



**WEEKLY UPDATE
APRIL 14 - 20, 2024**

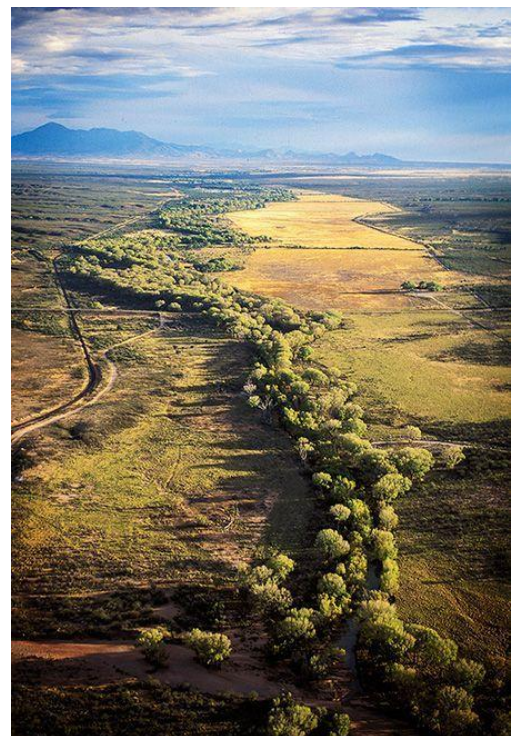
**THIS WEEK
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NO BOS MEETING

**LOCAL AGENCY FORMATION COMMISSION
SAN SIMEON COMMUNITY SERVICE DISTRICT SEEKS TO
DISSOLVE**

**SPECIAL REPORT
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**HOW 3CE ENERGY IS HELPING TO DESTROY
THE PRISTINE SAN PEDRO RIVER VALLEY IN
ARIZONA WHILE TOUTING THEIR GREEN IMAGE**



**LAST WEEK
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BOARD OF SUPERVISORS MEETING

**AMENDMENT OF GROWTH MANAGEMENT ORDINANCE
MUST BE AMENDED FOR THE DANA RESERVE PROJECT TO BE APPROVED**

**NEW HUMAN RESOURCE DIRECTOR APPOINTED
WHY DIDN'T THE BOS WAIT FOR THE NEW CAO TO ARRIVE?**

COUNTY AUDIT RECEIVES CLEAN BILL OF HEALTH

HALF CENT SALES TAX FOR TRANSPORTATION

SLOCOG MADE THE PITCH

GIBSON, ORTIZ-LEGG, & PAULDING VOTE TO KEEP WORKING ON IT

LEG BILL TO CREATE REDISTRICTING COMMISSION

GIBSON, ORTIZ-LEGG, & PAULDING VOTE TO PUSH IT FORWARD

ARNOLD AND PESCHONG VOTE NO

EXECUTIVE SESSION

ADVOCATES SUE TO PRESERVE HOMELESS RV CAMP

DID THEY SECURE A NEW CAO YET? – NO ANNOUCEMENT SO FAR

NEW NOISE ORDINANCE TO PRESERVE “PEACE & MORALS”

APPROVED UNANAMOUSLY

SUPERVISOR REQUESTS AND PROPOSALS

CALIFORNIA COASTAL COMMISSION

“TOO MANY ROCKETS BEING FIRED FROM VANDENBERG”

RED FROGS, PLOVER, AND TERNS BOTHERED/ITEM CONTINUED

CENTRAL COAST COMMUNITY ENERGY OPS BOARD

RESOURCE ADEQUACY, PROVIDER OF LAST RESORT, & OTHER

REGULATORY MATTERS THREATEN BUSINESS MODEL

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MORE ADJUSTMENTS TO CANNABIS ORDINANCE APPROVED

EMERGENT ISSUES

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**CALIFORNIA STATE AUDITOR'S SCATHING
HOMELESS REPORT: WHERE DID THE MONEY GO?**

**THE SUBSTITUTES FOR PLASTIC PRODUCTS
MOSTLY PRODUCE HIGHER GREENHOUSE
GAS EMISSIONS THAN PLASTIC**

COLAB IN DEPTH

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IS THE GREAT ILLUSION IN RUINS?

The long-awaited Great Fundamental Transformation finally got its moment, crashed, and now has torched the nation—middle-class Americans most of all.

BY VICTOR DAVIS HANSON

TWO VISIONS FOR CALIFORNIA'S FUTURE

In an alternate vision of California, millions of good jobs would be created by increasing housing development, embracing the state's oil and gas deposits, and streamlining costly state regulations.

