



## **WEEKLY UPDATE MARCH 14 -20, 2021**

### **THIS WEEK**

#### **BOARD OF SUPERVISORS**

**FEDERAL CENSUS DELAY – SUPERVISORIAL REDISTRICTING GETS TIGHT  
BOS UPDATES HARASSMENT POLICY BUT EXEMPTS THEMSELVES  
RESTRICTIONS ON USE OF NACI WATER?**

**GENERAL SGMA STATUS UPDATE – ALL BASINS**

**2<sup>ND</sup> QUARTER FINANCIAL REPORT – FLUSH WITH MONEY AND MORE COMING  
(THE COVID BLUE STATE SLUSH)**

**COVID STATUS AND REOPENING REPORT**

**COASTAL COMMISSION NOMINATIONS OPEN**

**CAVE LANDING/PIRATE’S COVE TO BECOME COUNTY PARK**

**SGMA IMPLEMENATION STARTUP FOR PASO BASIN  
COULD PROVIDE WATER RELIEF FOR MORATORIUM TRAPPED FARMERS**

#### **LAFCO-LITE MEETING**

**COASTAL COMMISSION TO BEGIN TERMINATION OF  
DUNES RIDING AND CAMPING**

**STATE BOARD OF EDUCATION: TO MANDATE AZTEC  
RELIGIOUS PRACTICES FOR GRADES K-12  
THEY WANT TO SACRIFICE YOUR RELIGION AND CULTURE TO END  
COLONIALISM AND WESTERN CIVILIZATION**

### **LAST WEEK**

## **NO BOARD OF SUPERVISORS MEETING**

### **PLANNING COMMISSION**

**NEW HOTEL IN CAYUCOS – CONTINUED INDEFINITELY  
(COASTAL COMMISSION CAME IN WITH LAST MINUTE HIT)**

## **INTEGRATED WASTE MANAGEMENT AUTHORITY**

**FREE WET GARBAGE BUCKETS FOR YOUR KITCHEN APPROVED  
REPEAL OF THE POLYSTYRENE BAN SET FOR APRIL 6TH**

## **COLAB IN DEPTH**

**SEE PAGE 21**

### **HITTING WOKE HERD IMMUNITY?**

*We have become an absurd society obsessed with race but without any mechanism to develop a logical category of victimization and reparation.*

**BY VICTOR DAVIS HANSON**

### **THE KEY TO AFFORDABLE HOUSING?**

#### **MORE SUBURBS**

*Are we going to nurture an economy of competitive abundance, or one of scarcity and rationing imposed by monopolistic business interests that hide behind environmentalist and anti-racist rhetoric?*

**BY EDWARD RING**

## **THIS WEEK'S HIGHLIGHTS**

**Item 3 - Submittal of an update on the County's 2021 Redistricting effort; and request to cancel the Special Board Meeting scheduled for 9:00 a.m. on Tuesday, April 13, 2021 which was intended to serve as the first required hearing related to redistricting, to be rescheduled at a later date.** The Federal Census has been delayed by COVID and technical problems in the count. This means the County will have to delay its supervisorial redistricting process, which is one of the most significant actions of a board. In SLO County the balance between conservatives and the left progressives can be heavily influenced or even determined by this process.

According to the report, the data will not be available until September 1, 2021. Staff recommends that the process of redistricting be completed by November 15, 2021, because notwithstanding the Federal delay the County is legally required to complete the process by December 15, 2021. The County has already assigned staff and a consultant to be ready to go as soon as the numbers are in.

**Item 13 - Request to appoint Philip Henry III to the Planning Commission as the District 4 representative.** The application indicates that he is a retired County employee and has project management and IT skills. He served in the USAF.

**Item 22 - Request to 1) approve three updated County Policies: Policy Against Discrimination, Sexual Harassment, Bullying, Abusive Conduct and Retaliation; Drug and Alcohol Policy; and Equal Opportunity Plan for 2018-2023; and 2) authorize the Human Resources Director to modify these policies, as needed, to comply with state and federal law or for administrative reasons.** This item is formal adoption of an updated policy that governs discrimination, sexual harassment, bullying, abusive conduct, retaliation, etc. Right off, there is a problem because the elected officials, including the Supervisors, are not included. Everyone else is per the paragraph below, but the top leaders are not included.

*This policy applies to all County employees, contractors, volunteers or vendors when they are on County property, when performing County-related business, or while designated as on standby duty or on-call duty. To the extent permitted by law, this policy may apply to off-duty employee conduct, depending on the nexus to the job and the impact to the County.*

Why would the Board exempt themselves and the elected department heads, including the DA, Sheriff, Auditor-Controller, Clerk Recorder, and Assessor. Back when we were requesting the Board to investigate former Supervisor Adam Hill for violation of virtually all these rules, we were told that County Counsel had opined that elected officials cannot be subject to them. For this reason, it was ostensibly determined that "It would not be worth it to investigate Hill." This seems bogus. Put the rules in an ordinance and list their titles. Let's see if someone challenges the ordinance. If Bill Clinton, Governor Cuomo, a flock of Congress people, state legislators, city council members, and others can be disciplined, why aren't elected county officials included in this group?

## **EQUAL EMPLOYMENT OPPORTUNITY POLICY**

*The Board of Supervisors, its managers, employees, agents, and volunteers will not discriminate against any applicant for employment, employee, contractor, subcontractor, vendor, volunteer, intern*

or client because of age, ethnicity, creed, marital status, medical condition (cancer or genetic characteristics), national origin, ancestry, physical or mental disability, **political affiliation or belief**, race, religion, sex/gender (includes pregnancy, childbirth, breastfeeding and/or related medical conditions), sexual orientation, gender, gender expression or identity, military or veteran status, or any other legally protected status.

## **POLICY AGAINST DISCRIMINATORY HARASSMENT**

*The County is committed to providing a work environment in which all individuals are treated with respect and professionalism. Employees must not harass anyone because of race, color, gender, marital status, national origin, religion, medical condition, physical or mental disability, sexual orientation, gender identity or expression, genetic information/characteristics or because the person is 40 years old or older, or any other legally protected classification as defined by federal and state law. This includes harassment which constitutes unacceptable behavior even if it is not considered unlawful. Employees also must not harass anyone for opposing discrimination or for participating in the discrimination complaint process.*

## **POLICY AGAINST SEXUAL HARASSMENT**

*The County of San Luis Obispo maintains a zero-tolerance policy prohibiting sexual harassment in the workplace. The County is committed to providing a work environment free of sexual harassment. Federal law defines sexual harassment as unsolicited and unwelcome sexual advances, requests for sexual favors, and other verbal, physical, visual or written conduct of a sexual nature directed to persons of the same or opposite sex when submission to such conduct is made explicitly or implicitly as a term or condition of employment; submission to or rejection of such conduct is used as a basis for employment decisions affecting the employee or applicant; or such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or otherwise offensive working environment.*

## **POLICY AGAINST WORKPLACE BULLYING**

*The County of San Luis Obispo maintains a zero-tolerance policy prohibiting bullying in the workplace. The County is committed to providing a work environment free of bullying. Workplace bullying is defined as repeated inappropriate behavior, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment. Examples of bullying include: • Verbal bullying: Slandering, ridiculing or maligning a person or their family; persistent name calling that is hurtful, insulting or humiliating; using a person as butt of jokes; abusive and offensive remarks. • Physical bullying: Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault, damage to a person's work area or property.*

## **POLICY AGAINST WORKPLACE ABUSIVE CONDUCT**

*The County of San Luis Obispo maintains a zero-tolerance policy prohibiting abusive conduct in the workplace. The County is committed to providing a work environment free of abusive conduct. Abusive workplace conduct is the conduct of an employer or employee in the workplace, with malice, that a reasonable person would find hostile, offensive, and unrelated to an employer's legitimate business interests. Examples of abusive conduct are: • Infliction of verbal abuse, such as the use of derogatory remarks, insults, and epithets. • Physical conducts that a reasonable person would find threatening,*

*intimidating, or humiliating. • Gratuitous sabotage or undermining of a person's work performance or intentional interference with a person's work or work performance. • Conduct or actions that a reasonable person would find offensive. • Inappropriate conduct or behavior that is pervasive (requiring multiple acts) or severe.*

## **POLICY AGAINST RETALIATION**

*The County of San Luis Obispo prohibits any adverse employment action against an individual who in good faith reports, files a complaint of, or otherwise opposes conduct they reasonably believe to be violations of this policy or state/federal law. The County further prohibits retaliation against anyone who participates or assists in investigations into complaints of alleged misconduct, as either a witness or a subject. Disciplinary action, up to and including termination, may be taken against an employee or officer who is found to have violated this policy. This policy applies to all County officials, officers, employees, volunteers, contractors and vendors.*

Do these policies apply to the way employees and elected officials treat the citizens?

