

WEEKLY UPDATE AUGUST 27 - SEPT. 2, 2023

COLAB
San Luis Obispo County



FALL MIXER 2023

SAVE THE DATE

OCTOBER 4TH

5:30PM - 7:30PM

THOUSAND HILLS RANCH
550 THOUSAND HILLS RD.
PISMO BEACH, CA

FOOD & BEVERAGES WILL
BE PROVIDED



**THIS WEEK
SEE PAGE 4**

**PENSION TRUST
NO MAJOR ACTIONS – JUST A WEAK MARKET**

**NO BOARD OF SUPERVISORS MEETING
THE NEXT ONE IS ON SEPTEMBER 12, 2023**

**PLANNING COMMISSION OF AUGUST 30 & 31, 2023
DANA RESERVE PROJECT SPECIFIC PLAN MEGA HEARING
MAY BE CONTINUED – CONFUSION REIGNS**

**CENTRAL COAST ENERGY AUTHORITY
ONLY 4 HOURS OF 75 MGW BATTERY POWER PER NIGHT
\$465 MILLION 20 YEAR CONTRACT**

**LAST WEEK
SEE PAGE 11**

**GIBSON CONFIRMS HIS ANIMOSITY TO PROP 13
PAULDING AND ORTIZ-LEGG CLAIM THEY ARE ONLY
HALF PREGNANT - SEE PAGE 19**

**BOARD OF SUPERVISORS
GRAND JURY WHITEWASH OF ELECTIONS OFFICE ACCEPTED**

**GRAND JURY REVIEWS PASO BASIN SIGMA PLAN
THEY SAY HURRY UP BUT LEAVE SMALL USERS HANGING
ARNOLD AND PESCHONG OBJECT**

\$7.6 MILLION PASO BASIN WATER GRANT

**CITY OF PASO GETS \$3.7 BUT STILL PUMPING THE BASIN
NOT USING ITS NACI WATER**

**MORE CLIMATE PORK – UPDATE OF CLIMATE ACTION PLAN
DID THE FIRST 2 ACCOMPLISH ANYTHING?**

**HOUSING IN LIEU TAX REIMPOSITION DELAYED
PERHAPS ORTIZ-LEGG IS NOT READY TO CAST 3RD VOTE**

**PAULDING PROPOSES BOARD OF SUPERVISORS GOVERNANCE
MANUAL – IS THE CAO PROMPTING HIM?**

PLANNING COMMISSION LITE

EMERGENT ISSUES

SEE PAGE 23

**PRESIDENT BIDEN TO SHOVE MARINE
SANCTUARY DOWN COUNTY’S THROAT**
*BIDEN PROPOSES VAST NEW MARINE SANCTUARY IN
PARTNERSHIP WITH CALIFORNIA TRIBE*

**ASSEMBLYWOMAN DAWN ADDIS FINED FOR
ACCEPTING DONATION FROM LOBBYIST**

CALIFORNIA’S HEAT-PUMP FANTASY

*Regulators move to phase out gas furnaces for an electric-powered
appliance that will raise costs, cause more climate damage per pound
than carbon—and won’t even keep people warm.*

COLAB IN DEPTH

SEE PAGE 29

CALIFORNIANS LIVE IN FEAR OF GOVERNMENT

It's not just us – most Blue State citizens are subjected to government terrorism

BY KATY GRIMES

WHY D.E.I. NEEDS TO DIE

A phenomenon diametrically opposed to our Constitution.

BY BRUCE THORNTON

THIS WEEK'S HIGHLIGHTS

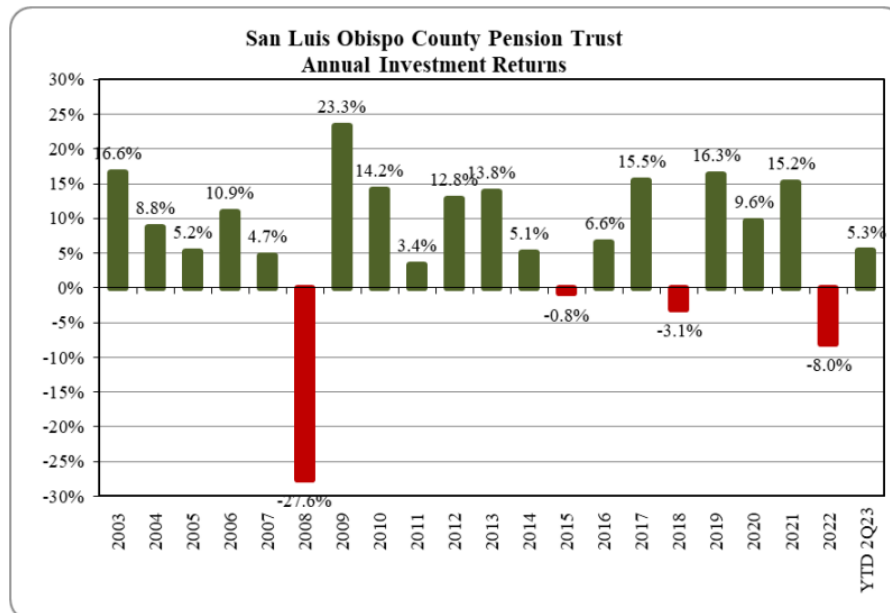
ALL MEETINGS ARE AT 9:00 AM UNLESS OTHERWISE NOTED

SLO County Pension Trust meeting of Monday, August 28, 2023 (Scheduled)

The Pension Trust will be briefed on the status of the investments. So far 2023 has been better than 2022. Hopefully the trend will continue. July was weak and August has not been good.

Agenda Item 11: Quarterly Investment Report for the 2nd Quarter of 2023

Attached is the Q23 quarterly investment report from the Trust's investment consultant - Verus. Scott Whalen of Verus will present and discuss the quarterly report. The history of SLOCPT investment returns, gross of fees, is shown below.



	July	Year to Date 2023	2022	2021	2020	2019	2018
Total Trust Investments (\$ millions)	\$1,673		\$1,614 year end	\$1,775 year end	\$1,552 year end	\$1,446 year end	\$1,285 year end
Total Fund Return	1.6% Gross	6.9% Gross	-8.0% Gross	15.2% Gross	8.9 % Gross	16.3 % Gross	-3.2 % Gross
Policy Index Return (r)	1.5%	7.2%	-9.7%	12.8%	10.0 %	16.4 %	-3.2 %

(r) Policy index as of Nov. 2021 Strategic Asset Allocation Policy with 2023 Interim targets:
 Public Mkt Equity- 21% Russell 3000, 17% MSCI ACWI ex-US
 Public Mkt Debt- 10% Barclays US Aggregate,
 Risk Diversifying 4% Barclays US Aggregate,
 5% Barclays 7-10yr Treasury, 4% Barclays 5-10yr US TIPS
 Real Estate & Infrastructure- 15% NCREIF Index (inc. Infrastructure)
 Private Equity- 10% actual private equity returns
 Private Credit- 8% actual private credit returns
 Liquidity- 6% 90 day T-Bills
 Pending annual updates to interim targets.

No Board of Supervisors Meeting on Tuesday, August 29, 2023 (Not Scheduled)

Planning Commission Meeting of Wednesday, August 30 and Thursday, August 31, 2023 (Scheduled but may be continued)

Item 1 - Hearing to consider a request by Dana Reserve, LLC and NKT Development, LLC for the adoption of the Dana Reserve Specific Plan, a Vesting Tentative Tract Map (Tract 3159), and Conditional Use Permit for Oak Tree Removal and Grading/Impervious Surfaces. The Dana Reserve Specific Plan would allow for the phased development of a 288-acre master-planned community with up to 1,318 residential units, 110,000-203,000 square feet of commercial and non-residential (Visitor Serving/Hotel, Education) uses, a minimum of 54.9 acres of open space and recreation, and related circulation and infrastructure. This plan contains the largest housing proposal within the unincorporated County in years. Denial or dilution of the project would be a severe failure of public policy. It would be the proverbial looking a gift horse in the mouth. The project is certainly more attractive than the development immediately to its south that contains a hodgepodge of discount furniture stores, trailer sales, a flea market, and a sewage treatment plant.

Most communities in America would die to have this project. However key process impediments at this point include:

1. Supervisor Paulding has formally requested that the Planning Commission continue the item for a month. The applicant, though disappointed, would agree to a continuance. See the letters below on pages 8 and 10 respectively. This could mean that Paulding is seeking to broker a deal between the applicant and the area opponents for a smaller project or that he is giving them more

time to organize the opposition. Of course the applicant has been through years of costly process, plan revisions, and a huge EIR in order to arrive at this point. Time is money. No decision on the delay has been reported as of the close of business on Friday, August 25, 2023.

2. There is considerable neighborhood opposition, but so far no letters in the file from the usual project opponents such as the Sierra Club, Environmental Defense League, or other specialty groups. These entities may be waiting until the matter reaches the Board of Supervisors. The South County Advisory Council did, however, recommend the project.

3. Neighborhood opponents naturally object to the development, as it would urbanize heretofore rural lands. They enjoy the ambience. The problem for them is that the site is at the intersection of Highway 101 and the major arterial road that provides a full interchange. It is an excellent site for homes and a mixed-use development.

