COLAB San Luis Obispo County

The Coalition of Labor Agriculture and Business

WEEKLY UPDATE
NOVEMBER 15 -21, 2020

THIS WEEK

CAMPAIGN FINANCE LIMITATION CONFUSION

STATE WATER BAY DELTA PROJECT DECISION
SIERRA CLUB SEEKS TO PREVENT WATER SECURITY

BUDGET REDUCTION DETAIL

HOUSING ELEMENT ADOPTION
A HOLLOW PLAN GIVEN LAND RATIONING

COUNTY FEE INCREASES UP FOR ACTION
NOTWITHSTANDING PEOPLE HURTING IN THE PANDEMIC

PASO BASIN WATER RULES CHANGES
HOW COULD THE AREAS OF SEVERE DECLINE BE SWAPPED?

FEDERAL HOUSING AND HOMELESS GRANTS
PISSING IN THE WIND GIVEN LAND RATIONING

PLANNING AND BUILDING DEPT. NEW PROJECTS
THIS IS HOW THEY ADD MORE REGS AND WICKETS

APCD
HEARING BOARD LEGAL PROBLEMS COULD NEGATE DUNES REGS

INDEPENDENT WASTE MANAGEMENT AUTHORITY
BAD AUDITS & NO REAL NEED FOR EXISTENCE

LOCAL AGENCY FORMATION COMMISSION
POTENTIAL ANNEXATIONS AND THE RETIRED EXEC DIRECTOR IS BACK (TEMPORARILY)

LAST WEEK

COUNTY OFFICE CAMPAIGN CONTRIBUTION LIMITS
SET FOR NOVEMBER 17TH HEARING

CURRENT AND NEXT YEAR'S BUDGETS MANAGEABLE
UNLESS LOCKDOWNS RETURN
MORE $LUSH FOR BLUE STATES?
FY 2021-22 BUDGET COULD HAVE $20 MILLION DEFICIT

CONCERTS AT SANTA MARIA RACEWAY APPROVED
COULD TRANSFORM INTO A REAL VENUE – NIPOMO ECON MULTIPLIER
MANY STRICT CONDITIONS IMPOSED

COLAB IN DEPTH
SEE PAGE 32

TALK OF "UNITY" IS BOTH HYPOCRITICAL & DELUSIONAL
BY GARY GALLES

CALIFORNIA IS THE SPECTER HAUNTING AMERICA
HOOVER INSTITUTION CALIFORNIA POLICY CENTER BULLETIN

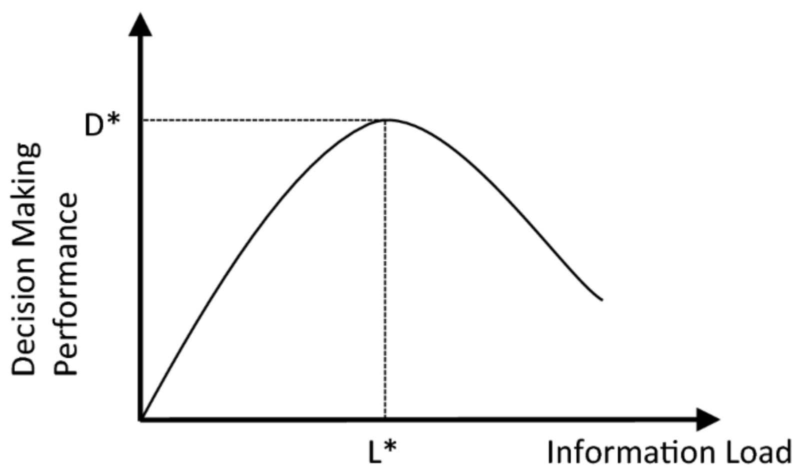
THIS WEEK'S HIGHLIGHTS

A WEEK FROM HELL

In General: This is a week from hell with many significant policy items. The Supervisor's agenda includes campaign finance reform, major State water policy considerations, budget reduction detail, adoption of the Housing Element, Federal housing grant cycle, major Paso Basin water level characterization changes, housing density bonuses, and fee increases. As noted below, and while the County may be slipping back to the most severe COVID status, there is no report on the agenda.

Members also face fairly substantial agendas at the APCD and Integrated Waste Management Authority later in the week. The homework had to be crushing. Several members also have a LAFCO meeting.

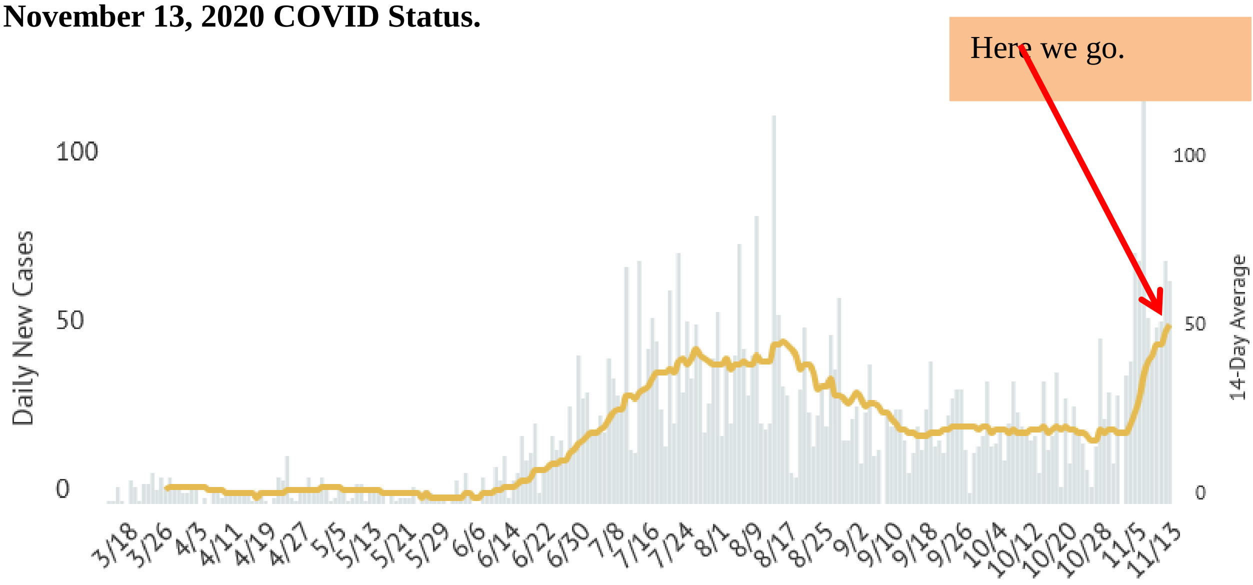
A TYPICAL PUBLIC BODY ON INFORMATION OVERLOAD



Board of Supervisors Meeting of Tuesday, November 17, 2020 (Scheduled)

COVID - No Agenda Item. Since the start of the COVID pandemic, the County as posted a weekly status report as part of its agenda. For whatever reason it is not included this week. This seems strange in light of the sudden jump in the infection rate.

November 13, 2020 COVID Status.



Hospitalizations - 5 (of whom 2 are in ICU)

The key will be whether hospitalizations follow new cases or remain low – so far so good.

There is potential for the County to slip back from tier 2 restrictions (red) to tier 1 (purple). A significant proportion of the new cases are within the Cal Poly community and the State Hospital. The Board should request Cal Poly President Armstrong to send the students home. The State Hospital cases should not be counted against the County totals. This could relieve the pressure on the County and help to keep the economy going.

Item 1 - Submittal of a resolution authorizing the Director of Public Works, or designee, to execute a funding agreement, in the amount of $750,000 with the Department of Water Resources for preliminary planning and design costs related to a potential State Water Delta Conveyance Project. The State has been struggling with a proposal to construct a connection from the Sacramento River underneath the Sacramento/San Joaquin river delta northeast of San Francisco Bay. The purpose is to capture more of the water that now leaks into the delta (millions of acre feet). It could then be picked up by the California Water Project at Tracy and sent south to the San Joaquin Valley and Southern California.

San Luis Obispo and Santa Barbara Counties are affected because they are connected to the State Water project by means of the Central Coast Water Project. The State Department of Water Resources is requesting all participants to determine if they wish to financially participate in the first phase study of the project. The County and its subdivisions stand to gain more water security if the project is found to be feasible and ends up being constructed.

The issue at hand is that if a jurisdiction does not participate now, it will not be eligible for the benefits later. This does not mean it can't opt out if it finds the results of the study not compatible with its policies, interests, and finances.

It would therefore be prudent for the County to participate at this point. The phase is a one-time cost of $750,000.

The Sierra Club and other groups are opposed to the project and opposed to the County's participation because they fear that too much fresh water will be diverted from the delta environment. They also fear that the water could be growth inducing. See the Sierra Club letter below.

SIERRA CLUB
CALIFORNIA

November 13, 2020

San Luis Obispo Board of Supervisors
1055 Monterey Street Suite D430
San Luis Obispo, CA 93408

Submitted via email
Re: Delta Conveyance Project

Dear Board of Supervisors:

On behalf of Sierra Club California and our more than 500,000 members and supporters statewide, **we write to urge you not to fund this next phase of the Delta Conveyance (aka the Delta Tunnel) project.**

Our members, supporters, and staff are well-versed in California's efforts to develop and implement smart, equitable water policies that support our communities and economy while also protecting the state's precious environment. And with this knowledge and experience, we routinely participate in the necessary public processes and forums that can yield resilient and sustainable water management policies for all Californians.

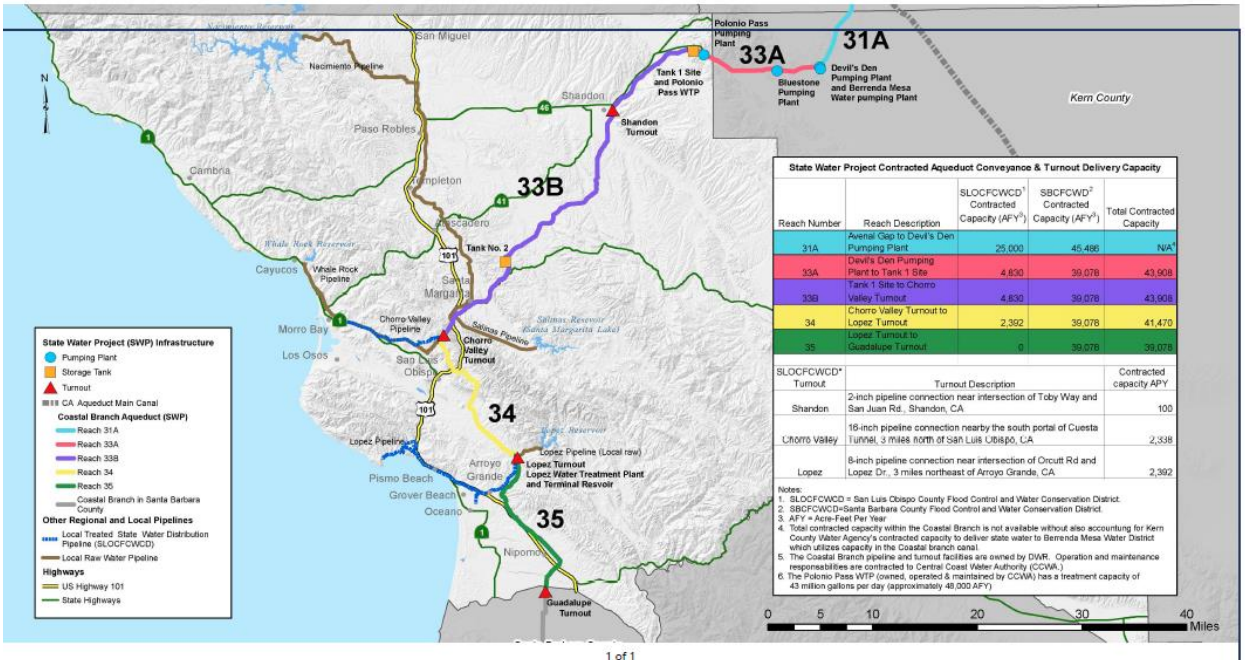
The Delta Tunnel project is estimated to cost $16 billion, before inflation, and up to $40 billion. Ratepayers will see higher water bills and property taxes with no guarantee of a sustainable water supply. The proposed expenditure request from the Department of Water Resources (DWR) is made at a time when the state is struggling with the pandemic and economic recession. It also comes at a time when climate change suggests that dependence on imported water is less viable and less sustainable than ever.