**Item 23 - Removal of Restrictions on Uses of Nacimiento Project Water.** The County has an entitlement to about 17,000 acre-feet of Naci water per year. It holds a permit from the State Water Resources Control Board (SWRCB) to use the water. The permit, in what appears to be a little known fact, restricts uses of the water. Specifically, the permit contains what is termed as the Place of Use (POU) limit.

The POU limit restricts the uses to 7,000 acres for urban/suburban use and 500 acres for agricultural use. Note that this is not acre-feet, but acres where the water is used. The write-up states in part:

*Eliminating the POU net area limits would allow the District, through subsequent approvals with existing and potential future participants to use its 17,500 AFY of Nacimiento water anywhere within the District boundaries. Note that the District Boundaries (of the County Flood Control and Water District) are the same as the County.*

The write-up goes on to state:

*Eliminating the POU net area limits would allow the District, through subsequent approvals with existing and potential future participants to use its 17,500 AFY of Nacimiento water anywhere within the District boundaries.*

*If the petitions **were** approved, the District would not be limited by the SWRCB in where existing Nacimiento water allocation could be put to beneficial use in the future. Under the proposed action, the District's two previously approved beneficial uses, urban/suburban and agricultural, would remain unchanged, although the acreages of each use could change over time.*

This is a strange verb tense. Does it suggest that the County attempted to have this restriction lifted in the past and was denied? Or did they mean "if the petitions are approved or were to be approved"?

What if the petitions to eliminate the restriction are not approved? Did the County and the NACI and contracting water agencies build the NACI project for \$200 million and not know of this restriction? If

the SWRCB rejects the petition for some reason, is the water limited to only 500 acre-feet for agriculture forever? Why would such a provision have been included in the license in the first place? Is there some State law or policy?

**Item 32 - State Groundwater Management Act (SGMA) Implantation Update.** Each quarter the State provides an update for Board review and to receive possible direction. The subject basins include:

- (1) Cuyama Valley (DWR No. 3-013, “Cuyama”)
- (2) Salinas Valley - Paso Robles Area (DWR No. 3-004.06, “Paso”)
- (3) Salinas Valley - Atascadero Area (DWR No. 3-004.11, “Atascadero”)
- (4) San Luis Obispo Valley (DWR No. 3-009, “San Luis Obispo”)
- (5) Los Osos Valley - Los Osos Area (DWR No. 3-008.1, “Los Osos”)
- (6) Los Osos Valley - Warden Creek (DWR No. 3-008.2, “Warden Creek”)
- (7) Santa Maria River Valley - Santa Maria (DWR No. 3-012.01, “Santa Maria”)
- (8) Santa Maria River Valley - Arroyo Grande (DWR No. 3-012.02, “Arroyo Grande”)

Costs as of December 31, 2020 are displayed in the table below:

Attachment 2  
Supplemental Budget Status Update  
for SGMA Program  
as of 12/31/20

The supplemental table below provides the summary of the expenditures and revenues by basin in the Sustainable Groundwater Management Act (SGMA) Program, including categories for County General Fund Budget costs to date, estimated projected costs through the Groundwater Sustainability Plan (GSP) Development Phase [Fiscal Years 17/18 through 21/22], estimated County share of awarded grant funding, and contributions provided by Flood Control District Zone General (FCZG) and partner agencies.

Basin <sup>(A)</sup>	Expenditures <sup>(B)</sup>		Revenue <sup>(C), (D)</sup>			FCZG In-Kind Services <sup>(E)</sup>		
	Costs to Date (7/1/17 - Current)	Estimated Projected Costs (Current - 6/30/22)	Estimated Total County Share of Grant Funding (7/1/17 - 6/30/22)	Estimated Total Basin Partners Contribution (7/1/17 - 6/30/22)	Estimated Total County General Fund SGMA Program Costs (7/1/17 - 6/30/22)	Costs to Date (7/1/17 - Current)	Estimated Projected Costs (Current - 6/30/22)	Estimated Total FCZG In-Kind Services SGMA Program (7/1/17 - 6/30/22)
<b>SGMA Program</b>								
Los Osos Basin & Warden Creek Basin	\$ 114,489	\$ 123,000	\$ -	\$ -	\$ 237,489	\$ 570,122	\$ 87,000	\$ 657,122
Cuyama Basin	\$ 70,316	\$ -	\$ -	\$ -	\$ 70,316	\$ 168,032	\$ 18,000	\$ 186,032
Paso Robles Basin	\$ 1,062,069	\$ 175,000	\$ 885,596	\$ -	\$ 371,473	\$ 1,621,896	\$ 282,000	\$ 1,903,896
San Luis Obispo Basin	\$ 871,198	\$ 508,000	\$ 565,005	\$ 250,000	\$ 662,191	\$ 543,143	\$ 190,000	\$ 733,143
Santa Maria Basin & Arroyo Grande Basin	\$ 53,025	\$ 978,000	\$ 494,975	\$ 50,000	\$ 486,060	\$ 578,489	\$ 190,000	\$ 768,489
Atascadero Basin	\$ 10,313	\$ 89,000	\$ -	\$ -	\$ 99,313	\$ 29,627	\$ 60,000	\$ 89,627
Adelaida Area	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 88,005	\$ 75,000	\$ 163,005
One-time FCZG contribution Program Management <sup>(F)</sup>				\$ 750,000	\$ (750,000)	\$ 630,257	\$ 87,000	\$ 717,257
<b>Total</b>	<b>\$ 2,281,418</b>	<b>\$ 1,871,000</b>	<b>\$ 1,925,576</b>	<b>\$ 1,050,000</b>	<b>\$ 1,176,842</b>	<b>\$ 4,227,550</b>	<b>\$ 989,000</b>	<b>\$ 5,216,550</b>

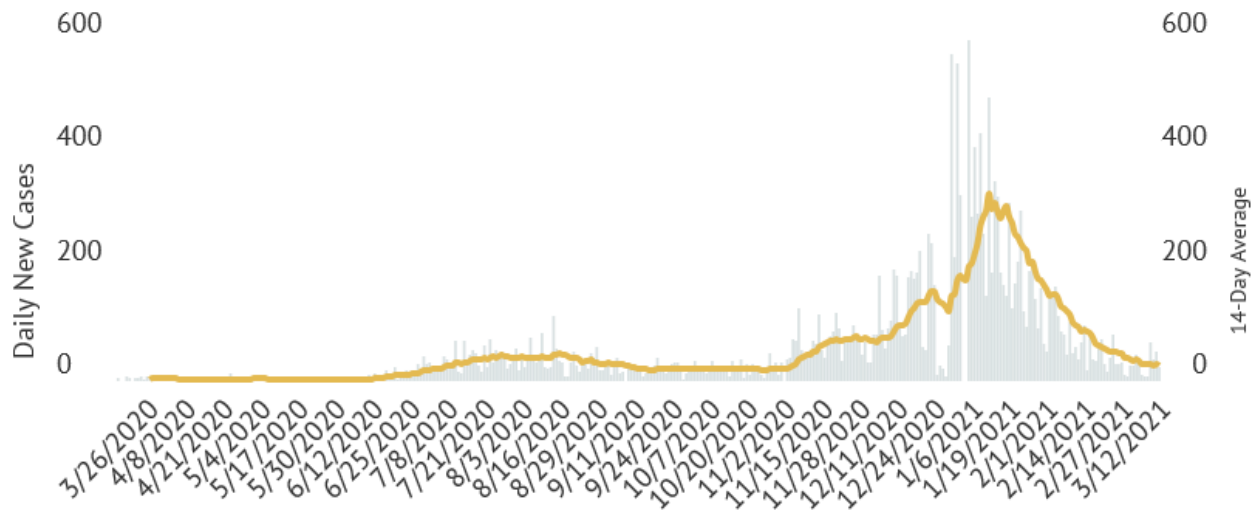
There do not seem to be any schedule or budget problems at this stage.