4. The project includes a variety of housing types, including various forms of affordable homes targeted to various income levels. One problem is that Supervisor Paulding may attempt to push the applicant to provide more affordable units, which would upset the overall budget of the project, rendering it infeasible from a marketing and financial standpoint.

5. Most of the so-called environmental impacts are artificial constructs (strawmen) set up to prevent normal development. As communities grow it is natural that views of open fields are reduced. Water must be provided. Trees must be removed and birds must find other trees. Native thorny bushes will be removed. There will be more traffic and CO₂, but this is all relative. San Luis Obispo County contains 3,500 sq. miles, of which a tiny portion is urbanized. The entire population is only 280,000, mostly concentrated in 7 cities and a few unincorporated villages.

The Environmental Impact Report (EIR) identifies 19 Class I unmitigated environmental impacts. Once a recommendation is forwarded from the Planning Commission to the Board of Supervisors, the Board would have to make a finding of Overriding Consideration to approve the project. These would invite lawsuits from intervenors who opposed the project. Many of the impacts involve biologicals such oak trees, birds, snakes, mammals' wild shrubs, and insects. Others include CO₂ emissions, air pollution, and traffic. Two of the more significant pertain to the County's adopted Land Use Plan:

E. POPULATION AND HOUSING

1. **PH Impact 1:** The project would induce substantial unplanned population growth in the Nipomo area. Impacts would be significant and unavoidable (Class I). (Refer to pages 4.14-23 through 4.14-27 of the Final EIR.)
 - a. **Mitigation:** No feasible mitigation has been identified. Potential impacts associated with substantial unplanned population growth would be significant and unavoidable (Class I).
 - b. **Finding:** The County finds that specific economic, social, legal, technological, or other considerations make the mitigation measures or project alternatives identified in the Final EIR infeasible. No additional feasible mitigation is available to avoid substantial unplanned population growth. (Refer to pages 4.14-23 through 4.14-27 of the Final EIR.) A statement of overriding considerations for this impact is made in Section 12.

2. **PH Impact 5:** The project would result in a cumulatively considerable impact related to substantial and unplanned population growth. Impacts would be significant and unavoidable (Class I). (Refer to page 4.14-29 of the Final EIR.)
 - a. Mitigation: Implementation of the project would result in substantial and unplanned population growth and no feasible mitigation has been identified to reduce impacts. Therefore, residual cumulative impacts would be significant and unavoidable (Class I).
 - b. Finding: The County finds that specific economic, social, legal, technological, or other considerations make the mitigation measures or project alternatives identified in the Final EIR infeasible. No additional feasible mitigation is available to avoid substantial unplanned population growth. (Refer to page 4.14-29 of the Final EIR.) A statement of overriding considerations for this impact is made in Section 12.

6. Separately from the positive intentions of the applicant and the staff analysis, COLAB is disturbed by the entire social philosophy of the State of California and San Luis Obispo County, which seeks to impose the costs of affordable housing on developers and home builders. This is equally true when the costs of submitting the application and the capital exactions for exterior roads, drainage, and schools are added in.

If governments wish to cover the costs of affordable housing, they should adopt that policy and spend less on other programs. Instead, they place increasing burdens on the housing industry and continuously seek new taxes to cover housing subsidy costs. Contiguous staffing expansions, retirement subsidies, archaic work rules, obsolete civil service systems, co-option by employee unions, and continuous expansions of fad programs of the day, such as subsidies to the incurable mentally ill and addicted, fad psychological programs such as the Sound Booths, restorative justice (which is no justice for the crime victims), Diversity, Equity and Inclusion (DEI) programs, allowing employees to work from home, high lost time rates (absenteeism) due to sick days and workers compensation, repeated costly updating of climate plans and related environmental fetishes, the California Environment Quality Act processing and legal costs, all mail ballots, lawsuit payoffs for employee and consultant mistakes (the \$10 million Los Osos Sewer settlement, the \$5 million Andrew Holland jail death settlement), golf subsidies, creation of new government entities such as the Central Coast Energy Authority and the Chumash Marine Sanctuary, and all the rest.

Supervisor Paulding's letter requesting a continuance of the matter is displayed on the page below:



COUNTY OF SAN LUIS OBISPO
BOARD OF SUPERVISORS
Jimmy Paulding *District Four Supervisor*

August 22, 2023

Subject: Dana Reserve Project Planning Commission Hearing

Dear Chairperson Simpson-Spearman and Planning Commission,

I respectfully request that you postpone your scheduled August 30 and August 31 hearings of the Dana Reserve Project ("Project") for at least a month to give community members more time to review and assess the significant volume of documentation surrounding this project.

This is one of the largest housing projects that the South County has ever seen, if not the largest in the County. The Project implicates important and sometimes conflicting policies around housing, infrastructure and the environment. The Environmental Impact Report (EIR) has identified various Class I impacts which means that the project will result in significant and unavoidable environmental impacts. The community is highly engaged in this project and the community and decision makers who are making advisory recommendations to the Board deserve some additional time to review and carefully consider the project and EIR so that the Planning Commission's input to the Board is thoughtful, thorough and with the level of attention, detail and professionalism that the Planning Commission continually provides.

I am not taking a position on this Project until the Board of Supervisors hears the Project. I simply want to assure that all information is heard, reviewed and considered.

Thank you for your consideration of this request.

Sincerely,

Jimmy Paulding
Supervisor, District 4
San Luis Obispo County Board of Supervisors

The decision presented to Supervisor Paulding is difficult. His constituents are opposed to the project. He has stated that he supports more housing. Recently he may have revealed some of his strategy when he stated that the project must guarantee affordable housing. This was not quantified.

Housing goes beyond shelter. Where you live, especially when you are young, has everything to do with your chances in life – who you associate with, where you go to school, a quiet space to do homework, who are your role models, and so forth. The extent to which the project helps provide a housing move up ladder and loosens up the market in general, not to mention providing actual rental housing, is a key social and economic benefit. Paulding is all for equity and inclusion. He will have to decide if the views of cattle in the field and 30-year-old Land Use Plan population limits outweigh his overall announced values.

How about his Planning Commissioner?



It has a front yard, back yard, 2 side yards and a 2-car garage. At some point in history its development replaced rural land and chased the cows and rattle snakes away. Note the low water shrubs in the front.¹

Supervisor Paulding's home.

The applicant's letter consenting to the delay is displayed on the page below.

¹ Zillow Real Estate , 2023.



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Andrew K. Fogg
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afogg@coxcastle.com

File No. 086078

August 25, 2023

Planning Commission
San Luis Obispo County
1055 Monterey Street
San Luis Obispo, CA 93408

Re: Dana Reserve Project – Consent to Continuance of Hearing

Honorable Commissioners:

We write on behalf of our client, Dana Reserve LLC (“Applicant”) regarding the Planning Commission hearings that are currently scheduled for August 30th and 31st to consider the Dana Reserve Project (the “Project”).

As a preliminary matter, we would like to thank the County staff for their diligent work and efforts to prepare for the August 30th and 31st hearings. We understand, however, that various members of the public as well as Supervisor Jimmy Paulding have requested that the hearing be continued for a period of time to allow the public additional time to review the Final Environmental Impact Report and other Project related documents.

While it is always challenging to see additional delays in what has already been an extended entitlement process, the Applicant has been and remains committed to providing the County and its citizens with the best Project possible, both in terms of substance and process. The Applicant has presented the Project at numerous public meetings and has always attempted to engage the public openly and in good faith. That being said, the Applicant is sensitive to these calls for additional time, and, as such, is willing to consent to a continuance in the previously scheduled Planning Commission hearing to consider the Project.

The Applicant respectfully requests that in continuing the hearing, the Planning Commission continue the hearing to a date certain on or after October 9, 2023, which would allow the various members of the Applicant’s team that have worked most directly on the Project administrative proceedings, all of whom were prepared to be present on the previously scheduled dates, to attend the rescheduled hearing. Also, Applicant hereby confirms that any proceedings that occur on August 30th to continue the hearing shall not be considered a public hearing for the purposes of the number of hearings permitted under SB 330.

Again, we appreciate the time and effort that everyone has put into this process to date, and we look forward to continuing this process at a rescheduled hearing that works for all

Planning Commission
August 25, 2023
Page 2

parties. Thank you in advance for your time and attention to these matters. Please do not hesitate to contact us should you have any questions or need anything further.

Sincerely,



Andrew K. Fogg

AKF

cc: Mr. Nick Tompkins
Mr. Trevor Keith
Mr. Airlin Singewald
Ben Dore, Esq.
086078\16977063v1

LAST WEEK'S HIGHLIGHTS

Board of Supervisors Meeting On Tuesday, August 22, 2023 (Completed)

Item 3 - Request to 1) approve responses to the FY 2022-23 Grand Jury report titled "Investing in Election Accuracy Has Our Vote"; and 2) forward the responses to the Presiding Judge of the Superior Court by September 10, 2023. The Board received the report without comment or debate. Several speakers spoke to the fact that the report did not address the real issues. Also, the League of Women Voters and several other leftists crowed about how great the report was and how great they think that the Clerk Recorder is. Former/retired Clerk Recorder Judy Rodewald is a part of that group.