BY EDWARD RING

**11 WAYS BIDEN AND HIS HANDLERS ARE HELL-
BENT ON DESTROYING AMERICA**

*THE PATH TO CIVILIZATIONAL DESTRUCTION SHOULD BE
VERY FAMILIAR BY NOW*

BY VICTOR DAVIS HANSON

THIS WEEK'S HIGHLIGHTS

ALL MEETINGS ARE AT 9:00 AM UNLESS OTHERWISE NOTED

No Board of Supervisors Meeting on Tuesday, April 16, 2024 (Not Scheduled)

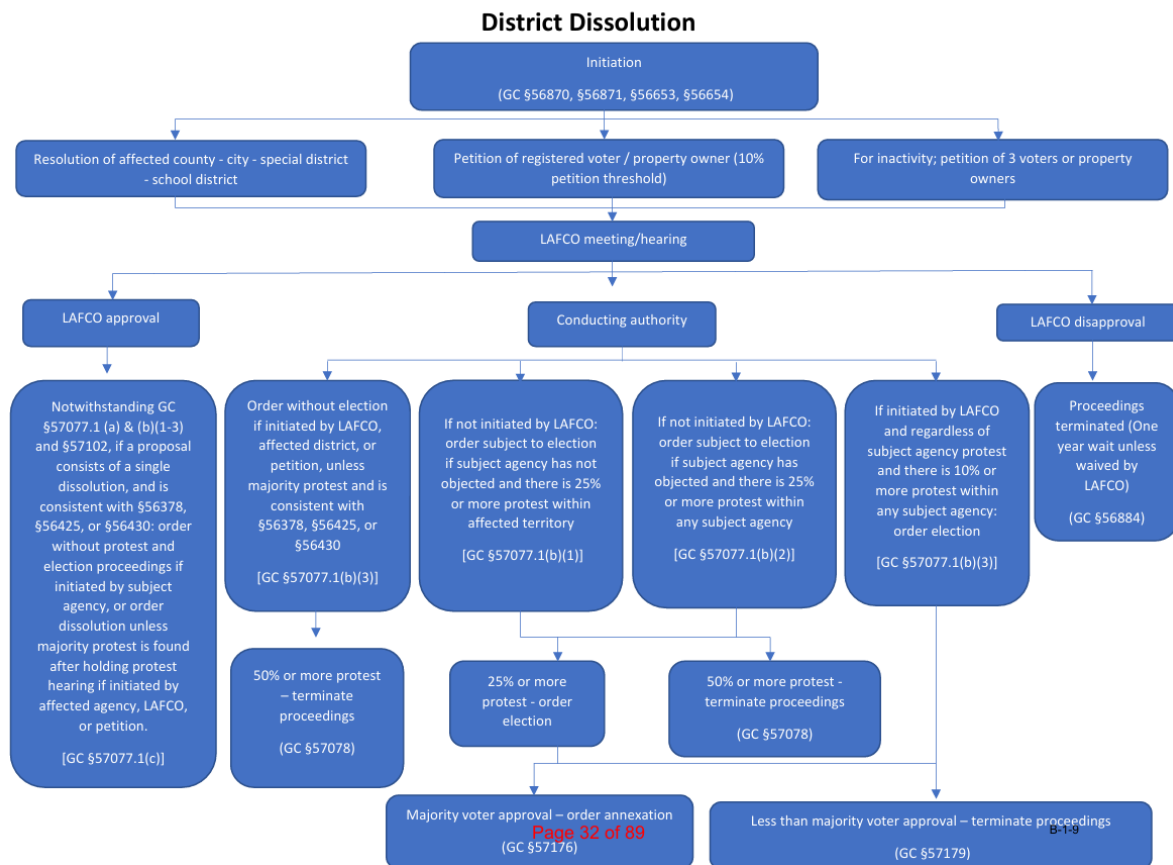
The next meeting is set for Tuesday, April 23, 2024.

Local Agency Formation Commission of Thursday, April 18, 2024, (Scheduled)

B -1 - Informational Report on the Status of San Simeon Community Services District (Recommend Receive and File). Dissolution of the District. After experiencing years of financial, legal, environmental, and management problems, the District is requesting that LAFCO approve its dissolution and assignment of its functions and revenues to the County. This very complete report does not propose any action at this time.

As we have reported, various smaller community service districts and special districts are collapsing under the weight of increasing costs, heavy complicated State mandates, and the inability of citizens to serve on their governing Boards. It is likely that some of the smaller weaker cities will also begin to collapse. The costs and management overhead then fall upon the County. Ultimately the entire model of State and local government in California will collapse under the self-induced cost pressure, constant functional accretion, wokist indoctrination of the leadership, and the general dumbing down of the population, particularly with regard to education in civics, history, and science.

The process is long and complicated:



Dissolution" under State Government Code means the disincorporation, extinguishment, or termination of the existence of a district and the cessation of all its corporate powers. Below is a high-level overview of the dissolution process.

1. *Resolution of Application adopted by the SSCSD Board a. Application must contain, in part, a Resolution of Application pursuant to 56654(a) and a Plan for providing services pursuant to 56653.*

2. *SSCSD submits the Resolution of Application to LAFCO*
a. The date of application submittal is the date that LAFCO commences a 30-day review.

3. *LAFCO 30-Day Review a. LAFCO staff will determine if the application is sufficient for filing. If the application is not sufficient and additional information is needed, then the proposal will be placed on hold. The applicant will be informed of the status of the application through a 30-day review letter.*

4. *Notice/Referrals to Affected Agencies a. Affected Agencies will have an opportunity to comment on the proposal. b. The County will receive a referral requesting the County's position on the plan for services submitted by SSCSD. If warranted, the County should provide their own plan for services with analysis related to costs, time, and staffing to take on the responsibilities of the District and determine if they plan to pursue the formation of a County Service Area.*

5. *Certificate of Filing a. Once the applicant has met all submission requirements and all items in the 30 day review letter have been met, LAFCO will issue a Certificate of filing accepting the application for filing. b. A Hearing will be set within 90 days of the Certificate of Filing.*

6. *LAFCO Hearing*
a. Staff will prepare a staff report and supporting documents for the hearing.
b. 21-day notice of Hearing & additional noticing would be conducted per gov code section 56660, 56661, & 56665

7. *30-Day Reconsideration Period a. Following a 30-day period during which any person may request the Commission to reconsider its action approving a proposal per gov code section 56895.*

8. *Protest Proceedings/Election*
a. If LAFCO approves the dissolution, protest thresholds are set forth in gov. code section 57092. In summary, if more than 25% of landowners who own at least 25% of the assessed value of land within SSCSD or if 25% of registered voters oppose the action but less than 50%, it goes to an election, if more than 50% it's terminated, as per 57078.

