. Up until now, they have been schools, parks, playgrounds, health facilities, and similar land uses. The key new ordinance provisions read:

For land use permit applications accepted for processing on or after September 18, 2020, and any subsequent renewals except as may be otherwise provided by future amendments of this Title, the following standards shall apply:

i. Cannabis cultivation shall not be located within one thousand five hundred (1,500) feet from any pre-school, elementary school, junior high school, high school, library, park, playground, recreation or youth center, licensed drug or alcohol recovery facility, or licensed sober living facility. Distance shall be measured from the nearest point of the property line of the site that contains the cannabis cultivation to the nearest point of the property line of the enumerated use using a direct straight-line measurement. A new adjacent use does not affect the continuation of an existing use that was permitted and legally established under the standards of this Section. This location standard may be modified through Minor Use Permit approval to reduce the distance to six hundred (600) feet. This location standard may be modified to reduce the distance below 600 feet from any library, park, playground, recreation center, licensed drug or alcohol recovery facility, or licensed sober living facility through Conditional Use Permit approval, provided the Commission first makes the findings specified in Section 22.40.050(E)(2).

ii. No cannabis cultivation site shall be located within one thousand five hundred (1,500) feet of another cannabis cultivation site or cannabis nursery. Distances shall be measured from the closest property line of the existing cannabis cultivation site, to the closest property line of the property containing the proposed cannabis cultivation site. This location standard can be modified through Minor Use Permit approval when a Conditional Use Permit is not otherwise required.

There are a number of people advocating that residential uses be added as sensitive receptors. Adoption of such a provision would effectively prohibit the establishment of the industry in SLO County.

3. Prohibition of outdoor cultivation. The Commission on a 4/0 vote determined to recommend against this provision.

4. Fees for water offsets in Paso Basin Development – cash for grass. The staff pointed out that the Paso Basin water moratorium already contains this provision, and everyone, not just cannabis operators, is subject to it. The Commission made no additional recommendation.

5. Disallow re-permitting if an operation ceases or violation occurs (no “revolving door”). Commissioner Multari pointed out that that eventually this would amortize out the entire industry. He went on to chastise the Board majority, stating, “Why don’t they be more up front and just state that they want to ban cannabis?” Commissioner Ortiz Legg piled on, stating that “such a rule would be anti-business, irresponsible, and cast a dark cloud over the County.” The Commission rejected this provision, 4/0.

6. Indoor grows. Require both ventilation and carbon filtration on indoor grows rather than just ventilation with a masking agent. The Commission recommended this provision, 3/1.

7. Disallow drying in hoop houses. The Commission strongly opposed this one because many ag crops are dried or otherwise readied in hoop houses for shipment to the chiller or other processing facilities. The Commission felt this would be an awful precedent that could be seized upon by the ranchette vigilantes to attack other crops. It could also mean that the hoop houses would require building permits in order to obtain an exemption, which in turn could invoke mandated plumbing, electric, and structural requirements. The Commission recommended against this provision, 4/0.

8. Revise standards for ancillary nurseries. Neither the staff nor the Commission could think of any rationale for adopting such a provision: It’s all cannabis. The Commission recommended against this provision, 4/0.

Separately, the Commission did not discuss the oppressive new energy requirements which the staff placed in the specimen ordinances. The Board will need to carefully examine this one.

Energy requirements:

This section which was included in the draft before the Commission seems to have been dropped out.

a. A detailed inventory of energy demand prepared by a Certified Energy Analyst. The inventory shall include an estimate of total energy demand from all sources associated with all proposed cannabis cultivation activities including, but not limited to, lighting, odor management, processing, manufacturing and climate control equipment. The quantification of demand associated with electricity shall be expressed in total kilowatt hours (kWh) per year; demand associated with natural gas shall be converted to kWh per year.

i. Specific steps to be taken to minimize energy demand and greenhouse gas emissions associated with the project. Such steps may include, but are not limited to:

- ii. Source project energy demands from renewable energy sources;*
 - iii. Evidence documenting the permanent retrofit or elimination of equipment, buildings, facilities, processes, or other energy saving strategies to provide a net reduction in electricity demand and/or GHG emissions.*

 - iv. Construction of a qualified renewable energy source such as wind, solar photovoltaics, biomass, etc., as part of the project.*
 - v. Purchase of greenhouse gas offset credits from any of the following recognized and reputable voluntary carbon registries.*

 - vi. Installation of battery storage to offset nighttime energy use.*

 - vii. Any combination of the above or other qualifying strategies or programs that would achieve a reduction or offset of project energy demand and GHG emissions.*
- Bottom line, the Commission was organized, efficient, and sent its recommendation to the Board.*

Local Agency Formation Commission (LAFCO) of Thursday, August 20, 2020. (Canceled)

The next scheduled meeting is on September 17, 2020.

LAST WEEK

Board of Supervisors Meeting of Tuesday, August 11, 2020 (Completed)

Item 1 - Update on COVID-19 in San Luis Obispo County. The Health Director presented the report on the trends, steps to reduce the infection rate, and potential future actions.

COLAB pointed out that with the schools on distance learning, there are likely to be a variety of impacts on County funded and operated services involving children, youth, and parents. These will include nutrition, mental health, physical health, child care, income maintenance, Cal Fresh (food stamps), and unemployment. There did not seem to be any discussion of these impending issues.

Item 4 - Request to review and approve standby officers as designated in the County Emergency Operations Plan and required by County Code. The item was approved. Still in play is the idea that the Board could appoint someone on the list to fill vacant Supervisor Adam Hill's seat on an interim basis. County Counsel opined that it would have to be a new emergency as the state of Emergency for COVID had already been declared.

Item 11 - Submittal of a resolution reappointing Rita L. Neal as County Counsel for a succeeding four-year term beginning September 30, 2020. Attorney Neal was re-appointed on a 3/1 vote with Supervisor Compton dissenting. Compton explained that she did not have a performance issue but felt that the raises granted last year to unclassified upper level employees needed to be reviewed prior to the appointment. Supervisor Arnold agreed but was willing to go ahead with the 4-year appointment at the higher rates and then revisit the compensation issue for higher level

employees separately. The County Executive Officer indicated that all higher level officials may be taking a pay cut as the COVID inspired budget crisis plays out.

Supervisor Peschong and Gibson stated that Neal has been a champion during the COVID crises and working many hours 7 days per week.

Separate from the instant issue of reappointing the County Counsel is the issue that emerged that the Board does not seem to conduct regular annual performance reviews of appointed department heads and other high level administrative officials. Staff stated that they are only reviewed if they are receiving a raise. (We have never seen any item pertaining to performance review of a department head, or the CAO, or the County Counsel on the Executive Session Calendar in the last 9 and 1/2 years.) One problem with not conducting regular performance reviews is that these executives have no real objective idea of how they are doing. More problematical is the situation when it comes time to dismiss one (even though they are at will). They will inevitably argue that the CAO and Board never told them that there were any issues or need for improvement. This can result in costly legal settlements.

Background: Under California law county boards of supervisors appoint their county counsels for 4-year terms. This came about because there were some counties that would fire them out of hand for giving opinions that they did not like. This in turn led to mistakes and costly lawsuits. The county counsels can be fired only for neglect of duties, misfeasance, or severe mistakes.

Attorney Neal appears to be careful in her opinions and on the surface eschews playing politics. This is proper, but on the other hand this leaves the conservative Board majority without tactical legal advice on many high level issues that are inextricably embedded in value judgments about private property, water rights, behavior of high ranking officials, fees, and so forth. The County Counsel advises the entire Board and must not play favorites or provide separate advice to individuals other than on potential conflicts such as those that might arise under the Brown Act.

The write-up provided the bare details:

The Board appointed Ms. Neal as County Counsel in September of 2012 pursuant to Government Code section 27640 and again in 2016. Government Code section 27640 identifies the Board of Supervisors as the appointing authority for the position of County Counsel. Pursuant to statute, individuals appointed to this position by the Board serve a renewable four-year term in office.

The current costs of the position are allocated in the department's FY 2020-21 adopted budget. No new appropriations are requested or required to implement this action. The annual salary for County Counsel is \$234,811. Benefits for this position total \$139,768.

Rita L. Neal will serve as County Counsel for the County of San Luis Obispo through September 29, 2024.