Background: The Jury, prompted by omissions of several names on some ballots, had reviewed the situation and determined that these omissions were the fault of the outside printing firm. The Jury concluded that the Elections Office did not have enough staff to review the galley proofs. It then, in typical government fashion, extrapolated the idea that the office requires more funding and staffing. Otherwise, it praised the office staff. The Jury did point out that the office does not have set procedures in a manual for processing various workflows.

Apparently, no one cared about the larger issues of the security of the Dominion voting machines, Bruce Gibson’s sudden 13 vote victory in 2022 when the trend was running the other way for weeks, or the complaints of bad treatment of the count watchers.

Overall, the Grand Jury found that the Clerk-Recorder and staff have been conscientious, diligent, and professional in the conduct of their election-related duties, even in the face of challenging conditions.

The Grand Jury also sought to identify factors that present challenges to the Clerk-Recorder’s Office in its performance of functions vital to election accuracy and integrity. In addition to the overall complexity of the election process, two factors emerged. First, the Grand Jury reviewed the Office’s quality control and assurance measures for printed election materials. We found that the Clerk-Recorder’s Office does not have standard operating procedures (SOPs) – i.e., written instructions that describe step-by-step processes – needed for effective quality control during this part of the election process. Second, we conducted a review of staffing levels/configuration, budget, and physical space for the Clerk-Recorder’s Office. Analysis included comparison to elections offices in other California counties. Results of the comparison indicate that per capita staffing levels and budget for election-related activities in San Luis Obispo County fall significantly below many other counties. There is a particular need for additional supervisory-level staff. Inspection of the physical space for election-related activities and storage of election materials also revealed the need for additional physical resources for the Office. The findings and recommendations in this report highlight each of these concerns.

Table 1. Needs for Additional Staffing Presented to the County Administrator

TYPE OF POSITION	NEED TO BE ADDRESSED
Program Manager – Elections (1 FTE)	Assume responsibility for the Vote-by-Mail process that has been managed by the Deputy Director, Clerk-Recorder.
Public Information Specialist – Clerk-Recorder and Elections (1 FTE)	Ensure that all voters, the media, and other interested parties are well-educated and informed of all election-related processes and rationale.
Geographical Information Systems (GIS) Analyst – Clerk-Recorder and Elections (1 FTE)	Ensure that the Election Division will meet the current and ongoing need to maintain district, precinct, street, and address data to ensure fair and accurate elections.
Temporary Staff Budget - Increase	Additional staff to support elections. Fund pay increase for all temporary election workers, some of whom have not had an increase in 10 years.

Source: San Luis Obispo County Clerk-Recorder’s Office

In preparing the FY 2023-24 Budget, former CAO Wade Horton did not include this increase.

Table 2. Staffing and Budget for Elections Offices – County Comparison

County	Population	Election Staff (Full Time Equiv.)	Current	Staff per	Spending
			Budget	100,000 pop	per capita
Santa Barbara	447,651	21.5	\$6,311,300	4.80	\$14.10
Merced	279,150	12.75	\$2,357,467	4.57	\$8.45
Napa	138,795	6	\$2,091,366	4.32	\$15.07
Marin	262,387	10.2	\$3,439,163	3.89	\$13.11
Santa Cruz	272,138	10	\$4,220,388	3.67	\$15.51
Kings	151,887	5	\$1,152,885	3.29	\$7.59
Stanislaus	551,275	16	\$4,152,063	2.90	\$7.53
Imperial	181,253	5	\$1,540,671	2.76	\$8.50
Monterey	438,953	12	\$5,523,076	2.73	\$12.58
San Luis Obispo	282,771	6.35	\$1,800,646	2.25	\$6.37
Staff Levels from FY2022-23 Adopted County Budgets					

Item 4 - Request to 1) approve responses to the FY 2022-23 Grand Jury report titled “Can One Wet Year Wash Away the Paso Robles Basin’s Water Worries?”; and 2) forward the responses to the Presiding Judge of the Superior Court by September 6, 2023. Several speakers criticized the report on the basis of the new Board majority’s favoritism of the large corporate pumpers in the basin and the failure of the Jury to diagnose the real issues. Supervisor Arnold explained in detail how Gibson forced her and Peschong off the Paso Basin Cooperative Committee and substituted himself . She went on to explain how he then appointed Matt Turrentine, who represents a Texas investment company, as the County representative. In the end, the report and response were approved on a 3/2 vote, with Arnold dissenting and Peschong abstaining.

Basically, the lengthy report contains a long summary of the conditions, background, County and other agency efforts, and current status of the Paso Basin. It is essentially a tutorial for the Jury itself to understand the history. The actual recommendations are very general and tell the County and other Basin regulators to hurry up and begin to implement the SGMA Plan.

It also contains a key Bruce Gibson long term policy goal.

By Fiscal Year 2024/25, the County GSA should impose user fees to eliminate the need for County General Fund contributions and to implement the necessary programs for basin sustainability .

NOTE: The general fund has not been a significant contributor inasmuch as the County has received a variety of grants to prepare the SGMA mandated groundwater sustainability plan (GSP) and is now receiving millions for implementation.

One bizarre recommendation stated:

Once the GSAs have enacted management measures which ensure the basin is stabilized, the County Board of Supervisors should revise their existing planting ordinance to allow for equitable agricultural use of properties .

The new Board majority let by Gibson rescinded the Planting Ordinance in March, thereby condemning the small Ag users to be prevented from pumping any water until at least 2028, if not longer. The Jury missed the train and failed to diagnose the ongoing unfairness on this one. The basin will not be stabilized for decades.

Item 15 - Request to 1) authorize a budget adjustment for FC 205 - Groundwater Sustainability Department in the amount of \$7,600,000 from the Sustainable Groundwater Management Round 1 Implementation Grant Program using State Aid revenue from Department of Water Resources for grant administration and disbursement to participating agencies for implementation of the Paso Robles Sub basin Groundwater Sustainability Plan (GSP).

The County successfully competed for and won a major grant to begin implementation of the Paso Basin Ground Water Sustainability Plan (GSP). Staff proposed that the funds be divided up per the chart below:

Components	Grant Amount
Component 1: Grant Administration	\$250,000
Component 2: City of Paso Robles Recycled Water Distribution System - Salinas River Segment	\$3,500,000
Component 3: San Miguel Community Service District Recycled Water Supply project	\$1,000,000
Component 4: Address GSP Data Gaps - High Priority	\$1,400,000
Component 5: High Priority Management Actions	\$800,000
Component 6: Supplemental Water Supply Feasibility/Engineering Studies	\$650,000
Total:	\$7,600,000

The City of Paso Robles is getting away with murder. For years it has been heavily pumping the Paso Basin aquifer instead of using its allotment of Nacimiento project water. That water is simply running down the Salinas River. The City is using the cheaper groundwater rather than the more expensive Naci water. Now the City is being further subsidized to treat its sewer water, which will theoretically be sold to agricultural users in the basin. This would be one sub-component of the larger Supplemental Water Projects component of the Paso Basin Groundwater Sustainability Plan (GSP). When is the Paso Basin Cooperative Committee going require that the City reduce its pumping and start using its Naci water?

Table 4 – Proposed Supplemental Water Projects

Project	Lead Agency	Purpose	Timeline	Funding	Potential Acre Feet Annually
Paso Robles Recycled Water	Paso Robles	Direct reused water to Airport Area	Construction scheduled for Fall 2023	\$3.5 million WQCB; \$ 9.73 m in Federal	3000
San Miguel Recycled Water	San Miguel CSD	Direct recycled water to injection Salinas River	In development	\$1million secured for design	200
Nacimiento Water Blending with Recycled Water	Paso Robles	Supplemental recycled water with water to reduce salts	In discussion with growers who would use and pay for water	Unknown	1000
Nacimiento Water injection into Salinas/Estrella Confluence	TBD	Supplement depression in basin	No set partners; availability of water buyers/sellers unknown	Unknown	2800
Nacimiento Water delivered east of City of Paso Robles	TBD	Supplement growers, rural residential or depressions in basin	No set partners; availability of water buyers/sellers unknown	Unknown	2000
Salinas Dam Expansion	County	Install gate in dam to increase water impounded	Requires action at federal level to move to local asset	Unknown	1000

The GSP requires that overall pumping be reduced by about 13,000 acre-feet per year through reduced pumping or adding supplemental water.

Item 23 - Request for approval to apply for a Regional Resilience Planning Grant in an amount up to \$650,000 for an updated greenhouse gas inventory and climate action plan.

Why does the Plan, which was originally adopted in 2011 and updated in 2016, have to be updated again with \$650,000 in state taxpayer money? The write-up states that those plans were not actionable, whatever that means. It also states that those plans missed some details, particularly as they relate to vehicle emissions.

How has the County and its subcomponent jurisdictions performed so far in terms of the 2016 update?

Is this simply part of continuously moving the goal posts to keep staff and consultants on the political patronage trough, while finding more reasons to make homes ever more costly and shut off business development? SLO County is infinitesimal compared with the state, national, and world totals. It's not even a rounding error. Tweaking the plan is a ridiculous use of public funds.