9. *Certificate of Completion*
a. After all Commission Conditions of Approval have been met LAFCO may file the Certificate of Completion with the County Clerk Recorder.
b. Dissolution is not completed and effective until the Certificate of Completion is filed.

SPECIAL REPORT

HOW 3CE IS CONTRIBUTING TO ENVIRONMENTAL DEGREDDATION IN ARIZONA'S PRISTINE SAN PEDRO RIVER VALLEY

Back on November 12, 2023, COLAB reported extensively on the SunZia wind power project that will generate electricity in New Mexico and transmit it to California. The Central Coast Community Energy Authority has signed a 15 year, \$715 million dollar contract to access 250 MGW on demand in an effort to have adequate resources and meet State green energy requirements. Our November article pointed out that there is considerable opposition by Native American tribes in New Mexico due the construction of large transmission lines and other facilities to transmit the energy through heretofore undisturbed tribal and rural lands.

Now it turns that the San Pedro River Valley, east of the Saguaro National Park East and about 40 miles east of Tucson, will suffer major impacts. The San Pedro River is the last free flowing river in Arizona, and the Valley is lightly settled and supports an enormous variety of upper Sonoran Desert wildlife. The Valley has not been pumped. The river is lined by beautiful cottonwood trees and small farms. There are few paved roads. The small farmers and local tribes are opposing the project route, which has been approved by the Federal Government and the Arizona Public Service Commission.

The net effect is that California and 3CE are exporting the negative environmental impacts of their green ideology virtue signaling to poor farmers and Native Americans in the San Pedro Valley.



In December 2023, 3CE and Silicon Valley Clean Energy issued a joint press release bragging about the contract:

Monterey and Sunnyvale, Calif., Dec. 5, 2023 – Central Coast Community Energy (3CE) and Silicon Valley Clean Energy (SVCE) have each signed 15-year contracts with Pattern Energy Group LP (Pattern Energy) to receive electricity from SunZia Wind, a new renewable energy project located in Lincoln, Torrance, and San Miguel counties in New Mexico.

The project is expected to begin full construction in 2023 and come online in 2026; SunZia Wind is expected to provide over 3,500 megawatts (MW) of new wind energy generation to the California Independent System Operator and other western energy markets. The total electricity

from the project is enough to power the needs of more than 3 million Americans. Of the new project, 3CE will receive its share of power from the overall facility in the amount of 200 MW and SVCE will receive 100 MW, with the remaining available capacity contracted to load serving entities in California and Arizona.

The wind generation will complement California and Arizona's abundant solar generation by providing a continued source of clean electricity in the late afternoon and early evening hours, the region's peak demand period, when solar output decreases. This is also a time of day when the grid can reach crucial conditions during extreme summer heat, whereby SunZia's energy will lessen the need for fossil fuels to meet the high levels of demand. The project is located in a region with some of the highest wind capacity factors in the country, and which is enabled by a new 550-mile transmission line (SunZia Transmission) that allows for deliveries of power into the CA and AZ load centers.

"We are thrilled to sign on to this wind energy project, which will constitute 11% of our load once operational and marks a pivotal step towards our ambitious goal of achieving 100% renewable retail energy sales," said Robert Shaw, 3CE CEO. "This project will help to diversify and enhance the reliability of our renewable portfolio and will help accelerate the cleaning of California's grid and our collective transition away from fossil fuels."

"SVCE is committed to grid reliability," said Girish Balachandran, SVCE CEO. "The 100 MW from SunZia will provide generation during a critical time of day, and its fiscal and environmental benefits will have impact well beyond our 15-year contract."

"We welcome these partnerships with Central Coast Community Energy and Silicon Valley Clean Energy for wind power harnessed in New Mexico from our SunZia Wind project," said Hunter Armistead, CEO of Pattern Energy. "With a uniquely powerful wind resource, SunZia's generation profile has a strong evening peak that is a fantastic complement to daytime solar. SunZia will deliver clean power for 3 million Americans."

The SunZia Wind and Transmission projects are expected to generate \$20.5 billion dollars in total economic benefit to the region and will create more than 2,000 jobs at peak construction and more than 100 full-time permanent jobs to operate and maintain the facility.

These contracts are a result of a request for offers issued in 2022. To date, 3CE and SVCE have signed 12 joint power purchase agreements, totaling 1,513 MW of clean energy and 316 MW of storage. The contract is a portion of 3CE's overall portfolio of over \$4 billion in contracts.