The basin-by-basin detail can be read at the link:

<https://agenda.slocounty.ca.gov/iip/sanluisobispo/file/getfile/130240>

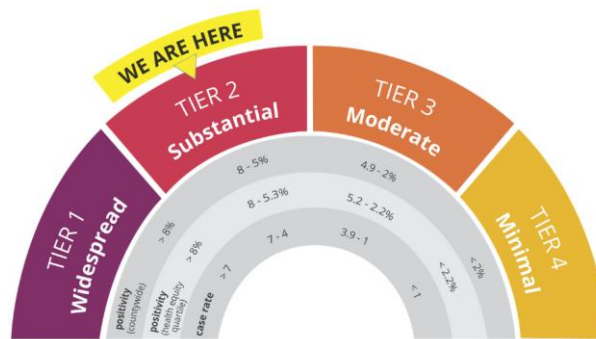
**Item 37 - COVID Status:  
Daily New Cases (and 14-Day Average)**





**9 (3 ICU)\*\***

SLO County Residents with COVID-19 in Hospital



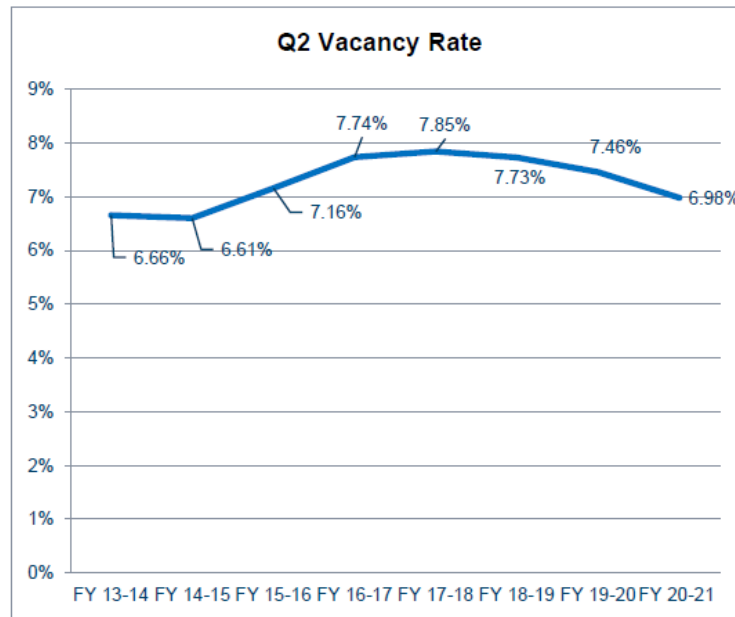
**Item 39 - FY 2020-21 Second Quarter Financial Report.** The report indicates that the General Fund is projecting over-expenditures of about \$7.8 million at this point in the year. While the report contains quite a bit of detail about circumstances in various departments, it does not provide a summary forecast of whether the total budget and the General Fund budget will end the fiscal year in the black or if reductions will be necessary.

This notwithstanding, there is so much slush in the system due to COVID grants and a better than expected economy that we are guessing that they will be in balance and may have greater than anticipated fund balance than originally projected.

Otherwise, they are budgeting full staffing for 2,787.5 FTE at the end of the 2<sup>nd</sup> quarter. They are also experiencing a decline in the vacancy rate, which may be indicative of the lockdown and people wanting to remain where they are rather than running off to another jurisdiction or retiring.

Another factoid is that cannabis revenue is running well below budgeted expectations. The cannabis people tell us that it is impossible to get through the permitting process.

FY 2020-21	Q1	Q2	Q3	Q4
Quarter Start	2,807.25	2,815.00		
FTE Additions	17.75	19.25		
FTE Deletions	10.00	6.75		
Quarter End	2,815.00	2,827.50		
Net Change	7.75	12.5		
% Change	0.28%	0.44%		



**Item 40 - Coastal Commission Nominees.** The central coast counties of San Luis Obispo, Santa Barbara, and Ventura are entitled to nominate a potential member to the Commission who is a County Supervisor from one of the 3 counties. There is a push by Santa Barbara County to have its 1<sup>st</sup> District Supervisor Das Williams appointed. They believe that since he is a Democrat, environmentalist, and served in the State Assembly, he could have a chance. Ventura County will nominate someone who will compete. It is not known if any of the SLO County Supervisors wish to be nominated.

Although Williams is an environmentalist and a leftist, he is not a limousine liberal and does from time to time break from the truly woke to support economic development and jobs. What does he think about closing the dunes? For that matter, any SLO Supervisor who wishes to be nominated should be committed to keeping the dunes open.

In the last year or so, most of the Coastal Commissioners have been pathetically slobbering about the need to shut down off-road riding and camping. See the Coastal Commission section **ON PAGE 12** below for more details on next weeks's likely travesty.





Das Williams

**Item 42-Add the County Owned Property at Cave Landing Officially to the County Park System.**

The area contains a view site with a parking lot and the Pirates Cove Beach. It has become a problem over the years as a site for drinking, casual sex in public, illegal campfires, and litter accumulation. For whatever reasons, the Coastal Commission has been problematical in allowing the County to control the area such as locking the gate on the road. At this point it seems to be evolving into a homeless camp. By making it an official park, the County will have more control.

The County has received some grants to develop and secure the property. It will incur ongoing operational costs.





## Matters After 1:30 PM

**Item 45 - Implement the Paso Robles Sub-basin Groundwater Sustainability Plan and Activity Costs and Adopt Resolution Amending the Position Allocation List.** Staff is recommending that the County (as Groundwater Sustainability Agency {GSA} for about 61% of the Paso Basin) move ahead and staff up to begin implementing the Groundwater Sustainability Plan (GSP) under the mandatory State Groundwater Management Act (SGMA). The joint plan, which is dove tailed with several water districts, the City of Paso, and several community service districts, was submitted to the State Department of Water Resources by the legal deadline in January of 2020. The State has not yet reviewed the GSP, let alone commented on it or approved it.

It turns out that the State is actually encouraging GSAs to begin implementing their plans and not wait for formal approval. Accordingly, the Public Works Department is approaching the Board to fund staffing necessary to begin to implement the GSP. The PowerPoint at the link below provides an overall picture of the staff recommendation:

<https://agenda.slocounty.ca.gov/iip/sanluisobispo/file/getfile/131158>

The cost is hefty and is proposed to be supported by general fund tax dollars or a regulatory fee on the overlayers subject to SGMA. This could be based on the amount of water which they pump. People who use 2 acre-feet or less are exempt from SGMA.

### First year activities include estimated County GSA costs and anticipated shared costs with Paso Robles Subbasin GSAs.

County GSA Operating Activities - Paso Robles Subbasin	Estimated Costs for First Year Activities
<b>Salary &amp; benefits</b>	
Public Works - Division Manager (1.00 FTE)	\$ 228,941
Engineer IV (1.00 FTE)	\$ 219,490
Engineer III (1.00 FTE)	\$ 193,811
Civil Engineer Technician III (1.00 FTE)	\$ 174,380
Program Manager II (1.00 FTE)	\$ 165,405
Administrative Services Manager (0.25 FTE)	\$ 47,648
Public Works division overhead	\$ 176,000
Public Works department overhead	\$ 198,093
<i>Salary &amp; Benefits (including overhead) Subtotal</i>	<i>\$ 1,403,768</i>
<b>Other expenditures</b>	
Legal support	\$ 30,000
Non-labor expenses (e.g., vehicles, equipment)	\$ 50,000
<b>Anticipated consultant services</b>	
GSP annual reporting - consultant services	\$ 49,827
Regulatory Fee study development - consultant services	\$ 154,025
Public Works department overhead	\$ 10,872
<b>Total Estimated Cost for First Year Operating Activities</b>	<b>\$ 1,698,492</b>

Estimated County GSA staffing costs are \$1,403,768

Funding source\*  
County General Fund  
(FC 20101 SGMA)

*\*unless a SGMA Regulatory Fee or other funding mechanism is established (tracking costs and fee study are the next steps)*

The staff report recognizes that there are alternatives to adding staff, including use of a private consulting firm or cutting other County water programs administered by Public Works to free up individuals to work on the Paso SGMA GSA. Staff favors the in-house employee model, citing continuity and control as being important. The Board could direct staff to do a Request For Information (not a full RFP) to test the issue and see what private sector firms might propose and at what costs generally.

One other version not considered here would be the creation of a not-for-profit SGMA management entity which could contract with the County and perhaps some of the other GSAs to advance the programs. This would have the advantage of not having the huge accumulated County overhead of pension debt, expensive health plans, cumbersome work rules, and all the rest of the government impedimenta.

### **An Opportunity**

The County is considering amending the Paso Basin water moratorium ordinance to aid farmers who have been trapped in the ordinance because they fallowed land or were caught in other restrictions. The problem is that to reduce the strictness of the ordinance requires both a program EIR on the entire amendment and potential project specific EIR's on some applicants if the ordinance is ultimately adopted.

The danger of invoking the CEQA EIRs is that such a process could be spread to other agricultural activities or even all agriculture activities by a zealot board of supervisors in the future. The Sierra Club is actually advocating for such a policy.

Instead, and if the GSAs could be scaled up to work on moratorium relief on the front end, the land use amendment version could be pended to see if the GSAs could work something out. This would be in the context of the GSPs and save time and money.

The actual decision point on whether to direct staff to proceed with Paso Water Moratorium amendments takes place at the Board meeting on April 6, 2021. We will have more to say about this at that time.

COLAB of San Luis Obispo County, COLAB of Santa Barbara County, the Farm Bureau, Grower Shipper of San Luis Obispo and Santa Barbara Counties, wine industry organizations, and many other agricultural related entities opposed any regulatory scheme which would subject agriculture to permitting, and would be especially opposed to CEQA. Once a government adopts a land use restriction, it is almost impossible to reduce it.

We recognize the problem faced by hundreds of farmers trapped in the moratorium. In fact, back when it was first adopted and then made permanent, we warned everyone, including the Board of Supervisors, in writing and in person at meetings that future changes to the ordinance would beckon CEQA.