Item 16 - Paso Basin Request to authorize the use of alternative publication procedures for a hearing on August 18, 2020 to consider the following requests by the County of San Luis Obispo 1) an amendment to the County Land Use Ordinance (Title 22 of the County Code) and Coastal Zone Land Use Ordinance (Title 23 of the County Code) as applicable to Cannabis Activities; 2) an amendment to the County Land Use Ordinance and Building and Construction Ordinance (Title 19 of the County Code) to update the mapping boundaries for

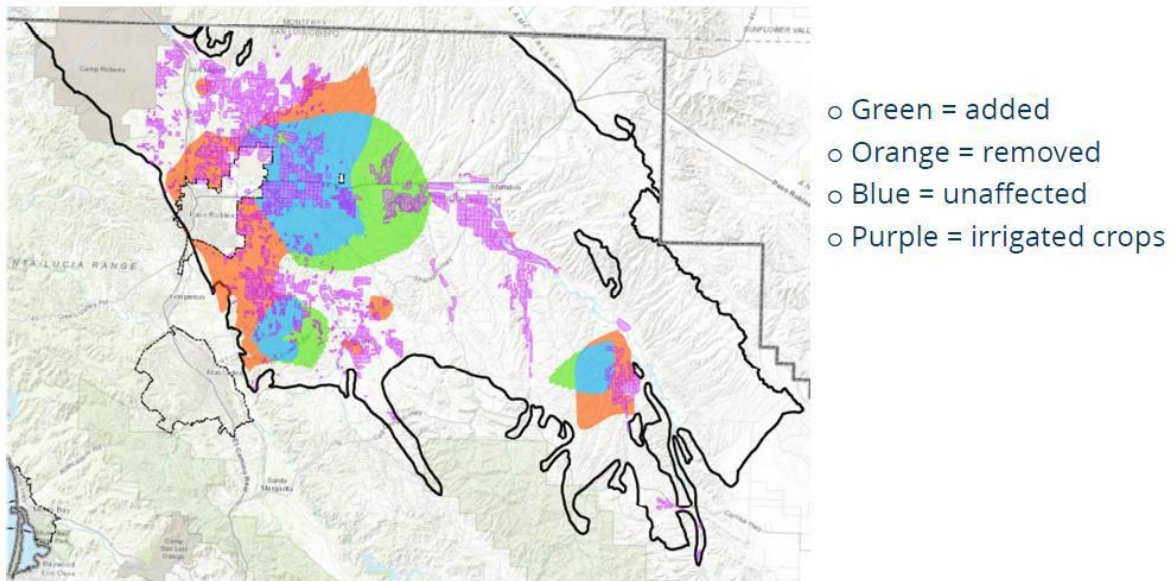
the Paso Robles Groundwater Basin and clarify following requirements under the Agricultural Offset Ordinance; 3) an amendment to the Land Use Ordinance and Coastal Zone Land Use Ordinance to revise the County's Sign Ordinance to be consistent with the U.S. Supreme Court decision *Reed v. Town of Gilbert* regarding content neutrality; and 4) an urgency ordinance to extend the expiration dates for land use permits and land use permit applications. The short form noticing was unanimously approved without discussion on the consent calendar. No consideration of our request to publish the maps was given.

Background: This was a request to waive the publication of the full text of certain ordinance revisions, including the cannabis regulatory ordinance, the Paso Basin water moratorium ordinance, and the signage regulations. The idea is to save money that would be spent displaying the full and lengthy text of these ordinances. This is probably okay because most people aren't going to read them anyway unless they are particularly interested.

One of the Paso Basin issues is a staff recommendation for a major revision to the mapping of those areas which are in severe water level decline. The display ad should include the color coded map to make clear to the public and the overlayers that the proposal has severe implications for those who would be included in new areas defined as being in severe decline.

It would also be helpful on the cannabis ordinance to have a map that shows the impact of the proposed 1500-foot prohibition setback of cannabis operations from an existing cannabis operation, and more importantly, urban reserve lines, sensitive receptors, and other exclusionary uses.

Display ads containing the maps (which already exist) might cost more but would make it clear to the stakeholders and general public that these are significant policy changes. This map, below, should be included.



Item 18 - Submittal of resolutions approving the 2019 San Luis Obispo County Integrated Regional Water Management Plan (IRWM) and find that the project is exempt from Section 21000 et seq. of the California Public Resources Code (CEQA). Fortunately the item was pulled

off the agenda by staff and will be set as a regular agenda business item in the future, facilitating full disclosure and discussion.

As we stated last week, it was surprising that this matter was on the consent calendar. It contains major longrange policy which can impact land use and development.

To be eligible for State water funding grants, an IRWM plan must periodically be submitted to the State Department of Water Resources (DWR) for review and must meet the stringent requirements. It is somewhat analogous to the SLOCOG Regional Transportation Plan (RTP) in the road and transit universe. At its most general level (the Plan contains 429 very technical pages), the Plan:

- *Describes the Region and its water management strategies*
- *Reviews the Region's water issues (e.g., supply, quality, storage, conveyance, etc.)*
- *Puts forward strategies to address solutions for those issues*
- *Suggests actions, programs, and capital projects to carry out those strategies*
- *Prioritizes and integrates those actions, programs, and capital projects*
- *Establishes metrics to measure and manage collected data to show the potential improvements, benefits, and impacts of the plan*
- *Provides a methodology to carry out those actions, programs and capital projects*
- *Monitors the plan's progress and adjusts when needed*

The full Plan can be seen at the link:

<https://www.slocounty.ca.gov/getattachment/fd41c16f-f29e-4ef0-be2c-cd3e7197ebe3/2019-IRWM-Plan.aspx>

The various water groupies in the County study the plan intensively, influence it, and use it to help push whatever policies they support. For our readers with insomnia, download the Plan and read it at night.

The Plan document itself makes it clear that policies and provisions of the Plan can impact various jurisdictions' land use policies and can be used to assist or forestall development. Again and through this process, smart growth, greenhouse gas reduction, and other efforts to reformat society are promulgated.

In this regard, the new Plan contains a major new chapter on climate change. The participating jurisdictions must commit to policies and objectives which meet state-mandated climate change policies. This insidious process never sees the light of day in the Boardroom and probably not at the city councils and other participating jurisdictions.

Item 22 - Submittal of department budget reduction plans for FY 2020-21, as directed by the Board of Supervisors during the FY 2020-21 Budget Hearing, and request to approve corresponding budget adjustments as detailed in the recommendations by 4/5 vote. The item was withdrawn from the agenda last Friday, which is good as it contained considerable detail about reductions already made but no strategic big picture. The notice stated:

Withdrawal of Item #22 - Submittal of department budget reduction plans for FY 2020-21, as directed by the Board of Supervisors during the FY 2020-21 Budget Hearing, and request to approve corresponding budget adjustments as detailed in the recommendations by 4/5 vote. All Districts. Staff is requesting that this item be postponed to a later date.

Integrated Waste Management Authority (IWMA) meeting of Wednesday, August 12, 2020 (Completed)

Item 13 - Report on Strategic Planning – Abolish the Agency?

It turns out that the Authority Board discussed some serious policy which had emerged from a prior Board retreat and workshop on developing a Strategic Plan. Some of the County Supervisors think the strategic plan should be to abolish the agency. It is being questioned particularly by County Supervisors Arnold, Compton, and Peschong. Many constituents in at least the unincorporated area are not so enamored of bans on plastic straws, polystyrene foam products, plastic store bags, and other politically correct virtue signaling anti-fossil fuel trendology.

Options include reducing the powers of the Agency to education and trash disposal as opposed to issuing regulatory ordinances. If the member jurisdictions, the County, cities, and some community service districts wish to add regulations, they could adopt these on their own. After considerable discussion, Supervisor Gibson uttered his usual, “Let me try to put a framework on this,” and “approve all the other portions of the Strategic Plan except a section on regulatory ordinances.” The regulatory portion will be taken up at the October meeting. Perhaps Gibson figures that he will have a new ally on the Board via appointment of a Democrat to fill the late Supervisor Hill’s vacant seat.

In other actions, they also handed out some patronage in the form of contracts for public relations “education” to favored not-for-profits such as ECOSLO and the Earth Day Committee. The contracts are designed to have these agencies train the public to recycle, use fewer plastics, and otherwise engage in the micro fetishes of the environmental left. Thus some portion of your trash disposal fees end up subsidizing the very organizations that help weave the web of the new green socialist paradise.

Planning Commission Meeting of Thursday, August, 13, 2020 (Completed)

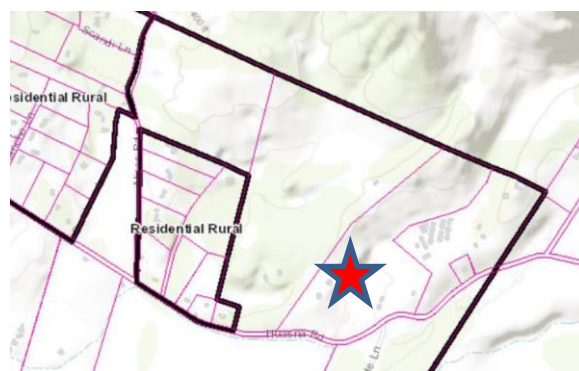
Separately From the Agenda: Commissioner Ortiz-Legg requested that they break for an early lunch because of a meeting she could not miss. The Commission agreed. Wonder if she and an appointment with the Governor’s Appointments Secretary? After all she is the Planning Commissioner for District 3, appears to be pro-business, and does not seem to embrace the local Luddites and the bring on the socialism crowd.