Year ending September 30,	
2024	\$ 496,000,000
2025	344,000,000
2026	196,000,000
2027	191,000,000
2028	186,000,000
2029-2053	<u>2,755,000,000</u>
Total	<u>\$ 4,168,000,000</u>

3CE's 2022-23 Annual Financial Report states in part

PURCHASE COMMITMENTS POWER AND ELECTRIC CAPACITY

In the ordinary course of business, 3CE enters into power purchase agreements to acquire energy and electric capacity. The price and volume of purchased power is largely fixed. Variable priced power, which is a small part of 3CE's portfolio, is generally linked to the market price of either natural gas or power at the date of delivery. Variable volume is generally associated with contracts to purchase energy from resources with varying availability and production, such as solar, wind and hydroelectric facilities. 3CE enters into long-term power purchase agreements to ensure stable competitive rates for its customers and to comply with state law and voluntary targets for renewable and greenhouse gas (GHG) free products.

See the article below detailing the impacts of the project on the San Pedro Valley:

RESIDENTS OF ONE OF ARIZONA'S LAST ECOLOGICALLY INTACT VALLEYS TRY TO DETOUR THE LARGEST RENEWABLE ENERGY PROJECT IN THE US BY WYATT MYSKOW

The SunZia transmission line that would carry wind energy from New Mexico to California has sparked one of the most consequential fights over the development of green spaces for green energy.

CASCABEL, Ariz.—On an overcast spring morning the land between the Galiuro and Rincon mountains of southern Arizona is lush and greener than one unaccustomed to the desert might expect.

Iconic saguaro cacti, some older than the state of Arizona itself, stand tall with arms that twist and twirl around themselves. Whole fields of cholla cactus appear like a room full of teddy bears. One of the last free-flowing rivers of the desert Southwest, the San Pedro, runs its course through the valley from Sonora, Mexico, to the Gila River, 140 miles north. As the perennial river cuts through the valley, massive cottonwood trees with luminous green canopies congregate.

The San Pedro Valley is one of the last ecologically intact landscapes left in the country. Among unfragmented landscapes in Arizona, it's second only to the Grand Canyon—the world-famous national park. There are no towering skyscrapers and no sprawling suburbs in the valley. Most of the roads are unpaved. The only sounds hikers hear through the valley's hills are the whistling of the wind and the occasional song of a bird. Sparsely scattered shards of ancient pottery and carefully placed rocks give an idea of how Indigenous people who called this place home for thousands of years lived.

The ability to not just live next to wild land, but to be part of it, is what brought people like Barbara Clark here. She arrived in 1970 in the small but tightly connected community of Cascabel. Here, ranchers and environmentalists alike shared a common appreciation for the land and could even work together, with some tied to the electrical grid while others live off of it. Across the country, landscapes have been destroyed, Clark said. Not here. The valley was a place to preserve nature, she said, not only for the next generation but also “to recognize that they have equal status in this world to us.”

In recent months, a new sight has appeared across the valley that to Clark is like watching “so many of my neighbors be slaughtered”—hilltops graded and new dirt roads cut for the route of the largest renewable energy project in U.S. history, a project largely opposed by those who live, study, recreate and celebrate their heritage here.



Longtime Cascabel resident Barbara Clark poses for a photo outside the home she and her family built along the banks of the San Pedro River. Credit: Michael McKisson/Arizona Luminaria



Residents who oppose the SunZia transmission line post signs along the proposed route south of Cascabel, Ariz. Credit: Michael McKisson/Arizona Luminaria
The SunZia transmission line is planned to stretch across more than 500 miles, connecting 3,000 megawatts of clean energy generated from wind farms in New Mexico to the power grid, which will carry most of it to utilities in California. As the U.S. looks to pivot away from

generating electricity with fossil fuels, the nearly 50 miles of SunZia lines that would cut through the middle of the San Pedro Valley have sparked one of the nation's most consequential fights over developing green spaces for green energy.

Transmission lines are the backbone of the energy grid and a vital component of the transition away from fossil fuels. The lines send energy, often generated in remote places, over long distances, typically to major urban centers. But building them across swaths of federal, state, municipal, tribal and private lands can be a long and tedious process, involving regulators from various levels of government and the consultation and feedback of local and tribal communities, environmental groups and others.

SunZia has been mired in controversy and delays, giving industry leaders and government officials examples of how the permitting process is delaying renewable energy projects and the need for reforms. To locals of the San Pedro Valley, tribes with ancestral ties to the area, archeologists and environmentalists who have been involved in its permitting process, SunZia is an example of how community stakeholders can be left behind as developments move forward, how environmentally and historically intact landscapes are at risk of being degraded in the nation's energy transition and how the nation's cultural heritage laws are not suited to address large-scale developments or climate change.

Some places, opponents say, should not be developed.

"When we first started fighting this thing 15 years ago, we didn't fight the project, we fought the location," Clark said. "This has become national news because of how horribly it was planned. We were in that planning session, and they ignored us and they ignored us and they ignored us and they ignored us."



Barbara Clark shows off a wing of her home. Clark has lived along the San Pedro River for more than 50 years. Credit: Michael McKisson/Arizona Luminaria
The fight is now playing out in federal and state courts. The biggest lawsuit centers on what tribal consultation should look like for a proposed development on the ancestral lands of Indigenous people and what qualifies as a historic property—a site easily identified by the

physical features that form its borders or a whole valley consisting of the traditional homes of multiple tribes that remain connected to the area.