### **Local Agency Formation Commission of Wednesday, March 17, 2021 (Scheduled)**

Overall, it will be a light meeting dedicated to administrative matters. The FY 2020-21 2<sup>nd</sup> Quarter

Financial Report, next year's budget, and recruitment of an Executive Director are included. The materials and title posted for the financial report seem to relate to FY 2019-21. There must have been a posting error.

**California Coastal Commission Meeting of Thursday March 18, 2021 (Scheduled)**

**Item 3 -Oceano Dunes Coastal Development Permit 4-82-300 Review.** The 181-page report plus 688 more pages of exhibits is an indictment against off-road riding and vehicle camping in the dunes and on the beach. Additionally there are thousands of pages of public correspondence. To view the completely biased one-sided recommendation directly, please open the attached link AND see the full report.

<https://documents.coastal.ca.gov/reports/2021/3/special-hearing/Th3-3-2021-report.pdf>

**To view the exhibit file click on:**

<https://documents.coastal.ca.gov/reports/2021/3/special-hearing/Th3-3-2021-exhibits.pdf>

**Key findings and recommendations by staff to the Commission include:**

1. Amend the State Parks Coastal Permit for operations of the Dunes Park to require that off-road riding and permitting street-legal vehicles on the dunes and beach be phased out over the next 5 years.

Commission staff has evaluated State Parks' draft PWP and believes that it is not consistent with the Coastal Act and the City of Grover Beach and San Luis Obispo County Local Coastal Programs (LCPs), which are the standard of review for the PWP. In particular, the PWP does not address the range of coastal resource impacts associated with the uses and intensities of use at the Park. Due, in part, to the concerns raised by the PWP, staff is recommending that the Commission amend the underlying CDP to address the coastal resource impacts caused by operation of Oceano Dunes and bring such operations into compliance with the Coastal Act and applicable LCPs. This includes recommendations to eliminate OHV use over a 5-year transition period, provide low-cost vehicular access/camping on the beach between West Grand Avenue and Pier Avenue (with no vehicles south of that point), close the Pier Avenue entrance in Oceano, and make a series of changes to protect natural resources in the Park (including the dunes, Arroyo Grande Creek, Oso Flaco Lake, sensitive species protections, etc.). Importantly, this recommendation would not close the Park, and it

would continue to remain open and available both for general public use (including activities associated with beach day use, ocean activities, equestrian use, biking, hiking, fishing, birdwatching, etc.), and for vehicular/camping use in its northern reach.

2. In reviewing the Conditional Use Permit, staff found in part:



### **CDP review**

Due to concerns that the currently allowed types and intensities of vehicular uses at the Park are both not allowed by applicable coastal law (i.e., the Coastal Act and the applicable local coastal programs (LCPs, here the City of Grover Beach and San Luis Obispo County LCPs)), and are also leading to significant impacts (e.g., precluding

lower intensity Park uses, degrading dune habitats, causing significant air quality and public health issues, harming sensitive species, creating disproportionate adverse impacts on inland and underserved communities and tribal interests, etc.), in July 2019, the Coastal Commission required State Parks to address a series of Commission requirements as it developed its draft PWP. Among other things, the Commission requested that State Parks analyze a reduction in uses that are leading to these impacts, and the potential for a Park without OHV uses. The Commission also required that State Parks permanently modify a series of specific Park operational parameters through the PWP process to reduce or eliminate identified impacts. In response, State Parks has completed a draft plan (their draft Public Works Plan, or PWP). One of the purposes of the hearing for this item is for the Commission to provide feedback to State Parks on its draft PWP, but, because it is draft and State Parks' CEQA process is not yet complete, the Commission cannot take a final action on the draft PWP at this hearing. Thus, the only action that the Commission may take at this hearing, and at its discretion, is to amend the base CDP to include conditions that ensure uses and intensities of uses at the Park are consistent with the Coastal Act and the LCPs.

3. Most of the Park is comprised of various environmentally sensitive habitats (ESH) and it is thus illegal for the Parks to operate off-road vehicle recreation:

### **ESHA protection**

In terms of the legal context, nearly the entire Park is designated by the Coastal Act and the LCPs as an environmentally sensitive habitat area (ESHA) within which the only type of uses allowed are those that are both dependent on the habitat to be able to occur at all (e.g., restoration, nature study, interpretive features, etc., also referred to as resource-dependent uses) and that don't lead to any significant disruption of habitat values. State Parks asserts in its PWP and associated materials that vehicular/OHV uses are resource-dependent. This assertion is not supported by facts, however, as OHV uses can – and do – take place outside of sensitive habitat areas, and they are not activities that are dependent on habitat to be able to occur at all. As such, they are not allowed uses in ESHA.

Perhaps the most critical legal constraint is that vehicular/OHV use is not allowed in ESHA under the Coastal Act and the applicable LCPs. And even if such uses were allowed, they cannot be carried out in a manner that does not result in significant disruption of habitat values, making it inconsistent with the Coastal Act and the LCPs for this reason as well. Staff believes that these legal constraints emanate from the Coastal Act and the LCPs, and *also* from the OHV Laws (including Public Resources Code Section 5090.01-5090.65, as amended; although the Commission implements the Coastal Act, not the OHV Laws, staff has done an analysis of this recommendation in relation to those laws).

4 . The Commission staff accepts the SLO APCD's dust analysis in total and has determined that this is another reason to ban the off-road activities:

### **Air quality and public health**

In addition to their adverse impact on habitat, OHV and vehicular uses on the beach and in the dunes are leading to air quality and public health problems. Specifically, the San Luis Obispo County Air Pollution Control District (APCD), working with the California Air Resources Board (CARB), has also found that such use is leading to a significant and continuing dust, air quality, and public health hazard in the area inland of the Park, notwithstanding measures taken to date to combat these issues. Air quality regulators' studies conclusively demonstrate that the primary reason for the dust problems in and around the Park is that the dune geomorphology and composition is continuously being damaged by vehicular/OHV activity, and the sand is constantly being ground into finer and finer particles by such activities. Thus, when the wind blows, it blows across a looser sandy landscape lacking cohesion that is not packed together like undisturbed dunes, and it picks up dust particles, sometimes in very large dust plumes that can deposit dust over 12 miles inland.

5. The staff found that the Park's activities violate racial justice and social equity:

### **Environmental and tribal justice**

The byproducts of vehicular/OHV use also directly affect underserved communities adjacent to the Park, not only due to dust and its associated air quality and public health problems, but also due to the effect that the beach and dune degradation associated with such uses has on these communities' environment and economic prosperity. These impacts are felt particularly strongly in the community of Oceano, directly inland of the Park, which is approximately half Hispanic/Latino. In fact, the vehicular/OHV use at the Park raises a classic environmental justice question of who benefits from and who bears the burden of such use. Here, the beaches fronting the community of Oceano are given over to vehicles, and general non-vehicular beachgoing activities are thus significantly curtailed. In addition, Pier Avenue, which forms the heart of the most coastal portion of Oceano, shares few of the types of uses and development that are typical of thriving beach-fronting towns, and that can form the engine for their economic prosperity.

6. The Staff found that the State Parks Department has failed to deal with problems for decades and is in willful violation of its Coastal Permit:

### **Planning and permitting**

Many of the above-described coastal resource impacts are not newly identified issues, but rather have been identified as potential impacts requiring resolution since the base CDP's initial approval in 1982. That CDP remains the fundamental Coastal Act regulatory instrument that governs current operations, as well as any next steps at the Park. Since the 1982 approval, the Commission has exercised its discretion not to make major changes to the CDP, in part in response to State Parks' requests that the Commission not take such actions, but instead to defer to State Parks and to allow more time for State Parks to come up with solutions. As a result, the coastal resource impacts described above have remained unresolved for decades. In fact, because of the interim nature of the base CDP approval, State Parks is also out of compliance with core aspects of the CDP, including the requirement to finalize Park entrance locations that were required to be resolved in the 1980s. To this point, the Park is currently accessed by vehicles in the northernmost part of the Park, at West Grand Avenue in Grover Beach and Pier Avenue in Oceano. These vehicles then drive down the beaches



7. The staff states that the Commission would essentially be in violation of the law if it does not take action now:

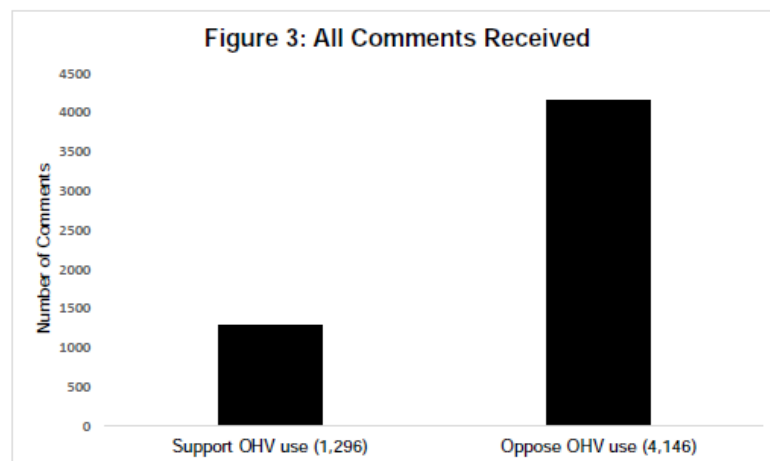
Commission has not taken an action on whether and to what extent vehicular and OHV uses and intensities of use are consistent with the Coastal Act and the underlying LCPs on a permanent basis. Although the Commission could continue to exercise its discretion to continue to allow the Park to operate as it has in the past temporarily, staff does not recommend the Commission do so. Simply put, such recommendation is based in the fact that there is such significant evidence now of the coastal resource impacts of such uses and intensities of uses that it is time to draw conclusions, including to take final actions under the law.