Instead of supporting the tunnel, we urge you to push the Department of Water Resources to help develop plans for meeting California's water demand without the tunnel. Those projects would include improvements made to existing infrastructure around the state, and investments in local, sustainable water sourcing through conservation, groundwater remediation and recharge, water recycling, stormwater capture, and inland brackish water desalination. These improvements will make the need for the tunnel obsolete while creating local jobs and continuing to reduce water demand.

Thank you for your consideration. We are happy to work with you in this process.

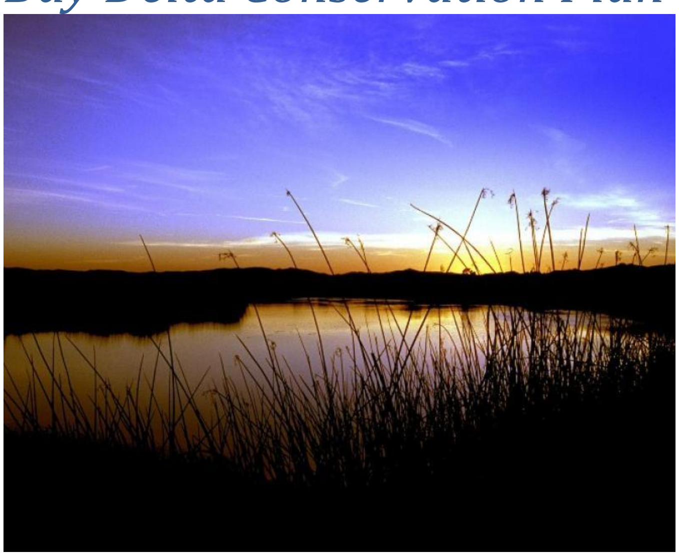
Background:

The map below shows how the central Coast Water Project runs thorough SLO County.



What is the Bay Delta Conveyance Project – Now Rebranded As The Bay Delta Conservation Plan?

Bay Delta Conservation Plan



The Bay Delta Conservation Plan is a permitting process for long-term project permits for the Sacramento-San Joaquin Delta that centers on co-equal goals of species conservation and improving water supplies and delivery.

The BDCP aims to separate its water delivery system from Delta freshwater flows and restore thousands of acres of habitat, restore river flows to more natural patterns and address issues affecting the health of fish populations.
As part of the water conveyance, in 2013, California Gov. Jerry Brown also proposed constructing two $25 billion tunnels to divert Sacramento River water underneath the Delta and then deliver the water to the Central Valley and Southern California.

If approved, the BDCP would be implemented over the next 50 years and construction of the tunnels would not begin for another 10 to 15 years

BDCP Overview

The BDCP aims to improve water delivery to about millions of people in Southern California, and supply water to agricultural growers in the Delta while restoring the Bay Delta's ecosystem.

To do so, permits are needed to allow for moving water in a way that is not in violation of the federal Endangered Species Act.

BDCP takes this on by proposing to improve water supply reliability and ushering in widespread habitat creation and enhancement. Under its charge, more than 100,000 acres of worth of habitat projects would be created or protected at a cost of about $4 billion.

Rather than focus on species individually, the BDCP uses an ecosystem-wide conservation strategy. Under this approach, restoration activities are designed to be collaborative and adapted as part of an inter-connected whole.

The aquatic portion of the draft conservation strategy alters water flow patterns in the Bay Delta to promote fish recovery and provide for reliable water supplies.

The BDCP aims to restore tidal marsh, seasonally inundated floodplain and riparian habitat throughout the Delta. These conservation measures are essential to achieving the co-equal goals and controlling salinity within the Delta.

The California Water Code defines co-equal goals as providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The goals are to be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place.

Meanwhile, under the BDCP, water would be diverted from the Sacramento River south of Hood. Three intakes would then send the water using gravity, not pumping, through the tunnels under the Delta 30 miles to Tracy. From there, State Water Project and Central Valley Project canals would convey the water to the San Joaquin Valley and Southern California.

The proposed tunnels would match the existing pumping capacity of up to 9,000 cubic feet per second.

The intakes and tunnels would be part of a dual conveyance option under which the state and federal projects would still rely on existing intakes in the South Delta at certain times.

The BDCP has proven controversial and one of the main concerns is loss of prime farmland from BDCP infrastructure and habitat conversion.

BDCP and the Delta Plan

The goal of the BDCP was to be a key part of the Delta Plan, a document adopted by the Delta Stewardship Council that charts the comprehensive management plan using a mix of regulatory actions, nonbinding recommendations and an emphasis on interagency coordination.

A 2009 water package required the BDCP to be incorporated into the Delta Plan, providing it adhered to a Natural Communities Conservation Plan that has high standards of environmental protection and process requirements for transparency.

In 2015 the Brown Administration announced a re-branded version of the BDCP – breaking the project into the "California WaterFix" and "California EcoRestore." The former featured two tunnels 150 feet underground that would convey an average annual yield of 4.9 million acre-feet of water to the south Delta pumps. The latter, designed to be more affordable and easier to permit, would create about 30,000 acres of varying habitat types in the Delta at a cost of $300 million. In 2019 California WaterFix was withdrawn. (Courtesy of the California Water Foundation)

Item 2 - Hearing to consider an ordinance implementing the County Fee Schedule "A" for Calendar Year 2021 and Fee Schedule "B" for Fiscal Year 2021-22. We alerted the community three weeks ago, when this hearing was first noticed. The Board should not impose new fees and fee increases during the COVID lockdown. Nevertheless, the Board has scheduled the hearing. This agenda is so long that we posted the medium level detail as Addendum I at the end of the Weekly Update (See page 38).

Background: As we noted last week, the County staff has no skin in the game yet. There have been no layoffs, furloughs, pay raise deferments, facility shutdowns, rotating closures/reductions of services, delayed vendor payments, postponement of capital projects, early retirement program, delays in executing major service contracts, or elimination of programs. It is not known from the write-up if there is still a "hiring chill" (a soft freeze on new hires and promotions).

Staff only looks internally at the impacts to the budget and the wellbeing of the "county family" per the statement below. What about businesses and individuals who are struggling to survive?

If fee increases are not approved, it is anticipated that the amount of General Fund support required to fund existing departmental operations would increase as a result of fee revenue not keeping up with the actual cost to provide the services and thus not fully recovering the cost of providing the service. As stated above, the total amount of budgeted revenue from General Fund departments that is anticipated to be generated from the proposed fees in FY 2021-22 constitutes an increase of $708,629 or 3.8% over FY 2020-21 levels.

Here the staff posits a zero sum game. Either raise the fees, or we'll suck it out of the general fund and reduce basic services. As the reader will see below, the justifications for increased and new fees are given as higher salary and benefit costs, inflation, or more intensive regulation. Since there is a COVID pandemic wherein the State and the County have locked down many businesses and tens of thousands became unemployed, why not forgo adding the new $708,000 to the citizens' burden and direct the staff to defer some of the raises and benefit hikes, reduce the regulatory intensity, and/or eliminate some discretionary expenditures. Everyone could take a couple of furlough days. For example, one of the reasons given for adding fees in Planning and Building is to cover costs for new expensive data systems. Stop until the Pandemic is over and the economy has recovered. Why can't the County apply some of the $29 million in Federal/State CARES money it received?

While the public is unemployed, out of business, and banned from having weddings, church, Halloween, Thanksgiving, and everything else, raising fees is an insult.

See Addendum I at the end of this update for some of the details at page 38.

Item 9 - Submittal of a resolution to A) establish the salary range and bargaining unit for a new position of Nuclear Power Plant Decommissioning Manager; and B) amend the Position Allocation List (PAL) for FC 142 – Planning and Building to delete 1.00 FTE Division Manager - Planning and add 1.00 FTE Nuclear Power Plant Decommissioning Manager to process the Diablo Canyon Power Plant (DCPP) Decommissioning & Reuse Project. The Board is being requested to approve a new job classification to hire an executive to manage the County's interests during the Diablo decommission process. The future uses of the site and the thousands of acres around it are a major component of this job.

It's too bad that the County leadership did not assign someone to help with relicensing 10 years ago instead of obstructing PG&E at every turn. Instead they invoked the theory of sub-ocean floor fault line generated earthquakes creating tidal waves, even though the plant sits on an 85-foot high bluff.

MATTERS AFTER 1: 30 PM

ITEM 21 - Hearing to 1) determine needs for allocating local, State, and Federal funds to eligible affordable housing, homelessness, and community development activities; and 2) adopt a resolution to amend the Position Allocation List (PAL) for Fund Center (FC) 142 – Department of Planning and Building by adding a 1.00 FTE Limited Term Program Manager for 2 years. https://agenda.slocounty.ca.gov/iip/sanluisobispo/file/getfile/127472Hearing to 1) determine needs for allocating local, State, and Federal funds to eligible affordable housing, homelessness, and community development activities; and 2) adopt a resolution to amend the Position Allocation List (PAL) for Fund Center (FC) 142 – Department of Planning and Building by adding a 1.00 FTE Limited Term Program Manager for 2 years. This is a hearing to kick off the next cycle for developing applications for Federal Housing grants. The schedule for community involvement, city involvement, and other interested groups to participate is displayed below:

Table 2: The Action Plan Preparation and Approval Process

Outreach Opportunity or Milestone	Estimated Timelines
Online Needs Survey	Aug 17 – Sept 18, 2020
Release of Notice of Funding Availability (NOFA) and ZoomGrants Applications	Sept 1, 2020
Two Virtual Public Workshops	Sept 16, 2020
Due Date for All Applications	Oct 28, 2020
Needs Hearing before the Board of Supervisors	Nov 17, 2020
30-day Public Review of the Draft Action Plan and Draft Funding Recommendations	Dec 2020/Jan 2021
Consideration of Final Approval of the Action Plan by the Board of Supervisors	April/May 2021
Deadline to Submit the Action Plan to HUD	May 15, 2021

Funding estimates are depicted in the table below:

Table 1: 2020 CARES Act Funding and 2021-2022 Funding for Housing, Homelessness, and Community Develo

Category	Funding Source	Board Allocation Dates			Total
		Jun 16, 2020	March 2021	April/May 2021	
2021 HUD Entitlement Programs	CDBG			$1,840,000	**$1,840,000**
	ESG			$154,000	**$154,000**
	HOME			$950,000	**$950,000**
2020 HUD CARES Act	CDBG-CV1	$1,099,800			**$1,099,800**
	CDBG-CV3		$1,876,904		**$1,876,904**
	ESG-CV1	$563,034			**$563,034**
	ESG-CV2		$6,296,591		**$6,296,591**
2021 State Funds	PLHA			$872,502	**$872,502**
2021 Local Funds	Title 29			$278,428	**$278,428**
	GFS			$253,000	**$253,000**
Total		**$1,662,834**	**$8,173,495**	**$4,347,930**	**$14,184,259**

The funding is important to leverage other funds for various affordable housing projects. The larger problem is California's and the County's overarching land-rationing policies which render housing almost impossible to produce.

