

COLLAB

San Luis Obispo County



The Coalition of Labor Agriculture and Business

**WEEKLY UPDATE
NOVEMBER 5 - 11, 2023**

COLLAB
San Luis Obispo County



**15TH ANNUAL
DINNER &
FUNDRAISER**

Save the Date

**THURSDAY MARCH 21ST
5:30 PM**

MADONNA INN EXPO CENTER

**THIS WEEK
SEE PAGE 4**

BOARD OF SUPERVISORS MEETING

**FEE INCREASES PREVIEWED FOR
NOVEMBER 28 HEARING - TOO MANY**

PLAN YOUR 2024 TUESDAYS - BOS MEETING SCHEDULE

**FY 2024-25 PROJECTED \$20 MILLION BUDGET GAP
FUTURE YEARS ALSO PROBLEMATIC**

**FY 2024 BUDGET PRIORITIES & BALANCING
STRATEGIES + BETTER BUDGET ANALYTICS**

**NEW BOARD RULES OF PROCEDURE, PUBLIC COMMENT
MORE CONSTRAINED, FAKE CONFLICT OF INTEREST CODE,
AND GOVERNANCE PROCEDURES ITEM WITHDRAWN
BUT CHECK IT OUT - MORE RESTRICTIVE AND MORE POWER TO THE CHAIR**

**BOB JONES BIKE PATH BETWEEN ROCK AND A
HARD PLACE - CONDEMN PRIVATE PROPERTY FOR
A LINEAR HOMELESS CAMP?**

SUPERVISOR ACTION REQUESTS

COMMUNITY CHOICE ENERGY OPERATIONS BOARD

**\$715 MILLION POWER PURCHASE AGREEMENT
WITH NEW MEXICO WINDFARMS
SHIPPING OUR MONEY AND JOBS OUT OF STATE**

SLO COUNTY WASTE MANAGEMENT AUTHORITY

**WASTE BOARD WILL CONSIDER READMISSION OF
THE COUNTY
COUNTY WILL HAVE ONLY ONE REP FOR ENTIRE
UNINCORPORATED AREA**

**LAST WEEK
SEE PAGE 35**

**SUPERVISORS' HAMAS STATEMENTS IN LIEU OF
RESOLUTION
IMMORAL EQUIVALENCE OF GUILT**

**PASO BASIN WATER DISTRICT BOARDS REAPPOINTED
BOARD MAJORITY REFUSED TO CONDUCT INTERVIEW PROCESS**

**PASO BASIN BLENDED WATER STUDY APPROVED
WHO PAYS, WHO BENEFITS?**

**COUNTY REJOINS WASTE MANAGEMENT AUTHORITY
COUNTY FRITTERING AWAY DIABLO CLOSURE PAYMENTS**

**FY 2024-25 PROJECTED \$20 MILLION BUDGET GAP
FUTURE YEARS ALSO PROBLEMATIC
ITEM CONTINUED**

**SUPERVISOR REQUESTS
NONE LAST WEEK**

**EMERGENT ISSUES
SEE PAGE 46**

**WATCHING IN REAL TIME AS TWO-TERM GOV. GAVIN
NEWSOM DESTROYS CALIFORNIA WITH DEVASTATING
POLICIES**

*Today's 'progressive' politicians advocate for Maoist policies planning on
being immune from the effects*

COLAB IN DEPTH
SEE PAGE 49

**STATE UNIVERSITY OF NY ANTHROPOLOGIST
DEBUNKS FAKE CHUMASH MARINE
SANCTUARY CLAIMS**

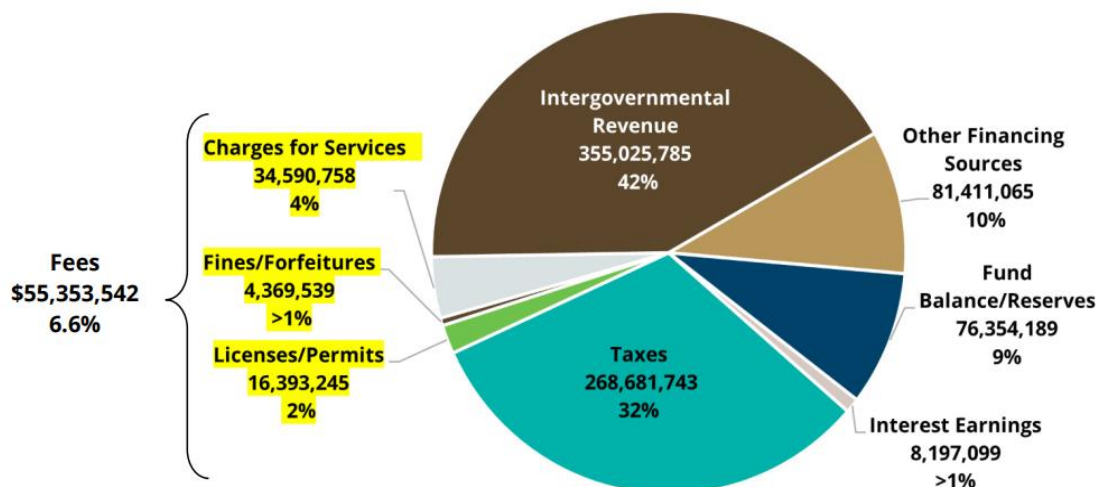
BY BRIAN D HALEY, PhD.

CLIMATE DATA REFUTES CRISIS NARRATIVE
BY EDWARD RING

THIS WEEK'S HIGHLIGHTS
ALL MEETINGS ARE AT 9:00 AM UNLESS OTHERWISE NOTED

Board of Supervisors Meeting of Tuesday, November 7, 2023 (Scheduled)

Item 1 - Introduction of an ordinance implementing the County Fee Schedule "A" for Calendar Year 2024 and Fee Schedule "B" for Fiscal Year 2024-25. This is early warning for the final hearing, which is set for Tuesday, November 28, 2023. Comments may be received now and at the hearing. Various fees constitute 6.6% of the overall government funds Budget.



Many fees are rising and there are a number of new fees. The accession of the leftist Board majority last January gives the staff confidence that fees can be raised without any trouble. For example, no one is going to tie pay raises to results such as doing things at less cost, working faster, or shortening permit review times.

The doctrine of cheaper, faster, better doesn't get a lot of support in government.

Listed below are the Department fees, which primarily impact business, land development, agriculture, construction, and related matters.

Agricultural Commissioner – Fund Center 141

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

Board Discretion Type	Current total	Recommended Changes					New total	Fees at full cost recovery
		Unchanged	Increasing	Decreasing	New	Deleted		
Full	36	17	19	0	0	0	36	12
Partial	23	23	0	0	0	0	23	2
None	20	20	0	0	0	0	20	9
Total	79	60	19	0	0	0	79	23

Significant Fee Increases				
Fee Indicator No.	Fee	FY 23-24 Fee	Proposed FY 24-25 Fee	% Change
3001	Certified Producer Site Inspection 1 site	\$85	\$100	17.6%
5002	Phytosanitary Field Certificate	\$81	\$93	14.8%
5003	Phytosanitary Office Certificate	\$40	\$47	17.5%
5004	Phytosanitary Per Certificate 5pm to 8 am, holidays and Sundays	\$114	\$140	22.8%
5005	Phytosanitary Emergency Origin Certificate	\$17	\$19	11.8%

Significant Fee Increases				
Fee Indicator No.	Fee	FY 23-24 Fee	Proposed FY 24-25 Fee	% Change
6001	Phytosanitary 1st Replacement Per Certificate	\$40	\$47	17.5%
6002	Phytosanitary 2nd and Additional Per Certificate	\$40	\$47	17.5%
16001	Computer Information Requests – Per Hr	\$110	\$121	10.0%
17009	Per Hour Licensed – Weights & Measures Inspector	\$85	\$95	11.8%

County Fire - Fund Center 140

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

Board Discretion Type	Current total	Recommended Changes					New total	Fees at full cost recovery
		Unchanged	Increasing	Decreasing	New	Deleted		
Full	27	27	0	0	13	0	40	40
Partial	0	0	0	0	0	0	0	0
None	0	0	0	0	0	0	0	0
Total	27	27	0	0	13	0	40	40

Proposed Fee Changes				
Fee Indicator No.	Fee	FY 23-24 Fee	Proposed FY 24-25 Fee	Explanation
1008	Code Exception Request - Title 14 Review with Site Visit	-	\$414	This fee is proposed due to new Title 14 specific code exception reviews.
1009	Code Exception Request - Title 14 Review without Site Visit	-	\$164	This fee is proposed due to new Title 14 specific code exception reviews.
2014	Fire Alarm Cell Upgrade	-	\$39	This fee is proposed due to New technology being utilized with fire alarms and the elimination of landlines.

Proposed Fee Changes				
Fee Indicator No.	Fee	FY 23-24 Fee	Proposed FY 24-25 Fee	Explanation
2016	Minor Operational Permit - High Pile Storage Permit	-	\$355	This fee is proposed to address a specific minor operational permit request.
2017	Minor Operational Permit - Hot Works Permit	-	\$88	This fee is proposed to address a specific minor operational permit request.
2018	Minor Operational Permit - Paint Booth Permit	-	\$197	This fee is proposed to address a specific minor operational permit request.
2023	After Issuance Plan Review	-	\$65	New fee for plan review changes after permit has been issued and approved by County Fire.
2026	SB1205 Mandatory Residential Inspection up to 8 units	-	\$86	Inspections mandated by the State of California Senate Bill 1205

2027	SB1205 Mandatory Residential Inspection from 9-19 units	-	\$134	Inspections mandated by the State of California Senate Bill 1205
2028	SB1205 Mandatory Residential Inspections > 19 units	-	\$182	Inspections mandated by the State of California Senate Bill 1205
2029	SB1205 Mandatory R1 (Hotel/Motel) Inspection 1-50 units	-	\$230	Inspections mandated by the State of California Senate Bill 1205
2030	SB1205 Mandatory R1 (Hotel/Motel) Inspection > 50 units	-	\$422	Inspections mandated by the State of California Senate Bill 1205
2031	SB1205 Mandatory Inspection / Reinspection >2	-	\$71	Inspections mandated by the State of California Senate Bill 1205

Planning and Building - Fund Center 142

Planning and Building provides land use planning, development and permit review, and resource management and monitoring for the unincorporated areas of the county.

Board Discretion Type	Current total	Recommended Changes					New total	Fees at full cost recovery
		Unchanged	Increasing	Decreasing	New	Deleted		
Full	241	35	179	15	10	12	239	218
Partial	0	0	0	0	0	0	0	0
None	5	5	0	0	0	0	5	1
Total	246	40	179	15	10	12	244	219

Proposed Fee Changes				
Fee Indicator No.	Fee	FY 23-24 Fee	Proposed FY 24-25 Fee	Explanation
1002	Agricultural Offset Clearance Fee - Water Duty Factor - RTB Deposit	-	\$3,570	New
1005	Agricultural Preserve - Notice of Full Non-Renewal	-	\$754	New
1004	Agricultural Preserve - Contract Cancellation and/or Preserve Disestablish - RTB Deposit	-	\$3,856	New
24041	Scanning surcharge for Building Commercial Plan submitted via hard copy	-	\$207	New
24042	Scanning surcharge for Building Residential Plan submitted via hard copy	-	\$102	New (fee consolidation)
21004	Electrical Service, New / Meter Replacement	-	\$347.00	New (fee consolidation)
21009	Generator / Compressor Installation	-	\$494.00	New (fee consolidation)
23004	Air Handler / Boiler / Chiller	-	\$359.00	New (fee consolidation)
23010	Furnace - New or Replacement	-	\$326.00	New (fee consolidation)
24004	Awning / Canopy / Covered Porch (supported by building)	-	\$426.00	New (fee consolidation)

Proposed Fee Changes				
Fee Indicator No.	Fee	FY 23-24 Fee	Proposed FY 24-25 Fee	Explanation
21002	Compressor Installation	\$426.00	-	Fee Consolidation
21003	Electrical Service, New	\$300.00	-	Fee Consolidation
21005	Electrical Service - Meter Replacement	\$300.00	-	Fee Consolidation
21008	Generator Installation	\$426.00	-	Fee Consolidation
23003	Air Handler	\$310.00	-	Fee Consolidation
23005	Boiler	\$310.00	-	Fee Consolidation
23006	Chiller	\$310.00	-	Fee Consolidation
23009	Furnace - New	\$281.00	-	Fee Consolidation
23011	Furnace - Replacement	\$281.00	-	Fee Consolidation
24003	Awning / Canopy (supported by building)	\$368.00	-	Fee Consolidation
24013	Covered Porch	\$368.00	-	Fee Consolidation
43007	Scanning Surcharge for Building Plans Submitted via Hard Copy	\$348.00	-	Fee Consolidation

Significant Fee Increases				
Fee Indicator No.	Fee	FY 23-24 Fee	Proposed FY 24-25 Fee	% Change
4003	Continuance - All Hearing / Board Types	\$133	\$943	609%
17004	Environmental - Initial Study (RTB deposit)	\$6,534	\$15,381	135%
17011	Geologic Review - Tier I	\$1,936	\$3,096	60%
17012	Geologic Review - Tier II	\$2,483	\$3,589	45%
3004	Project Modification - Tier I	\$706	\$1,289	83%
3005	Project Modification - Tier II	\$1,358	\$2,533	87%
8002	Lot Line Adjustment - Minor	\$1,241	\$3,254	162%
20015	New Construction - Residential (multifamily) - Plan Check	\$1.05	\$1.74	66%
20016	New Construction - Residential (multifamily) - Inspection	\$1.01	\$1.22	21%
20003	New Construction - Assembly, High Hazard, Institutional- Plan Check	\$1.71	\$2.08	22%

Fee Grouping Fee Increases by Fee Grouping		
Fee Grouping	% Change	Explanation
New Construction Plan Check and Inspection Fees	8%	Increase in Salaries, CPI, and other related changes
Fixed Fees _ Mechanical	14%	Increase in Salaries, CPI, and other related changes
Fixed Fees _ Plumbing/Gas	14%	Increase in Salaries, CPI, and other related changes
Fixed Fees _ Electrical	14%	Increase in Salaries, CPI, and other related changes
Fixed Fees _ Grading	14%	Increase in Salaries, CPI, and other related changes
Fixed Fees _ Building Miscellaneous	14%	Increase in Salaries, CPI, and other related changes
Fixed Fees _ Other Building (Fire-rated and Time extension)	14%	Increase in Salaries, CPI, and other related changes
Land Use and Other Fees	8%	Increase in Salaries, CPI, and other related changes

20006	New Construction - Business, Mercantile – Plan Check	\$1.69	\$1.96	16%
20007	New Construction - Business, Mercantile – Inspection	\$1.08	\$1.37	27%
20012	New Construction - Factory and Industrial, Storage – Plan Check	\$0.53	\$1.80	240%
20013	New Construction - Factory and Industrial, Storage - Inspection	\$0.41	\$1.27	210%
20024	New Construction - Shell – Plan Check	\$0.89	\$1.25	40%
20025	New Construction - Shell – Inspection	\$0.72	\$0.88	22%
43009	Technology Fee	7.6%	8.6%	12%

Significant Fee Decreases				
Fee Indicator No.	Fee	FY 23-24 Fee	Proposed FY 24-25 Fee	% Change
1003	Agricultural Preserve - Application for Land Conservation Contract (New, Replacement, or Amendment)	\$5,594	\$2,206	(61%)
1006	Agricultural Preserve - Notice of Partial Non-Renewal (J25)	\$2,157	\$1,486	(31%)
1007	Agricultural Preserve - Williamson Act Land Conservation Contract - Compliance Review with APRC Hearing/Referral Response (J27)	\$3,087	\$865	(72%)
1008	Agricultural Preserve - Williamson Act Land Conservation Contract - General Compliance Review (building permits, vacation rentals) (J26)	\$1,209	\$182	(85%)
20021	New Construction - Residential Accessory Structure – Plan Check	\$1.70	\$0.98	(42%)
20022	New Construction - Residential Accessory Structure – Inspection	\$0.87	\$0.68	(22%)

Significant Fee Decreases				
Fee Indicator No.	Fee	FY 23-24 Fee	Proposed FY 24-25 Fee	% Change
20036	New Construction - Utility & Misc (commercial accessory structure) – Plan Check	\$1.14	\$0.97	(15%)
20037	New Construction - Utility & Misc (commercial accessory structure) – Inspection	\$0.76	\$0.69	(9%)
20027	New Construction - Tenant Improvement (A, H, E, I) – Plan Check	\$3.15	\$1.36	(57%)
20028	New Construction - Tenant Improvement – (A, H, E, I) Inspection	\$1.89	\$0.96	(49%)
20033	New Construction - Tenant Improvement (F, S) - Plan Check	\$1.91	\$1.17	(39%)
20034	New Construction - Tenant Improvement (F, S) - Inspection	\$1.35	\$0.82	(39%)
26002	Construction Waste Management Plan (CWMP) – Non-Compliance Fine	\$20 Per Ton	\$1.00 per square foot	N/A

Public Health – Environmental Health – Fund Center 160

Board Discretion Type	Current total	Recommended Changes					New total	Fees at full cost recovery
		Unchanged	Increasing	Decreasing	New	Deleted		
Full	44	3	41	0	0	0	44	36
Partial	131	3	128	0	0	0	131	109
None	0	0	0	0	0	0	0	0
Total	175	6	169	0	0	0	175	145

Significant Fee Increases				
Fee Indicator No.	Fee	FY 23-24 Fee	FY 24-25 Fee	% Change
4008	Cross-Connection Inspection	\$132	\$146	10.6%
4009	Cross-Connection Plan Check	\$132	\$146	10.6%

Public Works – Special Services – Fund Center 201

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

Board Discretion Type	Current total	Recommended Changes					New total	Fees at full cost recovery
		Unchanged	Increasing	Decreasing	New	Deleted		
Full	25	9	15	1	0	0	25	23
Partial	0	0	0	0	0	0	0	0
None	0	0	0	0	0	0	0	0
Total	25	9	15	1	0	0	25	23

Significant Fee Increases				
Fee Indicator No.	Fee	FY 23-24 Fee	Proposed FY 24-25 Fee	% Change
2005	Bldg Permit – Residential	\$313 + optional C&I Agreement	\$373 + optional C&I Agreement	19%

Significant Fee Increases				
Fee Indicator No.	Fee	FY 23-24 Fee	Proposed FY 24-25 Fee	% Change
2006	Bldg Permit – Commercial	\$375 + optional C&I Agreement	\$447 + optional C&I Agreement	19%
2007	Bldg Permit – Grading	\$375 + optional C&I Agreement	\$447 + optional C&I Agreement	19%
2008	Bldg Permit – Solar	\$63.00	\$75.00	19%
2011	Certificate of Compliance - Application (Non Lot Line Adjustment)	\$279.00	\$323.00	16%
2016	Lot Line Adjustments	\$326.00	\$397.00	22%
2017	Pre Application Fee	\$206.00	\$240.00	17%

Significant Fee Increases				
Fee Indicator No.	Fee	FY 23-24 Fee	Proposed FY 24-25 Fee	% Change
4002	Road Impact Fee Appeal	\$684	\$821	20%
4005	Utility Encroachment: Non-Routine	\$654	\$1,157	77%

Significant Fee Decreases				
Fee Indicator No.	Fee	FY 23-24 Fee	Proposed FY 24-25 Fee	% Change
4004	Driveway Encroachment Permit	\$1,170	\$1,036	(11%)
4007	Utility Blanket Encroachment: CSDs	\$2,168	\$1,949	(10%)

Item 2 - Request to approve the Board of Supervisors Meeting Calendar for 2024. Please retain and mark your calendars accordingly. The Board loves participation.