8. The staff and an economist (at San Francisco State University) accuse the prior study of the economic impact of a shutdown on the community as “deeply flawed.”

Opponents of this staff recommendation have argued that elimination of OHV uses at the Park will have significant adverse economic impacts to the area. Specifically, they point to State Parks’ economic analysis from 2016 that suggests that the Park brings in an estimated \$243 million annually to the San Luis Obispo County economy and generates some 3,300 local jobs. The Commission was provided a professional critique of this analysis when it reviewed the CDP in 2019. That critique suggested that the analysis was deeply flawed, and that the economic benefit from the Park was significantly overstated.

Given such conflicting information, Commission staff contacted Dr. Philip King, a professor of economics at San Francisco State University, and an expert on beach and park recreational/economic impacts, for a third-party peer review of State Parks’ analysis. Dr. King concluded that State Parks’ analysis was fundamentally flawed and that it didn’t follow normal and standard professional procedures for such studies. He also noted an arithmetic error that inappropriately increased the total impact of the Park by about \$120 million, or nearly half of the study estimate. Dr. King also identified that the study improperly focused only on OHV use versus closing the Park to all use, and that it significantly overestimated OHV’s economic value to the area, including because the analysis doesn’t quantify OHV costs and it equates *all* Park benefit to OHV benefit, as if OHV is the sole source that can provide any economic activity. Dr. King also

9. The written public comment is so extensive that the Commission hired a consultant to analyze it.



They actually received thousands more on both sides but eliminated counting each of those which were preset duplicative form-emails which contained the exact same wording to derive the final chart above.

### Oceano Dunes OHV Use Area



**California State Board of Education Meeting of March 18 , 2021 (Scheduled) 8:30 AM**  
<http://cde-ca.videossc.com/> For the Live Feed.

**Item 9 - Ethnic Studies Model Curriculum: Adoption of the Model Curriculum.** While we are all sitting around worried about our COVID shot and the perils of wet garbage, the California State Board of Education will consider adopting a Model Curriculum for ethnic studies for grades K-12. You can see the actual item at the link <https://www.cde.ca.gov/be/ag/ag/main202103.asp> . When it opens, scroll down to “Day 3” of the meeting and click on item 9. It is the only substantive item scheduled for that day.

You will be shocked to see a curriculum which is essentially an attack on our society, history, religions, and civilization being portrayed as a correction to our inherent racism, colonialism, monotheism, and other alleged forms of literal and cultural genocide. The article below summarizes the unbelievable level of ignorance, degradation, and Fascistic belief to which our public officials have sunk. Remember, part of the Nazi ideology was to bring back nature worship and the pagan Nordic pantheon of Wagner's Ring Cycle. In this case, you don't even get your choice between Huitzilopochtli and Wotan.

## ***REVENGE OF THE GODS***

***BY CHIRSTOFER F. RUFO***

### ***California's proposed ethnic studies curriculum urges students to chant to the Aztec deity of human sacrifice.***

*Next week, the California Department of Education will vote on a new statewide ethnic studies curriculum that advocates for the "decolonization" of American society and elevates Aztec religious symbolism—all in the service of a left-wing political ideology.*

*The new program, called the Ethnic Studies Model Curriculum, seeks to extend the Left's cultural dominance of California's public university system, 50 years in the making, to the state's entire primary and secondary education system, which consists of 10,000 public schools serving a total of 6 million students.*

*In theoretical terms, the new ethnic studies curriculum is based on the "pedagogy of the oppressed," developed by Marxist theoretician Paolo Freire, who argued that students must be educated about their oppression in order to attain "critical consciousness" and, consequently, develop the capacity to overthrow their oppressors. Following this dialectic, the model curriculum instructs teachers to help students "challenge racist, bigoted, discriminatory, imperialist/colonial beliefs" and critique "white supremacy, racism and other forms of power and oppression." This approach, in turn, enables teachers to inspire their pupils to participate in "social movements that struggle for social justice" and "build new possibilities for a post-racist, post-systemic racism society."*

*R. Tolteka Cuauhtin, the original co-chair of the Ethnic Studies Model Curriculum, developed much of the material regarding early American history. In his book *Rethinking Ethnic Studies*, which is cited throughout the curriculum, Cuauhtin argues that the United States was founded on a "Eurocentric, white supremacist (racist, anti-Black, anti-Indigenous), capitalist (classist), patriarchal (sexist and misogynistic), heteropatriarchal (homophobic), and anthropocentric paradigm brought from Europe." The document claims that whites began "grabbing the land," "hatching hierarchies," and "developing for Europe/whiteness," which created "excess wealth" that "became the basis for the capitalist economy." Whites established a "hegemony" that continues to the present day, in which minorities are subjected to "socialization, domestication, and 'zombification.'"*

*The religious narrative is even more disturbing. Cuauhtin developed a related "mandala" claiming that white Christians committed "theocide" against indigenous tribes, killing their gods and replacing them*

with Christianity. White settlers thus established a regime of “coloniality, dehumanization, and genocide,” characterized by the “explicit erasure and replacement of holistic Indigeneity and humanity.” The solution, according to Cuauhtin and the ethnic studies curriculum, is to “name, speak to, resist, and transform the hegemonic Eurocentric neocolonial condition” in a posture of “transformational resistance.” The ultimate goal is to “decolonize” American society and establish a new regime of “countergenocide” and “counterhegemony,” which will displace white Christian culture and lead to the “regeneration of indigenous epistemic and cultural futurity.”

This religious concept is fleshed out in the model curriculum’s official “ethnic studies community chant.” The curriculum recommends that teachers lead their students in a series of indigenous songs, chants, and affirmations, including the “In Lak Ech Affirmation,” which appeals directly to the Aztec gods. Students first clap and chant to the god Tezkatlipoka—whom the Aztecs traditionally worshipped with human sacrifice and cannibalism—asking him for the power to be “warriors” for “social justice.” Next, the students chant to the gods Quetzalcoatl, Huitzilopochtli, and Xipe Totek, seeking “healing epistemologies” and “a revolutionary spirit.” Huitzilopochtli, in particular, is the Aztec deity of war and inspired hundreds of thousands of human sacrifices during Aztec rule. Finally, the chant comes to a climax with a request for “liberation, transformation, [and] decolonization,” after which students shout “Panche beh! Panche beh!” in pursuit of ultimate “critical consciousness.”

The chants have a clear implication: the displacement of the Christian god, which is said to be an extension of white supremacist oppression, and the restoration of the indigenous gods to their rightful place in the social justice cosmology. It is, in a philosophical sense, a revenge of the gods.

California parents should be concerned. Under the guise of “equity” and “empowerment,” activists within the public education system have developed this radical new curriculum in order to transform California schools into factories for left-wing political activism. They have recast the United States as an oppressor nation that must be deconstructed and subverted through politics. The curriculum’s vision statement makes this aim explicit: it presents education not as a means of achieving competency, but as a “tool for transformation, social, economic, and political change, and liberation.”

The religious element of the ethnic studies curriculum, with direct appeals to Aztec gods, is almost certainly a violation of the First Amendment’s Establishment Clause. Public schools are prohibited from leading state-sanctioned Christian prayers; they would presumably be similarly prohibited from leading state-sanctioned chants to the Aztec god of human sacrifice.

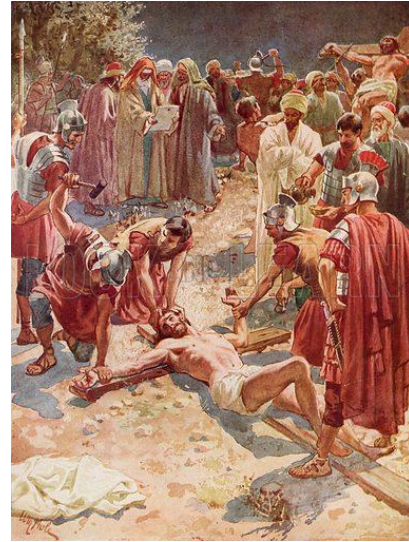
The state board of education will vote on this curriculum next week. Any sane governing body would reject it wholesale. Given the nature of California politics, though, the board is likely to pass it. The best hope for opponents is to strike out some of the most galling material, such as the chants to the Aztec gods, and then devise a long-term strategy to push back against the public education establishment. For now, the activists appear to be driving the narrative—and they will not stop until they have solidified their “counterhegemony.”