Earlier this year, the Tohono O’odham Nation and the San Carlos Apache Tribe, along with Archaeology Southwest, a nonprofit focused on exploring and protecting heritage in the region, and the Center for Biological Diversity, sued the BLM over its approval of the project, alleging the federal agency failed to properly review how the project would impact cultural heritage resources in the area as required by the National Historic Preservation Act.

“This has become national news because of how horribly it was planned. We were in that planning session, and they ignored us and they ignored us and they ignored us and they ignored us.”

BLM and Pattern Energy, the developer behind SunZia, say they properly permitted the project and it is too late to stop it, arguing the statute of limitations has passed, and the section plaintiffs want to be rerouted is situated on state and private land. Perhaps worse, they argue, a reroute could derail the entire project and signal to other developers that a project can be stopped even after it receives federal approval.

“A reroute at this stage, I mean, that would really jeopardize the ability of our country to advance this clean energy transition,” said Natalie McCue, vice president of environmental affairs at Pattern Energy.

Opponents to the route say their issue is not with the energy transition, but with how this specific project opted to go through an intact ecological and cultural landscape rather than along existing degraded places. Most of the line runs along multiple interstates in New Mexico and Arizona, but it veers off into the San Pedro Valley.

SunZia opponents argue the routing decision was done only to save money and say they will continue to fight.

For Pearl Mast, a resident of Cascabel, the construction is the equivalent of saying “we’re going to rape your mother, but we’ll do it carefully and we’ll compensate for that.” For Leif Abrell, a local professor and steward for a section of the Arizona Trail where construction is visible, it represents the “false choice” that green spaces must be sacrificed for green energy. For Verlon Jose, the chairman of the Tohono O’odham Nation, it’s the latest example of the federal government and developers failing to properly consult with tribes and sacrificing landscapes vital to tribal history and beliefs “in the name of the almighty dollar.”



Cascabel residents Pearl Mast and David Omick pose for a photo outside the Cascabel Community Center on March 19. Credit: Michael McKisson/Arizona Luminaria
Routing through the San Pedro Valley may be the cheaper option for the developer, Jose said, but it will never be cheaper for the tribes in opposition to the project.

“You don’t have enough money to bring back what’s going to be destroyed,” he said.

The disputes threaten to derail the \$11 billion project, with implications that could be far-reaching: How can large renewable energy projects be built in the U.S. without sacrificing culturally important places and the intact biodiverse landscapes needed for preserving other species and [storing carbon](#), and what places should be off limits from development, no matter the cause?

It’s a question with no easy answer, but locals, tribes, archeologists, environmentalists and energy experts have ideas. Federal public land management plans similar to what’s been done [with solar](#) could identify areas best suited for the development of transmission lines and the areas that should be preserved. More extensive consultation with tribal nations whose ancestral lands could be impacted and the communities living in an area would improve buy-in for projects. A federal authority could coordinate transmission planning between a project’s various stakeholders. Updated cultural heritage laws would better define the areas that should be protected and ensure a project’s impact on historical and cultural resources are evaluated fully during the permitting process.

Power Lines in the West Run Into Legal Challenges

The nation, but especially the Western U.S., needs new transmission lines to serve a rapidly growing population and to connect renewable energy sources to the grid; a [study from the Lawrence Berkeley National Laboratory](#) found that more than 10,000 clean energy projects representing 1,350 gigawatts of generation and 680 GW of storage were awaiting approval to connect to a transmission line in 2022.

Out West, the energy grid was largely built in the mid-20th century, designed with the needs of the times, said Vijay Satyal, deputy director of regional markets at Western Resource Advocates. In the decades since, the region has seen a huge increase in population, a surge in the demand for energy and the development of new sources of electricity generation, he said, leading to the need for more transmission lines.

But the range of jurisdictions and legal processes involved and the requirements for consultations with various communities and groups make the process expensive and time-consuming, Satyal said. The average environmental impact statement, for example, takes four and a half years to complete.

SunZia is a case in point.

Please the map on the next page:



The project, largely built on public land managed by the U.S. government, began the federal permitting process in the fall of 2008 and was fast-tracked by the Obama administration in 2011.

The final record of decision over the route of the transmission lines was in 2015, with the path through the San Pedro found to be the least impactful of the routes submitted by the developer for evaluation by the BLM.

But it would take another eight years for construction to begin, with struggles to raise the financing needed for the project and the need to reroute portions of the line delaying the project. Then, in 2022, the SunZia project was sold by the Southwestern Power Group to Pattern Energy.

Construction will require up to 2,000 workers and create 150 permanent jobs, according to the developer, leading to billions of dollars of investment in local economies.

“This is the biggest renewable energy project ever built, certainly in this hemisphere ... I hope that it really can set the bar that we can do big things, and we can build big projects in this country that have a meaningful impact,” said Cary Kottler, Pattern Energy’s head of transmission.

Last year, construction finally began after [the BLM approved its final right-of-way grant](#) but was quickly [halted](#) after the Tohono O’odham Tribal Chairman Verlon Jose [wrote](#) a letter to Interior Secretary Deb Haaland on Oct. 31 asking for a halt of “the unlawful and deeply harmful destruction of the San Pedro Valley” from building the project. But construction resumed not long after the halt.