Item 26 - Hearing to consider 1) a resolution adopting amendments to the Housing Element of the San Luis Obispo County General Plan; and 2) adoption of the Negative Declaration pursuant to Section 21000 et seq. of the California Public Resources Code (CEQA). All Districts. This update will serve to guide planning, development, and funding related to housing for the unincorporated areas of the County through December 2028, in addition to achieving compliance with State Housing Element Law and State certification. This update to the Housing Element will guide planning, development, and funding related to housing for the unincorporated county through December 2028, in addition to achieving compliance with State Housing Element Law and State certification. The problem is, although it will meet legal requirements, it is far too narrow in terms of the overall problem, primarily because it does not address the State's and County's overarching policies of land rationing.

This is a very important, but unfortunately hollow policy document which updates the Housing Element of the County's Plan of Development. The 204-page document certifies that the County has sufficient zoned land available to allow housing at various income levels as required by the State-approved Regional Housing Needs Assessment and Regional Transportation Plan. The Planning

Commission considered the Plan and has forwarded it to the Board of Supervisors for modification, adoption, or rejection. The full text of the Element can be seen at the link:

Once it opens, click on the tab: Housing Element.
https://agenda.slocounty.ca.gov/iip/sanluisobispo/file/getfile/127472

Key features at this point include:
1. The County unincorporated area, where it has land use authority, is a subcomponent of the wider geographic County requirement.

Table 1: San Luis Obispo Region Housing Needs Share Allocations

Jurisdictions	Total Share	Income Category			
		Very Low	Low	Moderate	Above Moderate
		24.6%	15.5%	18.0%	41.9%
Unincorporated County	3,256	801	505	585	1,365
Arroyo Grande	692	170	107	124	291
Atascadero	843	207	131	151	354
Grover Beach	369	91	57	66	155
Morro Bay	391	97	60	70	164
Paso Robles	1,446	356	224	259	607
Pismo Beach	459	113	71	82	193
San Luis Obispo	3,354	825	520	603	1,406
Regional Total	**10,810**	**2,660**	**1,675**	**1,940**	**4,535**

Note: Number of shares represent number of housing units needed

2. The County already had sufficient zoned parcels to theoretically allow permits for the required number of dwelling units, so this is no stretch goal.

Table 2: Summary of Unincorporated County's Housing Needs Share

	Total	Income Category			
		Very Low	Low	Moderate	Above Moderate
Unincorporated County's Share	**3,256**	**801**	**505**	**585**	**1,365**
Housing Units Approved, Under Construction, or Completed (Jan – Aug 2019)	388	15	14	0	359
ADUs Approved, Under Construction, or Completed (Jan – Aug 2019)	37	0	18	19	0
ADUs Projected Through Dec 2028	1,665	832		566	267
Remaining Share of Housing Needs	1,166	427		0	739

The County has identified an adequate number of vacant sites to accommodate the unincorporated county's remaining housing needs share.

3. The State does not require that the homes actually be constructed, only that the County and cities provide an adequate number of zoned parcels.

Table 3: Summary of Identified Vacant Sites

	Identified Vacant Parcels		Housing Units		
Income Category	Total Number of Parcels	Number of Parcels by Land Use Category	Number of Realistic Potential Housing Units (1)	Remaining Share of House Needs	Unincorporated County's Share
Very Low and Low	36	RMF: 13	1,505	427	1,306
		CR: 23			
Moderate	41	RMF: 13	1,181	0	585
		CR: 28			
Above Moderate	192	RSF: 184	1,104	739	1,365
		RR: 8			
Note 1: Based on realistic development capacity of 18 dwelling units per acre.					

4. The whole expensive exercise is a government funded phony Kabuki Theater ritual.

Even though the County and other jurisdictions claim they have sufficient zoned land, most of the permits will not be over the counter, but will require various degrees of expensive de novo “discretionary” land use permits, payment of huge processing fees, and payment of even larger mitigation fees. Housing at 30 percent of a family’s income will still be way out of reach.

Infrastructure shortages in water, sewer, and road and highway construction are used to condemn proposed projects from the gitt go.

Item 29 - Hearing to consider a request by the County of San Luis Obispo to amend the County Land Use Ordinance (Title 22) to update the mapping boundary of the area of severe decline within the Paso Robles Groundwater Basin. An addendum to the Supplemental Environmental Impact Report (SEIR) prepared for the Countywide Water Conservation Program in 2015 (SCH # 2014081056) has been prepared for this request. Districts 1 and 5. This is the issue of changes in the areas defined as in severe water decline in the Paso Basin. It was considered by the Board in August. At that time the Board and public expressed many concerns. One that was never answered at that time is how could the areas which were mapped for over a decade and one half change so radically in just 2 years per the PASO BASIN groundwater analysis undertaken as part of the SGMA Planning? At this point the staff report states:

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 overliers 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.

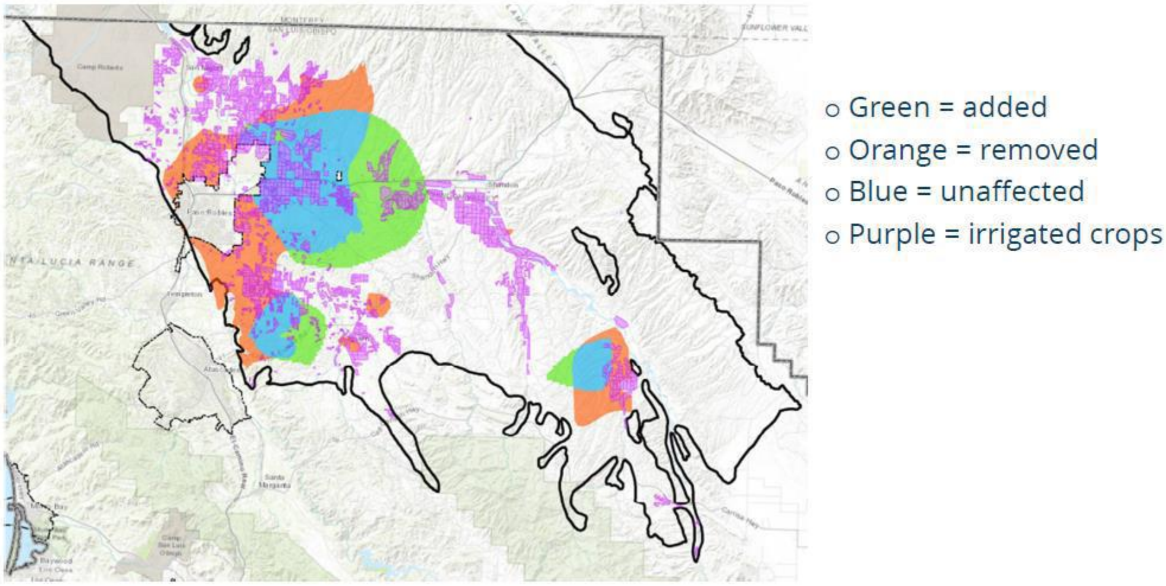
Similarly, it was determined that the Basin boundary included in the SGMA plan does not match the State’s official boundary. The issues detailed below are some of the fallout.
(Staff has conflated 2 major policy issues

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 consternation 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 stricter 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 between 2018 and 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 DeMinimis: 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 overliers. 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: The Board supposedly directed Phase 1.5 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 look back 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.*)

Updated Recommendation:

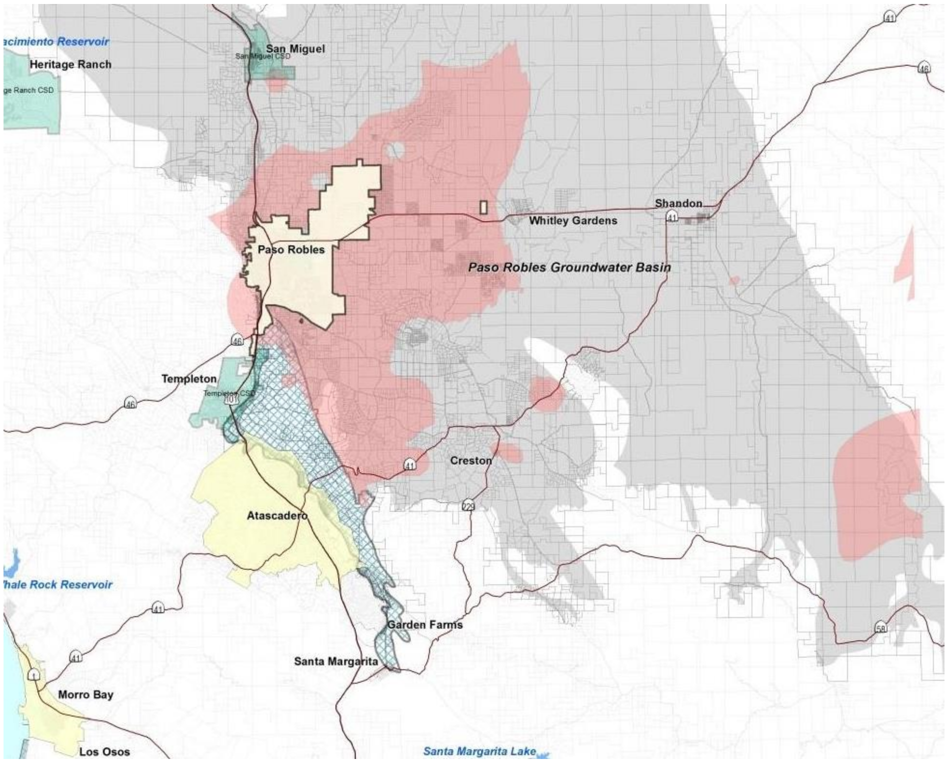
At this point the staff is recommending:

Proposed Ordinance Amendment

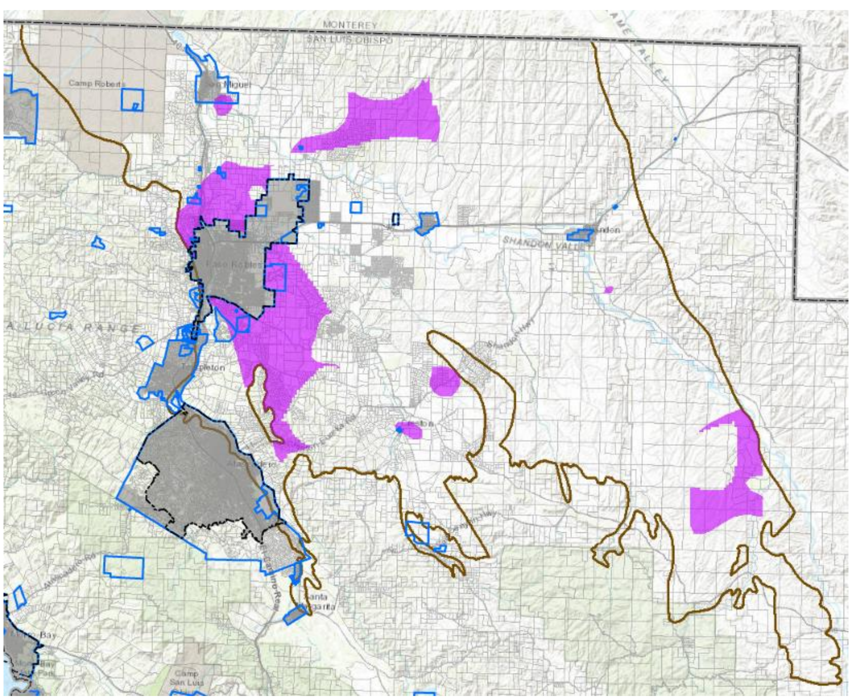
• *Update the area of severe decline map rather than create a petition process to get an exception from the rules for areas of severe decline*
• *Incorporate Spring 2017 groundwater elevation measurements*
• *Only include areas where groundwater elevation levels dropped 50 feet or more from Spring 1997 to Spring 2013 and from Spring 1997 to Spring 2017 (showing persistent groundwater elevation decline*)

It’s not clear what this means since the new maps of the changes, although in a slightly different format, seem to conform with the switches as originally proposed.

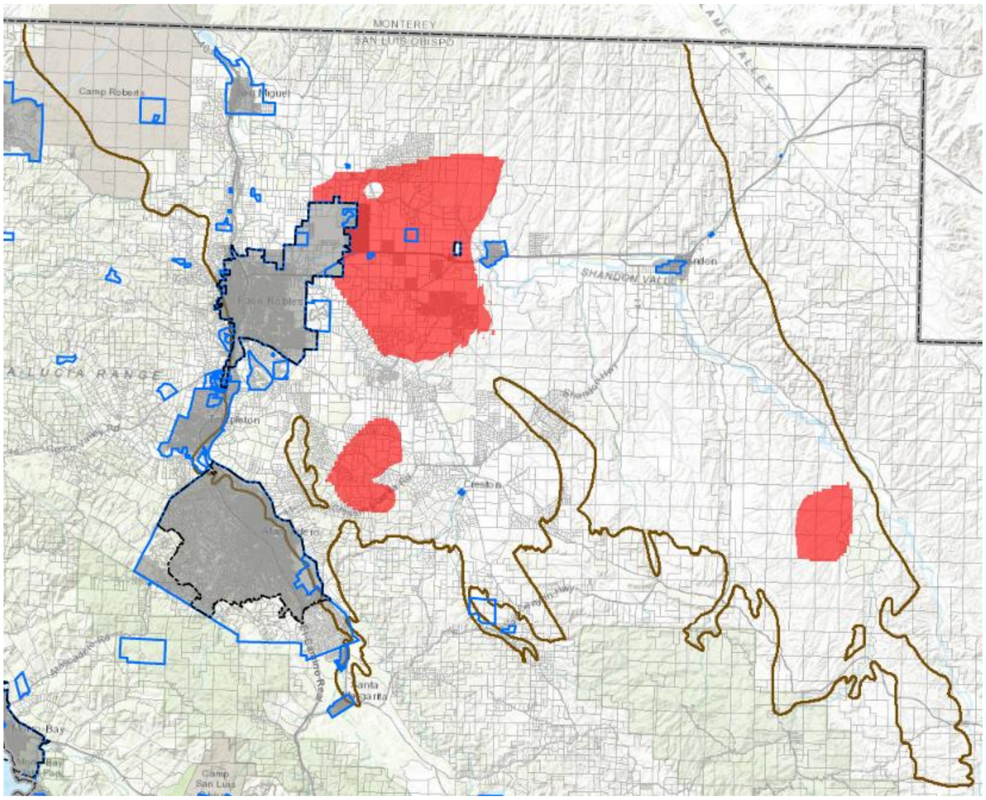
Original Areas of Severe Decline



37,0000 Acres Removed



Proposed New Areas of Severe Decline



This one should be set aside for a public hearing on a less busy day. It needs lots of careful explanation.

Item 30 - Planning and Building Department Long Range Planning Workload and Priorities. Each November the Board receives an update on progress of various Planning Department Projects such as updating Plan Elements, Federal and State required policy studies and rule adoptions, ordinance revisions, and special studies of emerging issues and problems. The Board must determine its priorities in terms of workload, community needs, Federal and State mandates, and funding availability. There can be competition among the various Supervisorial Districts given the budget and pressure from communities.

Each November the Board sets some preliminary direction and then typically revisits the priorities in February or March so they can be included in the Proposed Budget.

In a larger sense, setting of the priorities is a significant policy expression. Does the Board desire less development, no growth, faster permitting, higher density or less dense housing, process improvements, and so forth? In fact and although almost every one ignores this policy setting, much of the overall direction of the County is set based on what is determined to be worked on. This year's considerations include:

Key Department Projects and Initiatives

• *Dana Reserve Specific Plan*
• *Diablo Decommissioning*
• *Permit Tracking System (EnerGov)*
• *Community Advisory Councils*
• *Cannabis Land Use Permits*

Current Tier I Projects
• *Airport Land Use Plan*
• *Annual Ordinance Clean-Up Package*
• *Avila Community Plan Update*
• *Diablo Canyon Nuclear Power Plant Decommissioning*
• *Los Osos Community Plan Update*
• *Los Osos Habitat Conservation Plan*

Tier II Projects
• *5G Cell Towers*
• *California Valley Abandon Cannabis Site Clean Up*
• *Craft Distilleries Ordinance*
• *Inland Vacation Rental Ordinance*
• *Proposed Project Noticing Signs*
• *Safety Element Update and Coastal Flood Risk Assessment*
• *Title 22 and 23 Events Related Amendments*
• *Urban Small Wineries*
• *Vacation Rental Hearing Officer Process*

Item 31 - Submittal of department budget reduction plans for FY 2020-21, as directed by the Board of Supervisors during the FY 2020-21 Budget Hearing. During adoption of the current FY 2020 – 21 budget the Board was faced with substantial reductions due to the COVID lockdown's negative impact on revenues. At this point it is balanced by utilizing $19 million in reserves and assigning the various departments $6 million in reductions.

Long-Term Reductions (addresses structural gaps over multiple years)	
Recommendation	**Expected Savings**
4% reduction to non-public safety departments FY 2020-21 recommended General Fund support	$5.5M
1% reduction to public safety departments (Fund Center 136 – Sheriff-Coroner, Fund Center 139 – Probation, Fund Center 140 – County Fire, and Fund Center 132 – District Attorney) FY 2020-21 recommended General Fund support	$966K
Subtotal	**$6.5M**
Short-Term Reductions (addresses gap in a single year)	
Recommendation	**Expected Savings**
Use of Prop 172 trust funds to backfill expected Prop 172 loss for Sheriff-Coroner, Probation, District Attorney, County Fire	$3.4M
Decrease General Reserve	$3.0M
Eliminate Property Tax Litigation Designation	$798K
Eliminate FY 2020-21 depreciation provided to General Government Building Replacement designation	$3.7M
Decrease General Government Building Replacement designation	$2.0M
Subtotal	**$12.8M**
TOTAL	**$19.3M**

The Departments were directed to return later in the year with the details of their reductions. The actual report is very detailed, is 168 pages long, and can be accessed at the link: https://agenda.slocounty.ca.gov/iip/sanluisobispo/file/getfile/127790

When it opens click on the file: Department Reduction Plans.

It is not clear from the report if the better than anticipated revenues reported last week (see last week's **Item 16** below for reference) provide the opportunity for the Board to restore any of the reductions. On the other hand and given the possibility of more COVID problems, prudence suggests that it is best to sit tight. There is no indicia in the report that more reductions are needed at this time.

Given the extent of this overall agenda, it is hard to believe the Board can spend adequate time on this one. After all the next item is controversial and people will be lined up to comment.

Item 32 - Campaign Finance Limits. The Board will conduct a public hearing on setting $25,000 per person or entity as the limit for campaign contributions for County offices, including the Board of Supervisors, Sheriff, DA, Auditor Controller, Clerk Recorder, and Assessor.

The matter is controversial, as many people who are reform minded prefer a much lower limit. The problem with setting it low is that so-called "Independent Expenditure Committees" are not included in the definitions within the enabling legislation as described below:

Left progressives will be arguing for a lower cap. Do not be deceived. The trick lies in the definition of "person" in the enabling legislation, which does not cover so-called independent expenditure committees (ICEs).

The write-up summarizes the key provisions of the proposed County ordinance as follows:

On October 20, 2020, the County of San Luis Obispo Board of Supervisors instructed staff to return to the Board with an ordinance establishing local campaign finance contribution limits with the following directions:
* *To set the campaign contribution limit to $25,000 per person;*
* *To make clear that the definition of "person" includes all union groups, political action committees and other committees;*
* *To set the limit that a candidate can loan their campaign at $200,000 and disallow interest;* *To include a provision regarding recalls and recall committees and to subject those committees to the contribution limits; and,*
* *To vest enforcement authority with the District Attorney's office.*

The basis for establishing local campaign finance limits is AB 571 which establishes State "default" provisions which apply beginning January 1, 2021 if a local agency had not yet enacted their own ordinance.

The State enabling legislation sets the default limit at $4700. A major problem is that independent expenditure committees are not covered by the statute. These are large PACs not affiliated with any candidate or proposition, which fund their own campaign ads including mailings, radio, TV, web media and print ads. These are not subject to the County ordinance. Thus if the County were to set a low limit, independent expenditure committees could overwhelm the local candidates and proposition issues. The Tom Styers, Soros, the Pelosi/Newsome SF Mafia, Sierra Club aficionados, and all the rest could still use supposedly blind IECs in order to pour hundreds of thousands into "independent" ads in crucial SLO County elections contest. **The locals would have no way to raise large sums of money to fight back.**

The definition of "person" is all-important in this case and does not include IECs.

"*Person" means an individual, proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, limited liability company, association, committee, and any other organization or group of persons acting in concert. The definition of "person" includes any labor union group, political action committee, political party committee, general-purpose committee, primarily formed committee, and sponsored committee. "* Note that Independent Expenditure Committees are omitted.

What is an Independent Expenditure Committee?

An individual or entity (e.g., corporation, firm, business, or proprietorship) that makes one or more independent expenditures to pay for a communication (e.g., mailing, lawn signs, newspaper ads) totaling $1,000 or more in a calendar year that is not coordinated with the affected candidate or committee qualifies as a committee and must file reports under the Act.

An "independent expenditure" is a payment for a communication that expressly advocates the election or defeat of a clearly identified California state or local candidate or the qualification, passage, or defeat of a clearly identified state or local ballot measure, and the communication is not coordinated with or "made at the behest" of the affected candidate or committee.