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*Christopher F. Rufo* is a contributing editor of *City Journal* and director of the Discovery Institute’s Center on Wealth & Poverty. Sign up for his [weekly newsletter](#) and watch his new documentary, *America Lost*, which tells the story of three “forgotten American cities.” This article is part of an ongoing series on critical race theory in American schools. The article appeared in the March 10, 2021 *City Journal*.



Aztec 15th Century mural of sacrifice to the god Tezkatlipoka below on the left below. Contemporary painting of the sacrifice by Jesus (God) at the hands of Roman soldiers also below on the right.



## LAST WEEK'S HIGHLIGHTS

### No Board of Supervisors Meeting on Tuesday, March 9, 2021 (Not Scheduled)

The Board was scheduled to meet on Tuesday, March 16, 2021.

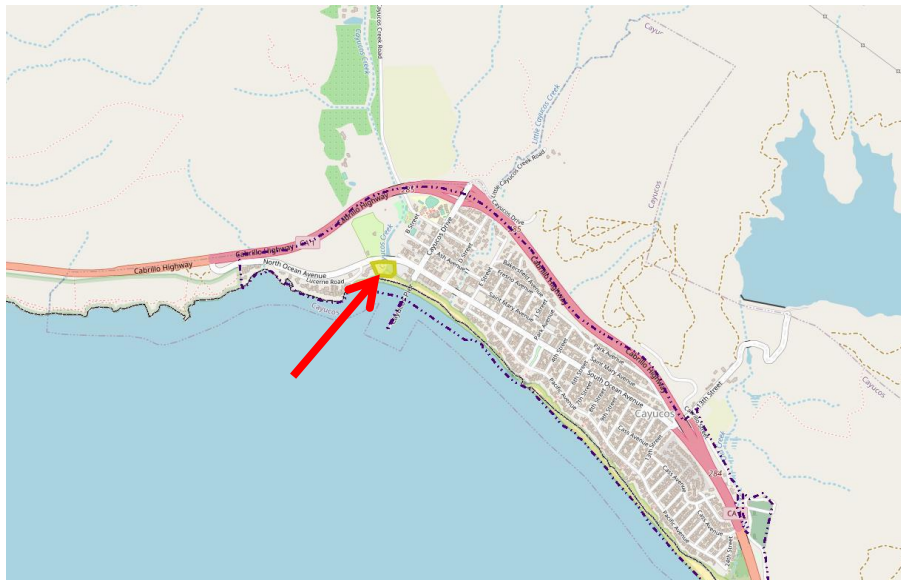
### Planning Commission Meeting of Thursday, March 11, 2021 (Completed)

**Item 5 - Hearing to consider a request by Jay and Lisa Cobb for a Development Plan/Coastal Development Permit (DRC2019-00297) to allow for the construction of a three-story, 17-unit hotel with onsite public amenities for passive and active recreational activities. The proposed project is within the Recreation land use category and is located on the south side of North Ocean Ave within the Locarno area of the community of Cayucos.** The project application was continued off calendar (sent to the proverbial woods) because the Coastal Commission sent a letter opposing many aspects of the application just one-half hour before the hearing began. The Planning Commissioners didn't see the letter until the meeting started, and the applicant didn't see it until the hearing was in progress.

Just think, the Coastal Commission staff is unable to complete its work in a timely fashion, and an applicant is therefore penalized by time and costs. This is the outrageous arrogance of the Coastal Commission and other public agencies. They repeatedly hurt citizens all the time, and there are no

consequences. Late reports from the Coastal Commission should be deemed mute by statute and should end the Commission's jurisdiction on the related subject at that point.

**Background:** The County staff recommended approval of the permit. The Cayucos Citizens Advisory Committee (which hardly ever likes anything) unanimously recommended the project.



**San Luis Obispo County Integrated Waste Management Authority Meeting of Wednesday, March 10, 2021 (Completed)**

**Item 9 - PURCHASE OF FOOD SCRAP PAILS FOR MULTIFAMILY TENANTS AND SINGLE-FAMILY RESIDENTIAL PER SB 1383.**

The IWMA Board approved the purchase and distribution of the garbage buckets on a 12-1 vote. **It's just one thing after another.** Now you have to keep your wet food scraps (meat, fruit, veggie, fish guts, or whatever?) in a separate bucket provided by the IWMA. The write-up states in part:

*SB 1383 mandates jurisdictions are to divert food waste from landfill disposal. To facilitate this effort, IWMA will need to supply ~5,000 food scrap "pails" to non-commercial generators (single-family homes and tenants of multi-family residential units). **The pails provide a convenient way for program participants to store their food scraps and consolidate trips to their green bin, thus avoiding putting this material in the trash.*** <sup>1</sup>*The IWMA has purchased these pails in the past and has a small supply but needs to order 5,000 units. Time is of the essence as ~500 jurisdictions in California are required to implement SB 1383 by January 2022, and the availability of these products is likely to dwindle.*

<sup>1</sup> **In IWMA jurisdiction the green bin is for:** *The following green waste items should be put in your curbside green waste container: leaves, **food scraps, vegetable trimmings,** grass clippings, brush, berry vines, prunings (maximum of 3-feet long and 6-inches in diameter), and cut-up tree trunks and trimmings.*



**Item 10 - INTRODUCTION OF ORDINANCE NO. 2021-3-1 AN ORDINANCE REPEALING ORDINANCE NO. 2019-1 REGARDING THE REGULATION OF POLYSTYRENE AND EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS AND PRODUCTS.** The Board approved introducing the ordinance repealing the ban on a 7/6 vote. The actual hearing and vote will take place during the April 14, 2021 IWMA meeting. Supervisor Gibson was highly critical of rescinding the ban and labeled the proponents of the rescission as “ideological.” Supervisor Ortiz-Legg proposes a compromise which would limit the ban to coastal areas where the polystyrene cups and packaging gets into the ocean. Supervisor Arnold refuted Gibson and pointed out that people are sick of the activism, don’t want a regulatory ordinance countywide (one size does not fit all), and that proposing countywide regulatory ordinances is far off the mission of the IWMA.

The usual sniveling lefties City Council members such as Jan Marx, Karen Bright, and Jeff Heller were among those opposing the rescission and supporting the ban.

**Background:** Per the direction of the IWMA Board (on a close 7/6 vote) last month, staff prepared an ordinance to rescind the polystyrene ban that was adopted back in 2019. It never took effect because the IWMA Board pended it due to the COVID lockdown. Even the looniest enviro-sycophantic elected figured that banning polystyrene containers during the restaurant lockdown would result in public outrage.

The ordinance would automatically go into effect in April if no one stops it. The progressive left was running all around the county attempting get either one of the cities or the Special District Association to replace one of the Board reps who voted to bring the issue back for possible rescission. Apparently, they were unsuccessful.

The County Board majority had floated the idea of withdrawing from the IWMA if it does not drop the ban. This got everyone’s attention. Everyone is sick of this agency conjuring up bans, posturing about global warming, and other ideological politicking instead of efficiently running landfills and recycling.

## **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**

### **HITTING WOKE HERD IMMUNITY?**

*We have become an absurd society obsessed with race but without any mechanism to develop a logical category of victimization and reparation.*

**BY VICTOR DAVIS HANSON**

Two recent polls suggest wokism is beginning to recede on a variety of fronts, [from less trust in Black Lives Matter](#) and more confidence in the police, to suspicion that the Capitol [“insurrection” account](#) is being used to unfairly suppress political expression while Antifa, increasingly, is seen [as a terrorist organization](#) whose violence has been ignored improperly by authorities.

There are tens of millions of Americans who either have been stung, or turned off, by McCarthyite wokeness (and thus have anti-wokeness antibodies). More have been vaccinated from its latest virulent strains by their own values of judging people as individuals, not as racial or gender collectives. So lots of Americans have developed peremptory defenses against it. The result is that daily there are ever-fewer who are susceptible to the woke pandemic. And it will thus begin to fade out—even as the virus desperately seeks to mutate and go after more institutions.

Peak wokeness is nearing also because if it continued in its present incarnation, then the United States as we know would cease to exist—in the sense that 1692-93 Salem or 1793-94 Paris could not have continued apace without destroying society. Woke leftism exists to destroy and tear down, not to unite and build. It is not designed to play down and heal racial differences, but to accentuate and capitalize on them.

### Scattershot Immunity

The methodology of cancel culture is utterly incoherent and unsustainable. The shark was jumped by the case of the Dr. Seuss books—banned by some local school districts, even as Dr. Seuss Enterprises, in terror, pulled some of the late Theodor Seuss Geisel’s publications of its own accord. If the author of *The Cat in the Hat* is now an enemy of the people, then anyone and all can be so designated.