In the January suit from the Tohono O’odham Nation, the San Carlos Apache Tribe, Archaeology Southwest and the Center for Biological Diversity, the plaintiffs argue that the BLM and developers failed to properly consult with tribes and evaluate their claim that the San Pedro Valley was a cultural landscape protected under the National Historic Preservation Act for being “associated with a historical event, activity, or person or exhibiting other cultural or aesthetic values.” They are seeking to have construction paused until the BLM properly conducts a cultural landscape study.



An aerial panoramic view of the San Pedro River Valley. Credit: Michael McKisson/Arizona Luminaria

They’ve also filed a [complaint with the Arizona Corporation Commission](#), which regulates the state’s utilities and issued the project a Certificate of Environmental Compatibility, arguing developers failed to submit a cultural landscape study and a historic properties treatment plan as required as a condition of the project’s approval.

Another lawsuit from a resident of the valley is also aimed at the Arizona Corporation Commission, arguing the project now being constructed is fundamentally different from what was narrowly approved in 2016 and must be reevaluated.

A Dispute Over Cultural Heritage Laws

The lawsuit specifically is based on Section 106 of the National Historic Preservation Act of 1966, which requires federal agencies to consider the impacts any project involving the federal government will have on historic properties.

But when these projects are evaluated, their impact on cultural heritage resources is often an afterthought, said Marcy Rockman, an associate research professor at the University of Maryland who studies how climate change is impacting cultural resource management.

“It’s no one’s priority,” said Rockman, who previously was the inaugural climate change adaptation coordinator for cultural resources at the National Park Service, the agency tasked with preserving such heritage resources. “So developers and agencies, they get used to treating that as the thing that can be dismissed or that can be overwritten.”

By the time cultural resources are evaluated, she said, projects have often been in the works for years and spent large amounts of money, as is the case with SunZia. “That model runs into a whole lot of tension,” Rockman said.

According to the tribe’s lawsuit against SunZia, throughout the project’s permitting process, Archaeology Southwest and tribal officials repeatedly raised their concern that the San Pedro Valley was a traditional cultural property, an area that can be listed under the National Register of Historic Places because of its significance to a community’s history and cultural practices, and required an in-depth cultural landscape study.

Those groups were informed by the BLM in 2011 that the agency would only begin the Section 106 review process after the draft environmental impact study was completed, resulting in the development of the agency’s preferred route for the transmission line before its impacts on cultural resources were considered.

During oral arguments in March, the defendants argued they properly consulted with the tribes and identified cultural sites in the valley so that construction would avoid them. For years, defendants said they engaged in good faith efforts to consult with tribes and, with input from the groups now suing, conducted a cultural resources inventory in the area. The tribes, the defendants’ lawyers argue, never alerted the agency that they viewed the entire area as a traditional cultural property until 2023, and submitted insufficient documentation of additional cultural sites.

The plaintiffs have a different story. The tribes had been informed by officials with the BLM that the cultural landscape study would be done separately from the cultural resources inventory, which only identified specific archeological sites that could be impacted, and did not evaluate the broader issue of impacts to the entire area. Archeology Southwest and the tribes repeatedly told the BLM that a cultural landscape study was needed. And because of their long history with the federal government and concerns about the confidentiality of these sites—areas with historically significant artifacts that have often been looted—the tribes were reluctant to share information on additional culturally important sites in the valley and federal policy dictates that agencies must respect a tribe’s decision not to disclose their locations.

The burden of proof over whether the area is a traditional cultural property or not, the Rockman said the idea of a traditional cultural property stems from an interpretation of heritage codified in the 1990s that is both more modern and more Indigenous, a definition that isn’t easily defined under current federal regulations. Typically, cultural sites are defined by their borders, which can specify a place with historical importance as a monument, for example. “Nowhere in that is the idea that ‘We live here and we value it,’” she said.

That lack of a specific definition for cultural heritage at the federal level is increasingly a problem, Rockman said, as climate change continues to impact culturally important landscapes via extreme weather events, changing ecosystems and even developments meant to address those challenges.

A Final Effort to Reroute

Ancestors of the Tohono O’odham, Hopi, Zuni and Western Apache tribes all once lived in the San Pedro Valley, a history remembered in its widespread cultural, ceremonial and burial sites.

“In the Tohono O’odham way of life, we were placed here on this Earth to care and to live in harmony with one another and Mother Earth,” said Jose, the chairman of the Tohono O’odham Nation. “So a lot of our areas, we have not abandoned. We have not left. There still remains a strong connection with our people, including the San Pedro River area.”

That history is still visible. Behind the Cascabel Community Center, where the doors are open 24/7 and locals meet, pottery shards and chunks of red Jasper once used for arrowheads can be spotted on the ground. Other similar sites, many far more significant, are found across the valley.



Cascabel resident Alex Binford-Walsh ducks under a barbed wire fence outside the Cascabel Community Center on March 19. Credit: Michael McKisson/Arizona Luminaria

The reason history like that remains, along with one of the most intact ecosystems left in the country, is simple: The land has always had a small population, leading to little development, which has left a landscape unlike any other in southern Arizona, said Alex Binford-Walsh, the San Pedro community steward for Archaeology Southwest.