2024 Board of Supervisors Meeting Calendar

January							February							March							April						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
	1	2	3	4	5	6					1	2	3						1	2		1	2	3	4	5	6
7	8	9	10	11	12	13	4	5	6	7	8	9	10	3	4	5	6	7	8	9	7	8	9	10	11	12	13
14	15	16	17	18	19	20	11	12	13	14	15	16	17	10	11	12	13	14	15	16	14	15	16	17	18	19	20
21	22	23	24	25	26	27	18	19	20	21	22	23	24	17	18	19	20	21	22	23	21	22	23	24	25	26	27
28	29	30	31				25	26	27	28	29			24	25	26	27	28	29	30	28	29	30				
													31														

May							June							July							August						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
			1	2	3	4						1		1	2	3	4	5	6					1	2	3	
5	6	7	8	9	10	11	2	3	4	5	6	7	8	7	8	9	10	11	12	13	4	5	6	7	8	9	10
12	13	14	15	16	17	18	9	10	11	12	13	14	15	14	15	16	17	18	19	20	11	12	13	14	15	16	17
19	20	21	22	23	24	25	16	17	18	19	20	21	22	21	22	23	24	25	26	27	18	19	20	21	22	23	24
26	27	28	29	30	31		23	24	25	26	27	28	29	28	29	30	31				25	26	27	28	29	30	31
							30																				

September							October							November							December						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6	7			1	2	3	4	5						1	2	1	2	3	4	5	6	7
8	9	10	11	12	13	14	6	7	8	9	10	11	12	3	4	5	6	7	8	9	8	9	10	11	12	13	14
15	16	17	18	19	20	21	13	14	15	16	17	18	19	10	11	12	13	14	15	16	15	16	17	18	19	20	21
22	23	24	25	26	27	28	20	21	22	23	24	25	26	17	18	19	20	21	22	23	22	23	24	25	26	27	28
29	30						27	28	29	30	31			24	25	26	27	28	29	30	29	30	31	1	2	3	4
																				5	6	7	8	9	10	11	

Board Meetings	Swearing in Meeting	Board Break	CSAC Annual Conference
Special Redistricting Eve Mtg	Budget Hearings	Holidays	BOS Chambers AV Work
Study session		Board Break/AV Chamber work	

It appears that there will be major work on the Board’s chambers in the summer of 2024 (the purple dates).

Added Item 23 - Consideration of a report regarding the County’s Fiscal Year 2024-25 and Multi-Year financial forecast. This item will be heard in the morning before **Item 17**. The item will be taken out of order because the information impacts **Item 17** below. **Item 23** was carried over from last week when the Board ran out of time.

The item presents a detailed and well documented comprehensive Budget forecast for FY 2024-25 and a projection for the two subsequent fiscal years, FY 2025-26 and FY 2026-27. Also presented is a general strategy for closing the impending gaps. The strategy prioritizes public safety. The summary states in part:

Overall, the County’s budget continues to be in an increasingly precarious position, due to its projected rate of spending outpacing its revenues. Given this, continued compliance with the Board-adopted Budget Goals and Policies and Budget Balancing Strategies and Approaches will be important to addressing expected budget gaps to meet our legal requirements to adopt balanced budget each year and assuring the ongoing fiscal health of the County. Fortunately, the County has historically taken a conservative approach to budgeting, routinely budgeting a contingency, and maintaining adequate reserve levels. These practices will serve the County well in the coming years.

The future year projections are carefully constructed and present alternative scenarios about deficits that could occur based on salary increases, national and state economic impacts (recession), and adding more staff.

One Year Projection:

All Government Funds - excludes the various utilities and dependent special districts that are theoretically self-supporting

Revenues:

Financing Source Category	2023-24 Budget	2024-25 Forecast	\$ Diff	% Diff
Fund Balance Available (FBA)	\$50,786,248	\$42,508,752	-\$8,277,497	-16.30%
Non-Departmental Revenue	\$274,603,870	\$287,383,801	\$12,779,931	4.65%
Departmental Revenue	\$374,526,742	\$379,796,860	\$5,270,118	1.41%
<i>Subtotal</i>	\$699,916,860	\$709,689,413	\$9,772,553	1.40%
Cancelled Reserves	\$13,801,521	\$1,059,126	-\$12,742,395	-92.33%
Total Financing Sources	\$713,718,381	\$710,748,539	-\$2,969,843	-0.42%

Expenditures:

Expenditure Category	2023-24 Budget	2024-25 Forecast	\$ Diff	% Diff
Salaries and Benefits	\$386,506,118	\$396,289,499	\$9,783,381	2.53%
Non-Salaries	\$283,095,438	\$294,828,317	\$11,732,879	4.14%
Contingencies	\$33,499,242	\$34,555,891	\$1,056,649	3.15%
<i>Subtotal</i>	\$703,100,798	\$725,673,707	\$22,572,909	3.21%
New Reserves	\$10,617,583	\$5,212,398	-\$5,405,185	-50.91%
Total Expenditures	\$713,718,381	\$730,886,105	\$17,167,724	2.41%

Gap:

Per the assumptions noted above, the forecasted budget for the General Fund for FY 2024-25 is:

\$710,748,539	Total financing sources (revenues)
\$730,886,105	Total financing uses (expenditures)
(\$20,137,566)	Total forecast surplus/(gap)

Non-Departmental Revenues - These revenues are not restricted to specific purposes. The Board has the most discretion over their use. Accordingly, they largely support public safety, support departments such as County Council, CAO, Human Resources, Auditor Controller, etc., and local matches on State and Federal programs.

The table below outlines the assumptions for the FY 2024-25 forecast for non-departmental revenue:

Revenue	2021-22 Actual	2022-223 Actual	2023-24 Budget	2024-25 Forecast	\$ Diff: 23-24 Bud & 24-25 Forecast	% Diff: 23-24 Bud & 24-25 Forecast
Secured Prop Tax	\$137,463,005	\$147,139,887	\$153,906,156	\$161,663,741	\$7,757,585	5.0%
Unitary Tax	\$4,920,304	\$4,523,249	\$4,425,948	\$4,023,479	-\$402,469	-9.1%
Supplemental Prop Tax	\$3,298,724	\$4,809,193	\$2,345,990	\$4,001,248	\$1,655,258	70.6%
Prop Tax in lieu of VLF	\$42,715,055	\$45,635,993	\$47,461,433	\$50,420,090	\$2,958,657	6.2%
Prop Transfer Tax	\$4,456,223	\$3,165,487	\$4,080,000	\$3,544,500	-\$535,500	-13.1%
Sales Tax	\$16,148,516	\$15,408,856	\$16,500,000	\$16,500,000	\$0	0.0%
TOT	\$17,151,646	\$16,547,954	\$18,375,000	\$17,416,211	-\$958,789	-5.2%
All Other	\$25,267,209	\$43,774,131	\$27,509,343	\$29,814,532	\$2,305,189	8.4%
Total (Non-Dept. Rev.)	\$251,420,682	\$281,004,749	\$274,603,870	\$287,383,801	\$12,779,931	4.7%

The 3 Year Projection - As noted at the beginning of this section, the gap amounts depend on the assumptions about staffing levels, raises, and the economy.

Baseline

As noted, as a baseline for this multi-year forecast, revenues and expenses from the detailed financial forecast already presented to your Board were projected into two additional years using the assumptions already described. Next year's detailed forecast suggests a deficit of approximately \$20.1 million, with a range that reflects existing uncertainties. Assuming a Status Quo General Fund (GF) budget in subsequent years, the GF will continue a deficit that will continue throughout FY 2026-27 without reducing expenditures.

	FY 2024-25	FY 2025-26	FY 2026-27
Revenues	\$710,748,539	\$733,093,246	\$756,208,273
Expense	\$730,886,105	\$748,367,648	\$766,426,860
Surplus/Deficit	-\$20,137,566	-\$15,274,402	-\$10,218,587

Annual Salary Increases of 1%

Annual salary increases of 1% result in a GF budget that is more negative (deficit) than the baseline beginning in FY 2025-26, continuing to be negative (deficit) in FY 2026-27. It is worth noting that because of the manner in which salary increases currently being negotiated were handled in the Baseline forecast, no additional increases were included for FY 2024-25. Instead, the 1% increase was assumed to be added starting in FY 2025-26.

	FY 2024-25	FY 2025-26	FY 2026-27
Revenues	\$710,748,539	\$733,093,246	\$756,208,273
Expense	\$730,886,105	\$752,372,946	\$769,351,253
Surplus/Deficit	-\$20,137,566	-\$19,279,700	-\$13,142,980

Annual CPI (4.0%) Salary Increases

Increasing salaries on an annual basis at a rate equivalent to the calculated CPI (4.0%) results in a negative budget (budget gap) throughout the multi-year forecast horizon. Assuming the FY 2024-25 deficit (budget gap) is closed, FY 2025-26 would continue a significant deficit of approximately \$31.3 million and \$43.3 million in FY 2026-27. The same assumptions applied in the 1% Annual Salary increase scenario regarding timing of increases was applied to this scenario as well. Increasing salaries without reducing expenses will not be feasible.

	FY 2024-25	FY 2025-26	FY 2026-27
Revenues	\$710,748,539	\$733,093,246	\$756,208,273
Expense	\$730,886,105	\$764,388,840	\$799,459,802
Surplus/Deficit	-\$20,137,566	-\$31,295,594	-\$43,251,529

Adding Positions

As noted in the Assumptions section, the County has added an average of 22 GF positions over the past 5 years. As shown below, the GF budget remains in negative territory throughout FY 2026-27 should positions be added at this rate per year beginning in FY 2024-25.

	FY 2024-25	FY 2025-26	FY 2026-27
Revenues	\$710,748,539	\$733,093,246	\$756,208,273
Expense	\$734,177,598	\$751,659,140	\$791,593,625
Surplus/Deficit	-\$23,429,059	-\$18,565,895	-\$13,510,080

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Surplus/Deficit	-\$23,429,059	-\$18,565,895	-\$13,510,080

Since these factors do not occur in isolation, various combinations could result in a more severe gap.

Other than the retention of Diablo, the report does not speculate on the potential of generating additional revenue though major economic development, such as:

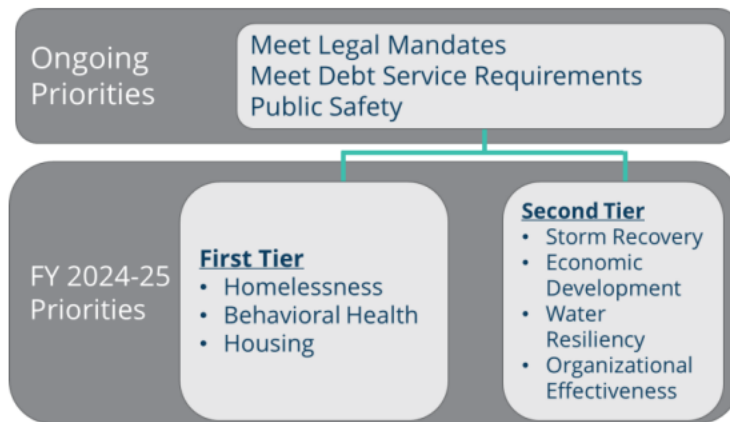
- **Adding units to Diablo and replacing the existing units.**
- **Offshore wind**
- **Development of 5 Star destination resorts - Including, God forbid, the Lone Madrone Ritz Carlton tucked in the valley up behind the traffic circle.**
- **Oil development**
- **Para mutual horse racing - Like Keeneland in Kentucky**
- **Major Google site - they are looking to site a new 1.5 million sq. ft. facility in Ca.**



Item 17 - Review of the FY 2024-25 Budget Goals and Policies, Budget Balancing Strategies and Approaches, and Board Priorities, and provide direction to staff as necessary, including authorizing the County Administrative Officer to implement any mid-year budget balancing strategies, including but not limited to a ‘hiring chill.’ Each year the Board reviews its overall Budget policies and priorities in November. This allows the CAO to issue budget directions for the preparation of the subsequent year Budget (in this case FY 2024-25) and for the Departments to prepare their requests. The CAO then reviews the requests and submits his recommendations in May for June adoption.

These current adopted priorities are depicted in the graphic below:

FY 2024-25 Proposed Budget Focus



Long term budget balancing strategies:

1. Priority Driven- One of the starting points of the budget process is to identify Board priorities so staff can craft budget proposals that align with these priorities. The Board's current priorities are as follows (in order):
 - a. Ongoing Priorities: Meet legal mandates and debt service requirements, and Public Safety, defined as:
 1. Sheriff-Coroner (Fund Center 136)
 2. District Attorney (Fund Center 13201)
 3. Probation (Fund Center 139)
 4. County Fire (Fund Center 140)
 - b. First Tier Priorities specific to FY 2024-25:
 - i. Homelessness
FY 2024-25 Budget Balancing Strategies and Approaches
 - ii. Behavioral Health
 - iii. Housing
 - c. Second Tier Priorities specific to FY 2024-25:
 - i. Storm Recovery
 - ii. Economic Development
 - iii. Water Resiliency
 - iv. Organizational Effectiveness

We expect these to remain unchanged.

Significantly, the new CAO is recommending some welcome upgrades to the process and document.

Building a Better Budget

Line of Effort	Description
Phase 1	
Budget savings incentive	Initiate a budget savings incentive program for departmental savings
Build in "known" labor costs in budget	Build in known or estimated labor increases for the year
Build in vacancy rate	Build in a historical average of vacancy rate savings
Status Quo definition	Better define "status quo" budgeting
Overhead/Cost plan review	Full review impact of how the County budgets for overhead costs, including the 10-year rolling average
Phase 2	
Budget enhancements with SAP Replacement	Continue to work with the project team for the replacement of the County's Enterprise Resource Planning (ERP), Financial Management System (SAP), to enhance the County's budget and forecasting capabilities.
Implement real program-based budgeting /performance-based budgeting	Improve ability to budget at program level, including revenue sources for positions

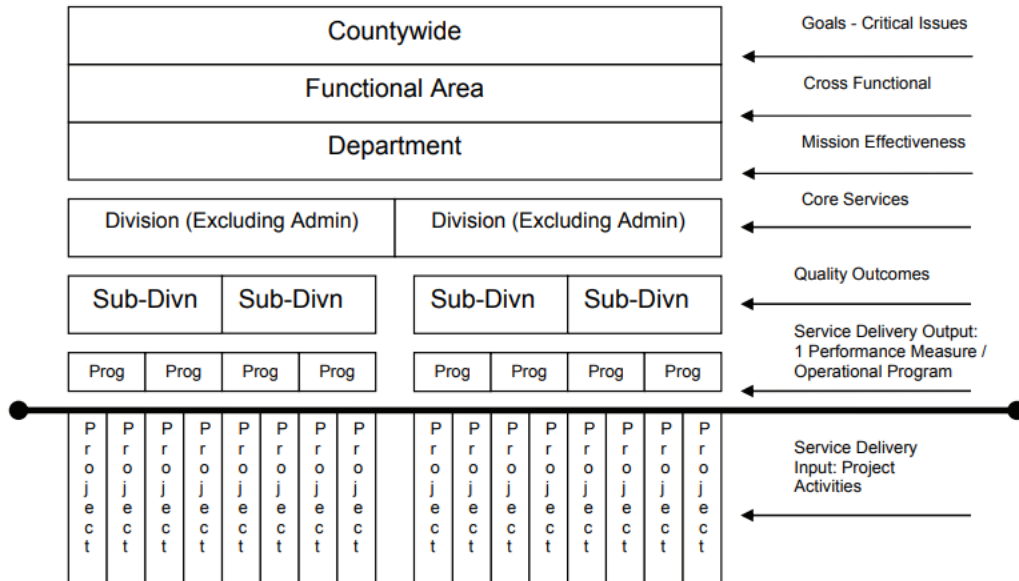
These are very positive and should be backed strongly by the Board of Supervisors.