That is, after 70 years and millions of books in the houses of millions of Americans, our generation’s new Soviet censors have now decided that Seuss’s books of the late 1940s and 1950s do not conform to our 2021 sensibilities and thus should be banned. The same kind of canceling of Disney films and cartoons, and of particular novelists and social critics is now a matter of record.

But what are to be the new standards of Trotskyization as we go forth? Can the Governor of New York be excused for months of policies that led to nearly 15,000 unnecessary deaths, but not for inappropriate kisses and touching of women? Or will he, as an Emmy-winning woke official, be exempt from punishment for both types of transgressions?

There are no logical standards that dictate who is and who is not canceled. For now, all we know about the rules of wokeness is that living leftists are mostly not canceled by the woke mob for the thought crimes that ruin both the non-Left or the generic dead.

The operating assumption is that the uncovered sins of the progressive are aberrations and not windows into their dark souls. Or perhaps woke leftism works on the same principle as carbon credits: the more you act progressively, the more pluses you have when minuses are summed up. Most who have claims of being non-white are likely to find partial vaccination from the woke mob. Those who are independently wealthy or successfully self-employed likewise have some immunity. Then there are the defiant, the proverbial “Don’t Tread on Me” folks, who will fight, and thus encourage the zombie walkers to detour around them.

The only consistent pattern of woke punishment is the shared logic of the lions and water buffalos at the ford—devour the sacrificial, single, and vulnerable while avoiding the robust herd with retaliatory horns.

## The Woke Tax

Wokeness eventually would put an unsustainable economic strain on the system. Wokeness is siphoning off billions of dollars from a productive economy through a sort of value-subtracted tax. We are spending a great deal of labor and capital for merit to be replaced in college admissions, in hiring, in grants, in publication, in the selections of awards, and in movies and videos, in everything—as racial, ethnic, and sexual identity considerations replace meritocratic, literary, artistic, and technological criteria, rather than just augment, them.

Americans also are investing lots of capital in preempting wokeness—writing/saying/acting in ways that are not productive, but simply defensive. Diversity oaths, and diversity applications, pledges, and statements take some time to read and digest. It will not be long before insurers will sell “woke insurance,” the premiums adjusted upward for those more conservative and of the wrong genealogy. It won’t be long before we all carry cards certifying that “At no time, did I say, hear, or think anything . . . .”



At a time of \$1.7 trillion in student aggregate debt, and existential financial crises in universities during the zoom virtual campus, is higher education really so rich that it can add layers and layers of six-figure-income diversity and equity coordinators?

Most will not invent, create, teach, or produce. Instead, they are not merely monitoring but hindering those who do—either out of a need to justify their apparatus or from self-importance. To believe otherwise is to suggest that on, say, May 1, 2020, the United States was an utterly racist society, without civil rights protections or any reparatory programs for those deemed unfairly victimized in the past.

The result is that billions of Americans’ hours are invested in woke reeducation and diversity training, in workshops and group confessionals, and in adjudicating and punishing those who do not comply. Ad hoc and personal cancel culture results in thousands of days of unproductive labor as functionaries scour the internet on the scent of a past misspoken word, or an ancient but now incorrect gesture that can return to ruin a rival or an enemy.

Our economy will soon mimic the totalitarian ones of old. Our commissars are like those of the old Red Army—ordering Soviet commanders’ counter-offensives during the Great Patriotic War to ensure that tank battalions were advancing ideologically correctly rather than just tactically or strategically soundly.

Melodramatic? Perhaps. But 280 former generals, admirals, and national security officials [signed a letter](#) warning that if Trump were to bring in any federal troops to keep the peace after the capital violence of [late May and early June](#), riots that saw systematic attacks on police, vandalism, arson, injuries, and looting, and neared the White House grounds, he should be considered a dictatorial threat. “There is no

role for the U.S. military in dealing with American citizens exercising their constitutional right to free speech, however uncomfortable that speech may be for some,” they insisted.

The same group remained mute when nearly 30,000 troops flooded the streets of the capital in the aftermath of the January 6 riot inside the Capitol building. They maintain their silence as barbed wire and fencing now cordon off the city, and thousands of troops remain without a terrorist or insurrectionist enemy in sight—a militarization of the capital not seen since the Civil War. Tolerable and intolerable violence is predicated on ideology, not its nature or magnitude.

## Warring on the Past

No society can long exist if it believes that its own founding principles, its customs and traditions, its very origins are evil and must be erased. Tearing down statues of Abraham Lincoln, and redefining 1776 and 1787 as 1619, are many things, but one thing they are not is coherent. Trump was considered nutty when [he warned](#) that the statue topplers would go from Confederate monuments to Washington and Jefferson—and then when they did just that he was further ridiculed for being prescient.

Who were the long-dead men who devised a system whose natural and eventual fruition is what attracts indigenous people from Oaxaca, the destitute from Somalia, or the politically oppressed from Vietnam? If evil white people founded an evil system solely for their own evil purposes, why would anyone nonwhite dare risk his life to eat from the alluring fruit of the inherently long-ago poisoned tree? If Americans are to accept that their Declaration of Independence and Constitution were frauds, abject falsifications of the real unspoken founding of 1619, then again what is to replace them? Whose statues are to rise, which books are we to be authorized to read, whose science are we to turn to?

Everyone has feet of some clay. For every cancellation, then must there be commensurate bowdlerizing? Is there no adultery, or unkind treatment of women or plagiarism in the past of Martin Luther King, Jr? No violence or criminality in the life of Malcolm X? Did Cesar Chavez never send his goons to the border to beat back illegal aliens? Was Margaret Sanger only a sometimes advocate of eugenic abortion? Are the written biographies of Al Sharpton and Jesse

Jackson to be freed of anti-Semitism and petty corruption? Is Louis Farrakhan an ecumenical leader in the way FDR was not? Was JFK really our first feminist?

Are we to look to those who erased our supposedly awful past for guidance?

Is it to be the architect of the 1619 Project? Long ago the ecumenical Nikole Hannah-Jones wrote that “the white race is the biggest murderer, rapist, pillager, and thief of the modern world . . . The descendants of these savage people pump drugs and guns into the Black community, pack Black people into the squalor of segregated urban ghettos and continue to be bloodsuckers in our community.”

Is going back into one’s student days to find such an embarrassing rant, in the fashion of the accusers’ of Brett Kavanaugh’s desperate but *false* allegations, unfair? If so, this past summer Hannah-Jones bragged that, yes, it would be [“an honor”](#) if the summer rioting—700 police officers injured, 40 deaths, and billions in property damages and hundreds—be called henceforth “the 1619 riots.”

At the height of tensions, she advised, “Destroying property, which can be replaced, is not violence.” And she added, “Any reasonable person would say we shouldn’t be destroying other people’s property, but these are not reasonable times.” Did the *Times* consider its essayist inflammatory?

## Tribes

In our self-celebrated liberal society are we all to be reduced to identifying by race? But first, do we even have the ability to ascertain who is and is not white or black or brown?

Most illiberal societies in the past that tried such stigmatization of race, ethnicity, or religion did not end so well—from the Ottomans and the Third Reich to the former Yugoslavians, Rwandans, and Iraqis. One eighth, one fourth, or one half makes one a person of color—or not color? Shall we seek knowledge of one-drop of tell-tale bloodlines from the archived jurisprudence of the antebellum South?

If Peruvian George Zimmerman had only used his matronymic, and Latinized his first name, then would a Jorge Mesa have become a sympathetic character who lost a fair fight with Trayvon Martin rather than reduced by the *New York Times* to a strange category of “white Hispanic” hoodlum, with the additional odor of a Germanized patronymic.

Why does class bow to race, since the former seems to trump the latter. If we forget percentages for a moment, and also forget that we are individuals, not anonymous cogs of vast racial wheels, in absolute numbers, there are roughly (in some studies) more poor white people—both those earning incomes below the poverty level and those with no income at all—than [all other commensurate poor minorities combined](#). Were these supposed to be the targets of Barack Obama’s “clingers” remarks, or Hillary Clinton’s “deplorables,” John McCain’s “crazies,” or Joe Biden’s “dregs,” “chumps,” and “Neanderthals”?

Apparently, the supposedly all-powerful, all-determining Oz-like role of racial supremacy and the unearned privilege that accompanies it, have aided those 26 million white impoverished very little. Or perhaps they did not get the message that they were recipients of unearned, all-determinative white privilege.

Or perhaps they were just people, like the poor of all other races, who suffer from lack of or access to education or vocational training, the stagnation of entry-level incomes, divorce, family dissolution, bad luck, poor health, substance abuse, economic ill-winds, cultural disadvantages, self-inflicted pathologies, or all the other criteria that can make every one of us of every race susceptible to ravages of poverty.