Item 3 - Hearing to consider a request by Krista Koenig for a Conditional Use Permit (DRC2018-00155) to allow for the phased development of multiple cannabis activities. Phase 1 would include the establishment of three acres of outdoor cannabis cultivation, 4,800 square feet of modular trailers for ancillary cannabis processing, a 960 square-foot modular trailer for

a non-storefront dispensary service and additional processing, the relocation of two existing 5,000 gallon water tanks, the installation of one new 5,000 gallon water tank, and site improvements including security equipment, fencing, driveway improvements, parking areas, and installation of a restroom and septic system. Phase 2 would include 33,600 square feet of greenhouse to support 22,000 square feet of mixed- light/indoor cultivation, one 8,200 square-foot greenhouse for a commercial cannabis nursery, and a 960 square foot modular trailer for non-volatile manufacturing activities. The project **site is located within the Agriculture land use category at 3919 Huasna Road**, approximately five miles northeast of the city of Arroyo Grande in the San Luis Bay (South) sub area of the South County Planning Area. The Commission approved the permit application after conducting its review. Interestingly one of the neighbors is a “Mouse and Rat” farm. Apparently the applicants are not worried about the rodents escaping and eating the cannabis.

As the Commissioners closed out deliberations, there were some very negative comments on cannabis in general. Commissioner Campbell pointed out the County Civil Grand Jury had issued a scathing report on cannabis. What this bodes for next week’s Board of Supervisors consideration of revision to the Cannabis Regulations could be problematical. We could not find the report on the Grand Jury Website.

This is an integrated operation with indoor and outdoor cultivation, processing, storage, non-volatile manufacturing, a non-storefront dispensary, and nursery cultivation. The staff recommended issuance of the conditional use permit.



As of this writing there were no comments from neighbors in the file.

Item 4 - Continued Hearing on the Los Osos General Plan (Land Use and Circulation) and Growth Management Ordinance. The Commission continued to review the new Plan prefatory to making recommendations to the Board of Supervisors. The Commission previously determined to review the Plan in chunks spread over several meetings in order to give the major policy document systemic review over time. After 4 hours of detailed review and questions to staff, the matter was continued to the Commission’s regular Thursday, October 8, 2020 meeting for further work. The Commission directed staff to bring information on how the separate but related Habitat Conservation Plan (HCP), which is also under preparation simultaneously.

Prudent Commissioners: The Commissioners, very appropriately, were very concerned about areas on plan map listed as Environmentally Sensitive Habitat (ESH). Some of the areas contain lots which

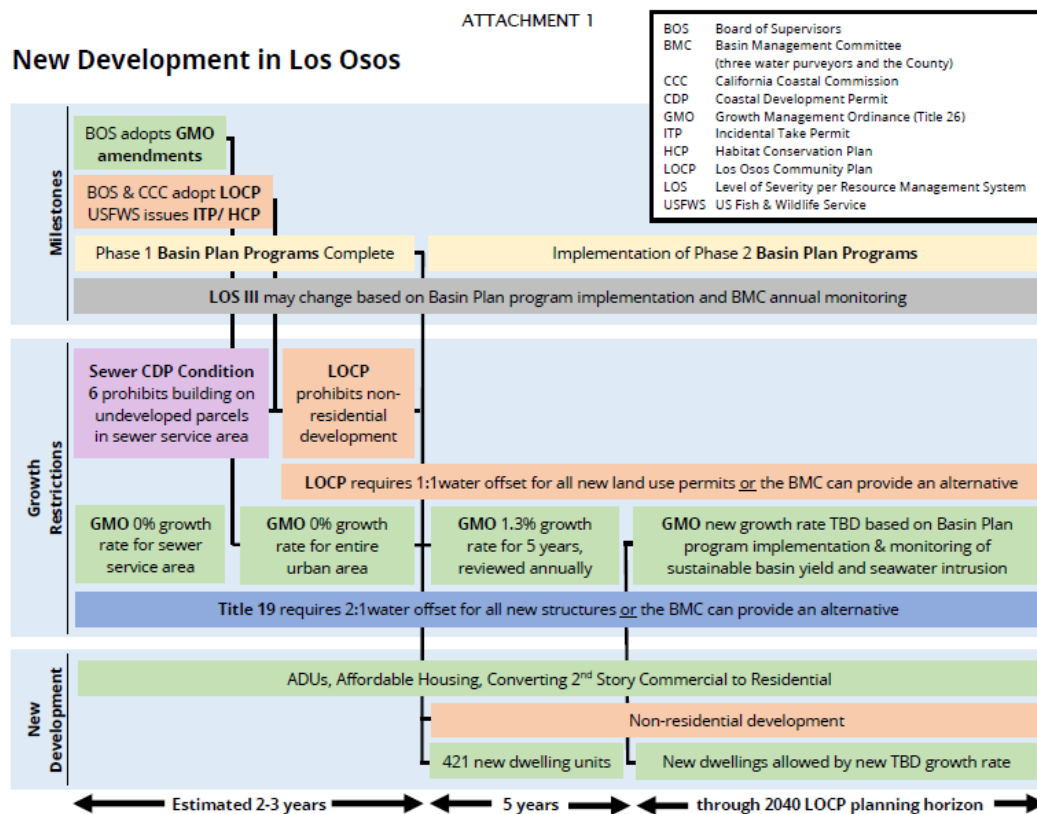
could be developed were they not listed as ESH. Some have existed since before the concept of ESH was invented. The Commissioners are seeking clarification, including detailed data on how the areas were determined to be listed. Key species include the Los Osos Snail and Dunes Grass. The Commission wants to know which areas contain which species.

Danger of Illegal Takings: When asked about how they determined the ESH areas, staff answered that they looked at documents and/or drove by in the car. This is patently inadequate. They actually need to walk the properties and count samples. Otherwise the County could be sued for an illegal taking. Could you imagine on the stand: Ms. Prin, *What are your qualifications to determine an ESH? I majored in Environmental Advocacy at San Francisco State. How did you determine that the lots in this case are ESH? I drove by.*

Public Comment: There was fairly extensive public comment, much of which was very detailed about too little water, too much or too little affordable housing, Plan consistency with other documents such as the pending Habitat Conservation Plan, Housing Element traffic, and snails.

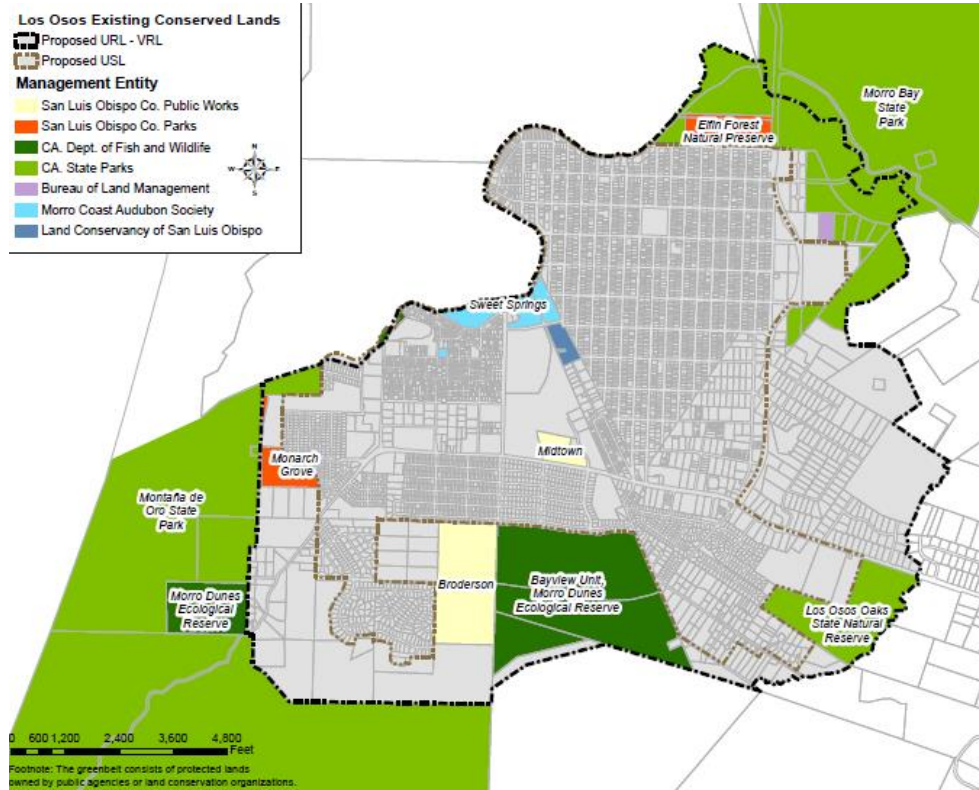
Key Issues: During a prior session, Commissioners directed staff to change some proposed policies and also provide data with respect to some sections. These are summarized below and as noted above, were discussed in detail.