Nothing is what it seems.

Background: Per 2019 bill AB 571, the County may adopt an ordinance limiting the amount that any individual, association, political action committee, or other entirety can contribute to a particular candidate. Reciprocally, the amount received by a candidate can also be limited. In SLO County this would cover the Board of Supervisors, Sheriff, DA, Auditor Controller, Clerk Recorder, and Assessor.

SLO Air Pollution Control District (APCD) Meeting of Wednesday, November 18, 2020 (Scheduled)

The meeting seems to focus primarily on housekeeping and routine reports, although one never knows what bomb might be dropped in the Air Pollution Control Officer's verbal report.

The Closed Session contains an unspecified item on threatened litigation. This is likely to be consideration of what to do about the Friends of the Dunes exposure of the APCD Hearing Board violating State Law. Its engineering member was not a state registered and licensed Civil Engineer.

As COLAB reported 3 weeks ago the pro Dunes Riding Organization, Friends of the Dunes, notified the Hearing Board that the individual appointed to the registered Civil Engineer slot was not a licensed registered Civil Engineer. The Friends assert that this renders a number of actions related to the dunes null and void

SLO Integrated Waste Management Authority (IWMA) Meeting of Thursday, November 19, 2020 – 1:00 PM by Teleconference

The audit or 2018/19 pointed out many problems. These seem to have been somewhat rectified by 2019/20.

Item 9 - AUDIT FOR FISCAL YEAR 2018/2019
Recommendation: Staff recommends the Board receive and file the financial audit for Fiscal Year 2018/2019.

Item 10 - AUDIT FOR FISCAL YEAR 2019/2020
Recommendation: Staff recommends the Board receive and file the financial audit for Fiscal Year 2019/2020.

Item 18. STRATEGIC PLAN - ORDINANCE AUTHORITY AND ENFORCEMENT Page 86
Recommendation: Receive presentation from Staff and HF&H Consultants to provide staff guidance on Board preferences regarding the nature/scope of IWMA ordinances, enforcement, and the relationship of local jurisdictions to that ordinance authority.

The best strategic plan would be to abolish the agency.

Local Agency Formation Commission Meeting (LAFCO) of Thursday, November 19, 2020 (Scheduled)

Control click on the items to open them to see the detail.

- A-1: CalPERS approval for Health Benefits Program for SLOLAFCO (Recommend Approval)
-
- **B-1: Activation of Solid Waste Power for the San Simeon Community Services District LAFCO File No. 1-E-20 (Recommend Conditional Approval)**
-
- B-2: Annexation #81 to the City of San Luis Obispo (Fiero East-West Areas) LAFCO File No. 1-R-20 (Recommend Conditional Approval)
-
- B-3: Annexation #11 to County Service Area No. 18 Country Club (Jack Ranch - Tract 2429) LAFCO File No. 2-R-20 (Recommend Conditional Approval)
-
- B-4: Agreement for Temporary Employment between the San Luis Obispo Local Agency Formation Commission and David Church for Interim Executive Officer services (Recommend Review and Approval)
-
- C-1: Receive for Information Purposes proposal LAFCO File No. 4-R-20 - For the Torres Annexation to Nipomo Community Services District (Recommend Receive and File)

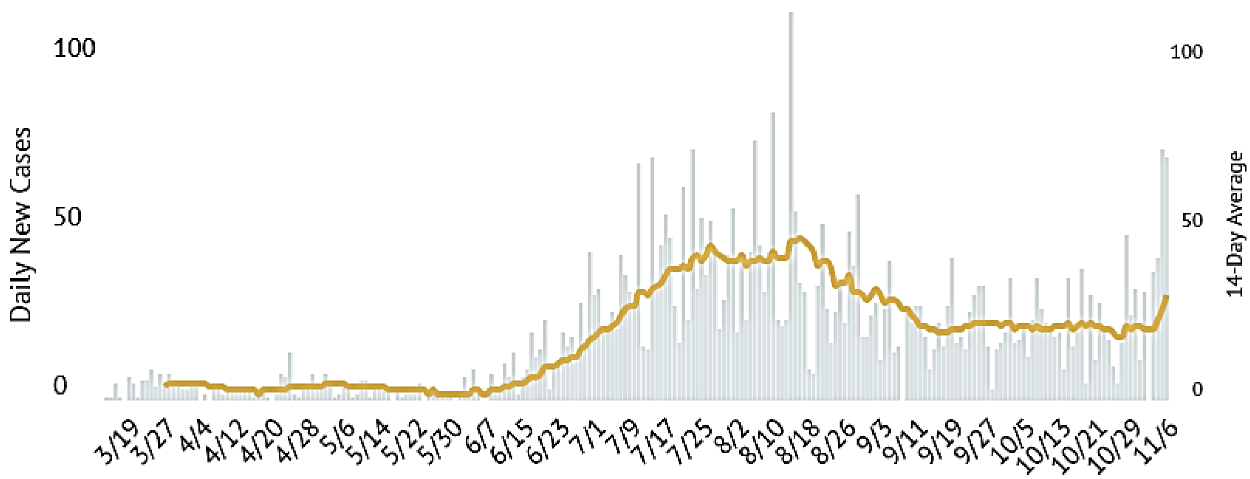
LAST WEEK'S HIGHLIGHTS

Item 1 - COVID Status. The infection rate was increasing, and the County became at risk of slipping back into the most severe regulatory tier (purple) of State regulation. If the County slips back, fitness facilities, restaurants, movie theaters, schools would be under more severe controls.

Two weeks of purple status would trigger imposition of the more severe regulations. Once in purple it would take 2 subsequent weeks of improved progress to move back into tier 2 ((red).

About half of the new cases are in the Cal Poly community and about half are spread around, but as could be expected, these are more concentrated in the cities. The threat of back and forth opening and then closing is very difficult for businesses.

Daily New Cases (and 14-Day Average) As of Friday November 7, 2020



CURRENTLY HOSPITALIZED

8 (of whom 3 are in ICU)

Item 2 - Introduction of an ordinance establishing local campaign finance contribution limits. Hearing date set for November 17, 2020. The Board set it for the November 17th hearing on a 3/1 vote with Gibson dissenting. Gibson stated he will not be voting for it next week.

Background: This item will be controversial. Left progressives will be arguing for a lower cap. Do not be deceived. The trick lies in the definition of "person" in the enabling legislation, which does not cover so-called independent expenditure committees (ICEs).

The write-up summarized the key provisions of the proposed County ordinance as follows:

On October 20, 2020, the County of San Luis Obispo Board of Supervisors instructed staff to return to the Board with an ordinance establishing local campaign finance contribution limits with the following directions:

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□ To set the limit that a candidate can loan their campaign at $200,000 and disallow interest; □ To include a provision regarding recalls and recall committees and to subject those committees to the contribution limits; and,
□ To vest enforcement authority with the District Attorney's office.
The basis for establishing local campaign finance limits is AB 571 which establishes State "default" provisions which apply beginning January 1, 2021 if a local agency had not yet enacted their own ordinance.

The State enabling legislation sets the default limit at $4700. A major problem is that independent expenditure committees are not covered by the statute. These are large PACs not affiliated with any candidate or proposition, which fund their own campaign ads including mailings, radio, TV, web media and print ads. These are not subject to the County ordinance. Thus if the County were to set a low limit, independent expenditure committees could overwhelm the local candidates and proposition issues. The Tom Styers, Pelosi/Newsome SF Mafia, Sierra Club aficionados, and all the rest could still use supposedly blind IECs in order to pour hundreds of thousands into "independent" ads in crucial SLO County elections contest.

Item 16 - Budget Updates. The Board received the report but did not take any action or give direction. The bottom line is staff believes there are too many unknown variables to make any solid predictions, although they believe the FY 2021-2022 Budget could be facing a $20 million revenue/expenditure gap.

Background: The item was divided into part I, status of the current FY 2020-21 budget, and part II, forecast for next year's FY 2021-22 budget. Overall, and notwithstanding some revenue losses, there does not seem to have been much of an impact. So far it has been business as usual with no major cutbacks into the operating base. There have been no layoffs, furloughs, pay raise deferments, facility shutdowns, rotating closures/reductions of services, delayed vendor payments, postponement of capital projects, early retirement program, delays in executing major service contracts, or elimination of programs. It is not known from the write-up if there is still a "hiring chill" (a soft freeze on new hires and promotions).

The County has received large grants related to COVID, homelessness, and mental health, which appear to be categorical in nature. That is, the funds cannot be used to reduce deficits but must be expended for the uses established by the Feds or State.

County staff has warned the Board that the State has a $54 billion impending deficit, which could adversely impact various revenues that are sent down to counties, particularly for probation, mental health, social services, and others. The State is hoping for a Blue State bailout as part of the third round of a Federal CARE's trillion-dollar program once Biden is ultimately confirmed as President. The Senate could still be a barrier if it maintains the Republican majority after January, when the Georgia Senatorial special election occurs. One of the main Republican objections has been the use of billions or trillions to bail out New York, California, Illinois, Pennsylvania, New Jersey, Oregon, and Washington.

The longer-term problem is that virtually all of the Federal COVID money is new debt. At some point when interest rates rise, the annual rotating payments on that Federal debt will become exponentially larger and will undermine the entire Federal Budget. Add in trillions more for green energy, cultural equity, more low-income rental assistance, guaranteed income, and college tuition forgiveness or free college, Medi-Care for all, and a huge public works program. All of this will be of funded by debt and large tax increases and will sap funding for private investment, bolster consumption in the short run followed by recession or worse, and of course add thousands of government jobs at all levels, which add to the vested interest pressure for even more taxes and regulation.

Item 17 - Executive Session. The Board considered a number of cases. After the session County Counsel reported that the Board took no reportable action.

There were 3 items that appear to be of broad public interest. It would have been be great if County Counsel included a short paragraph on the subject of each case.

(6) Protecting our Water and Environmental Resources v. Stanislaus County (Case No. S251709);

(7) California Water Integrity Network v. County of San Luis Obispo (Case No. S251056);

(8) Coalition for Agricultural Rights v. County of San Luis Obispo (Case No. 20CV-0282)

Item 18 - Hearing to consider a Temporary Commercial Outdoor Entertainment License application from Nicholas M. Duggan for up to six concert events to be held at Santa Maria Raceway/Stadium 805 on dates uncertain in the 2021 calendar year. The Board unanimously approved the permit for 6 concerts. It imposed many strict conditions above and beyond what the staff had already proposed. Some these included:

Limitation on sound at the property line to 82 decibels.

The track and promoters must conform with all State COVID rules – which would prohibit concerts at this point.

Event is defined as one day.

Thirty day pre-notification to the neighbors.

No events Mondays through Thursdays.

Amplified sound is limited to from 12:00 noon until 10:00 PM

Background: The applicant proposed 6 outdoor music concerts at the venue, which has hosted stock car racing, motor cycle racing, and destruction derby events since 1964. The various County departments analyzed the proposal and recommended approval of the permit.

Neighbors have written in opposition due to their concerns about traffic and noise. Staff indicated that the sound level would be lower than that emitted by the race cars. They have also expressed traffic concerns. Staff seems to believe that the traffic will not be any worse than the traffic experienced for the races.