They will, when fully implemented, provide management and the Board with a much stronger ability to control and implement policy. They will facilitate much more refined and sharp financial control and will enable the County to increase productivity.

Given the initiatives listed above , the County could adopt a true performance based budgeting system such as is conceptually displayed below

Levels of Performance Reporting

The cascading levels of performance measures in County departments include: Countywide, Functional Area, Program Cost Center, and Individual Measures. These are illustrated in the following chart and each are then explained, in turn.



Matters After 1:30PM

Item 20 Withdrawn - Request to adopt amendments to the Board of Supervisors Rules of Procedures and consider the Election of Officers selection outlined in the Rules of Procedure and provide direction as deemed necessary. For whatever reason, the item was withdrawn. The notice states:

Item #20 - Request to adopt amendments to the Board of Supervisors Rules of Procedures and consider the Election of Officers selection outlined in the Rules of Procedure and provide direction as deemed necessary. This item is being withdrawn and moved to a later date.

Notwithstanding the withdrawal of the item from the agenda, outlined below are some of the significant amended and new features. These are extensive and bear close examination by the public. It is not certain when these provisions will reappear on the agenda.

The write-up states in part:

The item promulgated a new set Board Rules of Procedures which include:

The notable changes to existing Rules of Procedures for your consideration, include:

- *Section III - Public Comment was expanded to add and clarify language related to specifying public behavior that is prohibited. The Board’s previously adopted Code of Civility is referenced and included as an appendix.*

- *Section IV - Procedure was expanded to include information regarding officers (Section B(1-3)), clarification of the parliamentary authority (Section C(1-9)), addition of specific language related to reconsideration actions, and reference to conflict of interest language which is included in an appendix. Additionally, governance principles are referenced and also included in an appendix.*

- *Section V - Committee is amended to include language which recommends, when feasible, that Board members serving on commissions and boards, bring items being considered by those bodies to the Board of Supervisors when those items impact the County of San Luis Obispo and are within the authority of the Board of Supervisors.*

- *Appendix A, Code of Civility has been added to the Rules of Procedures. This previously adopted code is intended to emphasize order in the Board's discourse with the public, staff, and each other.*

- *Appendix B, Conflict of Interest has been added to the Rules of Procedures. The section has been clarified and amended by County Counsel.*

- *Appendix C, Governance Principles has been added to the Rules of Procedures. This is a new section to the Rules of the Procedures and includes:*

- o Norms for Positive Governance Culture*

- o Roles and Responsibilities, including language stating that Board members represent the Board of Supervisors' official positions in all public meetings, unless expressing personal views requiring the public to be so advised.*

The intent of these governance principles is to provide to the Board examples of best practices throughout the state and when followed by the Board can directly lead to high levels of sustainable organizational performance.

Election of Officers

The staff that prepared the item left the current district rotation system intact; however, they pointed out that the Board has discretion to do otherwise.

Election of Officers of the Board

The current Rules of Procedures has not been amended (Section IV(B)(4)), -. However, it may be amended based upon the following discussion and the Board action that may result.

And

Throughout the state and even in San Luis Obispo County, it is not unheard of to break the numerical rotation when selecting the chair. Statewide, this has been done for a variety of reasons such as the newness of a board member, the death of a board member, and an ongoing crisis to name a few examples.

Supervisor Arnold is next up in the normal rotation. There has been some speculation that Supervisor Gibson might prefer someone else.

Some key changes:

Note that ~~deletions~~ have a line through them and red is new text.

PUBLIC COMMENT

This section contains new restrictions on the form and content of public comment. These include provisions for the Board to examine the public, limitations on public demonstrations, prohibition on use of “electronic devices”, whatever that means. Does this prohibit cell phones, cameras, video recording, etc. Hand held signs are prohibited.

~~D.E.~~ Comments should be clear and brief and maintain a courteous and polite demeanor. Personal attacks, abusive language and other disruptive behavior must be avoided. No person will be permitted to make slanderous or profane remarks against any individual. The Board as a whole is committed to the respectful exchange of ideas. (Please see appendix A. Code of Civility)

~~F.~~ Board members may respond briefly to statements made or questions posed. They may ask questions for clarification, make a referral to staff for factual information or request staff to report back to the Board at a later meeting. The Board may take action to direct staff to place a matter of business on a future agenda.

~~G.~~ Additional comments and questions from those unable to attend may be submitted in writing, ideally prior to the Board meeting, by emailing Boardofsups@co.slo.ca.us

~~H.~~ Actions Prohibited during Board of Supervisors’ Meetings:

1. Applause or vocal expression of support or opposition. All demonstrations, including cheering, yelling, whistling, hand clapping, and foot stamping are prohibited.

2. Use of electronic devices, unless they are in silent mode are prohibited.

3. Handheld signs in the Legislative Chambers are prohibited.

4. Possession of weapons, illegal substances, or dangerous materials are prohibited.

5. The Chairperson will cause to be removed any person who disrupts, disturbs, impedes, or renders infeasible the orderly conduct of a meeting of the Board of Supervisors. The Chairperson may recess the meeting to allow the group or groups of persons willfully interrupting the meeting to leave the meeting or be removed from the meeting.

VOTING PROCEDURES

6. Any Board member who votes in the majority on a question, as well as any Board member who was absent, is eligible to make a motion to reconsider. A motion to reconsider shall be in order during the meeting at which the action to be reconsidered took place. In all other cases, motions for reconsideration must be placed on a future agenda for action. A motion to reconsider shall require a majority vote. A motion to reconsider, if lost, shall not be renewed nor shall any subject be reconsidered a second time within twelve (12) months except by a four-fifths (4/5) vote of the Board. A motion to reconsider is not in order if action has been taken which cannot be changed.

If the old Board majority regains the Board at some point, this one could lock out policy changes for a year.

NEW CODE OF CIVILITY:

This one seeks to paper over real disagreements with and challenges to the government. It also assumes that the government is acting in the peoples' best interests. It is not legal to ban anger, disappointment, and disgust. The Board of Supervisors should not emulate the Imperial Byzantine Court of the Emperor Justinian, where the Emperor and court sat behind a veil. Nor should it be Presidium of the Chinese Communist Party, immune from hard criticism. It's not even a State Senate Committee. It is a local body subject to public interaction, including criticism of individual members.

Appendix A Code of Civility

CODE OF CIVILITY

A healthy democracy respects the people's right to debate issues with passion. A healthy democracy not only tolerates disagreement but welcomes it in order to refine ideas and create policies that benefit the greater good.

The deterioration of civility across the country and within our community poses a threat to our democracy and our civic well-being. This deterioration:

- Compromises the integrity of a healthy, representative democracy.
- Closes the door on depth of thought, reducing complex problems to harmful oversimplification.
- Deters potential leaders from running for office or serving in government.
- Poisons the civic well and discourages citizens from engaging on pressing community issues.
- Casts the spotlight on poor behavior rather than shining a light on possible solutions.
- Sets a poor example for our children.

We have crafted this Code of Civility as a promise to each other, and to the people and institutions we serve, that we will always strive to conduct our debates - whether in person, online, or in written communication - in ways that allow for the widest range of opinions on ideas and policies, yet also respect the dignity, integrity, and rights of those with whom we might disagree. With our individual and collective commitment to this code, we welcome our elected colleagues, the press, and the public to hold us accountable.

In our deliberations we pledge to:

- Listen First: We will make an honest effort to understand views and reasoning of others by listening to understand, not listening to find fault, allowing thoughtful discussion to lead to the best possible outcomes.
- Respect Different Opinions: We will invite and consider different perspectives, allowing space for ideas to be expressed, opposed, and clarified in a constructive manner.
- Be Courteous: We will treat all colleagues, staff, and members of the public in a professional and courteous manner whether in person, online, or in written communication, especially when we disagree.
- Disagree Constructively: We strive to advance solutions to community issues; when faced with disagreement, we do more than simply share our concerns with differing positions, we work to propose a course of action of mutual benefit.
- Debate the Policy Not the Person: We will focus on the issues, and not personalize debate or use other tactics that divert attention from the issue.

NEW CONFLICT OF INTEREST CODE (Please see the next page)

Appendix B – Conflict of Interest

CONFLICTS OF INTEREST

To assure their independence and impartiality on behalf of the common good and compliance with conflict of interest laws, all County officials shall use their best efforts to refrain from creating an appearance of impropriety in their actions and decisions. No County official shall engage in any business, transaction or activity, or have a financial interest, which is in conflict with the proper discharge of official duties, which would tend to impair independence of judgment or action in the performance of official duties, which creates the appearance of such conflict, or which otherwise violates applicable County policies or state or federal law.

Disclosure of Campaign Contributions. Pursuant to Government Code section 84308, members of the Board of Supervisors are disqualified and not able to participate in any agenda item involving contracts (other than competitively bid, labor, or personal employment contracts), franchises, discretionary land use permits and other entitlements if the Board member received more than \$250 in campaign contributions from the applicant or contractor, an agent of the applicant or contractor, or any financially interested participant who actively supports or opposes the County's decision on the agenda item since January 1, 2023.

Members of the Board of Supervisors who have received, and applicants, contractors or their agents who have made, campaign contributions totaling more than \$250 to a Board member since January 1, 2023, are required to disclose that fact for the official record of the subject proceeding.

Disclosures must include the amount of the campaign contribution and identify the recipient Board member and may be made either in writing to the Clerk of the Board of Supervisors prior to the subject hearing or by verbal disclosure at the time of the hearing.

Of course contributions of tens or even hundreds of thousands of dollars by government employee labor unions are exempted by state law. This places business, agricultural, and fiscal restraint advocates at a huge disadvantage. Will the Supervisors, if they really support prohibition of conflict of interest, ban receding such contributions? After all, they vote on raises

and benefits of those very employees who, in turn, materially support them. Gibson received all his big corporate water money before the December 31, 2022 deadline.

NEW GOVERNANCE PRINCIPLES

This one appears to have been copied from some government professionals' advocacy organization text on how city managers and county administrators can maintain good relations with their employers. It misses the point entirely. First of all, the Supervisors represent the people, who are sovereign. They temporarily preside over specific functions which are delegated to them by law. The Appendix C below is a huge slap in the face to the people. In America the traditional primary job of government is to protect the people from the government.

From the standpoint of policy and the proposed Governance Principles, the County is frozen in the obsolete (though trendy) policy paradigms of "sustainability" and "consumption." It is unlikely that the staff and Board (given the text of the proposed "Governance Appendix") have any idea about this. They are like fish in water. They do not know that there are other realms without water.

First and foremost, the County officially conceives of itself as a provider of consumptive societal goods, which it characterizes as "needs and desires of the community." A problem is that, as utilitarian goals, they focus the organization on expanding the services and products as its highest value and reason for existence. This misses the ultimate and most important guiding purpose. As we have pointed out repeatedly, the unique and animating historic genius of the American Constitutional system was and is that its key purpose is to protect people from their government. The Constitution and its derivative state and local laws recognize that on a practical level, government exists to insure freedom, safety of persons and property, legal stability, public order, and the general welfare in society. Its very distinctive character is that it recognizes that governments themselves have always been and always will be the greatest threat to those very principles.

Accordingly, the County would do well to adopt the statement below as its overarching purpose and organizational value, against which substantive policy and organizational values are measured.

PROTECT LIBERTY, PERSONAL SECURITY, PRIVATE PROPERTY, AND FREEDOM WHILE PROMOTING INDIVIDUAL RESPONSIBILITY, STRONG FAMILIES, AND ECONOMIC OPPORTUNITY.

Continued on the next page:

Appendix C Governance:

Governance Principles

Definition:

The San Luis Obispo County Board of Supervisors (Board) is the governing body for the County of San Luis Obispo. Governance is the act of transforming the needs and desires of the community into policies that direct the organization. At its core, the Board sets direction related to policy, budget and finance, human resources, collective bargaining, facilities, and advocacy.

Whether in Board Chambers or out in the community, Board members serve as the stewards of the County, a regional government that provides countywide services to all residents; municipal services to residents in the unincorporated areas; and State and Federal services as a political subdivision of the State.

Utilizing effective governance practices, private citizens, once elected to the Board of Supervisors, work to keep the organization's efforts focused on its mission, values and strategic goals. The community elects Board members to set and monitor the direction of the County with the County Administrator, who translates this direction into action. The Board does not administer the County, but rather governs it.

Governance Principles:

The Board employs various principles in order to govern as a team, strategically focused and mission driven. They are as follows:

- Strategic Approach: The Board establishes and follows a long-term view on strategy and performance, focusing on sustainable success.
- Align Goals with Resources: As a fundamental principle, the Board allocates adequate resources when establishing new goals and activities. The Board does not ask staff to deliver goals without the necessary resources unless there is an acknowledgement and acceptance that additional priorities often require a delay or deletion of current priorities. The Board recognizes that the desire to create or adapt to new demands requires reprioritization of existing strategies, goals, and objectives.
- Hold the organization accountable through mutually agreed upon standards: With roles and relationships defined, the Board governs in a transparent, open, and collaborative environment.
- Commit to continuous learning and improvement: encourage and support staff efforts to improve process, streamline service delivery, and enhance customer quality. Support the Board and staff to seek leadership positions at regional, state, and national levels.

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- Commit to continuous learning and improvement: encourage and support staff efforts to improve process, streamline service delivery, and enhance customer quality. Support the Board and staff to seek leadership positions at regional, state, and national levels.

- Communicate information about County policies, priorities, fiscal condition and progress on goals. Because the Board functions as a body, i.e., acting on a majority vote, it is important that members represent the Board of Supervisors' official position, or if expressing personal views, the public is so advised.
- Represent the needs of individual districts as well as the needs of the county as a whole.
- Support, honor, affirm and celebrate the value of those who work for San Luis Obispo County.
- The Board models the civic behavior that the Board expects the employees of the County to exhibit.

The Primary role of the Board Chairperson is to:

- The Chairperson of the Board of Supervisors directs the efficient and transparent operation of the Board.
- In consultation with the County Administrator, the Board Chairperson develops and approves Board meeting agendas and serves as a sounding board for the County Administrator on matters of significant concern.
- With agreed upon procedures, the Board Chairperson conducts Board meetings consistent with the law and the principle of transparency, ensuring the Board, staff and public understand the process and actions to be taken, and that adequate and equitable public input is received prior to Board discussion and deliberation.
- With the ability to communicate the position of the Board, the Board Chairperson generally serves as spokesperson for the County in:
 - Press releases and media events
 - Public events
 - Correspondence
 - Exceptions: District-specific events or areas of expertise
 - Able to articulate Board actions and policies, and when discussing Board actions in public, clarifies when speaking on behalf of the Board vs. own opinion.

The primary role of the Board members is to:

- Generally, keeps colleagues informed of activities, especially related to Board assignments, constituent issues and concerns of which they are involved that have a countywide impact via the Board Member Comments and Reports section of the Board meeting.
- While addressing issues the Board, considers the concerns of all, especially on countywide policy issues.
- Informs appropriate Supervisor when assisting constituents outside their district.

- Initiatives brought forward by individual Board members for Board consideration should first be heard under the Board Member Comments and Reports on Meetings section of the Board meeting, and then as necessary, the item will be scheduled for a subsequent agenda. Additionally, during this portion of the agenda, 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.
- Individual Board members are encouraged to ask questions concerning items on the agenda prior to the meeting with the County Administrator and/or by contacting the department head in advance.

The primary role of the County Administrator is to:

- Support and implement the direction, policy and strategic goals adopted by the Board.
- Hire and manage the department heads (with the exception of elected officials, the County Counsel, and the Director of Human Resources).
- Promote collaboration across the organization and administer the county in an effective and equitable way.
- Establish and maintain a positive organizational culture.