1. Develop and present an exhibit showing how the Community Plan would interact with other planning documents and policies to manage growth in Los Osos



The chart suggests that it may be up to three years before any real development takes place, which would be permitted by the Plan, notwithstanding the completion of the \$200 million Los Osos Sewer Plant several years ago.

2. Present a map showing the proposed Los Osos Greenbelt

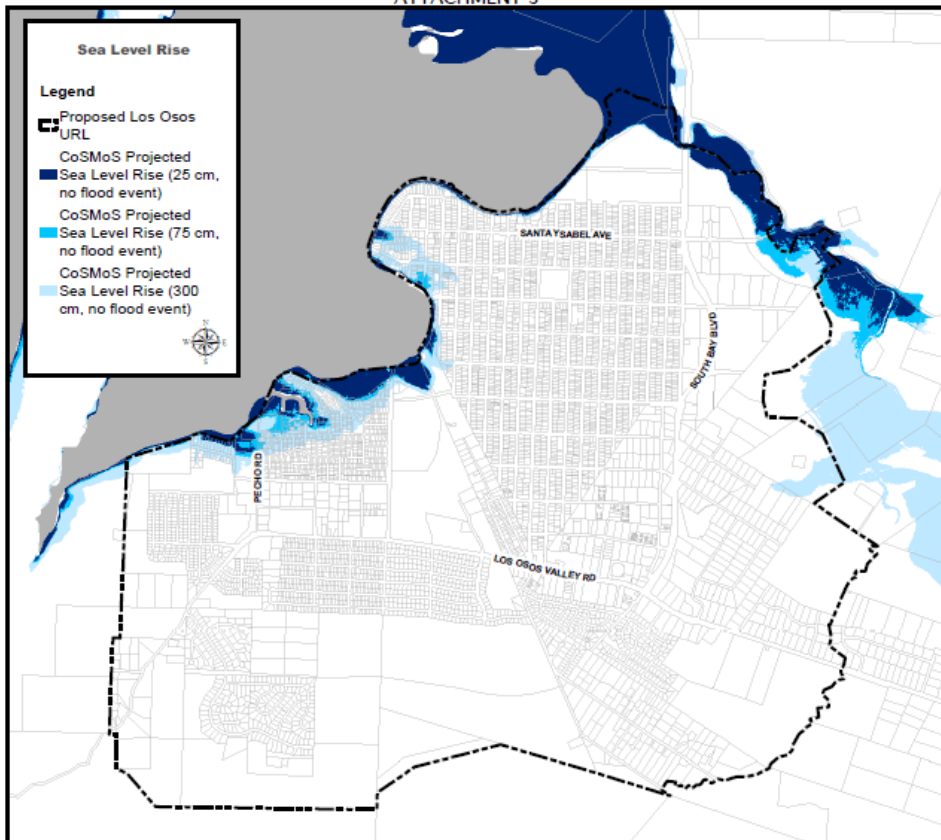


The greenbelt areas combined with the bay pretty much land-lock the community except for a few portions of the east side.

3. Present the Sea Level Rise Map for Los Osos

The projected sea level rise inundation areas will restrict new development and reconstruction of the properties shown in the areas on the map below. Eventually, the County will be required to implement managed retreat – that is, removal of structures in the affected areas. This is an emerging mandate from the California Coastal Commission and other State agencies. See the map below:

ATTACHMENT 3



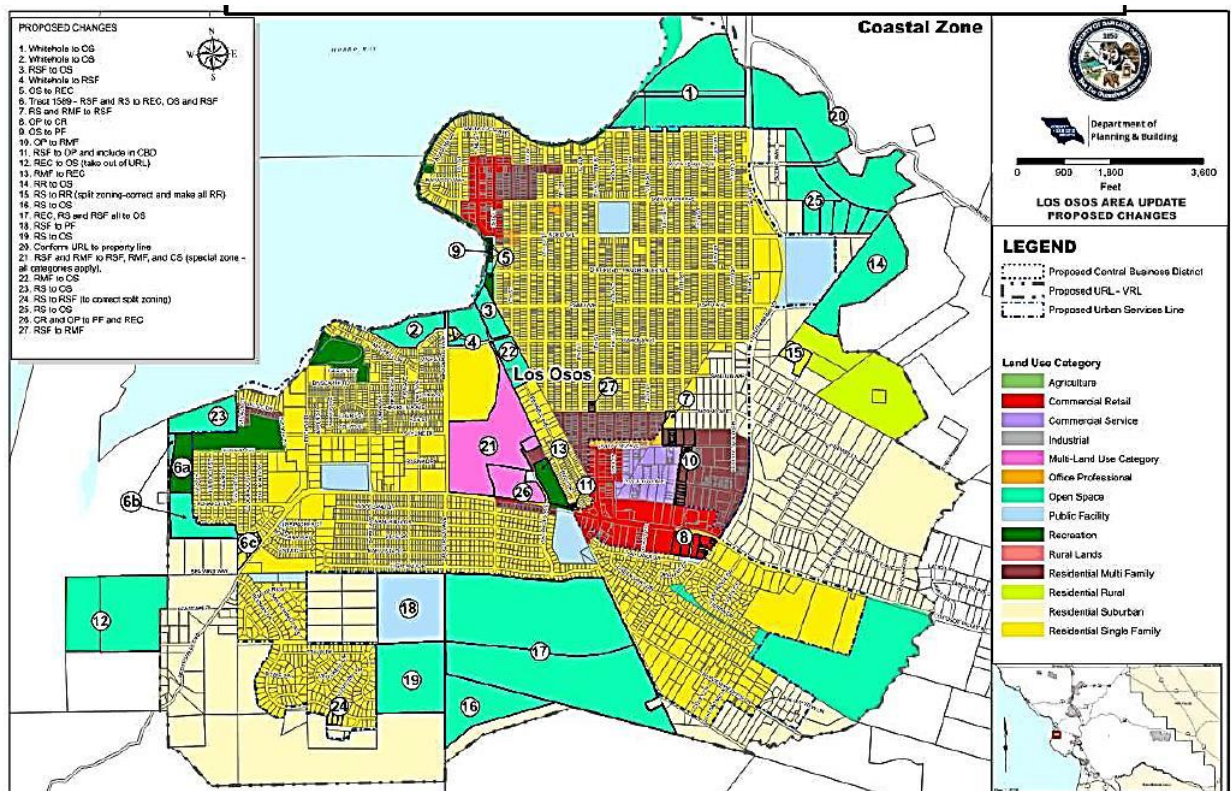
4. *Include exemption to allow the second story of commercial buildings to be converted to residential use*
5. *Update exemption language and water demand offset standard in Chapter 7 (Planning Area Standards) of the Los Osos Community Plan*
6. *Amend Community Plan to designate Morro Shores and the Fairchild Area as mostly residential*
7. *Discuss the implications of including a site in the Environmentally Sensitive Habitat Area (ESHA) combining designation*
8. *Prepare and present additional information regarding water supply impacts of projected ADU and affordable housing development*
9. *Provide for a maximum flexibility in design for the Commercial Areas*
10. *Status of the Habitat Conservation Plan and Timing of Los Osos Community Plan*

Background: This is a long coming Plan update, which revises the Land Use Plan and the Circulation Element (transportation). The map below provides a general overview. Growth should be slow if at all. Nature is to be preserved at all costs. To these cannons have been added the global warming and social justice provisions of greenhouse gas reductions, prejudice against cars, and the idea of forcing the average person into dense housing and mass transit.

There was a huge and long preparation process including all the Delphi techniques to make sure the Plan came out to prohibit most development.

Lots that have been locked down for decades due to the sewer issue will now supposedly be first in line for permit processing. The water problem seems to exist unabated and without a firm long-range solution. Thus the mantra of limited resources will inevitably continue. Note that the turquoise color on the map key is open space. The dark green is recreation. It appears that most of the village will be surrounded by open space.

The correspondence in the file expresses concerns that the plan will result in overuse of water, which is already in severe shortage. It also indicates that the community is not too happy with the idea of any more density or additional housing development. The Community Services District sent a letter expressing particular concern about water. The community does not wish to become a target for more than its share of affordable and subsidized housing. One problem attendant to the County's overall smart growth policy is that denser housing, usually a prerequisite for affordable housing, is allowed only in the village centers of Los Osos, Templeton, San Miguel, and Nipomo.



Item 11a - San Luis Obispo County LCP Amendment No. LCP-3-SLO-20-0043-1 (Industrial Hemp). Public hearing and action on request by San Luis Obispo County to amend the LCP to allow for the cultivation and processing of industrial hemp within certain land use designations; add definitions related to industrial hemp; provide location and odor standards for industrial hemp cultivation; and add industrial hemp to the LCP's existing cannabis violation and enforcement section. The Commission staff supported the County's ordinance and recommends that the Commission certify it.