Various tourism organizations in the county supported the application.

The Board approved it and can now test the results. Over time it might grow into a real attraction, like the Santa Barbara Bowl. It could be renovated into a first class venue if the business starts to grow.

LEVELS OF NOISE In decibels (dB)

Level	dB	Examples
PAINFUL & DANGEROUS		
Use hearing protection or avoid	140	· Fireworks · Gun shots · Custom car stereos (at full volume)
	130	· Jackhammers · Ambulances
UNCOMFORTABLE		
Dangerous over 30 seconds	120	· Jet planes (during take off)
VERY LOUD		
Dangerous over 30 minutes	110	· Concerts (any genre of music) · Car horns · Sporting events
	100	· Snowmobiles · MP3 players (at full volume)
	90	· Lawnmowers · Power tools · Blenders · Hair dryers
Over 85 dB for extended periods can cause permanent hearing loss.		
LOUD		
	80	· Alarm clocks
	70	· Traffic · Vacuums
MODERATE		
	60	· Normal conversation · Dishwashers
	50	· Moderate rainfall
SOFT		
	40	· Quiet library
	30	· Whisper
FAINT		
	20	· Leaves rustling

Note that the limitation is way below normal concert music.

STOCK CAR DECIBELS

Noise levels measured during races ranged from 96.5 to 104 dB(A) at 46 meters (approximately 150 feet) from the track and 99 to 109 dB(A) at 6 meters (approximately 20 feet) from the track. The peak sound pressure level at 6 meters was 109 dB(A).

Planning Commission Meeting of Thursday, November 12, 2020 (Completed)

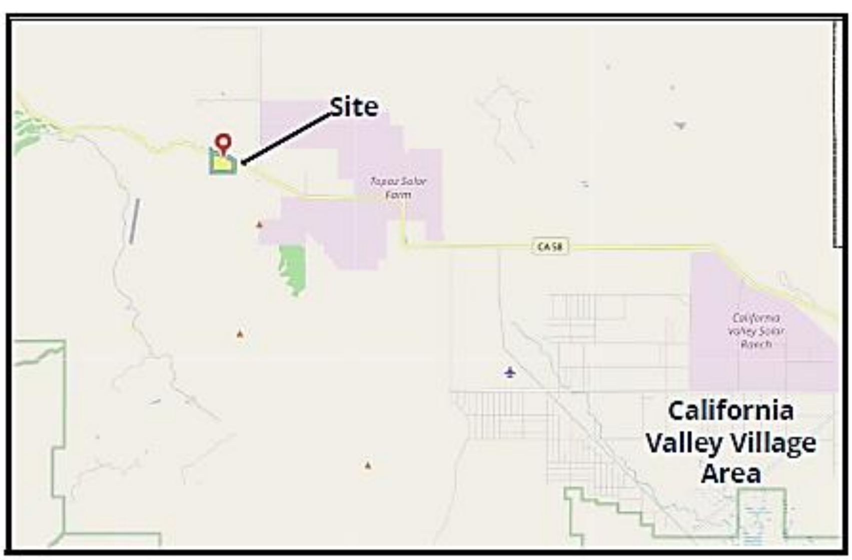
In General: This was a busy meeting with applications for permits for project approval extensions, a winery, an office building, and several cannabis grows.

Item 10 - Hearing to consider a request from Sidifoax, Inc. for a Conditional Use Permit (DRC2019-00086) to authorize the multi-phased development of: up to one acre of outdoor cannabis cultivation canopy, up to 22,000 square feet of indoor mixed-light cannabis cultivation in greenhouses, up to 600 square feet of indoor commercial nursery, and up to 600 square feet of non-volatile manufacturing. Ancillary processing activities would include curing, drying, trimming and packaging. Project development would result in 8.4 acres of site disturbance on an 110 acre parcel and would include the: construction of a 7,150 square foot microbusiness building to house the processing, storage, nursery, manufacturing and transport activities, construction of three (3) 10,080 square foot greenhouses, installation of four (4) 10,000 gallon water storage tanks for irrigation use fire suppression and installation of a 100 square foot water pump house. The project would employ up to six (6) people and would operate seven days per week, between the hours of 8:00 AM and 5:00 PM, and no later than dusk/dark during harvest operations. A modification from the parking standards set forth in Section 22.18.050.C.1 of the County's LUO is requested to reduce the required number of parking spaces from 69 to 14 spaces. The project site is within the Agriculture land use category and is located at 7575 Carissa Highway, approximately 8 miles northwest of the village of California Valley in the Shandon-Carrizo Sub Area North of the North County Planning Area. The Commission approved the application 3/1 (Campbell dissenting) after considerable discussion and tightening up conditions. Commissioner Campbell expressed the concern that hoop houses and other facilities should be restricted to the industrial zones, as cannabis is not an agricultural crop.

Project Description

Area	Cannabis Activities Proposed
1 acre	Outdoor cannabis cultivation
30,240 sf gross/ 22,000 sf canopy	Indoor cannabis cultivation within 3 new greenhouses (10,080 sf each)
7,150 sf gross/ 600 sf canopy	Commercial building to support commercial nursery (600 sf canopy), cannabis manufacturing (600 sf), ancillary processing (1,750 sf), cannabis distribution transport-only, non-cannabis storage, office, and restrooms (4,200 sf).

Page 2 of 29



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Item 11 - Hearing to consider a request by Pegaso, Inc. for a Conditional Use Permit (DRC2018-00177) to allow for a multi-phased development of cannabis activities. Phase I will include approximately three acres (130,680 square feet) of outdoor cannabis cultivation in hoop houses. Phase II will consist of the construction of 38,800 square feet of greenhouses for the establishment of 22,000 square feet of indoor cultivation and 16,000 square feet of ancillary nursery. Phase II will also include construction of a 9,500 square foot building for processing activities. The project will result in approximately 10 acres of disturbance on a 225-acre parcel, including 12,364 cubic yards of cut and fill. A parking modification is requested to reduce the required parking spaces from 80 to 26. The project is within the Agriculture land use category located at 12415 River Road, approximately 2.2 miles northwest of the village of Pozo and 5.3 miles east of the entrance to Santa Margarita Lake. The Commission denied the application on the grounds of incompatibility with the neighborhood, inadequate road access, and water problems in the area.

Commissioners Brown and Campbell were clearly opposed to the project. Commissioners Multari and Legg agonized about the denial, but in the end could not make findings to approve it. They considered the possibility of making the project smaller, restricting water usage beyond the levels included in the revised application and other controls, but this would have dragged out the process and costs for the applicant, even if he were agreeable. In the end it would still be a roll of the dice.

During the deliberations several Commissioners ruminated on the fact that the applicant is an out-of-town investment company. They felt it might be different if they had been more community-based. This conversation may pose problems when and if the project denial is appealed to the Board of Supervisors and then the Board sustains the Commission's denial. The applicant may assert bias.

Background: This application had been on the agenda previously and was ultimately continued. It has been controversial. The applicant used the hiatus to remove the proposed manufacturing facility, obtain a water report, and refine its grading plan.

Project Description

Other Improvements

- 3 acres outdoor cultivation canopy
- Installation of a 6-foot-high chain-linked fence
- Temporary restrooms and wash trailers
- Improvements to parking area and onsite access road
- Septic tank and leach field
- 10,000-gallon water storage tank

Modification to reduce parking from 80 spaces to 26

Project Description

Other Improvements

- 3 acres outdoor cultivation canopy
- Installation of a 6-foot-high chain-linked fence
- Temporary restrooms and wash trailers
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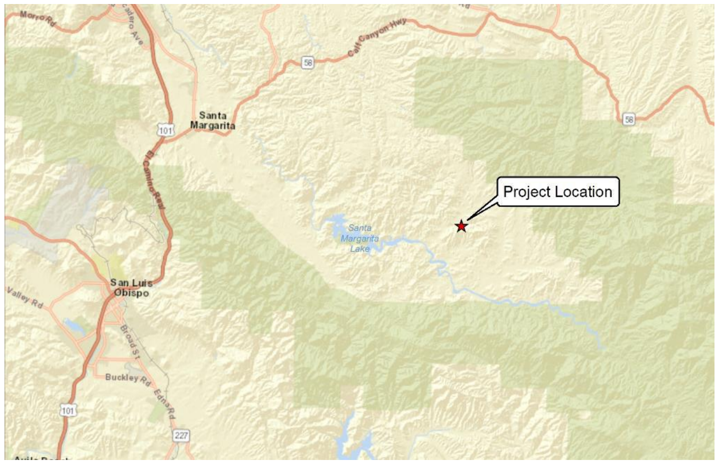
Modification to reduce parking from 80 spaces to 26



SLO Air Pollution Control District Hearing Board Special Meeting of Thursday, November 12, 2020 (Emergency Meeting)

Item 4. - CLOSED SESSION -Discussion of one item of significant exposure to litigation (Government Code Section 54956.9(b)). Although the notice and write-up did not disclose the exact item of threatened litigation, it was undoubtedly the legal notification received by the Hearing Board and APCD that they have been operating illegally for several years. It is not known what the hearing board decided during the session. Will they void their actions? Or will they tell the Friends of the Dunes to buzz off and get sued? Is there some sort of settlement which they might negotiate?

As COLAB reported 3 weeks ago, the pro-Dunes Riding Organization, Friends of the Dunes, notified the Hearing Board that the individual appointed to the registered Civil Engineer slot was not a licensed registered civil Engineer. The Friends assert that this renders a number of actions related to the dunes null and void. Participation by the public (to the extent there is any – the entire substantive part of the meeting was a closed session).

During the closed session Counsel advised the Hearing Board on its options.

Background: Please see The Friends of the Dunes letter below:

LAW OFFICES OF THOMAS D. ROTH
ONE MARKET, SPEAR TOWER, SUITE 3600
SAN FRANCISCO, California 94105
415) 293-7684
Rothlawi@comcast.net
October 28, 2020
By E-Mail
baariclerk@slocleanair.o

Jim Anderson
William Johnson
Paul Ready
Robert Carr
Thomas Richards

Clerk
San Luis Obispo County
Air Pollution Control District Hearing Board
3433 Roberto Court San Laiis Obispo, CA 9340
Gary Willey
Air Pollution Control Officer
SLO County APCD
3433 Roberto Court
San Luis Obispo, CA 93401

Armando Quintero, Director
California Department of Parks and Recreation
1416 9th Street
Sacramento, CA 95814

Re: SLO APCD Hearing Board Unlawful Actions

Dear SLO APCD Hearing Board, Clerk and other Government Officials:

This firm represents Friends of Oceano Dunes, a California nonprofit Dunes 28,000 users of Oceano Dunes SVRA (“Friends”). This letter is sent on behalf of Friends and its members.

It has just come to Friends’ attention that the San Luis Obispo County Air Pollution Control District Hearing Board has been operating unlawfully for the past several years because it was not properly constituted during that time.

State law codified in the Health and Safety Code sets forth certain minimum requirements for hearing boards in air pollution control districts.

Health and Safety Code s 40800 requires that the Hearing Board consist of 5 members. Section 40801(b) provides that the Hearing Board “shall include certain members with special expertise and qualifications. One member “shall be “a professional engineer registered as such pursuant to the Professional Engineers Act (Chapter 7 (commencing with Section 67oo) Division 3 of the Business and Professions Code). This has been the law since 1975- The SLO APCD Hearing Board has met no less than five times since October 2017, and has taken action during these meetings.