Desired End State:

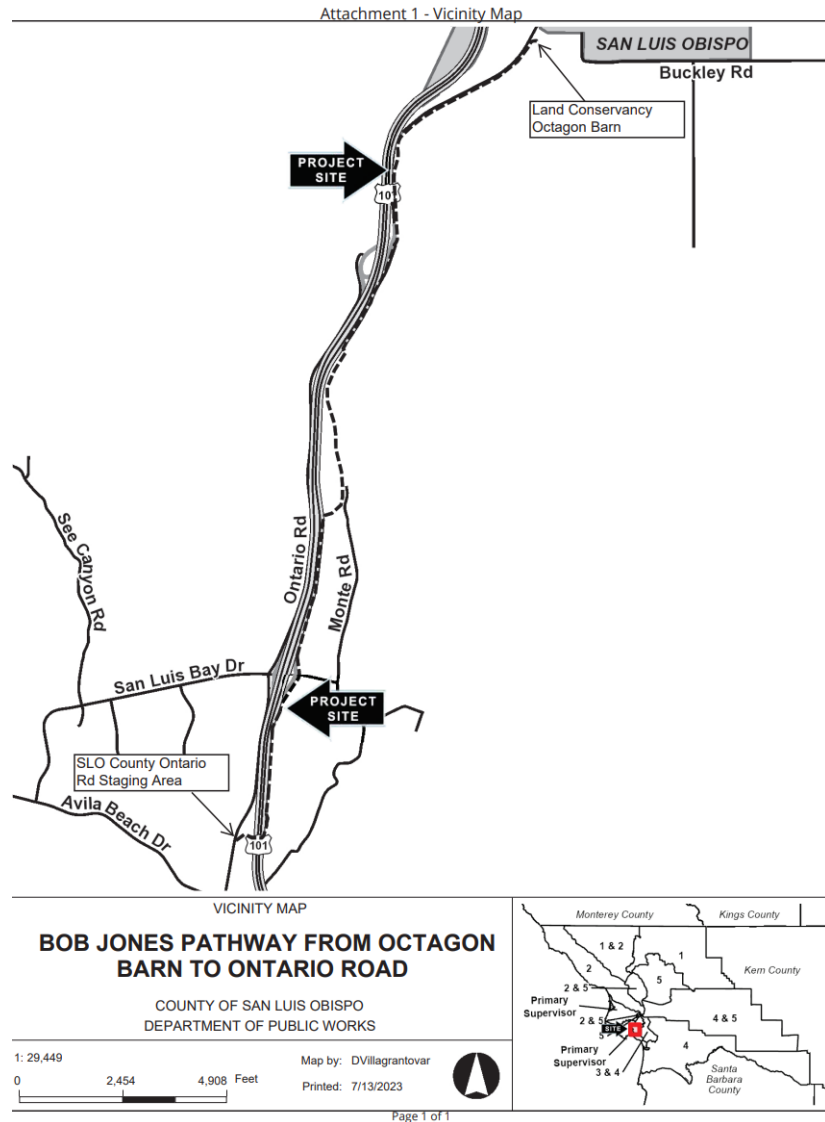
Effective governance requires a broad, systemic view of the County, and an approach to all Board responsibilities with a focus on achieving the strategic outcomes the Board has set and how to effect policy change as a team rather than an individual. Working toward a common goal as independently elected individuals requires patience, understanding, respect and most importantly, common courtesy. While not an exhaustive list of all elements of governance, the items listed within represent the best practices throughout the state and when followed can directly lead to high levels of sustainable organizational performance.

Item 21 - Request to receive direction from the Board on options to amend the scope or phasing of the Bob Jones Pathway Gap Closure Project to continue progress in order to meet the grant funding timeline for the Bob Jones Pathway from the Octagon Barn to Ontario Road Project, Avila. The project and County are stuck between a rock and a hard place.

To date, Project development has been delayed due to right of way issues, specifically at the Bunnell property. An easement through the Bunnell property is necessary to complete the Project, and the Project team has continued to work with the property owner in the hope of reaching an agreement. However, the property owner has indicated that they will not grant an easement for the Project. In addition, permission for access needed to complete design work on this segment of the pathway has not been granted. Without an easement agreement with this property owner, the Project, as currently planned, will not be able to meet the ATP grant funding timelines to be ready for construction by February 2025 and is at risk of losing the \$18.25 million in grant funds.

There is one property owner who will not sell the needed right of way for one segment. Supervisor Arnold is opposed to government condemnation of private property for recreation purposes. A unanimous vote is required to condemn.

This item discusses several alternatives, including rescoping the project (which increases the costs) and would require approval of the State. The alternative is messy and complicated. The project has wide support as a tourist generating facility and by local bike advocates.



The bike advocates have a disproportionate impact on County policy, as Gibson is apparently somewhat of a bike enthusiast. Most people think they are a pain in the ass. Just look at the new concrete traffic lane dividers and green painted lanes all over the City of SLO. Try Vineyard Drive out in Adelaide some Saturday morning when they are out in packs hogging the blind curves.



Item 22 - 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 now a standing item at the end of each Board Meeting. It would be better to set it after General Public Comment, when more of the public is in attendance. It has also been beefed up in the newly proposed Board Rules in **Item 20** above.

Central Coast Community Energy Authority (3CE) Operations Board Meeting of Wednesday, November 8, 2023 (Scheduled)

Item 8 - Approve and authorize the CEO to execute a Power Purchase Agreement (“PPA”) with SunZia Wind Power Co, LLC, in a form substantially similar to the attached, as well as any necessary ancillary documents, including potential replacement PPA(s) with the same terms and conditions as the attached except for any necessary administrative changes, with a power delivery term of 15 years starting with an expected Commercial Operation Date of September 30, 2026, in an amount not to exceed \$715,000,000. The contract is yet another step by 3CE to acquire actual green energy as opposed to relying on renewable energy certificates. This one would seem to import energy from a large solar generator in central New Mexico, SunZia. Sun Zia is a subsidiary of Pattern Energy, which is one of the largest solar farm operators in the world.

SunZia is building a transmission line from its New Mexico sites to Pinal County Arizona, about 40 miles south of Phoenix. It is not so clear how the energy gets to 3CE in Central California. Presumably, it gets dumped into the western grid, and the portion purchased by 3CE is somehow counted as a source. Currently and State wide, California purchases considerable energy from Arizona, especially at night. It is largely composed of nuclear and coal fired sources.

Please see the map on the next page:



The SunZia transmission project will bring clean energy from SunZia Wind, a 900-turbine wind project near Corona, New Mexico, to a substation north of Eloy, south of Coolidge and east of Casa Grande in Pinal County. (Pattern Energy)

Even though construction of the transmission line was approved by the State of Arizona, a legal suit against the approval is still pending before the Arizona Superior Court.

*The SunZia Wind is a 3.5-gigawatt [wind farm](#) being developed by [Pattern Energy](#) in [New Mexico](#), United States, near [Corona](#) in [Lincoln County](#), [San Miguel County](#) and [Torrance County](#), New Mexico. The wind project is paired with **SunZia Transmission** to carry the power to Arizona and California. Originally developed as the **Corona Wind Projects** along with the Western Spirit Wind Farm, it received unanimous approval October 5, 2018 by the [New Mexico Public Regulation Commission](#) (PRC). The PRC rejected and requested that SunZia resubmit a more detailed application to build a 500-mile long transmission line (800 km) to carry the power from central New Mexico to Coolidge, AZ.^{[1][2][3][4]}*

The project includes at least 900 [wind turbines](#).^{[5][6]}

[Pattern Energy](#) previously purchased the rights to the Mesa Canyons Wind Farm from Clean Line Energy Partners in May 2018. The Mesa Canyons Wind Farm is a 1 GW wind farm just north of [Corona](#). This combined with the Corona Wind Project gives the 3 GW of energy that is projected to be exported to the west via the SunZia power line.^{[3][7][8]}

Pattern Energy bought the 3 GW SunZia 525 kV [direct current](#) transmission project in July 2022,^[9] and signed a [power purchase agreement](#) with Shell and [University of California](#) in 2023.^[10]

An ongoing case in Arizona Superior Court asks that SunZia's amended Certificate of Environmental Compatibility (CEC) for Arizona be voided.^[11] The plaintiff's final brief, filed June 22, 2023, states that the Arizona Corporation Commission (ACC) failed to adequately consider dramatic changes in the SunZia project. The plaintiff contends that the project's original CEC, granted in 2015, was based on the benefits of an AC line. The amended CEC is for

a DC line, which would not provide similar benefits to Arizona. The brief asks that SunZia's amended CEC be voided and the decision be remanded to the ACC. ^{[12][13]}

Groundbreaking for the transmission line was held in September 2023. ^[14]

The Biden Administration has been pushing the project:

Biden-Harris Administration Advances SunZia Southwest Transmission Project - *Once completed, project will carry up to 4500MW of clean energy throughout Southwest*

Date: Thursday, May 18, 2023
Contact: Interior_Press@ios.doi.gov

WASHINGTON – The Department of the Interior's Bureau of Land Management (BLM) today announced a Record of Decision for the SunZia Southwest Transmission Project, which, when completed, will transport up to 4,500 megawatts of primarily renewable energy from New Mexico to markets in Arizona and California.

This project represents another milestone in the Biden-Harris administration's efforts to accelerate transmission buildout to lower consumers' energy costs, prevent power outages in the face of extreme weather, create good-paying union jobs, and make progress towards achieving President Biden's goal of a 100% clean electricity grid by 2035.

“The Department of the Interior is committed to expanding clean energy development to address climate change, enhance America's energy security and provide for good-paying union jobs,” said **Principal Deputy Assistant Secretary for Land and Minerals Management Laura Daniel-Davis**. “Through robust engagement with states, cities and Tribes, we are proud of the part we play in the all-of-government efforts to diversify the nation's renewable energy portfolio while at the same time combatting climate change and investing in communities.”

President Biden's Investing in America agenda is growing the American economy from the bottom up and middle out – from rebuilding our nation's infrastructure, to driving over \$470 billion in private sector manufacturing and clean energy investments in the United States, to creating good paying jobs and building a clean energy economy that will combat climate change and make our communities more resilient.

“We are pleased to announce this exciting milestone for the SunZia Southwest Transmission Project,” said **BLM New Mexico State Director Melanie Barnes**. “This effort represents an important step in the development of our country's renewable energy and transmission infrastructure.”

The SunZia Southwest Transmission Project is composed of two planned 500-kilovolt transmission lines located across approximately 520 miles of federal, state and private lands between central New Mexico and central Arizona. The permitted route originates at a planned substation in Torrance County, New Mexico, and terminates at the existing Pinal Central Substation in Pinal County, Arizona. The project traverses Lincoln, Socorro, Sierra, Luna, Grant, Hidalgo, Valencia, and Torrance counties in New Mexico and Graham, Greenlee, Cochise, Pinal, and Pima counties in Arizona.

The BLM completed the review period for this project – from the Notice of Intent to Record of Decision – in less than two years. This is one of the final steps the BLM needs to take before the project proponent can formally break ground.

Since 2021, the BLM has approved 35 projects (10 solar, 8 geothermal, and 17 gen-ties) on approximately 23,396 acres of BLM-managed lands. These projects are expected to produce 8,160 megawatts of electricity — enough to power more than 2.6 million homes.

The BLM is currently processing 74 utility-scale onshore clean energy projects proposed on public lands in the western United States. This includes solar, wind and geothermal projects, as well as interconnected gen-tie lines that are vital to clean energy projects proposed on non-federal land. These projects have the combined potential to add over 37,000 megawatts of renewable energy to the western electric grid. The BLM is also undertaking the preliminary review of over 150 applications for solar and wind development, as well as 51 applications for wind and solar energy testing.

The BLM manages vast stretches of public lands that are making significant contributions to the nation’s renewable energy portfolio. To promote the development of these energy sources, the BLM provides sites for environmentally sound development of renewable energy on public lands. The efficient permitting of renewable energy and transmission from our nation’s public lands is crucial in achieving the Biden-Harris administration’s goal of a carbon pollution-free power sector by 2035, as well as Congress’ direction in the Energy Act of 2020 to permit 25 gigawatts of solar, wind, and geothermal production on public lands no later than 2025.

New Mexico expects a 20 Billion economic benefit. Meanwhile, the Diablo Power Plant may close here. 3CE is exporting our economy to New Mexico.

New Mexico Is Riding A Breeze -

The stage is set for the nation’s biggest wind energy investment.

BY GARY DAUGHTERS



Having only recently christened its biggest wind power project to date, New Mexico is poised for new investments that are primed to vault the state into a leadership position in wind energy generation. Regulatory approvals issued in October and November helped clear the way for two massive, related wind projects that will serve to more than double the large bet already placed on New Mexico by San Francisco-based Pattern Energy Group.

Officials from Pattern and the state say the planned SunZia Wind facility near the federal government's White Sands Missile Range in central New Mexico will constitute part of the largest wind project in the Western Hemisphere. The 3.5 GW wind farm, to span some 600,000 acres across Lincoln, Torrance and San Miguel counties, has spent 14 years in the planning and approvals processes, with construction — now pending only final federal approvals — set to begin mid-year.

Pattern also received right-of-way permits from the Arizona Corporation Commission related to its plans for the 550-mile, 525-kV SunZia Transmission project, which will connect the scattered SunZia wind farms to south-central Arizona, from which the electricity also can be sent farther on to California.

“SunZia Transmission,” said Pattern CEO Mike Garland in a statement, “will create a clean power superhighway for millions of Americans by opening access to huge, largely-untapped wind energy resources in New Mexico.”

SunZia Wind and SunZia Transmission, Pattern says, together will comprise the largest renewable energy infrastructure project in U.S. history, representing a combined investment of more than \$8 billion and eventually producing enough power to meet the needs of some 3 million people. The projects, the company says, will create more than 2,000 construction jobs at peak and 150 permanent operations and maintenance jobs. Both undertakings, according to Pattern statements, are privately funded and will deliver more than \$1 billion in tax and other economic benefits across both New Mexico and Arizona.

“SunZia,” said U.S. Senator Martin Heinrich of New Mexico, “will ignite rural economic development across the Southwest.”

It was only last February that Pattern took the wraps off of its Western Spirit Wind project in the same region of central New Mexico as the planned SunZia farm. At 1.05 GW, the Western Spirit facility now accounts for a full 25% of the state's installed wind capacity. As with SunZia, the Western Spirit project includes a transmission component: A 55-mile power line carries electricity to a substation near Albuquerque, from which it is delivered to renewables-hungry markets in California, including Los Angeles and San Jose.

As with the SunZia projects, Western Spirit endured more than a decade of regulatory hurdles, a fact bemoaned by New Mexico Governor Michelle Lujan Grisham at a February 2022 dedication ceremony. Similar obstacles have served to bottleneck wind and solar projects in other states.

“Developers like Pattern know how to site, develop and finance projects, but building them boils down to permission to move forward,” Fernando Martinez, director of New Mexico's Renewable Energy Transmission Authority (RETA) told the Albuquerque Journal. “We don't want to cut corners,” Martinez said, “but streamlining the process is the only way to allow the massive development of renewable energy needed to meet climate goals.”

RETA in 2021 entered into a Memorandum of Understanding with Invenenergy Wind Development North America, which hopes to build a 400-mile high voltage transmission line with the capacity to support some 4 GW of wind energy development across northern New Mexico. In a report issued in May, state officials valued New Mexico's untapped renewable energy resources at \$11 billion.

Universities Get on Board

On a smaller scale than such massive utility projects, but with impacts that touch virtually every corner of the country, colleges and universities of all sizes are leading by example on renewables. Last March, Stanford University in Palo Alto, California, began receiving power from its second solar generating plant, an 88-MW installation south of Fresno, thus completing the institution's transition to 100% renewable electricity. Recurrent Energy, a subsidiary of Canadian Solar, developed and operates the facility. Stanford has a 2050 goal of reaching net zero carbon emissions on campus and, beginning in 2009, has overhauled its entire energy system to meet it.

In November, construction commenced on a 20-MW solar farm near Pittsburgh International Airport that will be a key component of the University of Pittsburgh's goals of meeting 50% of its electrical needs through renewables by 2030 and 100% by 2037. The project is being constructed on 68 acres in Allegheny and Beaver Counties by Texas-based Vesper Energy, with the university having secured 100% of its output for the next 20 years.

"Directly purchasing clean electricity will generate long-term cost and environmental savings, require no upfront capital or maintenance costs for the university and give Pitt price certainty throughout the contract," the school said in a statement.

More than 40 colleges and universities have gone 100% renewable, according to the Environmental Protection Agency's Green Power Partnership. Top users of green energy, according to the Partnership, include the Universities of California and Iowa, Arizona State, the University at Buffalo, Boston University and Stanford. As of October 24, 2022, the combined annual green power use of the EPA's Top 30 College & University Partners amounts to more than 3.8 billion kilowatt-hours of green power.

Manufacturing Poised to Soar

Buoyed by last summer's passage of the historic Inflation Reduction Act (IRA), which directs nearly \$400 billion in federal funding to clean energy, the nation's top solar trade association released an ambitious roadmap to boost America's solar manufacturing sector. The congressional Joint Committee of Taxation estimates that the Solar Energy Manufacturing for America Act, contained within IRA, will pour \$30 billion into solar manufacturing over the coming decade through a series of tax credits.

"For the first time, the United States has an industrial policy in place that will usher in a new era of clean energy manufacturing," said Abigail Ross Hopper, president and CEO of the Solar Energy Industries Association (SEIA).

SEIA's roadmap, released in August, charts a path toward achieving a target of 50 GW of annual solar manufacturing capacity by 2030. As of mid-year, the U.S. was on target for about 10 GW for 2022. The paper emphasizes that domestic manufacturing can grow in the near term as the IRA "dramatically scales up demand for solar and storage products."

Arizona-based First Solar plans to scale its American manufacturing footprint to more than 10 GW by 2025. In November, the company announced plans to invest \$1.1 billion in a solar module manufacturing facility in northern Alabama's Lawrence County. Expected to be commissioned in 2025, the project is to create more than 700 jobs. It will join three First Solar facilities in Ohio, including a new one coming online in 2023.

Prior to the IRA's passage, Hanwha Q Cells announced a major expansion of its facility in Dalton, Georgia, already the nation's most prolific producer of solar panels. The \$171 million expansion is to create more than 500 jobs and to boost production at the facility to 3.1 GW.