The staff recommends one change, which is to increase the required distance from riparian resources from 50 to 100 feet. The write-up states in part:

The County endeavored to develop an ordinance that allows for hemp uses, while also addressing the unique issues of this agricultural use, particularly odor control and proximity to residential uses. The proposed amendment would allow for both indoor and outdoor hemp cultivation on Agricultural and Rural designated land on sites larger than 400 acres, while prohibiting outdoor cultivation within 2,000 feet of property lines, within one mile of any Urban Reserve Line or Village Reserve Line, within 50 feet of any riparian area, or within 100 feet of any wetland. Indoor cultivation would also be allowed on these lands, in addition to Rural Residential land, but would be prohibited within 100 feet of any residence that is not owned by the cultivator. The amendment treats hemp processing in the same manner as any other agricultural processing use, with additional requirements that processing takes place within a fully enclosed permanent structure and that an odor control plan be in place.

With these standards, the proposed amendment provides for Coastal Act priority agricultural use in a manner that respects and responds to its particular potential impact on coastal resources. Staff is recommending one small modification to clarify that the setback requirements for hemp cultivation/processing from riparian habitats is 100 feet (not the proposed 50 feet), as currently required by the LCP.

The hemp ordinance is very strict in terms of setback distance requirements from property lines and village reserve lines. The pending stricter cannabis regulations emulate some of these, which will make it difficult for the cannabis industry in SLO County.

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

THE SINGULARITY IS NEAR

BY MALCOLM POLLACK

Can we, for the sake of our children's children, find at the last moment a way to reverse course, to step back from the brink, to find a future timeline that avoids the dreadful singularity of civil war?

It's obvious to all, at this point, that factional division is reaching a breaking point in America. Like a pair of locked-together tectonic plates pulling slowly in opposite directions, the strain has been increasing for a long time now—and when seismic ruptures finally occur, they happen suddenly, and release enormously destructive energies.

Some years back, John Derbyshire referred to this pent-up tension as a “cold civil war,” and here in 2020 more and more of us are getting the feeling that the term is apt. Is it? (The question has also been the subject of an ongoing weekly discussion between the radio host John Batchelor and historian Michael Vlahos.)

Scholars have argued over the nature of civil wars since the Romans first gave us the term. As described in David Armitage's fascinating book *Civil War: A History in Ideas*, they have settled, over time, on a three-way taxonomy:

Secessionist: Civil wars are those in which one part of a nation wishes to separate itself and go its own way. Both of the wars fought on American soil, it could be argued, fall into this category: not only the one we now call “the Civil War,” but also the one we proudly refer to as the American Revolution.

Successionist: Civil wars are conflicts in which factions vie for control of a nation's political system. In these conflicts the *form* of the nation is not at issue, just who shall occupy the throne. History is rich with examples.

Supersessionist: Civil wars are those in which two factions, with incompatible visions of what the *form* of the nation should be, vie for sovereignty over the nation's territory. The French and Russian revolutions were of this type.

Throughout history, civil war has been regarded as uniquely evil. It pits neighbor against neighbor and brother against brother. It is the form of war in which, no matter who wins, the nation loses. Charles de Gaulle once said, “All wars are bad . . . But civil wars, in which there are brothers in both trenches, are unforgivable because peace is not born when war concludes.” Montaigne said, “Civill warres have this one thing worse than other warres, to cause every one of us to make a watch-tower of his owne house.”

One of the peculiarities of civil war is that it is hard to say, except in retrospect, when a nation has passed the point of no return. There is rarely anything so distinct as Caesar's fateful crossing of the Rubicon. It is, rather, like falling into a black hole: there is an "event horizon," at some distance from the singularity, beyond which nothing can escape. To a space-traveler falling through it, there is no visible difference, no noticeable boundary—but once you have crossed that fateful border, there's no possibility of turning back. All future timelines must pass through the singularity.

Is that where we are today? For the answer to be "no" means either that one side in this great political conflict will simply admit defeat, or that there will be some softening of grievances, some sort of coming together in a newly formed political center. Does that seem likely?

Looking at the yawning rift in American politics—the fundamentally incompatible visions of society and government that the two factions hold, the dehumanizing mutual antipathy that finds freer expression every day, the unforgettable damage already done, and the implacable fury with which they grapple for every atom of power—can any of us imagine some way forward in which Right and Left just "bury the hatchet" and "hug it out"?

Which Way America?

Comity requires a minimum of commonality—but the social and political axioms of "blue" and "red" have moved so far apart as to be wholly incommensurate. Even the most basic axiom of all—that the United States of America, for all its flaws, is essentially good and worth preserving—is now the subject of acrid, even violent, disagreement. (Our nation's "newspaper of record" has even gone out of its way to insist that the premise is not debatable, but false.)

If we *have* crossed the event horizon, then what sort of singularity—which of the three forms of civil war—are we falling toward?

Although the 2020 election will be bitterly contested—it may even turn out, in retrospect, to have been the singularity itself—the stakes here are much larger than who gets to spend the next four years in the White House. No matter who wins, the underlying strain will only increase. (Indeed, it will probably increase sharply: if you think things are tense in America now, just wait till mid-November or so.) If civil war is coming, then, it isn't of the "secessionist" variety.

Will the conflict be of the "secessionist" type? Alas, no. Would that it were!

If we look at the current state of American affairs as a failed marriage, the best solution would be some sort of divorce. A secessionist solution might very well be welcomed by all, and avoid civil war altogether. The problem, though, is that, unlike our previous civil war, the two sides do not occupy distinct and contiguous geographical regions, but are, rather, mixed together county by county, or even house by house. Nobody has yet arrived at any plausible plan for the factions to disaggregate—and without physical separation; it is hard to imagine a realistic means of political separation.

That leaves the "supersecessionist" type, which seems closest to the mark.

An Existential Fight

“Red” and “blue” have profoundly different visions of the scope and structure of the federal government, and of the role of government in American life generally. They differ also on fundamental questions of religion, ethics, morals, and even human nature. Red believes that the American founding was a work of astonishing insight and inspiration and that it represents the best compromise yet struck by the minds of men to enable the possibility of ordered liberty and the individual citizen’s pursuit of happiness and prosperity.

Blue seems to believe increasingly that the whole thing was a sinister power-grab by a cadre of rich white males, designed to preserve and consolidate their immoral supremacy, and that the whole thing is so rotten that it should be torn up by its roots and replaced with something fairer and nobler. (Blue has already revealed that it wishes to see the Second Amendment, the Senate, the Electoral College, and our nation’s borders abolished—and its grievances hardly end there.)

We are fighting, then, not over who shall rule over the existing system, nor about whether the United States should be broken up into two distinct nations, but about whether the United States as currently constituted *should continue to exist*, or should be wholly replaced with an entirely new regime.

Yes, the idea of civil war is always repugnant. But there is another form of conflict that is very closely related to civil war—indeed they are often quite the same thing—that has exactly the opposite emotional polarity, and is especially well-related to civil wars of the supersessionist type: *revolution*.

Consider the difference. As David Armitage reminds us, “Civil wars, by the conventional understanding, betoken the blighting and collapse of the human spirit, while revolutions affirm and actualize it.” Civil war is a sickening thing, a noisome evil—but *revolution* is something to stir the heart, a pathway to fame and glory. (That the latter is so often just what the victors later call the former is quite beside the point.)

A Narrowing Presentism

A characteristic of revolutions is that they rupture the fabric of history. In periods of high civilization, however, that fabric is strong: healthy societies exist not only in the present, but extend both backward and forward in time. The citizens of a robust and prosperous polity are taught from childhood to have a reverent appreciation for what their ancestors have bequeathed them, and a sense of duty to preserve, cherish, and build upon it for generations yet unborn. (Just so was my own generation raised, long ago in mid-20th-century America?)

To rupture that fabric is far easier when it is already weakened—and this is precisely what has happened in America, and in the West more generally, over the past half-century. Insofar as the American past is taught or remembered at all today, it is as a litany of sins, deserving not propagation, but denunciation. The result is that American culture has, to a very great extent, lost its extension in time, and exists in an increasingly narrow present.

Roger Kimball has called this, in a lovely coinage, “temporal provincialism.” We might also call it historical “stenosis”: a pathological narrowing of the channels through which the life-blood of the past flows into the present and the future. And in the sense that the present is always being born from the womb of history, it brings to mind the tying off of an umbilicus—though that is really far too optimistic a metaphor. A better one is the cutting of a flower.

This narrowing presentism tears at a fundamental requirement of civilization: that its citizens see themselves as a living bridge between past and future. If the past is rejected or forgotten, then we have no estate to bequeath to posterity, other than what we can build, *ex nihilo*, in the present. To create a viable nation from scratch, however, is a daunting task, and one that rarely succeeds. Revolution may make for an exhilarating present, but it destabilizes the future.

Civilization depends also on high “time preference”: we defer present consumption to profit from the increased relative value of the things we build for the future. But too-rapid technological and social changes, and of course the deliberate obliteration of history, work to diminish confidence in the surety of the future and drive time-preference toward the present. This in turn manifests itself in hedonism, anomie, present consumption, loss of social cohesion (why pull together when there’s nothing to pull for?), and declining birth rates. This all feeds back upon itself in an intensifying, destructive cycle.