Item 37 - Overview of the 2022 Annual Agricultural Statistics for San Luis Obispo County.

For the second consecutive year, crop values for San Luis Obispo County set a record high as the total value for 2022 reached \$1,084,332,000, a slight increase of less than one percent over the previous year. Although the impacts from the ongoing drought led to reduced yields in a wide variety of crops, strong crop prices helped offset reductions in total production, and the overall farmgate value of the county's agricultural industry exceeded \$1 billion for the third time in history.

COMPARISON OF VALUATION OF MAJOR GROUPS DURING THE PAST TEN YEARS

YEAR	ANIMAL	FIELD	NURSERY	FRUIT &		TOTAL
				NUT	VEGETABLE	
2013	\$100,865,000	\$16,365,000	\$97,651,000	\$468,355,000	\$237,896,000	\$921,132,000
2014	\$135,017,000	\$16,812,000	\$84,394,000	\$468,518,000	\$195,329,000	\$900,070,000
2015	\$70,659,000	\$15,600,000	\$99,511,000	\$428,344,000	\$214,059,000	\$828,173,000
2016	\$45,350,000	\$16,784,000	\$86,933,000	\$568,129,000	\$212,734,000	\$929,930,000
2017	\$47,909,000	\$16,679,000	\$82,802,000	\$566,592,000	\$210,716,000	\$924,698,000
2018	\$48,596,000	\$18,777,000	\$81,190,000	\$656,609,000	\$230,327,000	\$1,035,499,000
2019	\$41,073,000	\$24,180,000	\$80,566,000	\$615,218,000	\$217,972,000	\$979,009,000
2020	\$46,509,000	\$20,217,000	\$75,883,000	\$603,283,000	\$232,783,000	\$978,675,000
2021	\$43,108,000	\$14,889,000	\$76,503,000	\$713,904,000	\$233,548,000	\$1,081,952,000
2022	\$48,247,000	\$20,056,000	\$98,041,000	\$624,332,000	\$293,656,000	\$1,084,332,000

Grapes may have reached the market saturation point.

CROP	YEAR	ACREAGE		PRODUCTION		UNIT	GROSS VALUE	
		PLANTED	BEARING/ HARVESTED	PER ACRE	TOTAL		PER UNIT	TOTAL
Grapes, Wine (All)	2022	47,368	42,264		136,982	Ton		\$261,937,000
	2021	46,507	41,302		166,473	Ton		\$281,517,000

Given the decline in wine grape revenue, why did a Canadian teacher’s pension fund buy the Harvard University Endowment’s properties in the Paso Basin? Why did Harvard sell?

Item 38 - Submittal of the Title 29 Affordable Housing Fund FY 2021-22 and FY 2022-23 Annual Report.

Interestingly, Gibson did not propose to direct staff to bring back the amendments to re-instate the In-Lieu housing tax. It is possible that he determined that he did not have Ortiz-Legg’ vote. Instead, the Board received the report and directed staff to issue a notification of availability of funds (NOFA) for agencies to compete for the remaining balance of In-Lieu funds. During the deliberations, there was considerable discussion about the need for base County housing funds to serve as matches on the State, Federal, and private housing low-income housing programs.

Background: This was actually a report on the use of funds derived from the Inclusionary Housing Fee (in reality a tax on market rate housing). The prior Board majority abolished the ineffective and unfair program in 2022. This report covers the use of residual funds left over from the program.

It is highly likely that Supervisor Gibson and the new Board majority will direct staff to develop the paperwork and ordinance to re-establish the program.

Brief History: Decades ago, the State adopted enabling legislation that allows cities and counties to require that developers include a percentage of affordable housing within their new projects. Only 148 jurisdictions (out of 58 counties and 450 cities in the state) have adopted the provision. San Luis Obispo County is one of those entities and adopted its ordinance in 2008. Under the ordinance San Luis Obispo County typically required that a new subdivision of 100 homes provide “20” affordable homes. Obviously, projects that are already 100% affordable (usually government funded not-for-profit projects) are exempted. Thus, it is the market-priced homes that are taxed. Commercial projects are also subject to the tax posing as a fee on a per square foot basis.

It is ironic and patently stupid that government has determined to tax the very thing that is in short supply, in order to provide more of it.

Over the years, various jurisdictions learned that this compulsory mixing of housing types did not work well from a marketing or social interaction standpoint. For example, there are huge fights in homeowner associations (HOAs) about common uses. Do the people in the affordable units get to use the pool? From the developers’ standpoint it is difficult to market the non-affordable units in a subdivision or complex that contains less stylish and less fancy affordable units. Market buyers are leery of buying into a social engineering scheme.

Eventually, the State amended the enabling statute to allow developers to pay a “fee,” in reality a tax, instead of building the actual units. This is the so-called “housing in lieu” fee. SLO uses it to assist “affordable” projects in the cities and Templeton.

The Bottom Line: The bottom line is that over the decades the process of developing residential and commercial property has become so over regulated and expensive that developers cannot afford to produce affordable housing and prefer to develop larger, more expensive units. In turn, the State Legislature has made things worse by enabling cities and counties to require that developers include a stipulated number of affordable units in their projects or pay an “in lieu fee,” which is really a tax on development. The dollars generated from the “in lieu fee” are accumulated and then given to non-profit housing developers to help finance their affordable projects. This is really a government blackmail program to force homebuilders to charge more for their market units in order to bail out the politicians’ failed public policy.

In 2019 the Board updated the ordinance to exclude homes with less than 2200 square feet and substantially raise the so-called fees for market and custom homes. In exchange, Supervisor Gibson agreed to let the Board majority direct staff to conduct an extensive analysis of alternative methods to help affordable housing. During the first phase of the project, staff generated a list of potential programs from which the Board selected some strategies for further feasibility study. A Project Manager, who has since left the County, was assigned to lead the project. The project was abandoned when COVID 19 arrived, and staff members were shifted to other duties. It was then shifted to LAFCO. As we reported several weeks ago, the idea of finding new sites to develop was relegated to theory with no commitment from the cities or County to zone them in.

Screwed Again: As a result, Gibson got higher fees established, but the promised project to find other better solutions never took place. The Board revised the Inclusionary Housing Ordinance on March 12, 2019. The most significant changes to the fee structure included applying the fee to all new dwellings over 2,200 square feet in size (previously the fee had only applied to subdivisions) and replacing the flat rate fee (\$1.50 per square-foot) with a tiered rate structure based on square footage (with a maximum overall rate of \$7 per square-foot). As an example, a new 3,000 square-foot house would pay \$8,400 in in lieu taxes under the tiered rate structure. The Board also included Section 29.05.050, as described above, which requires the County to hold a hearing in three years and repeal the Inclusionary Housing Ordinance if broad based funding options would have been successfully established.

Overall Impact: The County’s inclusionary housing ordinance compelled developers to meet their affordable housing exactions (county mandated wealth transfer) by providing affordable dwellings, paying fees, or donating land. Residential projects pay in-lieu fees, and commercial projects pay housing impact fees pursuant to the Title 29 fee schedules. Title 29 also requires the County to consider annual fee adjustments. The annual adjustments may reflect changing construction costs and a periodic review of the fee formulas.

The bottom line is that over the decades the process of developing residential and commercial property has become so overregulated and expensive that developers cannot afford to produce

affordable housing and prefer to develop larger, more expensive units. In turn, the State Legislature made things worse by enabling cities and counties to require that developers include a stipulated number of affordable units in their projects or pay an “in lieu fee,” which is really a tax on development. The dollars generated from the “in lieu fee” are accumulated and then given to non-profit housing developers to help finance their affordable projects. This is really a government blackmail program to force homebuilders to charge more for their market units to bail out the politicians’ failed public policy.

Homebuilders were required to provide one affordable unit for each five market units or pay a “fee” (tax) into the affordable housing fund in lieu of actually building the unit.

The amount of the fee is based on a complex black box study called a nexus study, which analyzes economic and market factors to come up with the base per sq. ft. costs. This data is then manipulated into a standard “fee” (tax) based on the size of the market houses (unsubsidized houses). It is then applied to each market house (per unit fee). Some Sample Taxes – For every five market houses, the builder would have to pay the amounts listed below to help create one affordable house.

NEW IMPORTANT INFORMATION

Item 39 - Any Supervisor may ask a question for clarification, make an announcement, or report briefly on his or her activities. In addition, Supervisors may request staff to report back to the Board at a subsequent meeting concerning any matter or may request that staff place a matter of business on a future agenda. Any request to place a matter of business for consideration on a future agenda requires the majority vote of the Board. This is the new procedure adopted by the Board for consideration at the end of each meeting. Placing the item at the end minimizes public comment.

a. Supervisor Gibson objected to COLAB’s article (last week) and public speakers’ comments on his public advocacy to weaken Proposition 13.

SUPERVISOR GIBSON LEADS STATEWIDE ATTACK ON PROPOSITION 13



California State Association of Counties
 CSAC 1st Vice President **Bruce Gibson, SLO County Supervisor** today voiced **#CACounties** support for **Assemblymember Cecilia Aguiar-Curry's ACA 1**. We respectfully urge the Legislature and Governor to pass and sign ACA 1 to assist local governments in addressing housing, transportation and infrastructure crises.