First Solar plans a \$1.1 billion investment in Alabama manufacturing.

Courtesy of First Solar

Gary Daughters is a Peabody Award winning journalist who began with Site Selection in 2016. Gary has worked as a writer and producer for CNN covering US politics and international affairs. His work has included lengthy stints in Washington, DC and western Europe. Gary is a 1981 graduate of the University of Georgia, where he majored in Journalism and Mass Communications. He lives in Atlanta with his teenage daughter, and in his spare time plays guitar, teaches golf and mentors young people.

SLO County Integrated Waste Management Authority (IWMA) Meeting of Wednesday, November 8, 2023 - 1:30 PM (Scheduled)

Item 13 - Discussion of the Status of the County of San Luis Obispo's Consideration of Rejoining the IWMA. The Board letter states in part:

On October 31, 2023, the County of San Luis Obispo Board of Supervisors voted 3-1-1 approving a Resolution adopting the Second Amended and Restated Joint Powers Agreement of the IWMA, as amended by the 2023 Joinder Agreement. Additionally, the Board of Supervisors held a public hearing to consider a resolution to approve the IWMA.

RECOMMENDATION: That your Board discuss the request from the County to return to the IWMA, per the terms 2023 County Joinder Agreement to the Second Amended and Restated Joint Powers Agreement.

Is there any chance that they will reject the County's rejoining since the vote was not unanimous? Will they seek to extract concessions? The proposed revised joint powers agreement gives the Board of Supervisors only 1 representative. The unincorporated County will be under represented.

LAST WEEK'S HIGHLIGHTS

Board of Supervisors Meeting of Tuesday, October 31, 2023 (Scheduled)

Item 6 - Request to approve appointments in-lieu of election to the Shandon-San Juan Water District. The appointments were approved 3/2 with Arnold and Peschong dissenting.

There was considerable debate because the 3 member Board leftist majority insisted on going ahead and refused to schedule a meeting for the candidates (incumbents) to be interviewed. A petition with over 600 signatures opposing the appointment was submitted and immediately ignored by Gibson, Paulding, and Ortiz-Legg.

Background: There were no challengers, which allows the District to petition the Board to reappoint the incumbent members.

The District requests that the San Luis Obispo County Board of Supervisors, at a regular or special meeting held prior to December 1, 2023, appoint the following named candidates to the office of director for the following terms:

WILLY CUNHA – TERM ENDING 2027

RAY SHADY – TERM ENDING 2025

MATT TURRENTINE – TERM ENDING 2027

Item 7 - Request to approve appointments in-lieu of election to the Estrella-El Pomar-Creston Water District. Similarly to **Item 6** above, there were no challengers, which allows the District to petition the Board to reappoint incumbent members.

The District requests that the San Luis Obispo County Board of Supervisors, at a regular or special meeting held prior to November 27, 2023, appoint the following named candidates to the office of director for the term ending December, 2027:

JERRY REAUGH and HERBERT ROWLAND III

Relative to **Items 6** and **7**, the Board could remove the item from the consent calendar, ask the candidates to attend the meeting, and interview them with regard to:

1. Their stance on banking of State water with in the Paso Basin.
2. The repeal of the planting ordinance and how they would facilitate allowing small users who are locked out by the Paso Basin Moratorium from obtaining a few acre feet more in the near term.
3. Compliance with LAFCO conditions relative to the formation of the El Pomar Water District.
4. Their stance on the Quiet Title Law Suit.
5. Their willingness to have their districts share in the short- and long-range costs contained in **Item 8**, immediately below.

Item 8 - Request to approve and authorize the Chairperson to sign a professional consultant services contract with Water Systems Consulting, Inc., in an amount not to exceed \$296,647, to perform a Paso Robles Groundwater Basin Blended Water Supply Project Water Supply Feasibility & Engineering Study. The contract was approved.

The subject of today's action relates to a portion of Component 6, namely an engineering study (Study) to assess the feasibility of blending water supplies for agricultural use (other portions of Component 6 include an engineering study of the feasibility of using unallocated State Water Project water supply and other supplemental water supplies and an engineering study to identify and evaluate options to stabilize groundwater levels and address surface water depletion utilizing excess water supplies).

See the table 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 entire package, including **Component 6**, is funded by a grant for which the County competed and won.

The costs associated with the Study are 100% reimbursable from the Round 1 Implementation Grant, which was awarded to the County in August 2022. Per the Grant Agreement, the County will appropriate the disbursement of up to \$650,000 of those grant funds for Component 6 work items, which will be eligible for reimbursement. These funds are already included in the FC 205 – Groundwater Sustainability Department’s FY 2023-24 budget, so no budget augmentation request is necessary.

It is likely that the El Pomar Water District and the Shandon Water District will be major beneficiaries of the project if it turns out to be feasible and is constructed. What will be their contribution? What about the City of Paso Robles?

Item 24 - County is rejoining the San Luis Obispo County Waste Management Authority (IWMA). The Resolution to rejoin was approved 3/1/1 with Arnold dissenting and Peschong abstaining. Arnold presented her arguments against rejoining. Gibson became irritated and demeaned Arnold as wasting the Board’s time and, and even inferring that not approving the matter was a sign of lack of intelligence. He was carrying on in his best arrogant manner. This is going to contribute to the building backlash against him.

Background: The leftist Board majority got the steamroller going to have the County rejoin the IWMA. The Authority is a creature of environmental fetishism, which culminated in the passage of AB 939 in 1989. The statute requires cities and counties to reduce the percentage of trash sent to landfills. The required percentage reduction has increased over the decades with some jurisdictions now approaching 100%. Simultaneously, the State made it almost impossible to expand or site new landfills. Along with this scheme came mandatory separation of recyclables, culminating this year with the requirement that citizens and businesses separate out wet trash (organics).

All of this has made the cost of refuse collection and disposal increase exponentially over the intervening decades. While spawning new patronage-based industries and regulatory agencies, the actual amount of materials recycled has been negligible as the markets for them fluctuate.

After several decades, China stopped importing much of the material, which now ends up in landfills anyway.

Landfills comprise a tiny amount of the state’s land area and are the most efficient way of disposing of solid waste. The entire effort has been costly symbolic virtue signaling, evocative of pyramid building.

In SLO County the IWMA was created to jointly administer the program for the cities and County. Over the years it became an ungoverned esoteric self-serving parasite, promoting various recycling schemes and advancing the lifestyle of a prior long term Executive Director. The County Supervisors and city representatives allowed it to decay. Eventually, Cal Cost News exposed the corruption. Meanwhile, the costs escalated and the uncontrolled Executive Director and leftist supervisors and city council members prohibited plastics, polyethylene, plastic bags, and anything else related to oil. Eventually, the Board took control and the original Executive Director escaped prosecution and retired. A secretary took the fall for some minor corruption. Big stuff like gift trucks to cronies and dumping of hazardous waste into landfills somehow escaped prosecution.

Tribute or Higher Costs: Eventually, the prior 3 member BOS majority withdrew the County from the agency in protest. The new left Board majority quickly commissioned a study to lay out the cost differences generated by the diminished economies of scale resulting from separate operations to justify the County rejoining. The IWMA has also peripherally promised to stop pushing extreme recycling schemes separately from the State. This places the conservative Supervisors in the awkward position of having to vote for rejoining or appearing to support higher costs.

Container Size	Monthly Rate ²	Current 2% Fee ³	Not Joining IWMA 8.1% Fee	Joining IWMA	
				Permanent 5.4% Fee	FY 2023-2024 Temporary Reduced
Typical Range for Residential Curbside Service Within County Solid Waste Jurisdiction					
32 Gallon	\$20 - \$50	\$0.30 - \$1.00	\$1.62 - \$4.05	\$1.08 - \$2.70	\$0.88 - \$2.20
64 Gallon	\$30 - \$70	\$0.30 - \$1.40	\$2.43 - \$5.67	\$1.62 - \$3.78	\$1.32 - \$3.08
96 Gallon	\$40 - \$80	\$0.30 - \$1.60	\$3.24 - \$6.48	\$2.16 - \$4.32	\$1.76 - \$3.52

If the County rejoins IWMA, revenues from Solid Waste Management Fees, Landfill Tipping Fee Surcharges, and General Fund contributions to the FC 335 – Solid Waste Management FY 2023-24 Budget will be eliminated. The proposed management fees will be collected by the County from the effective date until a transition date is determined for IWMA to proceed with fee collection and no further annual General Fund contributions will be necessary once the transition is complete.

Ultimate Resolution: Statewide Revolt. Similarly to **Proposition 13**, a citizens movement needs to be created and funded to end the whole charade statewide. On a date certain, Californians would be educated to revolt and cease separating their trash and recycling. This would bring the entire system to its knees and sew panic among the elected and appointed officials. The revolt would remain in place until **AB 939** and subsequent legislation is repealed and a return to a common sense system is restored.

(1) Integrated Waste Management Act (AB 939);

- (2) **Mandatory Commercial Recycling (AB 341);**
- (3) **Mandatory Commercial Organics Recycling (AB 1826);**
- (4) **Commercial Organics and Recycling Bins (AB 827); and**
- (5) **Short-Lived Climate Pollutant Reduction (SB 1383).**

Item 28 - A request that the Board consider 1) Receiving an update of the status of Senate Bill 1090 (SB 1090) funds and provide direction to staff on how to proceed; 2) Approval of the SB 1090 spending plan, allowing for Board direction in the development of subsequent budgets; 3) Authorizing a budget adjustment appropriating \$813,920 of SB 1090 Proceeds-Affordable Housing Designation to Fund Center 290 for the El Camino Homeless Organization (ECHO) homeless shelter expansion project in Paso Robles, by 4/5 vote. The donation to the homeless shelter was approved unanimously. The Board received the report as presented and did not seem to have any immediate reaction.

Background: After PG&E announced in 2016 that it would close the Diablo Power Plant in 2024-25, a complex agreement consisting of environmental advocates, PG&E's employee unions, San Luis Obispo County, and other local governments in SLO County was negotiated. It was called the Joint Proposal, which provides payments to the various groups to help offset the loss of jobs, loss of taxes, and negative economic impacts to the community.

The agreement is essentially a lump sum change in terms of the loss of taxes and the negative economic impacts. The County is to receive \$85 million, as laid out below. This was then encoded into law via Senate Bill 1090.

The \$85 million Community Impact Mitigation Fund is broken into two parts:

- \$10 million for the Economic Development Fund
- \$75 million for the Essential Services Mitigation and Stabilization Fund (ESMSF)

This agenda item is a report to update the Board and community on the uses of the fund so far. The report is a hodgepodge of lists of past, current, and future expenditures by category. There does not seem to be a consolidated table that displays the full picture.

The design of the whole program missed a tremendous opportunity. What if, instead of beginning to spend pieces of the \$85 million in 2018 on pet projects, it had been invested for 10 years and left untouched.

Accumulation Schedule

Annual Schedule [Monthly Schedule](#)

Year	Deposit	Interest	Ending balance
1	\$85,000,000.00	\$5,950,000.00	\$90,950,000.00
2	\$0.00	\$6,366,500.00	\$97,316,500.00
3	\$0.00	\$6,812,155.00	\$104,128,655.00
4	\$0.00	\$7,289,005.85	\$111,417,660.85
5	\$0.00	\$7,799,236.26	\$119,216,897.11
6	\$0.00	\$8,345,182.80	\$127,562,079.91
7	\$0.00	\$8,929,345.59	\$136,491,425.50
8	\$0.00	\$9,554,399.79	\$146,045,825.29
9	\$0.00	\$10,223,207.77	\$156,269,033.06
10	\$0.00	\$10,938,832.31	\$167,207,865.37

At the end of the 10 years the County would have had \$167 million. At that point it could commit to only spend 50% per year of whatever interest it earned on the fund. At 5%, that would be half of \$8.36 million, or \$4.8 million the first year. The fund could keep growing forever. Ultimately this would grow into a huge endowment.¹

Even more powerfully, such a fund could have been reserved for capital investments. Instead, it will all be gone in a few years.

COLAB proposed this plan back in 2018 and was ignored.

Economic Development:

Insofar as this category is concerned, the table below displays the expenditures so far.

See the table on the next page:

¹ Note - the County did not receive the entire \$85 million in one payment. It is still being paid over 7 years. However, the County could have lent itself the money to invest from idle funds backed up by SB 1090 payments.

SB 1090 Proceeds – Economic Development Designation - \$3,990,000

This reserve designation holds funding that is intended to finance one-time Economic Development related projects.

SB 1090 Economic Development		
Total Revenue Received	\$	3,517,500
Expenditures		Expenditure Purpose
FY 2018-19	\$	300,000 Central Coast Jobs Roadmap
FY 2020-21	\$	300,000 REACH
FY 2020-21	\$	500,000 Cuesta College/ACI Jet Program
FY 2020-21	\$	200,000 SLO Partners - Modern Entrepreneurs Opportunities
FY 2020-21	\$	5,000 Oceano Dunes Economic Impact Assessment
FY 2021-22	\$	25,000 Broadband Strategic Plan
FY 2021-22	\$	400,000 REACH
FY 2021-22	\$	184,004 1.0 FTE Principal Administrative Analyst
FY 2021-22	\$	75,000 SLO Chamber Family Friendly Workplace
FY 2022-23	\$	202,567 1.0 FTE Principal Administrative Analyst
FY 2023-24	\$	300,000 REACH
FY 2022-23 & FY 2023-24	\$	150,000 SLO Chamber Family Friendly Workplace
FY 2023-24	\$	215,349 1.0 FTE Principal Administrative Analyst
Total Expenditures	\$	2,856,920
Current Balance	\$	660,580
Revenue Receivable		
FY 2023-24	\$	236,250
FY 2024-25	\$	236,250
Total Revenue Receivable	\$	472,500
Total Balance	\$	1,133,080

It is not clear how this will relate to the balance of the \$10 million earmarked for economic development.

Item 29 - It is recommended that the Board receive and file this report regarding the County’s Fiscal Year 2024-25 and Multi Year financial forecast. The item was carried over because the Board ran out of time. It appears in this week’s items as **Item 22**.

The item presents a detailed and well documented comprehensive Budget forecast for FY 2024-25 and a projection for the two subsequent fiscal years, FY 2025-26 and FY 2026-27. Also presented is a general strategy for closing the impending gaps. The strategy prioritizes public safety. The summary states in part:

Item 30 - 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 now a standing item at the end of each Board Meeting. It would be better to set it after General Public Comment, when more of the public is in attendance.

Added Consent Item 32 - Submittal of Board of Supervisors statements condemning the violent attacks in Israel. The Board never adopted a Resolution. The discussion was kicked off by the Sheriff and the San Luis Obispo Police Chief asking for tolerance and good behavior. An underlying message was, San Luis Obispo County will not tolerate hate crimes, discriminatory behavior, and all the other potential problems.

Background: Now it's worse. During the Board meeting of October 17, 2023, the leftist Board majority refused to join Supervisors Peschong and Arnold in adopting a Resolution condemning Hamas and supporting Israel. Instead, the majority determined to have the members separately offer their comments. These were then distributed as a news release by the County Administrative Office at public expense. COLAB immediately pointed out that the three leftist Supervisors resorted to immoral equivalence for the blame and responsibility.

That analysis is displayed below under **Background** below.

In the meantime, it has become ever clearer that the genocide and expanding war is not a narrow terrorist act of an aberrant group. In fact the attack, if not specifically authorized and encouraged by Iran, was deeply supported by Iran and some other gulf states through the supplying of weapons (including cruise missiles), intelligence, ammunition, training, transportation, and logistical supplies. In fact, Iran has now endorsed the attack, doubled down on its policy of the destruction of Israel, and excoriated the United States as a culprit and target. Despicably, a number of academics the United States, their brainwashed students, and even some elected officials have condemned Israel and supported Hamas.

What will it take for the 3 leftist Supervisors to wake up and unequivocally back both Israel and the United State in a forthright Resolution that does not propagate the current shared blame lie for the attack with Israel?

Issue History:

After general public comment, Supervisor Peschong requested that a Resolution condemning Hamas and supporting Israel be prepared and brought forward for discussion and a vote. Supervisor Arnold seconded the motion. Supervisors Gibson, Ortiz-Legg, and Paulding all objected for various reasons.

Supervisor Paulding argued against the proposed resolution, falsely rationalizing that the "situation is fluid and that a Resolution may not be timely in two weeks." Instead of a Resolution, Paulding suggested the supervisors independently write their own statements, which staff could post on the county website. Ortiz-Legg voiced concerns that a resolution could be misconstrued and potentially inflame tensions. The board voted 3-2 against a resolution supporting Israel.

Resolutions are often used when specific findings are made by the Board of Supervisors. A Board order is usually a directive from the Board of Supervisors to its subordinate county officers. An ordinance is a local law adopted with all the legal formality of a statute.

Paulding offered a motion, which passed, for Supervisors to prepare their own statements instead. This was a cop out by the Board left majority, as an agenda Resolution would have been a much more solid and forceful commitment on behalf of the people of San Luis Obispo County.

The California State Association of Counties' advice on the subject of Resolutions states in part:

Legislative Role

As the legislative body of the county, the Board of Supervisors may act by resolution, by board order, or by ordinance. A resolution of a Board is ordinarily not equivalent to an ordinance; it is usually a declaration about future purposes or proceedings of the Board or a policy statement by the Board. Resolutions are often used when specific findings are made

by the Board of Supervisors. A board order is usually a directive from the Board of Supervisors to its subordinate county officers.