These are dangerous times. Civil war is nothing to wish for. But under the name of “revolution,” it can be a powerful attractor, especially in an era of pathological presentism. Have we already crossed the event horizon? Can we, for the sake of our children’s children, find at the last moment a way to reverse course, to step back from the brink, to find a future timeline that avoids the dreadful singularity of civil war? Only future historians can answer that question. But one thing is certain: things that are falling tend to accelerate. Time is short.

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YES, THIS IS A REVOLUTION

BY **ABE GREENWALD**

The battle for the survival of the United States of America is upon us. It has not come in the form of traditional civil war. There are no uniformed armies, competing flags, or alternate constitutions. The great showdown is not being fought within the physical limits of a battlefield. It is instead happening all around us and directly to us. It defines our culture, sustains our media, and gives new shape to our public and private institutions. In this fight, there is no distinction between what was once known as the culture war and politics rightly understood. The confrontation stretches through time and space, reframing our distant past even as it transforms the horizon, erupting from coast to coast, and constraining our lives in subtle and obvious ways. And it's happening too fast for us to take its full measure.

For partisans, it often feels as if everything stands or falls on the ideological battles of the day. But this is different. This is objectively real, and it's remaking the nation before our eyes.

We know it's different this time because the stakes are continually articulated by the enemies of the current order. They are demanding, and in some cases getting, a new and exotic country. The police are indeed being defunded. The statues are coming down. The heretics are being outed. The dissenters are being silenced. The buildings are burning, and the demands are ever growing.

In June, the editors of *Commentary* called this combination of mob violence, cultural torment, and public intimidation “the great unraveling.” Since then, things have gotten appreciably worse.

The great unraveling at first consisted of riots and looting under the pretense of seeking justice for the recently killed George Floyd; the anarchist occupation of a section of Seattle; and a rash of accusations, confessions, and dismissals of individuals who showed insufficient fealty to the new anti-racist paradigm. At the time, extreme policy proposals, such as defunding municipal police departments, were subjects for popular discussion and debate. Everyday Americans swapped Black Lives Matter reading lists and strove, however misguidedly, to broaden their conception of racial inequity.

As of this writing, Portland, Oregon, has endured more than two months straight of anarchist violence directed at federal buildings and employees. In other cities—New York, Los Angeles, Richmond, Omaha, and Austin, to name a few—mob violence continues to erupt regularly, always connected to cries for justice and sometimes resulting in death. Accelerating the general dissolution, police forces have been successfully hobbled in response to the killing of George Floyd, and the resulting spike in murder and violent crime shows no sign of abating. All the while, armchair lynch mobs have continued to claim the scalps of those who veer from or merely stumble on the path to social-justice enlightenment. It is the full-time job of any American with a public presence to bow down before the identity cult. Professional athletes have mutated overnight into a congeries of Kaepernicks. As for the public, 62 percent of all Americans, according to a poll by the CATO Institute, now say they're afraid to voice their political views lest they be punished professionally.

Leading media organizations, as they did from the start, lend their approval to all of it. After months of defending chaos in the streets as “mostly peaceful,” the media elite is openly covering for a movement whose defining features are intimidation and mass violence. And having completed their Internet-assigned reading in black–white relations, a majority of Americans (56 percent, according to a *Wall Street Journal*/NBC News poll) now find the United States guilty as charged of systemic racism.

Which is now all but beside the point, as perceived racism has less and less to do with the passions convulsing the nation. Statues of abolitionists—indeed, of Frederick Douglass—are torn down with no less vigor than those of slave owners. And the social-justice paradigm has proved capable of accommodating a growing number of grievances. “Cancel the rent,” to take one example, has joined “defund the police” as a rallying cry for the mob. As law professor Amna A. Akbar explains in a July 11 *New York Times* essay: “The people making these demands want a new society. They want a break from prisons and the police, from carbon and rent.” Toward the end of her essay, titled “The Left Is Remaking the World,” Akbar writes: “And whatever you think of their demands, you have to be in awe of how they inaugurate a new political moment, as the left offers not just a searing critique, but practical ladders to radical visions.”

Akbar's wish list is ambitious, but at least it's itemized. Other activists occupy the realm of the purely abstract, where the burden of citing specific complaints can be dispensed with altogether. “This is no longer a political issue,” said one Portland protestor through his megaphone. “This is no longer a

[policing] issue. This is no longer a government issue. This is no longer pointed at one thing. This is a humanity issue.”

If it wasn't clear in late May and early June, it should be well understood by now that we are in the throes of a genuine revolution of the most extravagant sort. Like messianic revolutionaries of the past, the revolutionary mob of the 21st century is out to “remake the world.” Their compass is “no longer pointed at one thing.” It's aimed in all directions at once. As Thomas Paine said approvingly of France in 1791, “it is the age of revolutions, in which everything may be looked for.” A mission so grandiose demands the most radical assault on the current order, and changing the world begins with changing one's country. So it was in France in 1789, Russia in 1917, and China in 1949. And this is especially so if one's country is seen as the seat of the present evil and is also the most powerful nation on the planet. This is, then, most fundamentally a revolution against the United States of America and all it stands for.

And yet, we seem to be treating the great unraveling as something less than a revolution. Apart from the boasts of the revolutionaries themselves, we are apt to hear characterizations of the moment as either “an opportunity for change” or, among those who are wary of it, a “fever” that will blow over in time. But what we are living through now is more consequential than any period of recent unrest, and it's not just another leftist wave destined to roll on until it loses strength. Indeed, a revolution's ultimate power comes from its being underestimated, tolerated, or accepted by those outside its ranks. The speaker of the House, Nancy Pelosi, has adopted the language of the revolution, calling federal agents “stormtroopers.” For New York Representative Jerry Nadler, anarchist violence in Portland is but a “myth.” And the media's abiding sympathy for the revolutionary cause has become mainstream journalism's new North Star. The great unraveling has won the tacit approval of the press, influential policymakers, and a great many ordinary Americans. It is, therefore, already remaking the world.

We tend not to recognize the revolution for what it is—first of all because it seems to lack a proper paramilitary element. Popular notions of insurgency involve images of AK-47s, organized bands of armed men, and the general flavor of war. But in truth, the current revolution has drifted much further into this territory than the media care to admit. The Capitol Hill Autonomous Zone (CHAZ), the anarchist territory formerly established in Seattle, boasted a provisional armed “security” force. Weeks after CHAZ was dismantled, Seattle police responding to a riot uncovered a cache of weapons including explosives, bear spray, spike strips, and Tasers. Antifa members not only routinely dress in similar black garb but have come to rely on a crude but dangerous arsenal of improvised fire bombs, fireworks, rocks, bricks, and frozen water bottles. In New York, three rioters were arrested for throwing Molotov cocktails at police vehicles. Revolutionaries in cities around the country have shown up to “protests” with rifles and assorted arms.

The revolution lacks martial discipline but not a body count. Three weeks in, some 20 people had been killed during riots alone. The number has climbed steadily since. Within the brief life of Seattle's CHAZ, there were four shootings and two deaths. You can add to these the hundreds dead (overwhelmingly African-American) in major cities due to new policing restrictions. And this is to say nothing of the multitude of nonfatal injuries, including hundreds suffered by law enforcement. Among these is the likely permanent blinding of three federal agents in Portland whose eyes were targeted with high-power lasers.

The cost of revolutionary violence in destroyed property and ruined livelihoods has been gargantuan, somewhere in the billions of dollars and climbing ever higher. And if you don't think vandalism is a

sufficiently revolutionary act, you'd do well to note that the term "vandalism" itself was coined during the French Revolution to describe the ruination of the country at the hands of the *sans culottes*.

But more important than all this, a revolution should not be understood as synonymous with an armed insurgency. It is the transformation of popular ideas and beliefs and, most important, of a country's national character that marks the advent of revolution. The French Revolution was inaugurated by the non-violent creation of the National Assembly, years before the Terror. The Russian Revolution was preceded by 12 days of protests kicked off by a Women's Day March. By clinging to the colorful notions of revolution in our shared imagination, we dangerously underestimate the significance of what has transpired in the U.S. this summer.

Some have been prone to discount the revolution as a mere by-product of seemingly larger national woes. In the run-up to the riots, the nation suffered from a dispiriting pandemic and a paralyzing lockdown. As a result, we went from 3.5 percent unemployment to 14.7 percent in two months. For more than a decade, political polarization has been growing and faith in American institutions has been plummeting, both trends sped up and magnified exponentially over the course of the Trump presidency.

But these overarching conditions don't vitiate the sincerity or salience of the revolutionary cause. To the contrary, they mimic precisely the classic circumstances under which revolutions have been birthed. It is in soil fertilized by decayed public trust that revolutions take root—whether or not those revolutions actually address the source of destabilization. One year before the onset of the French Revolution, France saw a totally failed harvest. One month before, a devastating hailstorm nearly wiped out national yields again. These disasters along with broad French distrust of the church and other institutions *outside* the monarchy all contributed to the fall of the king. Illness and disease have also been classic contributors to revolution. In 1917, St. Petersburg, ground zero for the Russian Revolution, was considered the unhealthiest major city in Europe. Its ongoing woes included a deadly cholera epidemic only a few years earlier.