The SunZia Transmission Line has already started changing that, as crews construct towers up to 195-foot-tall throughout the valley. Some areas of the line are so remote that helicopters transport the crews and materials needed to build the line.

“They’re cutting the San Pedro Valley in half,” Binford-Walsh said. “The most rugged country you can imagine, completely untouched desert ecosystem, and they decided this is the best route.”

While some residents of the valley have roots that go back centuries, others were drawn more recently by the tight-knit community of Cascabel and wide-open desert. Had the transmission line existed decades ago, some might not have moved here.

Community members are being criticized for NIMBYism, said Edith Robinson, referring to the acronym for “not in my backyard.” But many of those who moved here did so to live smaller, Robinson said, to do their part to consume less.



***Edith Robinson poses for a photo outside the Cascabel Community Center on March 19.
Credit: Michael McKisson/Arizona Luminaria***

They worry about what [comes next](#). When the project’s route was given approval by the BLM in 2015, it wasn’t just for one transmission line, but two. The other hasn’t yet found the financing to begin construction. That could change, leading to a utility corridor across the San Pedro Valley, prompting a push to develop more energy sources and infrastructure throughout the area and undercutting [local conservation efforts](#). They plan to continue fighting the power line projects and any other developments that could be proposed in the valley.

“To see it degraded is heartbreaking,” said David Omick, a Cascabel resident. “Particularly when those of us who live here, who love the place and who have worked for decades to promote conservation interests, get nothing out of this project. Nothing. That’s really hard.”

Wyatt Myskow covers environmental news in the Western U.S. from Phoenix as the Roy W. Howard investigative fellow. Wyatt graduated from Arizona State University with his bachelor’s degree in journalism and has previously reported for The Arizona Republic, The Chronicle of Higher Education and The State Press. He has covered local government, development news, education issues and the COVID-19 pandemic.

LAST WEEK'S HIGHLIGHTS

Board of Supervisors Meeting of Tuesday, April 9, 2024 (Completed)

Item 2 - Request to 1) introduce the attached Amendments to the Growth Management Ordinance, Title 26 of the County Code, to add references to and growth rate limits for the Dana Reserve Specific Plan Area; 2) introduce the attached Ordinance adopting a Development Agreement between the County of San Luis Obispo, Dana Reserve, and LLC. and NKT Development, LLC. covering the Dana Reserve Specific Plan; 3) direct the Clerk to set an item for public hearing and action; and 4) authorize the use of Alternative Publication Procedures for said Ordinances. The hearing date set for April 23 and 24, 2024. The Hearing for the Dana Reserve Specific Plan is coming up on April 23 and 24, 2024. This is a major proposed planned development with 1370 homes, commercial, recreation, and public services. In addition to the usual matters that must be considered by the Board, modification of the County's Growth Management Ordinance will constitute a significant issue. The current ordinance restricts the number of new homes that can be approved in Nipomo in any one year to around 200. The number of homes will have to be modified to provide the headroom for the new development. This number will need to comport with the Specific Plan's phased development over the years.

SECTION 1: Section 26.01.020 of the Growth Management Ordinance, Title 26 of the San Luis Obispo County Code, is hereby amended as follows:

- (5) The Woodlands Specific Plan.;*
- (6) The Dana Reserve Specific Plan.*

a. In accordance with the adopted Dana Reserve Specific Plan phasing plan. b. Allocations issued to the Dana Reserve Specific Plan Area are nontransferable and terminate only at issuance of building permits. c. The maximum number of all dwelling units for the Dana Reserve Specific Plan Area shall be one thousand three hundred seventy (1,370), not including accessory dwelling units (ADUs) as allowed by State law.

The Growth Management Ordinance was adopted by the Board of Supervisors on October 23, 1990 to establish an annual growth rate for new dwelling units in the county, based on the existing housing stock and available community resources, as determined by the County's most recent Resource Summary Report. The Ordinance requires the Board to review and approve the County's annual growth rate for new dwelling units for each fiscal year. Accessory dwelling units, affordable housing, and agricultural worker housing are not subject to the requirements of the Ordinance and are excluded from the accounting for the annual growth rate.

Amendments to the Growth Management Ordinance must be introduced at a separate meeting of the Board prior to being adopted during a public hearing. The public hearing, set for April 23 and 24, 2024, to consider the attached amendment will also include consideration of the adoption of the Dana Reserve Specific Plan, a Vesting Tentative Tract Map (Tract 3159), and a

Conditional Use Permit for Oak Tree Removal and Grading/Impervious Surfaces. The attached Ordinance amendment is intended to establish growth rate limits for the Dana Reserve Specific Plan Area consistent with the phasing plan identified in the Dana Reserve Specific Plan.

It is expected that the matter will be controversial, with both numerous supporters and opponents testifying for hours. The acid test is whether the Board of Supervisors and individual Supervisors will support housing. This is the largest project to come along in decades.