During this time period, Yarow Nelson served on the Hearing Board and was held out as the person serving as the engineer in compliance with Health and Safety Code s 40801(b). He also served as Chair or “acting Chair, so he was in a position to greatly influence on the Board. He also has greater powers under state law than other Board members. However, at no time during his tenure was Mr. Nelson a licensed engineer.

I understand that an alternate who served during this time was a licensed engineer so clearly a licensed engineer was available to serve. Also, applications during the past several months by at least three licensed engineers demonstrate an interest to serve on the Hearing Board by persons who meet state law qualifications.

The Hearing Board operates in excess of its powers and jurisdiction if it purports to take action by a Board that includes members who do not meet state law qualifications. That is what this Hearing Board has done since at least October 2017.

Accordingly, all actions taken by the Hearing Board from October 2017 through August 2020 exceed its authority and are void. This includes the Stipulated Order of Abatement and amendments to that Order. Indeed, Mr. Nelson pushed for the Stipulated Order and its Amendment and signed those Orders as Acting Chair.

Please immediately cease enforcing the Stipulated Order of Abatement.as amended

Friends is open to discuss settlement options to resolve the unlawful actions of this Board without litigation, but Friends requests that any such discussions commence within the next 7 days.

Sincerely,
Tom Roth

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

TALK OF "UNITY" IS BOTH HYPOCRITICAL AND DELUSIONAL

BY GARY GALLES

In Joe Biden's address after being declared president-elect by news organizations, he promised to be a leader who "seeks not to divide but to unify." Making that assertion after the campaigns we have seen, not to mention the light-years-apart treatment of the candidates, while Donald Trump is still adamantly disputing the election because of alleged Democrat malfeasance is, at a minimum, ironic. And it would be the height of hypocrisy if only a few of Trump's claims of cheating are true. But we need to go further and recognize that even the possibility of Joe Biden uniting us is a delusion.

Agreement on the specific ends we want to achieve is unattainable because our desires are mutually inconsistent. Our agreement is very limited on even very broadly defined issues, and once we look further than vague, aspirational language and feel-good generalities, Americans disagree on virtually everything.

All of us want to be fed, clothed, housed, educated, etc. We agree in that sense. But we disagree about virtually every aspect of who, what, when, where, why, and how. We want different types and amounts, in different ways, at different times and places, and for different people. We are vastly different in the tradeoffs we are willing to make among our desires, not to mention who we think should pay our bills. Once we consider any of the myriad actual choices faced, the fact of scarcity necessitates that our specific ends conflict, rather than align.

Consider a mundane example played out daily in our homes—breakfast. Does everyone in your family agree on "the most important meal of the day"? Does everyone even eat breakfast? Does each member have coffee, a cold caffeine drink, or neither? Juice? What kind? Are all agreed on when, where, what, or how much to eat? Do we agree on who should pay for breakfast, cook it, and clean up after it? Do we agree on the "dress code" that should apply, either at breakfast or afterward?

Diverse individuals have diverse preferences. Multiplying this single example by the uncountable decisions that must be reached in society every day makes our fundamental disunity clear. And we are no more unified when we get to public policy. We are not in agreement about people's rights and government powers that some view as essential but others view as unforgivable. The same is true of many foreign policy choices. We cannot be unified as "one nation under God" when some vehemently reject any reference to God. We cannot be unified about abortion when some view it as murder and others consider it sacred. Policies that take from some to give to others also inherently create disagreement from those whose pockets are involuntarily picked. Reducing what we take from some, entailing giving less to others than they wish, also triggers disagreement. So long as government dictates such choices, political unity is unattainable.

In fact, politics as currently practiced eviscerates the one thing Americans could agree about. This reflects the far-too-little-recognized fact that we have greater agreement on what all of us want to avoid than on what all of us want. None of us wants what John Locke called our "lives, liberties, and estates" violated. That is, each of us wants rights and property defended against invasion. Respecting all of our property rights reduces the risk from predation for each of us. But creating added rights and privileges for some at the expense of others' equal rights and privileges makes government the most dangerous predator, even when who is selected to do so is determined by majority vote.

Each of us would like the freedom to peacefully pursue our own goals. As Lord Acton put it, "liberty is the only object which benefits all alike, and provokes no sincere opposition," because freedom to choose for ourselves is always the primary means to our ultimate ends. That is why the traditional functions of government are to protect us from abuse by our neighbors and foreign powers, while its greatest threat is supposed protectors becoming predators against citizens. That is why Acton recognized that liberty requires "the limitation of the public authority." But we are incredibly far from agreement on that today.
Well-established property rights and the voluntary market arrangements they enable let individuals decide for themselves, limiting each of us to persuasion rather than coercion. Except in the very unusual case where we must all make the same choice, this allows us to better match our choices to our preferences and circumstances. And unlike minority votes in elections, every dollar "vote" matters.
In fact, we should recognize that markets are our primary means to transform our disagreements into mutually beneficial cooperation, while restrictions on markets hobble that essential function.

Say I offer you a widget for sale at $10 and you say yes. That does not mean we agree on its value. We disagreed. I valued it at less than $10 worth of other goods and services, or I wouldn't have sold it for that.

You must have valued it more than $10, or you wouldn't have bought it for that. Importantly, however, we have transformed our disagreement on values into an exchange that gives both of us benefits we consider to be worth more than the costs.
In contrast, talk of political unity is primarily rhetorical cover for those who are in power to coerce those who disagree with them. They benefit themselves at others' expense, taking others' resources and making them acquiesce in what they object to. And unlike markets, in which greater disagreements about value create greater net benefits from voluntary arrangements, "unifying" political initiatives are just ways to control who will be forced to do what for others, driving Americans apart while hamstringing cooperative arrangements and squandering the wealth they would have created.

Grand invocations that "I will unify us" are actually shorthand for "We disagree about many things, but those in this group are unified against others' preferences, and we mean to get our way, regardless of their well-being and desire," which is made clear by the demonization of anyone who doesn't support the supposed "unity" position as divisive. That kind of unity is tyranny. Strengthening our union actually runs along a different path than the unity of 50 percent plus one, unified against the interests of others. It is uniting in a common commitment to honoring one another's rights and the liberty this makes possible for all of us. Without unity in that, we can never achieve the kind of unity that is actually desirable and achievable. The alternative is the prospect of more of what we have experienced of late, which resembles what Thomas Hobbes called "a war of all against all." But if we are united only by the ongoing fight to win that war against other Americans, we are selling out the birthright we have from our Declaration of Independence and Constitution.

Gary M. Galles is a professor of economics at Pepperdine University. He is the author of The Apostle of Peace: The Radical Mind of Leonard Read. Other articles include

How the Left Uses "Science" To Extend Its Bias In Media and Academia
The 2020 election results will be a test of earlier liberal/progressive "investments" in modifying how Americans.

[The Idea that Democracy Is the Same as Liberty Is a Weapon in the Hands of Despots](#)
Probably no other belief is now so much a threat to liberty… as the one that democracy, by itself alone, guarantees.

The Bulleten below contains a nice summary of the deeper policy impacts of the election results in California

California voters approve billions in local taxes and borrowing: In his latest analysis, CPC contributor Edward Ring summarizes the results of California's local tax and bond proposals on last week's ballot. He highlights how the broad support for local tax and bond measures contrasts with the opposition to similar measures in the March 2020 election, which offered a promising rebuke to unchecked government union power:

Early returns from the November 2020 ballot show Californians have snapped back towards approving the vast majority of new local taxes and borrowing. As shown in the table below, of the 46 proposals to issue new bonds that have been decided so far, 89 percent passed, and of the 161 proposals to raise local taxes that have already been decided, 82 percent passed.

California Local Tax and Bond Proposals

November 2020 Early Returns ($ = millions)

Local Bond Proposals	# passed	# failed	# TCTC	$ passed	$ failed	$ TCTC
General Obligation Bond	1	1	3	488	900	535
School Bond	40	4	16	11,266	659	2,051
Total - Local Bond Proposals	41	5	19	11,754	1,559	2,585

Local Tax Proposals	# passed	# failed	# TCTC	$ passed	$ failed	$ TCTC
Business License Tax	1	-	-	2	-	-
Cannabis Tax	23	2	2	11	0	2
Card Room Tax	1	1	-	15	-	-
Documentary Transfer Tax	4	-	2	203	-	7
Gross Receipts Tax	3	-	1	252	-	-
Parcel Tax	23	13	7	162	9	11
Poll Tax	1	-	-	-	-	-
Rideshare Tax	1	-	-	1	-	-
Sales Tax	53	9	17	475	46	350
Transient Occupancy Tax	15	1	3	21	0	1
Utility Users Tax	7	3	2	40	2	6
Total - Local Tax Proposals	132	29	34	1,182	57	377

**TCTC = Too close to call.*

Prop 15 defeat holds: On Tuesday, the Associated Press confirmed that Prop. 15 failed to pass, falling short by about 600,000 votes, with 48.2 percent in favor and 51.8 percent opposed. The victory protects small businesses – as well as their employees and customers – from massive property tax increases backed by government unions, especially the California Teachers Association and SEIU, which spent a combined $30 million on the effort. Most inland counties opposed the measure by 20 percentage points or more.

California is the specter haunting America: On this week's episode of National Review's Radio Free California, CPC President Will Swain and board member David Bahnsen discuss the Biden team's bottomless affection for policies tested and failed in California. They ask who Gavin Newsom will name to fill the Senate vacuum created by Kamala Harris's rapid rise, and wonder why California's political elites hurt the working class they say they love so much.

California's one-party rule is coming for the rest of the nation: In a piece for *The Federalist* this week, Katya Sedgwick argues that California is a coming attraction for the rest of the nation. As Will has also argued (using the same drug metaphor), Katya notes that the forthcoming federal bailout will merely paper over the significant structural problems facing California's economy: While Kamala may direct federal money to our near-bankrupt state that took months of lockdown pain to keep economic activity down to ensure a mail-in election, a federal rescue package is unlikely to affect our quality of life: it won't put the junkies into rehab or punish criminals. Nor will it stop the forest fires, for that matter, or create economic opportunities in an overregulated environment.

It will function as a kind of needle exchange, like the "harm reduction" policy popular with local politicians, except not for the strung-out addicts but for the terminally dysfunctional technocratic machine. Bailouts may keep the state alive in the immediate future, hoping against hope that deep structural problems will magically resolve themselves, but in effect prolonging suffering for everyone.

Pandemic pod pushback: In his latest analysis, CPC contributor Larry Sand highlights union efforts to restrict the growing pod learning movement, where families group together to form their own micro-schools:

As the education establishment ramps up its efforts maintain its monopoly status, the numbers are not looking good for them. According to an EdChoice poll, learning pods are booming nationally, with 35 percent of parents claiming they currently participate in a pod, and another 18 percent of parents are interested in joining one**.**

Californians need school choice, not affirmative action: In an *OC Register* op-ed this week, the Cato Institute's Neil McCluskey and Solomon Chen explain why school choice is a far better way to help minorities than the recent failed attempt at reinstating affirmative action:
Affirmative action would not have addressed the much more fundamental barrier to Black and Latino [higher education] success: too few K-12 options to prepare them for college….