The power of seemingly extraneous events to set a country's course for revolution is an astounding fact of history. And the role of happenstance in history's great cataclysms is an almost mystical phenomenon. For all the social upheaval and inequality generated by czarist Russia's attempt at industrialization, the revolution would never have happened without the country's devastating involvement in World War I. It was the scale of occupation, displacement, and death that finally broke the people's faith in the empire. And that war was triggered, literally, by a high-school teenager named Gavrilo Princip, who shot and killed Austrian Archduke Franz Ferdinand in Sarajevo in 1914.

We have our own Gavrilo Princip in the person of former Minneapolis police officer Derek Chauvin, who might prove over time to have been the most consequential figure of the 21st century thus far. Chauvin became one of history's epochal nobodies when he was captured by video leaning on the neck of, and likely killing, George Floyd during an arrest for suspicion of passing a counterfeit \$20 bill. The monstrous conduct of this one man lit a match in a country where the crooked timber of humanity had broken down into kindling. For three months prior, Americans had watched as their jobs, loved ones, plans, security, and very sense of self were swallowed up by the pandemic and subsequent lockdown. They no longer knew much about the world they lived in, but they knew that what took place in Minneapolis was evil. Chauvin's action became a stand-in for all that was wrong with the United States. His brutality was the nation's, as meted out by a racist police force on a campaign of black genocide. And so the unraveling began.

It mattered not at all that in 2019, police nationwide had killed 15 unarmed black people in a country that 42 million blacks call home. Nor did it matter that multiple studies have shown that police are decidedly trigger-shy when confronting unarmed black suspects. In revolution, symbolism trumps reality. On July 14, 1789, when the French stormed the Bastille, the foremost symbol of Bourbon persecution, they found exactly seven political prisoners inside.

The erroneous charge against police has been a popular argument since 2013, when Black Lives Matter was formed. That this and other left-wing claims have been circulating for years might cause some to think of the revolution as no more than America's always-simmering radical fringe coming to a brief boil. But what we're witnessing is not a temporary surge in extreme ideas. It's the cultural triumph of those ideas and their institutional enforcement, sometimes with the imprimatur of the government. It is, in our own domestic form, an American version of Mao's Cultural Revolution.

Unlike Mao's campaign, which lasted from 1966 to 1976, our revolution hasn't been engineered from the top down. It has progressed upward from within the population. Like the Cultural Revolution, however, it is primarily aimed at the leading institutions of the political left. It seeks to remake in its own image the Democratic establishment and those sectors of society associated with present-day liberalism. As it succeeds in this aim, it imposes its writ on the rest of us.

The revolution's left-liberal targets, in the media and the academy and mass entertainment, have been quick to adapt—some out of genuine sympathy with the cause, others hoping to protect their political standing, and still others out of abject fear. In China, few dared criticize violent Red Guard gangs for fear of seeming unsympathetic to the revolution. In the United States, rioters are furnished with every excuse the elite can muster. And the broad acceptance of the revolution in liberal institutions has resulted in a widespread pressure campaign of accusation, confession, and reeducation.

Mao sought to eradicate what he labeled the Four Olds: old customs, old culture, old habits, and old ideas—the established mental life of the country. Our own pressure campaign is shaped by similar goals. The revolutionaries have deemed American customs, culture, habits, and ideas racist. And instead of Mao's *Little Red Book* to guide them in the ways of the proletariat, they have Robin DiAngelo's *White Fragility*, which shows them all the hidden places where racism is to be found and rooted out.

It turns out, that means everywhere. In July, the Smithsonian National Museum of African American History and Culture issued guidelines announcing that the scientific method, the importance of hard work, Judeo-Christian belief, respect for authority, planning for the future, protection of private property, and politeness were all manifestations of white dominance.

Establishing racism's boundless domain is one thing, but the real work of the revolution is in going after its undercover practitioners. In July, Seattle's Office of Civil Rights developed a course to get white city employees to confront their "Internalized Racial Superiority." The in-person training involves attendees "processing white feelings," such as "sadness, shame, confusion, or denial." And "retraining," which requires "ways of seeing that are hidden from us in white supremacy." After these, attendees are to take "action to shift power," committing to "redistribute resources, change who's in power, alter institutions, etc." They must then "reflect" on how their "family benefits economically from the system of white supremacy even as it directly and violently harms Black people."¹ They are to consider how their "white silence" and "white fragility" have hurt black co-workers. Echoing the museum guidelines, the city then calls upon white employees to acknowledge that their sense of

individualism, comfort, and objectivity are signs of their “internalized racial superiority.” Finally, comes confession: “Reflect on a time in the past two to three months when you did something that you believe caused harm to a person of color.”

“White feelings,” “white silence,” “white fragility”—these are quotes from a government document.

The entire process mimics the notorious Maoist struggle sessions, during which thousands of victims were humiliated and forced to confess their disobedience to the cause of the revolution. Struggle sessions of a less official sort are ongoing in America, playing out mostly in social and traditional media. There is, for example, the telling case of *Poetry* magazine, whose editor stepped down in response to the public fury created by a poem containing the offending word “negress” in the publication’s July/August issue. At first, *Poetry* editors tried to appease the mob, issuing a letter in which they “acknowledge[ed] that this poem contains racist language and that such language is insidious, and in this case is particularly oppressive to Black, Pacific Islander, and Asian people, and we are deeply sorry.”

In revolutions, however, the purpose of confession is not to elicit forgiveness but to further the purge. So, less than a month later, editor Don Share issued a statement of his own, apologizing for the poem and explaining that he would be stepping down as editor. Share’s letter was a riot of revolutionary gobbledygook: “Because we read poetry to deepen our understanding of human otherness, I failed in my responsibility to understand that the poem I thought I was reading was not the one that people would actually read.” He went on: “I deeply regret that my misjudgment of the poem has affected Black, Asian, and Pacific Islander people and anyone systematically othered by institutions with a white dominant culture, such as this one.” It ends: “As writers and readers move forward the conversation about this poem in particular, and racism in general, I will be grateful for the insights they afford. I hope that these essential conversations will change not only *Poetry* magazine, but poetry itself—and perhaps the world.” Naturally.

For those not being re-educated by the state or canceled by the media mob, that is, for ordinary low-profile Americans, there are other channels of coercion. In the *New York Times*, writer Chad Sanders recommends interfamilial blackmail. In a June 5 op-ed, he suggested to white people: “[Send] texts to your relatives and loved ones telling them you will not be visiting them or answering phone calls until they take significant action in supporting black lives either through protest or financial contributions.” This, too, is straight out of the Cultural Revolution, during which Chinese were compelled to shun and turn against any family members with even the most remote connections to the wrong ideas.

What to do? Those of us who stand opposed to the revolution and its aims harbor the hope that the revolutionaries will “eat each other alive” or that their mixed motivations, outlandish ideas, and repellent actions will ultimately blow up the movement from within. But such internal dynamics can serve to refine, not kill off, revolutions. Revolutionary France was a perpetual and bloody power struggle between parties such as the Hébertists, Thermidoreans, and Jacobins. Such competition ensured that, in the long run, the fiercest elements came out on top. The same can be said of the battles between the Mensheviks, the Left SR, and the Bolsheviks of Russia. The Cultural Revolution was itself a sustained effort to wrench and secure control of the Chinese Communist Party. And in all these cases, important nonrevolutionary fellow travelers found reason to make common cause and go along with the winners at any given moment. Judging from history (and the present), it is unlikely that the revolution will self-destruct.

It can, however, be countered.

Opposing the revolution will necessarily be a slower, more considered process than that which brought it into being. Revolutions are sparked into existence and take off at full gallop. They are born reckless and their nature doesn't change. This is part of what makes them detestable to the civil-minded. Thus, putting down a revolution isn't a matter of mirroring its recklessness from the opposite direction; it's a sober process of reasserting prudence and order. The counterrevolution will not be won in the streets.

It will be accomplished, if it is to be accomplished, as Americans outside the revolution's burning core come to grips with what it is; as its wreckage exceeds its justification; and as the gap between revolutionary claims and reality becomes too great to ignore. Metropolitan liberals may be passionate about social justice, but they won't want their cities forever blighted by crime. Americans of faith may feel compelled to support a movement claiming to speak for the oppressed, but they won't abide Bibles in bonfires.²

At the moment, the elites are stunned. The revolution's instantaneous appearance amid a larger national crisis took them by surprise. They have scrambled to get on the side of the supposedly righteous. But as more Americans endure the noxious consequences of the unraveling, elected officials responsive to their needs will be compelled to change course. Let us not forget that after the immediate upheavals of the 1960s, busing, quotas, and spiking crime all came under attack by the American public—despite an elite atmosphere that sought to discredit the response as an explosion of racist rage. Even with the strength of that criticism, busing was ended, the use of quotas in hiring was curtailed, and punishment for criminal action became tougher.