Why wouldn't the Board want a policy statement with findings and formal force? Instead, the Supervisors individual statements were posted on the County website home page. These are copied below with our annotated comments on the absolute failure and betrayal inherent in some of them.

Board of Supervisors Condemn Violent Attacks on Israel

Author: Administrative Office

Date: 10/18/2023 4:45:38 PM

Share this

The Board of Supervisors makes statements on the attacks in Israel

At the Board of Supervisors Meeting held on October 17, 2023, those who spoke during public comment asked the Board of Supervisors to issue a proclamation condemning the attacks on October 7th that have killed more than 1,400 people in Israel, including children, while also injuring 3,400 individuals.

The Board voted unanimously to provide comments on the recent events that have transpired in the Middle East. The Supervisors have made the following statements:

Peschong was still thinking of the Resolution and the need for the whole Board to act in concert.

I stand with Israel. The coordinated terrorist attacks on October 7th saw the murder of innocent civilians and the kidnapping of women and children. We all should be willing to condemn these attacks. They are wrong and violate international law.” - Supervisor John Peschong. District 1

Bruce Gibson made a clear and unequivocal statement in his first paragraph. It would have made a great first finding clause in a County Resolution

“The horrifying slaughter and hostage-taking in Israel perpetrated by Hamas terrorists earlier this month is depraved in its inhumanity and is the essence of evil. I condemn these atrocities unconditionally. I stand with Israel and the Jewish people worldwide in support of an appropriate response to this criminal barbarity.

He then undermined his credibility with the next paragraph. Here he appeals to the radical left support on the destruction of Israel by submitting to the immoral equivalency that that Israel and Hamas are equally guilty. Yes, innocent Palestinians will die, but the fault lies not with Israel, but with Hamas, who uses their people as human shields.

Everyone personally involved in this chaotic, unstable and perilous situation should work with a clear moral imperative to restore peace in the region as soon as possible. Those pursuing a military response must be precise in its goals and prosecution. They must also be accountable for the inherent moral danger that innocent civilian lives – Israeli and Palestinian – most certainly will be lost. Let us fervently hope that reason and restraint can prevail as those involved seek a just future.” - Supervisor Bruce Gibson. District 2

Like the World Trade Center?

If Hamas, North Korea, or anyone else for that matter detonates a nuclear weapon at LAX, how much restraint should we exercise on their territory and populations?

Ortiz – Legg’s statement is simply an effort to court her extreme left leaning supporters who seek the destruction of Israel She adds a history lesson. At the end of World War I, the victorious allies sought to restore the Jewish people to their ancient homeland and allow them to emigrate from Eastern Europe where they had been persecuted for centuries. Does the Supervisor support the survival of the State of Israel or not? Notwithstanding the Balfour declaration and the displacement of the Palestinian people, a century ago, should their descendants be allowed to repeatedly commit genocide against the Israelis? Should Mexico be allowed to reconquer the southwestern United States? Would it be OK for their army to kill and maim American citizens in the name of recovering their previous territory? Ortiz-Legg states in part:

“My heart goes out to all those affected by the ongoing conflict in the region. Recent events initiated by the actions of Hamas have reopened deep wounds and inflicted pain on both sides. Families have been torn apart, and the impact is felt not only by the citizens of Israel but also by the displaced Palestinians. The loss of innocent lives and any acts that cause harm to civilians are violations of International Law, a sentiment echoed by many world leaders throughout history, including President Harry S. Truman, who in 1947 noted that "Palestine is undoubtedly one of the most difficult problems faced by the world at this present time." The historical displacement of Palestinians from their land has created a complex and longstanding issue, contributing to the challenges faced by innocent Israelis as well. It is essential to recognize the multifaceted nature of the problem and strive for a peaceful resolution that acknowledges the rights and concerns of all parties involved.” - Supervisor Dawn Ortiz-Legg. District 3

More immoral equivalence: Ortiz-Legg has bought into the radical left doctrine that Palestinian violence is an effort toward DE colonialization. They sympathize with Palestine as part of a broader commitment to the principle of decolonization. For them, moral authority does not arise from just ends pursued through just means, but resides entirely in tribal identity. Describing a conflict as a form of “decolonization” is a blank check in the left’s moral universe.

Paulding’s statement is also an outrageous appeal to immoral equivalence, which puts equal blame on both the Israel and Hamas for the attack. If the attacks, are as he says, “Inhumane, barbaric and unconscionable,” why does he resort to obfuscatory word salad, hoping that “an appropriate response can be effected so that peace can be restored in this region...” Does he not believe that Hamas should be destroyed forever? What about the murders of thousands? What about the hostages? What about Israel’s right to secure borders? What a vacuous and gutless comment.

Compounding his intellectual flatulence, is his lecture to “we neighbors and Americans” to be good neighbors to our Jewish and Muslim friends.

“The historic Hamas terrorist attacks on Israel that started October 7 are inhumane, barbaric, unconscionable, and I condemn them unconditionally. It is my hope that with US support to Israel, an appropriate response can be effected so that peace can be restored in this region and continued mass casualties can be avoided. Here, at home, we can focus the conversation on human rights – the fact that every human life is important, and that innocent civilians whether Israeli or Palestinian should never be the target of military warfare. And we can encourage our fellow neighbors and Americans to be good neighbors to our Jewish and Muslim friends, and lift each other up and support each other through this increasingly divisive, tragic and chaotic time in history. It is more important than ever that we continue to promote human decency and respect for one another in our community and our country, and seek to unify against terrorism, division, and hate instead of allowing these things to further divide us.” - Supervisor Jimmy Paulding. District 4



What does Paulding say about pro Hamas demonstrations? Democrat Congresswoman Ocasio-Cortez dressed up for the occasion. Any means necessary.

Arnold almost got it right – She supports **Israel’s right to defend itself**. Actually she should support Israel’s right and duty to eliminate Hamas from the Gaza strip forever.

“I whole heartedly support Israel’s right to defend itself after their country was horrifically attacked.” - Supervisor Debbie Arnold. District 5

What do the Board members think about Hamas using the hospitals as command centers?

Anti-Israel Lies Will Ramp Up With the Ground War By Seth Mandel

Israel’s awaited ground invasion of Gaza appears to be in motion. The IDF announced the expansion of the war effort would begin late Friday, three weeks after Hamas infiltrated Israel and killed more than 1,400 people and took another 200-plus hostage. It was the worst attack on Israeli soil in its history and touched off a global campaign of violence against Jews. It was also carried out in the most gruesome manner possible. A meaningful Israeli response was necessary, and an IDF victory is vital to the restoration of not just Israeli morale and deterrence but that of the free West.

A ground war will put Gazan hospitals at the center of attention because, as Jonathan Schanzer explained in detail, Hamas uses some of them, such as Al Shifa, as major command centers. Media, NGOs and politicians will call for Israel to resupply hospital compounds, especially with fuel. This essentially means there will be public pressure to pause hostilities in order to supply Hamas’s military command centers and bases while Israel is attempting to subdue them. These calls are disingenuous and the people making them often know that. It is crucial to point this out as more Israeli troops head into Gaza.

EMERGENT ISSUES

Item 1 - Watching in Real Time as Two-Term Gov. Gavin Newsom Destroys California With Devastating Policies - *Today's 'progressive' politicians advocate for Maoist policies planning on being immune from the effects*

By Katy Grimes, November 1, 2023 11:51 am

One of the benefits of a two-term governor is voters actually get to see the fruits of his policies while he is still in office. If he is a low-tax, budget-cutting, regulations-cutting, pro-2A, liberty-loving 1A governor, life gets better – more money in your bank account, less government harassment of your business, and the freedom to speak and gather, as well as addressing your government, is much more comfortable.

If he is not, and is instead a “progressive” politician who advocates for Maoist policies planning on being immune from the effects and is say, Gavin Newsom, well, you get the swift and appalling degradation of California.

Despite thinking he won't be subjected to the disastrous results, the fruits of Governor Gavin Newsom's policies are his cross to bear right now.

Here are some examples of this breakdown of society in actual recent headlines from numerous sources – this is Gavin Newsom's California:

Federal judge blocks California law banning gun shows at county fairs -The judge said California's gun show ban is unconstitutional given that gun stores in the state sell the same guns.

Unemployment insurance: California's 'urgent' \$20 billion problem and-Fed Unemployment Debt to hit \$20 Billion – By Christmas Day the EDD debt to the federal government will reach \$20 billion dollars in principal and interest and – at the current borrowing clip of \$18,288,482 per day – it will hit \$20.3 billion dollars in January, 2024.

Could a California revenue shortfall mean furloughs for state employees? California went from a \$100Billion budget “surplus to “we many need to layoff state workers.”

Fast Food CEOs Warn Of Dire Consequences Coming over New \$20 Fast Food Minimum Wage – we warned – expect to see fast food workers replaced by robots and kiosks.

Wonder why Californians pay so much for gas? Taxes, regulations and policy choices are to blame – supply and demand influenced by a destructive web of government policies. California's high gas prices didn't happen by accident. Sacramento's policies play a pivotal role in this crisis.

Child sickened after ingesting cannabis candy given at EB school event – the cause and effect of legalizing drugs.

Cannabis infused gummies sicken Santa Maria students – did someone think this was funny?

Spendable incomes lower in forced-union dues states like California – workers do not flock to places where they expect their living standards will be lower... the 27 states with Right to Work laws banning forced union dues and fees as a job condition was \$55,320. That's roughly \$3,700 higher per person than the forced-unionism state average.

Google trims Bay Area jobs: state WARN notice – Even Google is laying off Bay Area employees.

California Loses Another 817,000 Residents in 2022 to Other States – High taxes and high cost of living cited as primary reasons.

Coronado makes room for more housing after legal fight with the state – Gov. Newsom forcing more conservative cities to build more affordable housing. Remember his fight with Huntington Beach? Gov. Newsom sued the Orange County city of Huntington Beach for failing to provide enough additional “affordable housing,” while his own home county of Marin enjoyed a moratorium on affordable housing building requirements until 2028.

The need for student services at community colleges has changed dramatically since the 1960s. Has state law kept up? – Nearly one-quarter of the state’s community college students experienced homelessness in the past year, and many more struggled to afford food, according to a recent survey. Some choose to get a job instead of going into college debt when they can’t even afford food.

Texas Public Policy Foundation Unmasks the True Costs of Electric Vehicles – EVs would cost nearly \$50K more to own over 10 years without \$22 billion in government subsidies.

Bay Area masking up again as mandates go into effect Nov. 1 in health care settings – The most recent and thoroughly extensive, comprehensive study is the Cochrane study, completed in February proved wearing a mask may make little to no difference in how many people caught a flu-like illness/COVID-like illness (9 studies; 276,917 people); and probably makes little or no difference in how many people have flu/COVID confirmed by a laboratory test (6 studies; 13,919 people).

TRICK or TREAT: California Ranks Among 10 Worst in U.S. for High Taxes – Gavin Newsom’s California still ranks in the bottom three for worst for individual taxes.

California slashes state tax collection outlook – The state’s tax collections — which are highly dependent on capital gains and personal income tax revenue — were suppressed by stock market weakness and slowing wage growth. Nearly half of California’s income tax collections come from residents in the top 1% of income earnings.

How did California go from a \$100 billion state budget “surplus” to a \$40 billion state budget deficit? One way is to acknowledge that California never really had a \$100 billion budget surplus.

San Diego Ranked As Most Expensive City To Live In U.S. According To New Study –

Study also finds that 12 of top 20 most expensive cities fall within California. According to the study, San Diego, Los Angeles, Honolulu, Miami, and Santa Barbara are the 5 most expensive cities in the country. San Francisco, Santa Rosa, and Salinas grab the next three top spots, with Vallejo/Fairfield coming in at 10th, San Jose at 14th, Sacramento at 15th, Stockton at 17th, Modesto at 19th, and finally Fresno at 20th.

Sacramento Ranks 7th Worst in Nation for Organized Retail Theft – Tying With Chicago! – And three California cities made the Top 10: Sacramento sadly factors prominently coming in at #7 in the nation for organized retail theft. Los Angeles ranks at #1 topping the list, with San Francisco and Oakland coming in at #2. These theft rankings are the direct result of the state’s “criminal justice reforms,” careless policy, and lax and diminished policing in California’s largest cities.

Useless, Clueless City Officials Destroying Sacramento with Homeless Crisis – In early September we reported on a national study which found that Sacramento placed second only behind Baltimore for the dirtiest cities in America. With 39,186 complaints per 100k population; the Sacramento zip code of 95818 had 48,864 complaints per 100k population.

California Buries Science – California Governor Gavin Newsom – whose Democratic party claims to be the party of science and science education – signed two anti-science education bills

(AB226 and AB389) into law, that require the University of California and the California State University systems to bar the use of skeletal collections that cannot be affiliated with any living descendants for research and teaching purposes. Teaching collections were never intended to be included in the Native American Graves Protection and Repatriation Act.

California's high poverty rate is thanks to bad policies – Lawmakers recently voted to place on your ballots a measure to make it easier for local governments to raise taxes, and have further placed a measure to make it harder to prevent tax increases. Those were ACA 1 and ACA 13. Higher taxes continue to discourage businesses from expanding or investing in California, which ultimately hurts working Californians.

Cal-USC football game delayed by protest calling for reinstatement of UC Berkeley professor – a group of students sat down in the center of the Cal Bears' Memorial Stadium field, with thousands in the stands for the start of the game. The football players waited on the sidelines while 15 people — all dressed in white t-shirts that read "JUSTICE 4 IVONNE" — locked arms, showing support for a professor currently on paid administrative leave.

Striking in California

We also need to acknowledge all of the strikes and threats of strike in California are a direct result of high inflation, high taxes, high housing prices, high gas prices, high food prices...:

CSU Faculty Union Votes To Authorize Strike – CSU faculty, who are currently paid on average \$99,000 for full-time work, \$67,000 for part-time work, and just above \$50,000 for lecturers, asked for a 12% across-the-board raise.

Parents concerns grow, deadline to avoid FUSD teacher strike nears – According to TransparentCalifornia.com, the average salary for a Fresno Unified school teacher is over \$99,000.

FUSD, FTA make 'considerable progress' on negotiations as strike nears – The district's latest public proposal includes a 19% pay increase over the three-year contract, which would raise the average teacher's salary to more than \$100,000 per year.

Will OC Social Services Workers Get Better Working Conditions in New Contract? – The new contract comes after the employees have increasingly said they are overworked and underpaid as they try to help the county's poorest residents.

Social workers have also demanded better staffing levels and pay.

California union rifts burst into open over leader's consultant hire – Lorena Gonzalez, head of the powerful California Labor Federation AFL-CIO, has run afoul of some union leaders for hiring her personal consultant who recently ran statewide campaigns opposing unions...

Gonzalez quietly placed her own longtime political strategist, one-time Willie Brown fixer Richie Ross, to formally consult for the Labor Federation. ...Hmmm, Lorena brings on a lobbyist to help her do her job... Interesting.

As you can see, California is a mess under the policies, edicts, executive orders and hiring decisions of Gov. Gavin Newsom and the Democrat Supermajority.

Good job Gavin. Your policies have expedited the destruction of the most beautiful state; accelerated the declining population through outbound migration resulting in the loss of a congressional seat; irreparably harmed California's businesses and once thriving economy starting with your 3 years of Covid lockdowns; more than quadrupled the drug-addicted homeless vagrants living on California streets making cities unlivable; bolstered labor unions while crushing the gig workers; increased poverty in California; grown state government.... the list will continue.

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?

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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

STATE UNIVIERSTY OF NY ANTHROPOLOGIST DEBUNKS FAKE CHUMASH MARINE SANCTUARY CLAIMS BY BRIAN D HALEY, PhD.

**SUNY
ONEONTA**

Anthropology Department

October 14, 2023

Mr. Paul Michel
NOAA Office of National Marine Sanctuaries
99 Pacific Street, Suite 100F
Monterey, CA 93940

Re: Docket number NOAA-NOS-2021-0080, Proposed Chumash Heritage National Marine Sanctuary

Dear Mr. Michel:

My contribution to the public comments phase on the Proposed Chumash Heritage National Marine Sanctuary seeks to correct factual errors which appear repeatedly in public statements and documents of the proposal. These errors all concern who is considered indigenous by NOAA in these plans. These errors are not trivial. Failure to correct them will ensure that the stated goals of honoring, respecting, and co-managing with indigenous communities cannot and will not be met. Luckily, the errors can be corrected, and the proposal's admirable goals can still be attained.

I am a professional scholar who has been asked to comment by members of yak tityu tityu yak tilhini Northern Chumash Tribe (YTT), Xolon Salinan Tribe, Santa Ynez Band of Chumash Indians, and Barbareño Chumash Council. I am Professor of Anthropology at the State University of New York, Oneonta. I am a Woodrow Wilson National Fellow, a Fellow (elected) of the Society for Applied Anthropology, and recipient of the SUNY Chancellor's Award for Scholarship. I am an internationally recognized authority on neo-indigenous identity (claims of indigenous identity by persons lacking indigenous ancestry and social affiliation), and I am one of, if not the, leading scholar of neo-Chumash identity.