As expected, Supervisor Gibson took some time to elaborate on and defend his and CSAC's attack on Proposition 13. COLAB had pointed out that Assembly Constitutional Amendment 1 (ACA-1), if placed on the ballot and approved by the voters, would reduce the threshold for new property taxes, assessments, and sales taxes from 2/3rds to 55%. This is a major attack on the middle class, which foreshadows a huge expansion in government. Moreover, hundreds of thousands, if not millions of homeowners, farmers, and businesses could be driven into foreclosure or forced to move.

Gibson never placed the question on the SLO County Board agenda to receive authorization of his CSAC vote on the matter. He doesn't care what his 4 colleagues think, let alone 280,000 SLO County citizens. His stealthy support is yet another example of his hubris and

arrogance. It's time for the recall fundraising campaign and signature gathering.

Former Gibson opponent, Dr. Bruce Jones, pointed out during public comment that Articles 14 and 15 of SLO County's adopted State Legislative Program call for preservation of Prop. 13 and against any provisions for watering it down. Accordingly, Gibson was in violation of the very polices adopted by the County which he is supposed to represent in Sacramento.

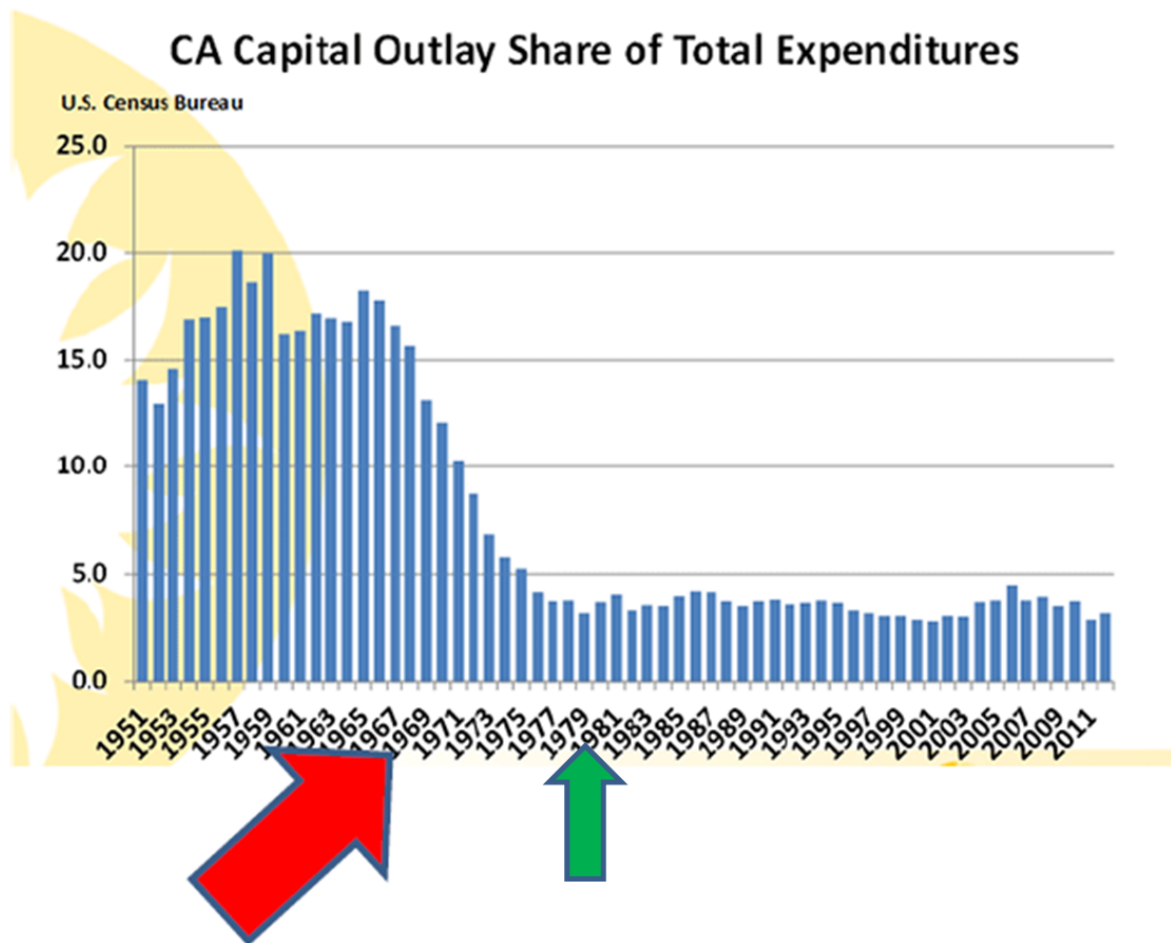
His weasel-like approach was, as expected, to state that he was representing CSAC'S policies separately from that of the County as a designated CSAC official. This is too much splitting of the hairs on the Camel's ass. He hates Proposition 13 because it limits the ability of the left to raise taxes, distribute more patronage, and increase control over the serfs. He attempts to cloak his arguments in rhetoric about democracy, which betrays his animus to limits on governmental power in general.

Paulding and Ortiz-Legg both took pains to state that they support Prop 13, but perhaps not when it involves votes on infrastructure such as roads, water and sewer, housing supports, parks, libraries, and public safety facilities, which is just about everything. Thus they really don't support it. But they claim that they are only partially pregnant.



THE WHITE WEASEL

Actually, there is no money for infrastructure because all the taxes and fees go to employee salary increases and pension cost increases. There is nothing left for infrastructure. The whole scheme is to cultivate the employee unions and force you, the taxpayer, to pay even more.



The red arrow points to the time when California employees were granted the right to collective bargaining. The Green arrow points to when Proposition 13, which passed in 1978, actually became operational.

b. Supervisor Paulding proposed that the staff develop and Board adopt a more organized and elaborated set of Board procedure rules in the form of a “Board Governance Manual.” He cited the City of Arroyo Grande (where he had served on the Council) and the County of Yolo Governance Manual as examples. In the end all 5 Supervisors voted to direct the staff to bring the issue back for a full discussion.

The full Yolo Manual can be accessed at the link: [Agenda \(yolocounty.org\)](http://Agenda.yolocounty.org)

The Yolo Manual section on advocacy related to its Legislative Program is displayed below:

Topic	Protocol
<p>Advocacy</p>	<ul style="list-style-type: none"> • Legislative proposals with a nexus to the County’s legislative platform (approved annually by the full Board) are considered by the Legislative Advocacy Ad Hoc Subcommittee. In the event the subcommittee is divided on a position, the proposal is brought to the full Board for consideration. • Legislative funding proposals (i.e., earmark requests) with a nexus to County service responsibilities shall be gathered as part of development of the County’s legislative platform and approved annually by the full Board prior to submission to state or federal officials. In addition, as funding needs or opportunities arise outside of this process, Board members will provide feedback and otherwise collaborate with staff to ensure County advocacy efforts are effective, well-informed, and timely. • After giving due consideration to the adopted governance principles set forth in this manual, under Board matters, any Board member may raise for consideration legislative, ballot measure, judicial system (including amicus participation) or other proposals of statewide, national and international interest that are beyond the scope of the County’s legislative platform. The item will be scheduled for a subsequent agenda with the following staff analysis: <ul style="list-style-type: none"> ○ Local and organizational impacts ○ Description of whether action by Yolo County will have an impact ○ Next steps concerning outreach (i.e. County’s position stated in a letter to state/national/international officials, on the website, via a press release) <p>Note: The Board of Supervisors may only educate and inform related to ballot measures, as opposed to advocating. Individual Supervisors, on their own time, may advocate.</p>

This will cut two ways. If adopted, the irony will be that Arnold and Peschong will not be able to oppose bills weakening or repealing Proposition 13. As noted above, the current SLO Legislative Platform contains 2 provisions opposing any weakening of the law. Gibson and the Leftist Dem leadership in the County could force Paulding and Ortiz-Legg to remove these provisions when the Program is taken up this fall.

Planning Commission of Thursday, August 24, 2023 (Completed)

The agenda contained applications for various permits but no major policy considerations.

Central Coast Community Energy Authority 3CE Operations Board Special Meeting (Completed)

Item 2 - Approve and Authorize the CEO to Execute an Amended and Restated Power Purchase Agreement with 64NB 8me LLC, and any necessary ancillary documents, to increase the size and discharge of the energy storage system in a revised total amount not to exceed \$465,000,000. The Operations Board unanimously approved the nearly half billion 20-year purchase agreement in less than 6 minutes, and there were no questions or comments. The 3 CE is encountering delays from suppliers while at the same time being pressured by the CPUC and State Energy Commission to increase its energy supplies and Reserve Availaibl9ty (RA).

The Original PPA was negotiated jointly with Silicon Valley Clean Energy after the project was selected as part of a joint competitive solicitation. 3CE’s share of the Original PPA was 120 MW solar generation and 30 MW (3-hour discharge) of battery energy storage system. The Original PPA would meet roughly 8% of 3CE’s total load and was for a term of 20 years and a notional value not to exceed \$261 million.