Improving educational attainment is a crucial goal, but affirmative action in college admissions would apply only after substantive inequalities had already taken their toll. The California Department of Education reports that in 2019, only 44.1 percent of graduating seniors were deemed prepared for college or postsecondary careers, with even lower rates for Latino (36.1 percent) and African-American (23.7 percent) students….

Giving underrepresented minorities increased choice both of public and private schools would better empower them to access, and flourish in, higher education.

Another member of the 1% departs: This week, tech entrepreneur Joe Lonsdale, who co-founded the software giant Palantir Technologies, announced that he's moved his venture capital firm 8VC from California to Texas. Lonsdale, who now calls himself "a proud Texan," said, "Texas is a lot like going to California 40 to 50 years ago. It's very welcoming, it's a dynamic economy, it's affordable." He noted that Texas surpasses California "in almost every method you can name, whether it's education, pollution, homeless[ness]."

The dangers of direct democracy: California's ballot measure system has provided a vital check on the state legislature's big government ideology. But let's close this long proposition season with a brief philosophical look at the dangers of direct democracy, namely, its threat to

Californians' individual rights.

Prop 15's victory to keep Prop 13's tax protections in place is great. But tax-increase proponents will almost certainly be back with another referendum in 2022 to try their luck again. Given how close the results were this year, it seems like only a matter of time before they succeed. With unlimited at-bats, almost anyone can hit a home run.

It seems unfair that voters can reject several efforts to overturn Prop 13's protections, only to see them disappear from an especially well-funded or lucky ballot measure victory in the years to come. If voters pass a version of Prop 15 in 2022, shouldn't there be some sort of rubber match to determine whether the will of the voters is fleeting or lasting?

Proponents of the status quo would likely say that opponents are welcome to challenge a new tax in a future election with a ballot measure of their own. Yet is this whipsaw back-and-forth really the best way to govern?

"Majority rules," cloaked in popular appeals for "democracy," is a core tenet of the left's governing philosophy. But should a simple majority be enough to tax away the property of a minority of Californians? Pure democracy is little more than two hungry sharks and a surfer deciding what to do in the water. At what point are individual rights to property and liberty more important than the will of the majority?

Many of the most authoritarian regimes in history, including the Nazis, were democratically elected. The Founders recognized the threat of pure democracy to foster populist passions and violate inalienable rights. As a result, they created a republic. They made changing the U.S. Constitution exceedingly difficult, requiring a two-thirds majority in both Houses of Congress or the support of three-quarters of state legislatures. Yet in California, the state constitution can change with just 50 percent plus one of the votes.

Even the "majority rules" justification for the ballot measure status quo fails on its own merits. Prop 15 received 7.7 million "Yes" votes and 8.3 million "No" votes. If it received the bare majority of votes needed to pass, that only represents 33 percent -- just one-third! -- of the state's 25.1 million eligible voters. Majority rule in theory is almost always minority rule in practice.

This minority rule is especially problematic when you consider that a tiny number of government union bosses are initiating and funding many of these ballot efforts that infringe on Californians' liberties. Two union giants, the California Teachers Association and the SEIU, spent a combined $30 million to try to pass Prop 15. (Mark Zuckerberg chipped in a further $12 million.)

Changing the ballot measure threshold to successfully pass tax hikes to a two-thirds majority (as what's required in the state legislature) or even 50 percent of all eligible voters seems like a commonsense protection from the tyranny of the well-funded union minority. In fact, this reform sounds like a great idea for a future ballot measure. To pass, it would only need the voting support of about one-third of eligible voters!

ADDENDUM I

NEW AND INCREASED FEES

Agricultural Commissioner - Fund Center 141: The Agricultural Commissioner provides enforcement of state laws and regulations specific to plant quarantine, pesticide use, and weights and measures countywide.

Board Discretion Type	Fee	Current Fee	Proposed Fee	Fee Increase	% Increase
Full	Produce Certification	$100	$90	($10)	(10%)
None	Small Capacity Scales (all scales up to 50 lbs. capacity)	$100	$110	$10	10%
None	Medium Capacity Scales (all scales greater than 50 lbs. to 5,000 lbs. capacity)	$100	$125	$25	25%
None	Retail Motor Fuel Dispensers and Diesel Exhaust Fluid Dispenser	$70	$80	$10	14%
None	Liquefied Petroleum Gas Meter	$90	$125	$35	39%
None	All other Commercial Devices	$70	$100	$30	43%

County Fire – Fund Center 140

County Fire provides fire protection services and emergency medical response to the unincorporated areas of the county. Services are provided under a contract with the State of California through CAL FIRE.

Board Discretion Type	Current total	Recommended Changes					New total	Fees at full cost recovery
		Unchanged	Increasing	Decreasing	New	Deleted		
Full	0	0	0	0	0	0	0	0
Partial	17	17	0	0	10	0	27	27
None	0	0	0	0	0	0	0	0
Total	**17**	**17**	**0**	**0**	**10**	**0**	**27**	**27**

The Fire Department is not proposing fee increases but is proposing 10 new fees.

Since the County pays for fire services under a 3-year fixed price contract, why would the Board charge its citizens more in the middle of the contract? Wouldn't the new fees simply be gravy to the State if they are passed through or simply new overhead money for the County?

Board Discretion Type	Fee	New Proposed FY 21-20 Fee	Explanation
Partial	Pre-Application Meeting General Projects and Cannabis	$355	County Fire attends planning review meetings and reviews various plan sets with no current cost recovery.
Partial	Pre-Application Meeting with Site Visit General and Cannabis	$499	County Fire attends planning review meetings and reviews various plan sets and performs site visits with no current cost recovery.
Partial	Code Exception Request	$589	Projects requesting exceptions to the code submit additional documents which require review and site visits.

Board Discretion Type	Fee	Proposed FY 21-20 Fee	Explanation
Partial	Minor Operational Permit	$234	The California Fire Code identifies 51 activities which require permits.
Partial	Major Operational Permit	$414	The California Fire Code identifies 51 activities which require permits.

Board Discretion Type	Fee	Proposed FY 21-20 Fee	Explanation
Partial	False Fire Alarm	$321	Recover fees when fire alarm systems in structures become a nuisance requiring multiple fire engine responses.

The write-up states that new fees below are needed to cover additional site visits to the locations where there are permit applications. Why are more visits needed than in past years?

Board Discretion Type	Fee	Proposed FY 21-20 Fee	Explanation
Partial	Third Plan Review - Residential	273.00	Additional fee for incomplete plans
Partial	Third Plan Review - Commercial	318.00	Additional fee for incomplete plans
Partial	Third Site Inspection - Residential	273.00	Additional fee for site visits
Partial	Third Site Inspection - Commercial	351.00	Additional fee for site visits

Board Discretion Type	Current total	Recommended Changes					New total	Fees at full cost recovery
		Unchanged	Increasing	Decreasing	New	Deleted		
Full	923	884	28	11	9	0	932	900
Partial	0	0	0	0	0	0	0	0
None	4	4	0	0	0	0	4	4
Total	**927**	**888**	**28**	**11**	**9**	**0**	**936**	**904**

The reasons given for justifying the increases are that the Department has made large investments in technology and is doing Plan Updates for which the public cannot be charged.

Significant Fee Increases								
Board Discretion Type	Fee Indicator #	Fee	Current FY 20-21 Fee (LUP + Environ.)	Proposed FY 21-22 Fee (LUP)	Proposed FY 21-22 Fee (Environ.)	Effective Proposed FY 21-22 Fee (LUP + Environ.)	Effective Fee Increase	Effective % Change
Full	1003	Contract Cancellation Request of Preserve with Initial Study	$13,229	$10,657	$3,731	$14,388	$1,159	9%
Full	1007	Farmland Security Zone Application and Farmland Security Zone Contract with categorical exemption or previously issued environmental document	$4,467	$4,285	$986	$5,271	$804	18%
Full	5011	Parcel Map with Development Plan/Conditional Use Permit with Initial Study	$11,306	$8,104	$3,731	$11,835	$529	5%
Full	6004	Development Plan/ Conditional Use Permit with Initial Study	$18,118	$15,073	$3,731	$18,804	$686	4%

Full	6005	Development Plan/ Conditional Use Permit with Initial Study - "Cannabis" Deposit	$33,254	$28,166	$7,919	$36,085	$2,831	9%
Full	6009	Minor Use Permit - Tier II with Categorical Exemption or General Rule Exemption or previously issued environmental document - "Cannabis" Deposit	$8,759	$8,383	$975	$9,358	$599	7%
Full	6014	Minor Use Permit - Tier III with Initial Study - "Cannabis" Deposit	$25,297	$18,132	$7,919	$26,051	$754	3%

From the table above, it would appear that cannabis is great new cash cow for expanding and providing tenure for County staff.

Public Health – Multiple Divisions – Fund Center 160

Public Health provides a broad range of services and programs to residents countywide related to community and environmental health, medical services, and public health.

Public Health – Environmental Health – Fund Center 160

Board Discretion Type	Current total	Recommended Changes					New total	Fees at full cost recovery
		Unchanged	Increasing	Decreasing	New	Deleted		
Full	41	3	36	2	2	0	43	39
Partial	128	6	119	2	2	1	129	96
None	0	0	0	0	0	0	0	0
Total	**169**	**9**	**155**	**4**	**4**	**1**	**172**	**135**

How about the paragraph below for an obfuscatory explanation for the increases?

Overall, the hourly rate increased by 0.7% over the prior year's cost due primarily to an increase in direct benefits, with offsetting reductions from indirect labor absorption due to a direct labor productivity hours increase for headcount and a reduction in the State-determined indirect cost rate plan (California Department of Public Health ICRP) from 25.00% to 24.19%.

Wages and benefits are up.

Public Works – Special Services – Fund Center 201

Special Services provides review of recommended land development, water and wastewater for the County operations center, services for special districts, and franchise administration.

The justification for the 2 fee increases below:

Two fees are recommended to have a substantial (more than 10%) increase, primarily due to increases in CPI and Countywide Overhead costs.

Fee Indicator No.	Fee	Current Fee	Proposed Fee	Fee Increase	% Increase
Full	Minor Use Permit Application	$349	$438	$89	26%
Full	Drainage Flood Building Permit	$184	$207	$23	13%

We hadn't heard that the CPI went up 10%. It's actually been low.

Public Works – Roads – Fund Center 245

Roads provides for the maintenance and construction of roadways and bridges within the county. Roads is a Special Revenue Fund outside the County General Fund and is funded primarily by State and Federal funds, contributions from the County General Fund, and tax revenue.

Board Discretion Type	Current total	Recommended Changes					New total	Fees at full cost recovery
		Unchanged	Increasing	Decreasing	New	Deleted		
Full	11	3	7	1	1	0	12	8
Partial	0	0	0	0	0	0	0	0
None	2	2	0	0	0	0	2	0
Total	**13**	**5**	**7**	**1**	**1**	**0**	**14**	**8**

Fee Indicator No.	Fee	Current Fee	Proposed Fee	Fee Increase	% Increase
Full	Utility Blanket Encroachment	$1,884	$5,500	$3,616	192%
Full	Driveway Encroachment	$822	$1,073	$251	31%

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(Revised 2/2017)

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