The Problem

Unfortunately for NOAA, it has proposed an indigenously focused project in a region characterized by rampant neo-Indianism. Neo-Indianism is a mass movement resting on inaccurate claims of indigenous ancestry and affiliation. In the United States, neo-Indians started

becoming numerous in the 1960s. Census Bureau researchers found that 0.65 million people changed their racial/ethnic identities to Native American between 1960 and 1990.¹⁵ By 2000, 1.25 million American Indians in the census were neo-Indians.¹² The figure may exceed 2 million today. Other studies support these findings. A study of 103,000 volunteers in California found that only 14.4% of persons claiming Native American race/ethnicity carry genetic markers for Native American ancestry.²⁰ Media exposure of neo-Indianism, which is warranted by its neo-colonial and often fraudulent nature, caused political damage to Senator Elizabeth Warren, helped force the retirement of University of California, Riverside professor Andrea Smith, and has exposed the neo-Chumash shaman Mati Waiya.

The Southeast,^{16, 18} Vermont,⁶ and the Chumash region of California are home to well documented cases of neo-Indianism.^{4, 8, 9, 13, 17} Neo-Chumash began organizing in the 1970s-1980s. Throughout its documents for this project, NOAA has misrepresented as “Chumash” and “tribes” organizations formed by and representing neo-Chumash. These are the Northern Chumash Tribal Council, Coastal Band of the Chumash Nation, and Wishtoyo Chumash Foundation.^{2, 8, 9, 13, 17} The Northern Chumash Bear Clan has a long affiliation with the Quabajai Coastal Chumash and Coastal Band of the Chumash Nation. Like those, it lacks the Chumash ancestry it claims, but it does have well documented Salinan ancestry and historical affiliation.⁵

Neo-Indians engage in neo-colonial and appropriative activities when they obtain outside recognition from government or academic institutions.^{2, 3, 8, 9, 13, 14, 17} Within the Chumash region, these appropriations include displacing Chumash groups from decision-making about and receiving repatriated remains, displacing Chumash from educational and public presentations of Chumash heritage, displacing Chumash from grants and employment opportunities.^{2, 8, 13, 14}

The only recognition needed to facilitate these neo-colonial appropriations is an agency’s acceptance of self-identification as the basis for structuring a working relationship. NOAA’s recognition of neo-Chumash organizations as “Chumash” and “Tribes” or “tribal organizations” is demonstrated throughout the proposed sanctuary’s documents and national press’s coverage. Similar behavior in the past by California state and local governments and academic institutions has had lasting damaging effects.^{8, 13, 14, 17} Similar consequences can be anticipated in this instance.

Evidence

The identification of neo-Indian individuals and organizations utilizes publicly available evidence which avoids legal and ethical concerns about violations of privacy. Violet Sage Walker, chair of the Northern Chumash Tribal Council, is featured in all of NOAA’s claims regarding the indigenous origin of the proposal and its vision for co-management. Ms. Walker claims Chumash through her late father, Fred Harvey Collins, III (1929-2021), who claimed Chumash ancestry and identity through his mother. Attachment 1 provides documentation of his ancestry. It can easily be verified. His mother’s paternal grandparents immigrated from Sonora, Mexico in the 1860s. His mother’s maternal grandfather came from Sonora, Mexico before 1852, but her grandmother on this side was born in California to parents who immigrated from Mexico prior to 1849. Fred Collins, therefore, had no Chumash or indigenous California ancestry, and neither does Violet Sage Walker.

Fred’s second cousins do have Chumash ancestry, are members of YTT, and rejected Fred’s claim of being Chumash. Fred began identifying as Chumash around 1979 after his

mother's cousin, who was not fluent in the family's genealogy, suggested he was Chumash. His cousins' rejection led him to create the Northern Chumash Tribal Council with his daughters. When he tried to defend his claim of Chumash identity in a lawsuit against the Salinan Heritage Preservation Association, his evidence was ruled to be hearsay.¹

The other neo-Chumash that NOAA has designated as Chumash also have readily documented histories at odds with their claims. The *Los Angeles Times* verified that Wishtoyo Chumash Foundation's founder, Mati Waiya, lacks Chumash ancestry and affiliation.² The organization includes other self-identifying Chumash who share his ancestry. A very few members have distant Chumash ancestors who married and assimilated into the Spanish colonial community and only began claiming Chumash identity late last century.

The Coastal Band of the Chumash Nation was formed out of the original neo-Chumash organization, the Quabajai Chumash Association, which recently reformed as the Quabajai Coastal Chumash. Coastal Band's and Quabajai's founders lacked Chumash ancestry and affiliation. They are united instead by Spanish colonial ancestry through the Santa Barbara Presidio.^{4, 8, 9, 13, 17} Coastal Band membership became a path to resources, which attracted a few members with distant Chumash ancestry who had married and assimilated into the Spanish colonial community, severing ties to Chumash communities seven or more generations ago.

In contrast to the neo-Chumash organizations, if asked, the Salinan organizations, YTT, Santa Ynez Band, Barbareño Chumash Council, and the Barbareño/Ventureño Band can provide documentation of ancestry, affiliation, and continuity of identity as local indigenous people for their members. (There is no need for the Santa Ynez Band to provide such information to fill the appropriately proposed government-to-government role in the project since it is a federally recognized tribe.)

DEIS Problems:

Neo-Indians routinely misrepresent the cultural history and heritage of the Native communities whose identities they appropriate.^{6, 8, 10, 18} The DEIS falls victim to these misrepresentations. Portions of the DEIS rely on two neo-Chumash sources: Violet Sage Walker and Roberta Reyes Cordero.

Ms. Cordero claims Chumash identity through her father, Robert Cordero (1919-1964). I will not burden this comment with a full genealogy; that information is available upon request by NOAA. Ms. Cordero began to identify as Chumash in the 1990s, using this claim to secure grants to create the Chumash Maritime Association and its *tomol* (plank canoe) projects. She later joined the Coastal Band of the Chumash Nation. Like Ms. Walker, Ms. Cordero has no Chumash ancestry or history of family affiliation.

Neo-Chumash emerged recently from non-indigenous backgrounds. As a result, they do not possess the indigenous cultural heritage, indigenous cultural knowledge, or indigenous ecological knowledge that are essential elements of the proposed Action Plans in the DEIS. Their versions of Chumash heritage consist of a mix of borrowings from diverse sources filtered through their own romanticism and mysticism.⁸

By relying heavily on neo-Chumash sources, the Native American Cultural Resources section of the DEIS makes fundamental errors. For example, although they have become important in the heritage practices of legitimate Chumash communities, the emphasis on *tomols*

(plank canoes) stems from neo-Chumash dominance of the first *tomol* reconstruction in 1976 and the Chumash Maritime Association's reconstructions in 1997. The 1976 *tomol* event hastened neo-Chumash ethnogenesis in the 1970s.^{8, 9, 13, 17} The later *tomol* events reinforced and expanded that ethnogenesis. Some Chumash participated in these later events because they were the only venues for reprising this traditional technology. Some Chumash did so in an under-reported effort to "take back" what neo-Chumash had appropriated.

A key difference between Chumash and neo-Chumash heritage in the proposed project area is illustrated with Point Conception. The Santa Ynez Band and Barbareño communities have documented histories associating Point Conception with their last native speakers and stories of the soul's journey to the land of the dead. For them, Point Conception qualifies and has been nominated as a Traditional Cultural Property. Point Conception was not significant to other Chumash communities, such as Ventureños and YTT, where other locations held similar value.^{7, 8, 19}

In sharp contrast, for neo-Chumash, Point Conception became the "Western Gate" in 1978 during the last stage of their ethnogenesis from Spanish/Californios. Their concept of the Western Gate incorporates pan-Indian and non-Native influences foreign to historical Chumash culture. Because their sense of identity did not include Point Conception at an earlier time, Point Conception cannot qualify as a Traditional Cultural Property for them until 2028, when the federal requirement for fifty years of a place's significant association with identity will have passed.^{7, 8, 9, 13, 17, 19}

Recommendations:

NOAA's misrepresentation of its current and anticipated partners in the proposed marine sanctuary risks defrauding the American public and hastening the appropriation of legitimate Chumash communities' indigenous identity and control of their heritage. NOAA has featured the goals of "commitment to honoring Tribal Nations, respecting Indigenous knowledge, and advancing co-stewardship" (project homepage). If NOAA proceeds as planned with the partners it lists, it will not achieve its stated goals and will cause lasting harm to indigenous communities. To avoid this catastrophe, NOAA must modify its proposal, DEIS, and plans in the following ways:

- a. NOAA must cease engaging with or promoting the Northern Chumash Tribal Council, Coastal Band of the Chumash Nation, and Wishtoyo Chumash Foundation as "Chumash," "Tribes," or "tribal organizations," and remove the names of those organizations and members from its listings of local indigenous entities. It must not replace them with other neo-Chumash entities or individuals.
- b. NOAA must notify the Secretary of Commerce, the California Governor, the White House, and the public that the proposed marine sanctuary was not "indigenous proposed," as has publicly been stated. NOAA may claim to have been duped, but NOAA must accept responsibility for not being better informed.
- c. NOAA may continue to consult with the neo-Chumash organizations and individuals as it would any other interested members of the public. But it must not do so in any capacity or context specially reserved for indigenous communities.

- d. If references to neo-Chumash organizations or individuals must be retained in the documents and statements to the public and press, they should not be referred to without accurate qualifiers such as “neo-” or “self-identifying” before “Chumash.”
- e. NOAA must revise who can participate in the Indigenous Cultural Engagement Action Plan planning units it envisions: the Sanctuary Advisory Council and Indigenous Cultures Advisory Panel. It must be made clear that the Northern Chumash Tribal Council, Coastal Band of the Chumash Nation, Wishtoyo Chumash Association members, and those of other neo-Chumash organizations are not eligible because they are not indigenous organizations.
- f. The DEIS’s sections on Chumash history and heritage must be rewritten by a qualified professional using the extensive available scholarship and sources with a valid connection to the actual Chumash communities.

I am available if NOAA has questions regarding any aspect of this commentary.

Sincerely,



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Attachment 1: Ancestry of Fred Harvey Collins, III

cc: William Douros, NOAA

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CLIMATE DATA REFUTES CRISIS NARRATIVE

BY EDWARD RING

On September 16, with [great fanfare](#), California Attorney General Rob Bonta announced his office had filed a lawsuit against five major oil companies. Accusing them of knowingly misleading the public regarding the alleged harm that fossil fuels would inflict on the climate, Bonta's office seeks billions in compensatory damages. But the climate change theory that Bonta's case relies on must ultimately be validated by observational data. And the data does not support the theory.

Suing oil companies is becoming big business. Along with California, state and local government climate change lawsuits against the fossil fuel industry [have been filed](#) in Oregon, Colorado, Minnesota, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, South Carolina, and Hawaii. Alleging these companies have directly caused global warming and extreme weather, they seek damages for consumer fraud, public nuisance, negligence, racketeering, erosion, flooding and fires.

These cases will take years to resolve, and even in victory, will cost oil companies hundreds of millions (or more) in legal fees, costs that will be passed on to consumers. The plaintiffs were handed a huge advantage in 2007 in the *Massachusetts v. Environmental Protection Agency* case, when the U.S. Supreme Court, [in a 5 to 4 ruling](#), gave the EPA authority to declare CO2 a dangerous pollutant. In 2009, the EPA did just that, paving the way for litigation.

It's no certainty the oil industry will aggressively fight these lawsuits. If a broad settlement can be reached, that is probably their preference. Not only will a settlement avoid bad publicity, there is scant economic motive for oil companies to challenge the alleged consensus on climate change. As regulations, restrictions, and litigation disrupts oil and gas development, demand outpaces supply and prices go up much faster than production costs. A rational choice by oil and gas executives would be to collect market-driven record revenues and split the windfall profits with the government. That is a lot less messy.

That's also a shame. By sidestepping the question of whether CO2 is indeed a dangerous pollutant, and instead leaving that decision up to a politicized EPA, the U.S. Supreme Court in the *Massachusetts v. EPA* case issued a deeply flawed ruling. Without CO2, life on earth as we know it would not exist. CO2 is plant food, and without it, plants die. There is evidence that more atmospheric CO2 would have a [primarily beneficial impact](#) on planetary ecosystem health. If oil and gas companies defended themselves on this basis, they might take a case all the way to the Supreme Court and force a reversal of *Massachusetts v. EPA*.

An aggressive defense against Bonta's lawsuit by Exxon Mobil, Shell, Chevron, ConocoPhillips, BP, and the American Petroleum Institute would attack the core premise of the plaintiffs, the alleged evidence of global warming and extreme weather. Because what is being presented as "evidence" supporting a climate "crisis" is consistently misleading and often outright fraudulent.

Earlier this month in Orange County, California, at an event attended by water industry executives, a debate between two climate experts offered a revealing look into the tactics and the mentality of the climate alarmists, as well as the beleaguered integrity of climatologists still willing to challenge the narrative.

In a session with the unsubtle name "Is it fair to blame climate change for everything?," two very divergent points of view were on display. To represent the alarmist perspective, a professor from a world-famous university – who shall remain anonymous – presented a series of maps of the U.S., with a specific focus on the Southwest and on California. The maps depicted "before climate change" and "after climate change" scenarios, using the now familiar technique of benign blue and green overlays in areas with normal cool temperatures, and scary orange and red overlays in areas suffering alarming heat. Predictably enough, without delving into the details, the "after climate change" maps were a sea of red and orange.

The only thing about this presentation that was certain was the certainty of the presenter. We are in a climate crisis, human activity has caused this crisis, and "the evidence is overwhelming." We only later learned that the maps being displayed weren't based on actual temperature observations, but had been produced by a computer simulation.

After this first presenter finished, [Dr. John R. Christy](#) stepped up to offer a different conclusion. With a Ph.D. in Atmospheric Science and currently serving as the Distinguished Professor of Atmospheric Science and Director of the Earth System Science Center at The University of Alabama, Christy is eminently qualified to share his views on our climate future. As a native of California, Christy assured the audience that he has been giving that state special attention his entire life. He then presented a series of slides that unequivocally contradict what we hear every day. California, to say nothing of the rest of the world, is not experiencing rapid warming, nor is it experiencing unusually violent weather.

Christy's message might be summarized as follows: There may be some warming occurring over the past century in California, but it is not extreme, nor is it accompanied by unusually severe anything: droughts, extreme wildfires, heavy rainfall, diminished snowpacks, reduced river

volumes, or drier air. Readers are encouraged to scroll through Christy’s charts, which are reposted (with permission) following this text.

The data that Dr. Christy used in his presentation did not come from hypothetical climate models, but were compiled from actual climate and weather observations gathered by weather stations and satellites and extracted from databases maintained by the National Oceanographic and Atmospheric Administration and other internationally recognized official sources.

If you haven’t heard of John R. Christy despite him being one of the preeminent climate scientists in the world, that’s no accident. Along with [Dr. Richard Lindzen](#), [Dr. Judith Curry](#), and hundreds of others, his work is marginalized and his press and online coverage is either nonexistent or negative. Back in 2019, back when President Trump’s regulatory reforms had the climate industrial complex fearing for its life, Dr. Curry [published an expose](#) of what she dubbed “consensus enforcement.” In it, she described how the world’s most prestigious climate journals were yielding to pressure – mostly supported by their own editorial management – to refuse to publish anything by climate “contrarians.”

As we know, suppression of unwanted facts and analysis regardless of credibility or intent is not restricted to climate contrarians. In March 2023, Michael Shellenberger – once honored in 2008 as a *Time Magazine* “[Hero of the Environment](#),” [testified before the U.S. Congress](#) on what many have joined him in calling the “Censorship Industrial Complex,” a coalition of corporate special interests, government agencies, and major online platforms that smothers honest dialog on topics of urgent national importance.

Attempting to compile information on climate that doesn’t support a crisis narrative is demonstrably challenging, as anyone attempting to use a mainstream search engine will quickly attest. For every analysis or declaration that may exist, claiming there is not a climate crisis, search engines will offer a page full of reports debunking the analysis and discrediting the source. Often it is almost impossible to even find a link to the analysis or the declaration itself. The [World Climate Declaration](#), a petition signed (so far) by more than 1,800 experts who assert there is no climate emergency, is an example of a suppressed and unfairly stigmatized document. But with or without great numbers, the presence of scientists like Christy, Lindzen, Curry, and many others with extraordinary credentials who make this claim should put to rest the notion that the science is settled. Science is not a democracy. It is a search for truth through trial and error.

One of the saddest examples of suppression is the reluctance of conservative editors to challenge the scientific arguments used to support the climate crisis narrative. An article I recently wrote for *American Spectator*, “[California AG Sues Big Oil for Telling the Truth About Fossil Fuels](#),” was refused by two conservative publications that have frequently accepted my work. Both of them have significant reach and credibility among mainstream conservatives. Rather than identify them, which is not necessary to make the point, here are verbatim excerpts from the rejection emails I received from each editor:

“We’ll pass on this, but thanks for showing it in. On the question of climate change, there’s no editorial line, but I tend to be uneasy about publishing anything directly on the science (mainly

because I am not a scientist). Much more interesting to me is how climate policy is being abused (SEC, Fed) and how much of it makes no sense even by its own lights.”

And,

“Ed—we generally avoid getting too deeply into climate science, as it is very hard for me to judge. That is different than the economic trade-offs, absurd mandates, the unavoidable of fossil fuel energy to meet the needs of a growing, ever-more technology-driven society, etc. So I think we should pass on this one, as it does contain some strong climate claims...”