Those negotiations have focused on restructuring of Aratina’s original battery configuration. The battery size is being increased from 30 MW to 75 MW. Increasing the size provides 3CE with significantly more Resource Adequacy (“RA”) compliance and energy hedging benefits. Furthermore, the battery will be converted from a 3-hour discharge duration to a 4-hour discharge duration. Since executing the original agreement in 2020, 3CE has acquired more experience with operating our other online batteries in the market and determined a 4-hour discharge duration battery will provide greater energy and RA benefits.

About Aratina Solar + Storage Project

	Original PPA	Amended and Restated PPA
Counterparty	64NB 8me LLC	64NB 8me LLC
Parent Company	8minute Solar Energy	Avanatus (formerly 8minute Solar Energy)
Product	Solar PV PCC1 renewable energy and dispatch rights of Energy Storage system.	Solar PV PCC1 renewable energy and dispatch rights of Energy Storage system.
Delivery Term	20 years June 30, 2023, through June 29, 2043	20 years June 1, 2025, through May 31, 2045
Contract Capacities	120 MW Solar PV 30 MW Energy Storage (Lithium-Ion), 3-hour Discharge Duration	120 MW Solar PV 75 MW Energy Storage (Lithium-Ion), 4-hour Discharge Duration
Location	Kern County	Kern County
Not to Exceed Amount (\$,000)	\$261,000,000	\$465,000,000



Approval of the Amended & Restated PPA will increase the project's value to 3CE, allowing us to meet our aggressive goal of 100% RPS by 2030, increase our RA compliance, and increasing our energy hedging abilities.



EMERGENT ISSUES

Item 1 - President Biden to shove Marine Sanctuary Down County's Throat

Biden proposes vast new marine sanctuary in partnership with California tribe



Members of the Chumash tribe have pushed for a decade to create a new marine sanctuary. If created, it would be the first to be designated with tribal involvement from the outset.

The Biden administration is one step away from designating the first national marine sanctuary nominated by a tribe. The Chumash Heritage National Marine Sanctuary would protect 5,600 square miles of ocean off the central California coast, an area known for its kelp forests, sea otters and migratory whales. Tribal members of the Chumash, who have lobbied for its creation for more than a decade, would be involved in managing it.

The decision is part of the Biden administration's push to give Native American tribes a say over lands and waters that were forcibly taken from them. Under the proposal, the area would be protected from energy development.

"Sanctuaries uplift local participation in ocean management, and this sanctuary will put Indigenous communities in partnership with NOAA," says Violet Sage Walker, Northern Chumash Tribal Council chairwoman and a nominator of the sanctuary. "The collective knowledge of the Central Coast's First Peoples, as well as other local stakeholders, scientists, and policymakers, will create a strong foundation to have a thriving coast for generations to come."

Walker's father proposed the sanctuary in 2015 and the application sat idle for years. It would be located off a stretch of coastline that's home to many Chumash sacred sites.

"The coastal waters of central California are rich with precious marine life, contain critical ocean ecosystems, and are connected to the past, present, and future of the Chumash people," Vice President Kamala Harris said in a statement about the announcement.

The National Oceanic and Atmospheric Association put the proposal together in consultation with the Chumash. If the sanctuary moves forward, federally-recognized tribes would advise decision-making as part of a collaborative group known as an Intergovernmental Policy Council, modeled after one pioneered with tribes for the Olympic Coast National Marine Sanctuary in Washington state.

Only one band of Chumash, the Santa Ynez Band of Chumash Indians, is federally recognized. Other bands, like many tribes in California, are not. In the mid-1800s, Congress rejected treaties made with some California tribes — a move that was kept secret for decades. Other bands of Chumash would be able to join the sanctuary's advisory council, which also provides feedback for decisions and priorities.

The new boundary of the sanctuary is smaller than the originally proposed 7,600 square miles. It now would exclude an area that is likely to be used for undersea transmission cables from future wind turbines. California's coast has been the focus of new attention in recent years, as the wind industry looks for places to install the state's first offshore wind farms. The state has an ambitious goal to get 100% of its electricity from renewable sources by 2045.

A marine sanctuary designation would prevent wind turbines from being installed within its boundaries, as well as offshore oil platforms. Commercial fishing would be permitted in the sanctuary, as it is in most marine sanctuaries.

NOAA will take public comments until October 23 before a final decision is made in mid-2024.

The country's network of 15 other marine sanctuaries are monitored for their ecological health, which marine experts say helps spot possible impacts and the effects of climate change. Chumash tribal members are already teaming up with scientists to start a monitoring program where the new sanctuary would be designated.

Lauren Sommer is a correspondent for NPR's climate desk, where she covers scientists on the frontlines of documenting the warming climate and how that science is — and isn't — being used by communities to prepare for increasing disasters.

Since joining NPR, she's looked at how a lack of building codes is putting people at risk of wildfires, how cities are failing to plan for stronger storms and how communities are allowing development in flood-prone areas. Lauren also scaled ice sheets to explore how melting polar ice is having mysterious impacts around the planet. Prior to joining NPR, Lauren spent more than a decade covering climate and environment for KQED Public Radio in San Francisco, where she delved into the impacts of California's historic drought and record-breaking wildfires. On the lighter side, she's run from charging elephant seals and searched for frogs in Sierra Nevada lakes. This article first appeared in the KCLU/NPR News Letter of August 24, 2023.

Item 2 - Assemblywoman Dawn Addis Fined For Accepting Donation From Lobbyist

Addis fined minimum amount by FPPC

By Evan Symon, August 21, 2023 8:08 pm

Assemblywoman Dawn Addis (D-Morro Bay) was fined for taking a donation from a lobbyist during the weekend, with the Fair political Practices Commission (FPPC) ordering her to pay a \$1,000 fine.



The illegal donation incident in question dates back to December 2019. That month, lobbyist Steve Black, who represented a firm trying to build wind turbines off the coast of Morro Bay, donated \$250 for her 2020 Assembly campaign. Addis, who at the time was a City Councilwoman and Mayor pro tem of Morro Bay, accepted. However, the donation in questions was illegal. According to the Political Reform Act, lobbyists cannot donate to candidates running for office, and candidates are not allowed to accept.

Black, rather than report the donation, opted to not put it down in his quarterly lobbyist report with the state the next month. However, the FPPC soon caught wind of the omission, and the very next day after Black had filed his report with the missing donation information, Addis’ campaign refunded his contribution. Both Black and Addis also told the FPPC soon after that they didn’t know of the law.

“On Friday January 24, 2020, I learned that I inadvertently made a \$250 campaign contribution to a candidate for the State Assembly in violation of Government Code Section 85702,” said Black in a letter to the FPPC. “Neither I nor the candidate who solicited the contribution was aware of the ban. I regret the error. The contribution has been returned.

“I am registered to lobby the State Legislature during this session on behalf of only one client and was unaware of the ban on contributions to candidates for state office covered by my registration. I am a resident of Colorado and typically have supported candidates for federal office or state office in Colorado, where I am not registered as a lobbyist.”

Addis soon gave more details, including that she had solicited Black and his company for financial support for her campaign, but also had no idea that he was a lobbyist. She also noted that he had met her in Morro Bay about getting financial support.

While the FPPC was mulling the incident over the next few years, Addis lost the 2020 35th district election to then-Assemblyman Jordan Cunningham (R) in a 55%-45% landslide. However, redistricting in 2021, Addis had a much more favorable 30th district to run for, and won over Vicki Noreen in 2022.

Addis, Black fined

Finally, more than 3 1/2 years after the illegal donation incident took place, the FPPC gave their ruling over the weekend. In a 3-1 vote, the FPPC commissioners ordered Addis to pay \$1,000 for accepting the illegal donation and Black \$1,500 for both making the donation and not reporting it. According to Senior Commission Counsel Christopher Burton, the FPPC opted to give both

candidates the lowest fine possible because they believed that neither candidate had intended to break the law, despite the law being well known to both lawmakers and lobbyists alike.

“There’s nothing here to show that this was some intentional scheme, or conspiracy,” said Commissioner Richard Miadich. “This is somebody who should’ve paid closer attention.”

However, many on Monday believed that the fine should have been higher, to send a message that this kind of donation is illegal and that there will be consequences for it.

“Both of them should have absolutely known that that kind of donation is illegal,” said Dana, a Capitol staffer in Sacramento. “Any candidate and campaign worth their salt knows to check every donation before accepting. Some can be illegal donations, or donations coming from undesirable lobbyist groups, or what have you. It was only \$250, but it was still illegal. You absolutely have to know that. And the same goes for the lobbyist. That’s lobbyist 101 right there. But the donation and reporting it. It’s like how the IRS can’t get you on being a criminal, but can get you on not paying your taxes.”

“On the off chance they didn’t know, the fine should have still been higher. Get the message out to people to check for this sort of thing. But they didn’t.”

All fines paid by both Black and Addis are to go to the state’s General Fund.

Evan V. Symon is the Senior Editor for the California Globe. Prior to the Globe, he reported for the Pasadena Independent, the Cleveland Plain Dealer, and was head of the Personal Experiences section at Cracked. He can be reached at evan@californiaglobe.com.