Given that, [in absolute numbers alone](#), there are more minorities that are not poor than the number of white people who are, how is it that class considerations are forgotten? Or for that matter, does any child’s destiny rest on just race—or a two-parent household living in [Menlo Park](#) rather than [Parlier](#), or growing up with college-educated parents or high-school dropouts? And does race really determine all the other criteria that foster wealth or poverty?

Note the artifact that those who are now classified as nonwhite are wisely not often seeking to rebrand themselves as “white” to share in intractable “white privilege”—in the fashion of the past when white majority racism was undeniable. Why are Asian-Americans, on average, enjoying over \$20,000 more in average household income than so-called whites?

Why more commonly would so-called white people create an entire industry of constructing pseudo-minority identities—from Elizabeth Warren to Rachel Dolezal to Ward Churchill to Alec Baldwin’s wife, Hilaria—if not for careerist or social advantage or wishing to be cool by claiming not to be “white”? Why has the new racist “passing for non-white” replaced the old racist “passing for white”?



These are admittedly absurd questions. But they are quite apt for an absurd society obsessed with race but without any mechanism to develop a logical category of victimization and reparation. Predicating wokism on race is a tricky business, even if one could define and identify race, quantify its role in determining class status, and convince millions that it is moral to judge people by how they look.

Like the Salem witch trials and the McCarthyite hysteria, when wokism fades, we are likely to see its real catalysts revealed. And they will not be found to be misplaced idealism, nor heartfelt desire for a more ecumenical society, but mostly the age-old, narcissistic destructive road to career enhancement, fueled by customary ancient fears, envies, and hatreds.

*Victor Davis Hanson is a distinguished fellow of the Center for American Greatness and the Martin and Illie Anderson Senior Fellow at Stanford University's Hoover Institution. He is an American military historian, columnist, a former classics professor, and scholar of ancient warfare. He has been a visiting professor at Hillsdale College since 2004. Hanson was awarded the National Humanities Medal in 2007 by President George W. Bush. Hanson is also a farmer (growing raisin grapes on a family farm in Selma, California) and a critic of social trends related to farming and agrarianism. He is the author most recently of *The Second World Wars: How the First Global Conflict Was Fought and Won* and *The Case for Trump*. This article first appeared in *American Greatness* on March 7, 2021.*

## **THE KEY TO AFFORDABLE HOUSING? MORE SUBURBS**

***Are we going to nurture an economy of competitive abundance, or one of scarcity and rationing imposed by monopolistic business interests that hide behind environmentalist and anti-racist rhetoric?***

**BY EDWARD RING**

An article [just published](#) in *City Journal*, "Is Texas's Affordable Housing Endangered," describes how housing prices in Texas are becoming unaffordable. The article notes how the average home price in the Austin metropolitan area has doubled in just 10 years, and how in the Dallas suburbs a decade ago more than 50 percent of homes sold for under \$200,000 compared to around four percent today.

One of the reasons people move to Texas is that homes there are more affordable than in other places. Writer Connor Harris invokes California as a cautionary tale. Because Texas relies on high property taxes instead of having a state income tax, if property values surge, there is a risk that Texas voters will follow the example set by the [1978 tax revolt](#) in California. A Proposition 13-like revolt, which prevented annual reassessments of home values, could lead to Texas passing and raising income taxes, which would penalize productive activity.



That theory involves quite a few dominoes, however, which may or may not make it predictive. For example, if housing prices rise, the Texas legislature could simply lower the property tax rate, since higher assessments and lower rates can offset each other, resulting in a revenue-neutral impact. But

Harris really goes off the rails in his discussion of policies to mitigate rising home prices. Claiming “the main culprit for the rising prices is legal restrictions on housing,” Harris blames single-family, residential zoning for the housing shortage. His solution is for the state legislature to pass a law “capping minimum lot sizes in undeveloped areas,” and requiring all cities to allow small “auxiliary dwelling units” in single-family residential areas.

### The “Environmental Impact” Myth

It’s troubling to see what Harris advocates published by the normally redoubtable *City Journal*, because it is further evidence of a libertarian-progressive consensus forming on housing questions that rests on flawed premises and hidden agendas.

The biggest flawed premise is the idea that low-density suburbs are somehow causing climate change.

The libertarian response is “stop building suburbs that subsidize the car,” which pairs nicely with the progressive response to “densify cities.” But low-density suburbs are [not necessarily bad for the planet](#). The greenhouse gas theory—the notion that longer commutes result in more automotive emissions harming the planet—should have been put to rest by the pandemic. Americans realized, if they hadn’t already, that a huge percentage of the workforce can work from home.

But even before the pandemic hit, cars were getting greener, and jobs have had a way of following people into the suburbs. In the future, [driverless cars](#) will form up in high-speed convoys in [smart lanes](#), moving far larger numbers of people on the same stretches of road. Eventually, passenger drones will take additional pressure off roads. Getting from distant suburbs into urban cores is going to get easier in the future, not harder.

### The “Inclusive Zoning” Myth

The other flawed premise of Harris’s essay appears further in, where he writes “when central areas of cities become unaffordable, jobs move to the richest suburbs—typically less accessible for working-class residents.” Much is buried in that sentence that will escape the uninitiated. In essence, it is an innocent-sounding echo of a progressive litany, which is to mandate “inclusive” zoning in order to atone for the “exclusionary” zoning of single-family residential suburbs.

There’s nothing wrong with converting, organically and in accordance with local sentiment, residential neighborhoods in urban centers from single-family use to higher density. But when state-mandated high-density affordable housing is imposed, wherever it may be, the result is the destruction of neighborhoods where people have worked their entire lives to earn the right to live in accordance with a certain quality of life.

To better understand the danger posed by this growing movement to stigmatize—and then destroy—intact suburbs, consider the layers of abuse that accompany such mandates. It is bad enough that people who struggle to make a mortgage payment in order to have a home in a spacious suburban neighborhood suddenly have to deal with the random demolition of homes up and down their streets, which are then replaced with apartments, or find the backyard behind their own backyard suddenly has a second home and driveway coming nearly up to the property line. And it isn’t unfair to mention that, especially in Texas where property taxes are reassessed for everyone annually, people who pay mortgages on four-

bedroom homes are going to have divergent lifestyles and expectations compared to people who rent one-bedroom apartments.

And to be clear: This is not an issue of race. It is an economic fact that should be respected. Plopping low-income housing into middle-income neighborhoods is not fair to the people, of all races, who have worked hard to move up and out of low-income neighborhoods.

### **The Hidden Agenda**

But this is just the first layer. “Inclusive zoning” is rarely market-based. In California, where it has become impossible to build affordable housing of any kind without subsidies, developers take advantage of tax credits and direct subsidies to pad their already inflated costs. The result is the average “affordable housing” complex in California [costs more than \\$500,000 per unit](#). At this price, the supply will never equal demand, rents are always subsidized, and admittance is by some form of a lottery.

The solution to housing affordability is indeed to increase the supply of housing, but state-mandated densification is not the answer. If Texans are not careful, the next restriction, already well-established policy in California, will be to cordon off every urban area, making new construction of any kind extremely difficult outside the “urban service boundary.”

The moral premise: Save the planet. The hidden agenda: Artificially elevating home values, which creates collateral for homeowners to borrow against so they’ll consume more, higher property tax revenue flowing into government, and capital appreciation for real estate investment portfolios.

### **The Real Solution**

Instead of using state mandates to cram the burgeoning population of Texas into the footprint of existing cities, allow cities and town councils to decide at the local level how and where they want to increase density. At the same time, and this is absolutely critical, continue to take pressure off of urban housing stock by new construction of suburbs and entire new cities on open land. Focus on building enabling infrastructure—energy, water, roads—and minimize regulatory obstacles to new suburbs: excessive building code mandates, punitive fees, and permitting delays.

Protecting America’s middle class requires not only nurturing a strong economy to create well-paying jobs: It also requires deregulation designed to lower the cost of living. Nothing impacts the average American family’s ability to pay its bills so much as the price of housing.

The vision of progressives, abetted by libertarians, is to open the borders and admit [at least another 20 million](#) people into the United States within the next 20 years. Depending on border enforcement, that number could grow much higher.

Obviously, there is a robust debate over the economic and demographic impact of this policy, but regardless of where one may stand on the issue of immigration, one thing is clear: If we’re going to expand our population, we need to build new towns, cities, and suburbs. And when the price is right, “market demand” is for detached single-family homes. We’ve done it before. We can do it again. We have plenty of room.

Ultimately the policies surrounding housing come down to a basic question: Are we going to nurture an economy of competitive abundance, or one of scarcity and rationing imposed by monopolistic business interests that hide behind environmentalist and anti-racist rhetoric? And even if the choice is to nurture abundance, there is no clear ideological polestar from which to design policies.

Libertarians are right to want deregulation. They're wrong to oppose local zoning laws. Progressives are right to care about the planet and about the disadvantaged, they're just wrong in almost every possible way they've come up with to address those challenges.

*Edward Ring is a senior fellow of the Center for American Greatness and co-founder in 2013 of the California Policy Center.*



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