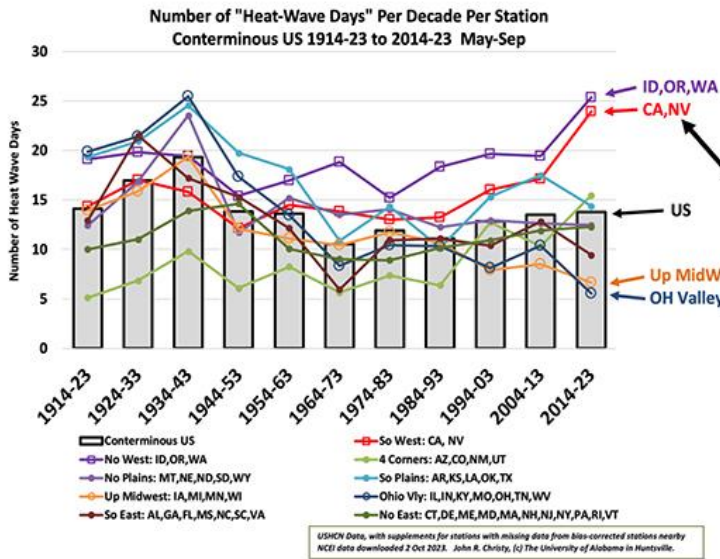
Got that? “Because I’m not a scientist,” and “it is very hard for me to judge.”

But that does not stop any of the crisis mongers. Is Rob Bonta a scientist? Gavin Newsom? Joe Biden? Al Gore? Greta Thunberg? How many of the in-house editors at the *Los Angeles Times* are scientists, much less climate scientists? But none of these people have any reluctance to hector us with their opinions, often not even derived from those climate scientists who are part of the “consensus,” but lifted from other pundits who got their material directly from press releases that featured cherry picked “impactful” nuggets taken from abstracts and summaries which in turn were exaggerations and misrepresentations of studies that even in their totality were paid for, inherently biased exercises.

If being a scientist is not a requirement for being a climate alarmist, it should not be a requirement for anyone skeptical of climate alarmism. Our capacity as intelligent non-scientists to assess competing scientific analysis may be limited, but no more so than the Bontas, Newsoms, Bidens, Gores, and Thunbergs of the world. And it isn’t hard to see an agenda at work, when every time the climate so much as hiccoughs, every mainstream news source in the world is regurgitating precisely the same terrifying soundbites and images, and repeating the same phrases and admonitions over and over and over again. Confronting such obvious and coordinated propaganda should raise skepticism in anyone with common sense and a sense of history.

If you concede the science, and only challenge the policies that a biased and politicized scientific narrative is being used to justify, you’re already playing defense in your own red zone. You’re going to lose the game. Who cares if we have to enslave humanity? Our alternative is certain death from global boiling! You can’t win that argument. You must challenge the science, and you can, because scientists like John Christy and others are still available.

The following charts were presented by Dr. Christy on October 13 at a conference in Southern California:

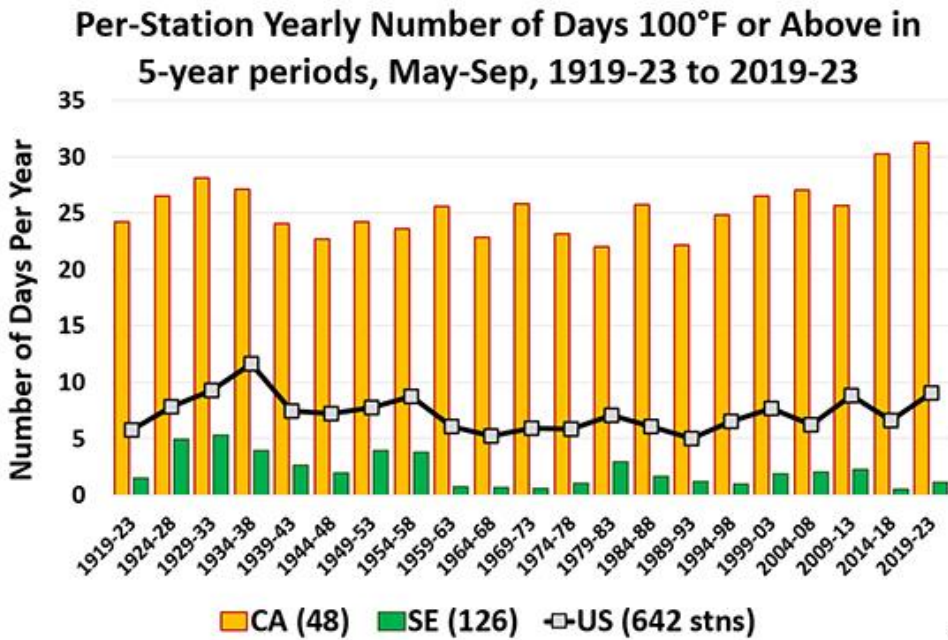


Has the West experienced more heat waves recently than in last 110 years?

Yes, however ...

Source: John R. Christy, Ph.D
Professor of Atmospheric Science
University of Alabama
(Raw data: NOAA/NCEI)

* * *



Has the number of hot days been increasing in California?

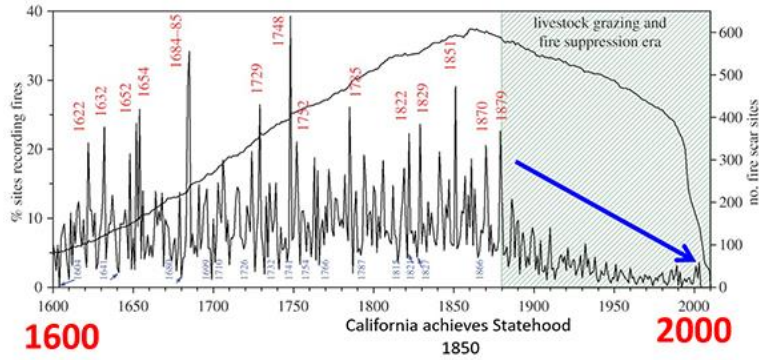
Yes, however

...

Source: John R. Christy, Ph.D
Professor of Atmospheric Science
University of Alabama
(Raw data: NOAA/NCEI)

* * *

Are Wild Fires Increasing? NO. DECREASING



Incidence in wildfires in North America 1600-2000

(It's all about human management)

Swetnam et al. 2016 Phil Trans B

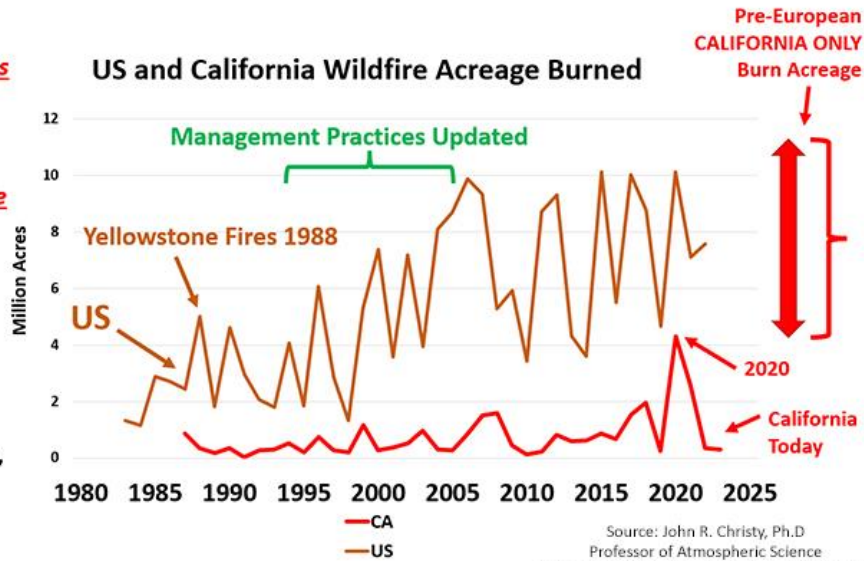
Source: John R. Christy, Ph.D.
Professor of Atmospheric Science
University of Alabama - (Raw data: NOAA/NCEI)

* * *

"The role of wildland fire as an essential ecological process and natural change agent will be incorporated into the planning process."

**Jan 2023
DoI, BLM, NPS,
USF&W, BIA,
USDA, USFS**

US and California Wildfire Acreage Burned



Source: John R. Christy, Ph.D.
Professor of Atmospheric Science
University of Alabama - (Raw data: NOAA/NCEI)

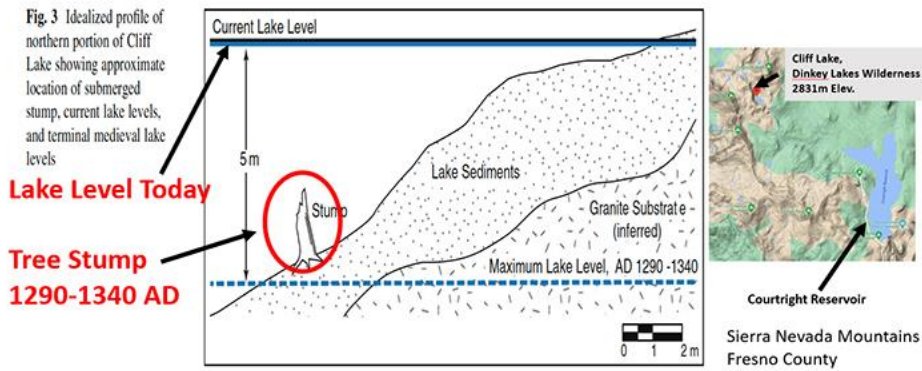
* * *

Is California in a Megadrought? **NO**

Morgan and Pomerleau 2012
J. Paleolimnology

710

J Paleolimnol (2012) 47:707-713

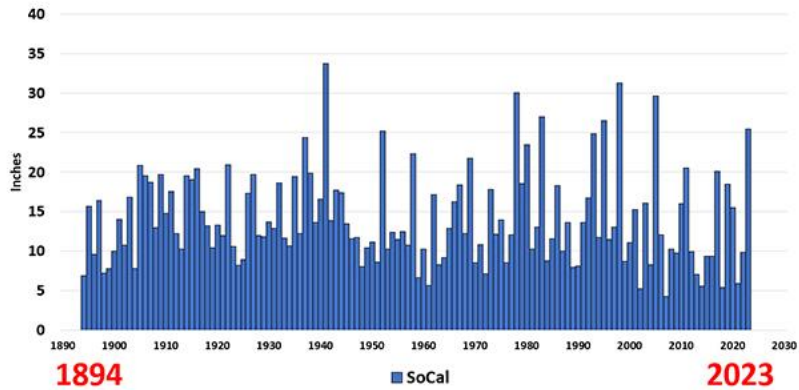


Source: John R. Christy, Ph.D - Professor of Atmospheric Science
University of Alabama - (Raw data: NOAA/NCEI)

* * *

Is the rainfall changing in So. California? **NO.**

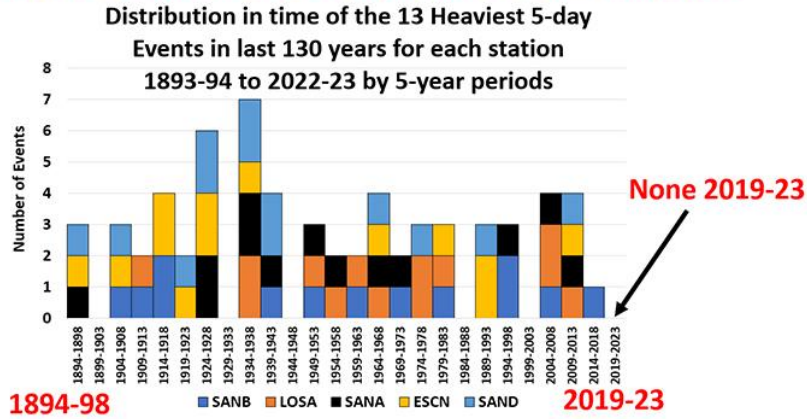
Average Annual Rainfall San Diego to Santa Barbara
1893-94 to 2022-23



Source: John R. Christy, Ph.D - Professor of Atmospheric Science - University of Alabama - (Raw data: NOAA/NCEI)

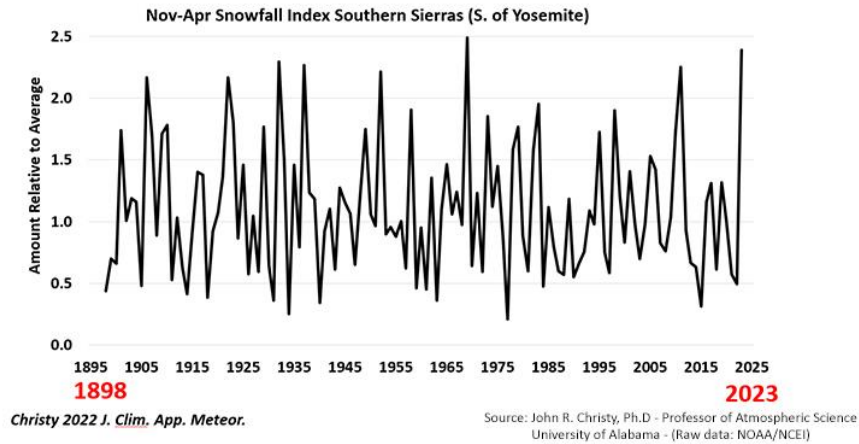
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Are Heavy rainfall events changing in So. California? NO



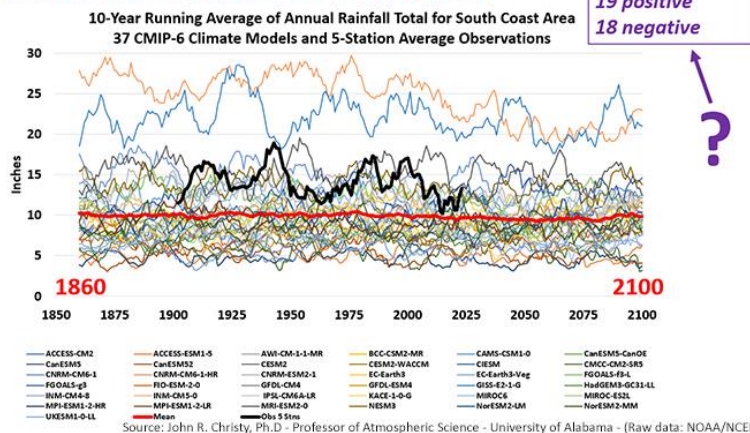
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Is snowfall changing in the Southern Sierras? NO

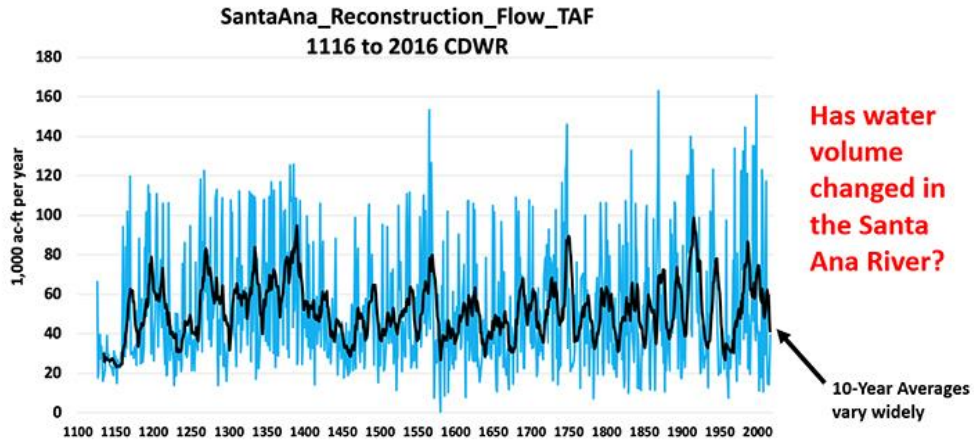


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What do models suggest for the next century?



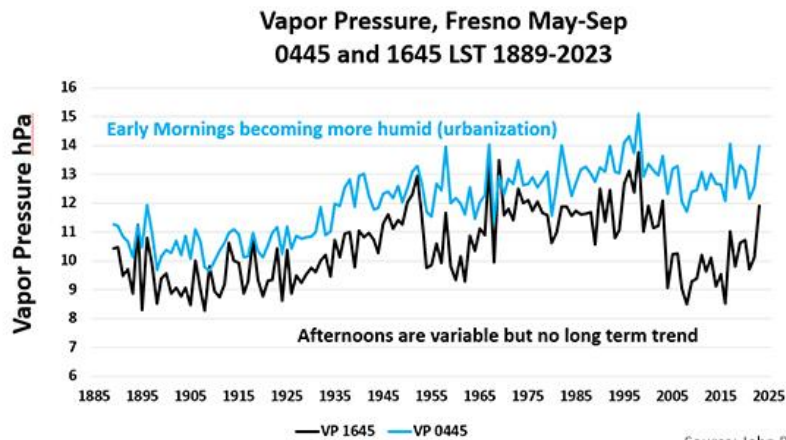
* * *



Source: John R. Christy, Ph.D
Professor of Atmospheric Science
University of Alabama - (Raw data: NOAA/NCEI)

* * *

Is the air becoming drier in San Joaquin Valley?



Source: John R. Christy, Ph.D
Professor of Atmospheric Science
University of Alabama - (Raw data: NOAA/NCEI)

* * *

This article originally appeared in [American Greatness](#).



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