Item 3 - California’s Heat-Pump Fantasy

Regulators move to phase out gas furnaces for an electric-powered appliance that will raise costs, cause more climate damage per pound than carbon—and won’t even keep people warm.

Electric-powered heat pumps, once an obscure appliance, are being hyped as the key to decarbonizing homes and buildings in California. Regulators in Sacramento and in the Bay Area are phasing out gas-furnace sales, and two upscale communities now require heat-pump retrofits when air conditioners wear out. But as with so many things “green,” advocates underestimate the true costs and burdens of these policies, while ignoring their adverse health and climate consequences.

In summer, a heat pump works like an air conditioner, using refrigerant to transfer heat outdoors for cooling. In winter, it can run in reverse, moving heat into a home. Activists insist that trading gas furnaces for heat pumps will cut costs and improve health while protecting the climate.

The cost benefits are as yet illusory. In late 2022, Bay Area bureaucrats effectively banned gas heaters, arguing that heat pumps would cost only \$8,030 per installation, a figure well below the

ranges estimated by their own consultants. Since 2021, heat-pump installations have averaged \$18,872 statewide and more than \$22,000 in greater San Francisco. Skyrocketing California electricity rates steadily erode potential savings from all-electric heating.

Unsurprisingly, lavish heat-pump subsidies overwhelmingly favor richer households. Since 2021, less than 8 percent of heat pumps have been installed in disadvantaged communities. And according to UCLA researchers, struggling lower-income households could face “tenant displacement” as landlords raise rents to cover heat-pump expenses.

Though regulators and climate advocates obsess about heat waves, the real home and building health challenge in California, and in the rest of the world, is preventing exposure to cold. The World Health Organization found that indoor temperatures below about 65 degrees are far more likely to cause respiratory, cardiovascular, and other illness than warmer conditions. From 2000 to 2019, extreme cold caused an average of 4.6 million excess deaths per year, nearly ten times more than the number of excess deaths from heat.

In the most heavily populated parts of California, including the Bay Area, days when indoor heat is necessary to avoid harmfully cold indoor temperatures are more than 30 times more likely to occur than cooling days. On average, including in very warm desert locations, state residents need indoor heat three times more frequently than air conditioning.

Notwithstanding pervasive claims to the contrary, heat pumps are less effective and have to work much harder to heat a room when temperatures fall. That’s why Canada warns to keep a “boiler up and running” in addition to a heat pump during cold spells, and even heat-pump enthusiasts recommend using hybrid gas and electric heat when temperatures fall.

California’s forced march toward universal heat-pump use and gas bans means that a growing number of residents, in a rapidly aging state, will be unable to keep indoor temperatures at safe levels when needed. The inevitable health impacts, including more illness and death, are never considered by climate advocates and regulators.

Nor is it clear that widespread heat-pump deployment will help reduce global warming, even as advocates claim that they will cut ozone and nitrous oxide emissions. The technology uses refrigerants, “the worst greenhouse gases you never heard of,” causing thousands of times more climate damage per pound than carbon dioxide. Refrigerant leakage already accounts for 4 percent of global greenhouse gas emissions, twice as much as from aviation, and is the fastest-growing source of all California greenhouse gas emissions. The loss of just a few pounds of refrigerant from a single home can produce as much global warming as driving a gas car for a year.

California’s climate policies will dramatically increase the need to build, install, and replace conventional heating and cooling with millions of new heat pumps, each containing several pounds of one of the most virulent sources of climate damage ever invented. Just fewer than 30 percent of all California households, and more than 50 percent in the Bay Area, don’t have air conditioning, the lowest deployment rate in the country. Gas bans and heat-pump mandates force California households that don’t have air conditioners to use refrigerants for heating. This

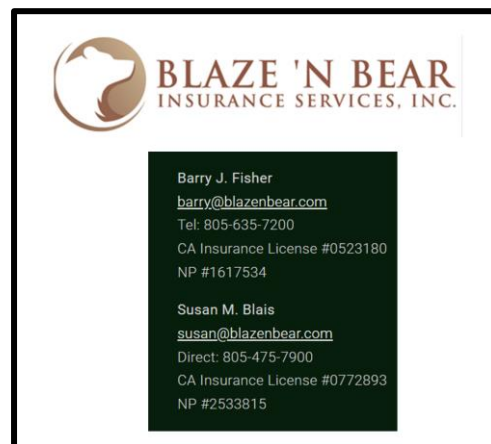
strategy unquestionably increases refrigerant-leakage risks and may cause more climate harm than it avoids.

Advocates, of course, assert that climate-friendly alternatives like butane or ammonia will soon replace existing refrigerants, but these potential options have problems of their own. Each is much more [corrosive](#) and flammable, and heat pumps using such alternatives will need to be redesigned for safety. Larger, heavier equipment will likely increase manufacturing energy and material consumption and acquisition costs, none of which can presently be quantified with any certainty.

California's heat-pump infatuation is another example of a thoughtlessly regressive, not-so-green initiative. The new mandates favor the wealthy, increase housing costs, displace lower-income renters, and force aging households to rely on a heating technology that becomes less effective when needed most. Even worse, they are seeding the state with millions of new leakage sources for powerful greenhouse gases to reach the atmosphere. It is astounding that state climate elites insist on causing such economic, social, health, and climate harm in exchange for minuscule—if any—benefits.

*Jennifer Hernandez is a senior fellow at the Breakthrough Institute.
August 23, 2023.*

Sponsors



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



CALIFORNIANS LIVE IN FEAR OF GOVERNMENT

It's not just us – most Blue State citizens are subjected to government terrorism

BY KATY GRIMES

Across the state, Californians are witnessing the total breakdown of society – primarily, and noticeably confined to larger cities. Scenes of drug addled homeless vagrants living in tents along city sidewalks play out daily. Public sex acts and open drug deals have become ho hum – “avert your eyes, kids.” Smash and grab thefts are becoming routine news reports. Daily news reports of “sex trafficking” fail to elicit anger – “that’s just awful,” people say. And then they scroll to the next article.

The one area of concern many people quietly acknowledge in whispered tones is the new-normal of living in fear of the government.

From the White House to the State House, and to City Hall, people in California and other blue states are fearful because of politicians and leftists who won't let them defend themselves, their children, their homes, businesses, churches and schools.

Californians are afraid of the government – afraid they will get locked up for life for defending their family, home or business. They are afraid of resisting a drug crazed vagrant harassing them in the grocery store parking lot... or chasing them away from their business or storefront... or pushing back if their children are with them when a zombie-like homeless dude yelling at unseen demons crosses their path.

Last week I was on a 4-mile hike around my neighborhood and regional park, sans big dog as he is recovering from a sprain. I've altered my route into the neighborhood because I encounter so many crazed, drug-frenzied, violent homeless people, and because several have attacked women who run alone in the park. So I am hoofing it on the main boulevard in the neighborhood. A school is to my left, traffic to my right. And coming straight at me is a large, shirtless, homeless male transient carrying a tree branch across his shoulders. He had meth-mouth. He was arguing loudly with unseen demons, flailing his arms and the branch. I have nowhere to go but to turn tail and run if he charges me – the traffic is too steady to run into the street and the school's tall fence prevented me from seeking relief in the nearby field. He gets closer and I veer toward the street hoping as I go around him that he doesn't attack.

And that is a daily occurrence in Sacramento, CA. I would have preferred to have been armed for my own safety. But in the City of Sacramento, such a confrontation would not end well – for me. Mr. Meth Mouth would have been given a courtesy ride to the nearest shelter for a free meal and some clean clothes.

Californians are afraid for their own health and welfare, but more afraid of the unequal consequences they will undoubtedly suffer if they dare to protect themselves against the homeless meth-heads, crackheads, and heroin addicts, to the roving bands of thieves and opportunistic criminals, as well as the violent offenders encountered daily now that Gov. Gavin Newsom has let tens of thousands out of prison onto the streets.

The people who do not pay taxes, and do not follow societal rules are being allowed to roam free, unfettered by police in far too many cases, while those who do pay taxes and follow the rules are held to account should they encounter violence and defend themselves.

People in my neighborhood won't even sleep with downstairs windows open for fear of a brazen nighttime break-in.

The broken windows theory is being lived out in California – when police stop policing, crime gets worse. And then criminals get emboldened, as we are witnessing in Los Angeles where thieves are getting fearless and smash and grab crimes and retail theft is only getting bigger.

Politicians and government officials want responsible tax paying citizens to follow the rules, so we take our shoes off and stand in line for TSA, obey traffic rules, and separate our recyclables,

but we see government failing to police an entire segment of society for retail theft, sex crimes, drug crimes, vagrancy, illegal public camping, loitering, and yes, assault.

July 27th, “a brave armed citizen ‘calmly’ shot an armed robber multiple times for trying to rob a gas station called Stone Lake Marathon,” Gateway Pundit reported. The customer who shot the robber has a valid concealed-carry permit. “One would think this armed, vigilant citizen would be receiving a medal for his actions. Instead, he faces possible jail time. Cass County Prosecutor Victor Fitz claims he is waiting for police to finish the investigation making a decision whether or not to file criminal charges against the customer.”