The revolution's most exploitable weakness is that it is wrong. To be sure, catastrophically mistaken revolutions have succeeded in the past. Most revolutions are in fact terrible affairs all the way through. But even so, they grew out of intolerance for states and systems that deserved contempt. Louis XVI's France was a deeply corrupt country, already undone by war debt, aristocratic privilege, and a mode of inequality that would be science-fictional by current Western norms. Much the same applies to czarist Russia, too, which was a punishing hell for displaced peasants and industrial workers. The current revolutionaries, on the other hand, are *fundamentally* wrong. As a factual matter, America is a vigorous democratic republic—the freest and least prejudiced country of this or any time.

Thus, the revolutionaries lack a sufficiently malicious counterforce to justify their loathing. The U.S. does not and cannot furnish them with the complementary element they desperately want to put on trial: a truly unjust state and society. They must, instead, invent these and rebel against their own invention. Unlike Russia and France, we have no nobility, so they try to create one in the idea of white privilege. White people, however, are not nobles; they're Americans, living out lives at every strata of society. The revolutionaries claim we live in a fascistic military state. But in truth, unlike revolutionary France and Russia, all we have are federal agents armed with nonlethal means to disperse violent crowds. We have none of the true institutionalized injustices that have inspired insurrectionary vengeance in other places and times. And because the United States is fundamentally good, most Americans may, in time, become circumspect about tearing it all down.

The fact that 62 percent of the public is currently scared to speak its mind on political matters suggests that a majority of Americans already entertain some doubt about what's going on in the country. This is deeply encouraging, but of no use unless they decide to speak out. It is essential that conservatives continue to vigorously challenge the revolution at every turn. But if sanity and reason reside only on a

small island called conservatism, the country will not survive. On this point, therefore, the most hopeful sign on the horizon is the new and growing tranche of writings from journalists and thinkers who are not associated with the political right but who nonetheless have a clear sense of the great wrong being done in the name of justice and equality. People as different as Bari Weiss, Andrew Sullivan, John McWhorter, Thomas Chatterton Williams, and Matt Taibbi have written firmly and incisively about the civil unrest and thought-policing that threaten to derail the American project. These are writers with a large readership, and their work can strike minds on the left with the power of epiphany. Their coming forward to say what others won't makes it easier for more liberal Americans to stand up and declare themselves against the chaos. Thus, regardless of their opposition to certain conservative principles, they should be encouraged and welcomed as allies in this most pressing matter.

The American Constitution, for all its awe-inspiring facility to keep the country on the best course possible, contains no fail-safe mechanism to guard against the predations of a tyrannical mob. There are only strong arguments. In *Federalist* No. 10, James Madison addressed the danger that "factions" pose to national political life. "By a faction," he wrote, "I understand a number of citizens, whether amounting to a majority or a minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community." Madison argued that our best defenses against rule by faction were the massive size of the then proposed republic, "the greater security afforded by a greater variety of parties, against the event of any one party being able to outnumber and oppress the rest," and the soundness of our representative government. In these he found "a republican remedy for the diseases most incident to republican government" that would make it "less apt" for an "improper or wicked project...to pervade the whole body of the Union than a particular member of it." One wonders here about the fate of the Pacific Northwest.

For the rest of the country, we must hold fast to Madison's vision and urge on those varied parties who will, in greater numbers, come to oppose the revolution. Only when they step forward will our elected officials and institutional leaders be forced to respond. Precisely because of the Founders' foresight, the United States remains the best hope for mankind. Razing every statue in the country won't erase that fact. May the great unraveling, in the end, provoke a fresh and thorough consideration of the American achievement and incite a new and deeper appreciation of our nation's glories.

¹ The forced capitalization of the word "black" (and not "white") is one of the revolution's smallest but most widely conceded demands.

² On August 1, protestors in Portland burned Bibles during a demonstration.

This article first appeared in the July – August, 2020 edition of Commentary. Abe Greenwald is the Editor of Commentary.



ANNOUNCEMENTS

CENTRAL COAST TAXPAYERS ASSOCIATION

CCTA OPPOSES NOVEMBER BALLOT SALES TAX INCREASES OF SIX CITIES IN SLO COUNTY

When cities need money, the default reaction is always to raise taxes: sales taxes, transient occupancy taxes, surcharges on utility bills, increases in every fee and additional fees, ad nauseam. Senior staff has a vested interest in staving off bad news, wrapping their tax proposals as reasonable, logical, and painless. “It will be paid by tourists,” “it’s only one percent,” and of course, “Everyone is doing it so we won’t be uncompetitive.” It’s so easy.

But we know from recent past experience that this approach doesn’t work. Taxes with sunset clauses, pushed to provide “extras,” are now funding routine maintenance and permanent positions. And now the demand is for even more taxes, permanently.

No tax increase should even be considered without a thorough review of the structure of the city and its long and short term goals. Consolidation of services and outsourcing are only a start. No amount of sales taxes, TOT and other fees can make up for the structural compounding growth in salaries, staffing and pension debts of small cities. These pension debts have been growing exponentially for at least two decades. Administrators and department heads, often paid more than the Governor, will block any and

every attempt to make reforms, preferring a permanent sales tax hike to create another source for leveraging debt, via bonds. Thus they can postpone the inevitable pain a little longer or at least until retirement looms.

The current pandemic provides an excellent opportunity to break this cycle of tax and overspend and finally institute overdue, sound, long term financial planning in city government. Anyone breathing knows the lockdowns have created unprecedented drops in revenue for everyone. We literally are all in this together. It is time that local governments, like families and businesses, take a good long hard look at their expenses and priorities, or risk losing everything.

Six Cities have sales tax increases on the November ballot. Only the City of Arroyo Grande does not! See below!

City of Arroyo Grande - No Sales Tax Increase on November Ballot

Arroyo Grande's proposed sales tax increase fails - Cal Coast ...

City of Atascadero - 1%

Council Votes to Add Sales Tax Measure to Ballot

City of Grover Beach - 1%

Grover Beach City Council supports raising sales tax

City of Morro Bay - 1%

UPDATE: Morro Bay City sales tax increase placed on ...

City of Paso Robles - 1%

Paso Robles City Council votes to put 1-cent sales tax ...

City of San Luis Obispo - 1%

UPDATE: SLO City Council approves added 1% sales tax for ...

City of Pismo Beach - 1%

The City Council has adopted Resolution R-2020-053, adding the following measure to the November 3, 2020 ballot.

CITY OF PISMO BEACH

MEASURE B-20

PISMO BEACH PUBLIC SAFETY AND COMMUNITY SERVICES PROTECTION MEASURE. To maintain police and firefighter service levels; reduce 911 emergency response times; protect local groundwater and beaches; and enhance senior programming and other essential services, shall the hotel/visitor tax be increased by 1%, paid by visitors, generating approximately \$1 million annually, until ended by voters, requiring annual audits and local control of funds?

ALERT

ANDY CALDWELL SHOW NOW LOCAL IN SLO COUNTY

Now you can listen to THE ANDY CALDWELL SHOW
in *Santa Barbara, Santa Maria & San Luis Obispo*
Counties!

We are pleased to announce that The Andy Caldwell Show is now broadcasting out of San Luis Obispo County on FM 98.5 in addition to AM 1290 Santa Barbara and AM 1440 Santa Maria



The show now covers the broadcast area from Ventura to Templeton -
THE only show of its kind on the Central Coast covering local, state, national
and international issues!

3:00 – 5:00 PM WEEKDAYS

You can also listen to The Andy Caldwell Show LIVE on the [Tune In Radio App](#)
and previously aired shows at:



COUNTY UPDATES OCCUR MONDAYS AT 4:30 PM



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LAST PAGE BELOW**



**MIKE BROWN
ADVOCATES BEFORE THE BOS**



VICTOR DAVIS HANSON ADDRESSES A COLAB FORUM



DAN WALTERS EXPLAINS SACTO MACHINATIONS AT A COLAB FORUM

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



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



NATIONAL RADIO AND TV COMMENTATOR HIGH HEWITT AT COLAB DINNER



MIKE BROWN RALLIES THE FORCES OUTDOORS DURING COVID LOCKDOWN.

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

MEMBERSHIP APPLICATION

MEMBERSHIP OPTIONS:

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

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

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

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

MEMBER INFORMATION:

Name: _____

Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

How Did You Hear About COLAB?

Radio Internet Public Hearing Friend

COLAB Member(s) /Sponsor(s): _____

NON MEMBER DONATION/CONTRIBUTION OPTION:

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

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

PAYMENT METHOD:

Check Visa MasterCard Discover Amex NOT accepted.

Cardholder Name: _____ Signature: _____

Card Number: _____ Exp Date: ___/___ Billing Zip Code: _____ CVV: _____

TODAY'S DATE: _____

(Revised 2/2017)