This is just one in several recent robberies where citizens and store owners fought back against cocky criminals, but were threatened by the government, even knowing that the criminals may receive leniency from political DAs, or walk in some cases.

Nearly everyone in America has seen the footage of the two 7-Eleven employees in Stockton beat a man about his butt and legs for unabashedly emptying shelves of cigarettes and stealing other products July 29th, after stealing food items the day before. However, the beating came after he threatened to shoot the people in the store.

Following the beatdown of the thief, the two employees were investigated by Stockton Police for assault. Only after national public outrage did the San Joaquin District Attorney Ron Freitas announce “Any Investigation going forward is to hold accountable the individual who threatened & attempted to rob them,” KCRA reported.

This is why good, decent people are afraid of the government unjustly using laws and the courts against them instead of criminals.

In third world countries, guerillas go where the government can’t control them – the drugged up homeless and criminals in the U.S. are the same. Homeless and criminals go where their behavior is tolerated – where they are in fact, rewarded and allowed to live on the streets.

While far too many politicians appear to have devolved into nothing more than a cash distribution system for favorite nonprofits, NGOs and special interest groups, the people – voters – cast a vote expecting the elected politicians to be responsive to the needs of the community.

This is a fool’s paradise. We see politicians in every level of government responding as a wholly owned subsidiary of their funders and special interest groups. This is blatantly evident when a citizen makes the trek to the State Capitol to testify or just watch committee hearings. Despite hundreds of people testifying their opposition or support for a bill, Democrats will pass it or kill it – for their special interest investors. Often when the public is testifying, lawmakers play with their cell phones or get up and leave the hearing until it is time to cast a vote.

We’ve seen this play out on a horrific level in Washington D.C. California’s own Nancy Pelosi and Adam Schiff and the dishonorable double-dealing Democrat-dominated House of Representatives “J6Committee,” would have marched in lockstep with Joseph Stalin. The Soviet-style trials in DC, the judges who pretended to run legitimate courtrooms, who

criminalize political speech and the First Amendment protected petitioning of the federal government, would have marched in lockstep with Joseph Stalin.

That they have ordered and kept untold numbers of peaceful protestors, who believed that the 2020 Presidential election was stolen, in solitary confinement is a disgrace of the U.S. Judicial system, and on the U.S. Constitution. It is also a stain on Congress that these people are still imprisoned, rather than the corrupt judges and prosecutors who violated the Constitution to put them there. American citizens are rotting in the DC Gulag while members of Congress fly home each weekend to their families.

This is what Californians and blue state citizens fear. It could make for a record turnout in the 2024 Election. If the parents fighting back against corrupted public school boards is any indication, channeling that fear into big election changes, while vowing that this will never again happen is about the only move that could right this country.

Katy Grimes, the Editor in Chief of the California Globe, is a long-time Investigative Journalist covering the California State Capitol, and the co-author of California's War Against Donald Trump: Who Wins? Who Loses? Cal Gobe, August 23, 2023.

WHY D.E.I. NEEDS TO DIE

A phenomenon diametrically opposed to our Constitution.

BY BRUCE THORNTON

The Reign of the Woke is starting to totter. The excesses of the tyranny of the tiny trans minority is getting significant pushback, from consumers boycotting woke corporate fellow-travelers like Bud Light and Disney, to parents challenging schools that attempt to usurp their authority over their children.

More significant in the long run, some state universities' governors are rejecting requirements for faculty and scholars to sign loyalty pledges to the Diversity, Equity, and Inclusion ideology.

The latest grove of academe to end this noxious practice is the Arizona system comprising five campuses with 142,000 students. In addition, the Foundation for Individual Freedom in Education has filed suit against California's community college system on behalf of six professors to stop the state's imposition of regulations that require allegiance to highly contested political ideologies, virtually cancelling both academic freedom and the First Amendment.

We should all celebrate these pushbacks, since the politicized dogma of "woke," as well as the requirement of fealty to it, violates the very core of the university's traditional mission and purpose: "to know the best that has been known and thought in the world," as Matthew Arnold defined it, "irrespective of practice, politics, and everything of the kind; and to value knowledge and thought as they approach this best, without the intrusion of any other

consideration whatsoever,” and “through this knowledge, turning a stream of fresh and free thought upon our stock notions and habits, which we now follow staunchly but mechanically.”

The pseudo-concepts of “diversity,” “equity,” and “inclusion” have long been “stock notions” that our “woke” commissars “follow staunchly and mechanically.” Typical of all tyrannies, these words have been warped into propaganda advertising an illiberal political program of expanding the political power of one faction of citizens at the expense of others’ freedom—the cost being paid by our unalienable rights to freely think, and freely speak in the public square our opinions and beliefs.

This political abuse of language was identified as far back as Thucydides’ justly famous description of social and civil breakdown that followed the violent revolutions during the Peloponnesian War: “Words had to change their ordinary meaning and to take that which was now given them. Reckless audacity came to be considered the courage of a loyal supporter; prudent hesitation, specious cowardice; moderation was held to be a cloak for unmanliness; ability to see all sides of a question, incapacity to act on any.”

Our unholy verbal trinity displays the same corruption. “Diversity” is the most abused, having been written into federal law by the recently overturned *Bakke vs. Regents* Supreme Court decision of 1978. This word, however, never has been defined by our race-mongers, nor have the benefits supposedly provided by it. But it’s clear that this spurious “diversity” never has had anything to do with actual diversity, whether of complex ethnic diversity, or the more critical diversity of individuals, their minds, and their characters.

Instead, old “scientific” racism’s crude, indiscriminate, superficial categories like “black” or “white” —much easier for government seeking to identify political clients for its purposes of distributing benefits like set-asides in government contracts—now provide the only meaning of “diversity.” As David E. Bernstein writes in *Classified: The Untold Story of Racial Classification in America*, “The government developed its classification scheme via a combination of amateur anthropology and sociology, interest group lobbying, incompetence, inertia, lack of public oversight, and happenstance.” In short, to achieve partisan political aims, not true diversity.

And, just as 2400 years ago Thucydides recognized, today “diversity” in fact means the opposite: a rigid, homogeneous orthodoxy of an illiberal political ideology that brooks no dissent, and seeks to silence the true diversity of ideas and opinions in order to aggrandize more power and influence for one faction, the “woke” Democrats, at the expense of all the other diverse factions.

Like “diversity,” “equity” also recalls a dysfunction of representative democracy recognized 2400 years ago. True equality is the equality of opportunity and equal rights on a level playing field, where each is free to strive as far as his character, talent, hard work, and yes, luck, can take him. But one of the most pernicious consequences of collectivism has been radical egalitarianism, which depends on levelling off all those disparities of talent, industry, and virtue. As Aristotle wrote, “it arises from the notion that those who are equal in any respect are equal in all respects; because men are equally free, they claim to be absolutely equal.”

But since people are in fact unequal in various respects, to create absolute equality requires a tyranny that can take from some to redistribute to others against their will. And given humanity's innate destructive passions like greed and the lust for power, this levelling will require, as Rudyard Kipling put it, "robbing selected Peter to pay collective Paul." Those who take, moreover, will not base redistribution on merit or even need, but to reward political clients and promote one factional ideology and interests over those of others.

As we have increasingly seen, the result is—apart from the gross violations of our unalienable rights—the dilution of standards and the abandonment of merit in order to ensure the right clients benefit, and the "disparate impacts" that naturally follow from diverse differences in talent or virtue, are corrected.

Yet in actual practice, the result is not justice, even for the beneficiaries, who are robbed of the pride of achievement and reduced to dependence on political patrons, but rather injustice as those who do succeed on their merits must be punished to reward those who don't. But even that injustice is not the worst consequence: eventually, as the state grows more powerful and intrusive, the masses will indeed become more and more "equal" in their poverty and subjection, while the elite aggrandize more and more wealth and power. "Equity" then becomes its opposite, inequality.

The last bastardized word, "inclusion," is a mere redundancy. Once "diversity" and "equity" make their mischief, you will perforce have "inclusion," which means the ruling party's political clients who now share in the favorable regulations, transfers of tax dollars, social and political recognition, and the privilege of being exempt from the laws that are applied with ruthless vigor to their political enemies. Just compare the fates of journalist Andy Ngo to Antifa thugs, trans activists to pro-life Christians, BLM rioters to conservative Catholics, or Donald Trump to Hillary Clinton and the Biden clan.

Still think we have the 14th Amendment's "equal protection of the laws"?

The DEI phenomenon is diametrically opposed to the principles and laws comprising our Constitution: unalienable rights that inhere in individuals rather than collectives, and are beholden only to "Nature and Nature's God," no other men; the sovereignty of citizens from whom government derives its powers, and to whom government is accountable; and the primacy of laws rather than the power and interests of corruptible, flawed human beings.

Finally, and most important, these empty slogans are nonetheless a threat to the whole purpose of our government in the first place—political freedom and political equality for citizens, families, and civil society. The "woke" tyranny of DEI policies weaken all those principles and the freedom they make possible, and as such, it needs to die.

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