The [2024 Dana Reserve Specific Plan](#) would allow for the phased development of a 288-acre master-planned community with up to 1,370 residential units, 110,000-203,000 square feet of commercial and non-residential (Visitor Serving/Hotel, Education) floor area, a minimum of 55.6 acres of open space and 6.3 acres of recreation, and related circulation and infrastructure. The project also includes a County-initiated General Plan and Ordinance Amendment to change the land use categories within the specific plan area and to incorporate the property into the Nipomo Urban Reserve Line (URL), and to ensure the General Plan is consistent with the DRSP. The project would require annexation into the Nipomo Community Services District service area to facilitate the provision of water and wastewater services to the project. The project site is located in the Residential Rural land use category, west of US 101, east of Hetrick Avenue, and adjacent to the Nipomo URL. The project is located within the South County Inland Sub Area of the South County Planning Area.



Item 7 - Appointment of a new Human Resources Director. The new Human Resources Director will be the County's current Deputy Human Resources Director, Jamie Russell. The Board letter stated in part:

The adopted FY 2023-24 budget includes the Human Resources Director position. The salary range for the Human Resources Director is \$169,956 to \$216,923 per year. Ms. Russell will start at Step 5 of the salary range which is approximately \$206,585 per year in salary and \$120,999 in benefits. Except as noted herein, Employee shall receive the same benefits that are provided to

general management employees (payroll unit BU09), and in accordance with the applicable San Luis Obispo County Code Sections(s) 2.48.180 and 2.48.034. Sufficient funds exist in the Human Resources budget to cover these expenses. Total annual compensation will be included in the FY 2024-25 budget.



The Board letter goes on to report:

Ms. Russell relocated to San Luis Obispo County in 2013 and continued her dedication to public service by joining the County of San Luis Obispo Human Resources Department. Ms. Russell began as an Analyst and progressed through various roles, serving on the HR Leadership team since 2017 and as the Deputy Director of Human Resources since 2019. Ms. Russell holds a bachelor's degree in business management and is a Senior Certified Professional through the Society for Human Resources

Management (SHRM). Additionally, Ms. Russell is a graduate of the National Association of Counties (NACo) High-Performance Leadership Program and the County's Manager Academy.

The fact that Russell is certified by the Society for Human Resources (SHRM) suggests that she may possess advanced concepts of HR Management that go beyond the usual stale government models.¹ We do not know her positions on critical governmental policies and the underlying societal values. For example, how does she view the role of the citizen taxpayer? Did her education contain the basic readings related to the role of government in society, such as the Bible, Aristotle, Plato, Cicero (the Catalinian Orations), Marcus Aurelius, John Locke, Edward Gibbon, the Connecticut Charter, The Federalist Papers, John Burke, Winston Churchill, Martin Luther King, Fredrick Hayek, and now Victor Davis Hanson? Does she believe in meritocratic organizations or DEI?

In SLO County, the HR Director is a direct appointment of the Board of Supervisors instead of the County Administrative Officer. This sets up a separate power center within the bureaucracy that weakens the position of the CAO. Weakening the CAO ultimately weakens the Board of Supervisors itself. Imagine if the VP for Human Resources at Amazon, Tesla, Hyatt Hotels, or American Express were appointed by the Board of Directors.

Back in 2009, when Supervisor Gibson decided that then CAO David Edge had to go, the HR Director was a pivotal force in supplying the ammunition. Edge fired his assistant, Gail Wilcox, for having an affair with the President of the Deputy Sheriff's Union while at the same time being engaged in labor negotiations with him, a conflict of interest. In retaliation, she accused Edge of harassment because he had advised her on dating and fashion matters. She had actually solicited the advice. Usually such matters involve attempts and pressure to receive attention and affection, which was not the



Edge and Wilcox

¹ The **Society for Human Resource Management (SHRM)** is a professional [human resources](#) membership association headquartered in [Alexandria, Virginia](#). SHRM promotes the role of HR as a profession and provides education, certification, and networking to its members, while lobbying [Congress](#) on issues pertinent to labor management. The association has more than 575 chapters worldwide,^[6] and more than 400 staff members. In 2022, SHRM acquired Linkage Inc.^{[7][8][9]} and CEO Academy,^{[10][11][12]} now serving nearly 325,000 members in 165 countries.^[13]

case in this soap opera. The County paid her \$180,000 to go away.
the case in this soap opera. The County paid her \$180,000 to go away.

attempts and pressure to receive attention and affection, which was not the case in this soap opera. The County paid her \$180,000 to go away.

Is the HR Department a deep state instrument that supports Gibson and the left? What would recently fired acting CAO John Nilon have to say about the situation? Why did the County's 15 year incumbent HR Director suddenly resign to go to Riverside County, which is not exactly the garden spot in the State?

Item 8 - Submittal of A) the County of San Luis Obispo's audited Annual Comprehensive Financial Report (FY 2022-23) (Clerk's File); B) the Single Audit Report (FY 2022-23); C) the Statement on Auditing Standards 114 Communications Letter (FY 2022-23); D) the Transportation Development Act Funds Non-Transit Purposes Audit Report (FY 2022-23); E) the Agreed-Upon Procedures Report for the Los Osos Landfill Financial Means Test Certification (FY 2022-23); F) the Passenger Facility Charges Report (FY 2022-23); and G) the Gann Appropriation Limit Audit Report (FY 2022-23). The County received a clean bill of health from its independent auditors, which means that the financial documents and practices comport with required legal and performance standards. They are accurate and fairly represent the financial condition of the County government. There were no material problems.

Note, that this is not an endorsement of the County's substantive policies and priorities.

Annual Comprehensive Financial Report

The primary purpose of the Annual Comprehensive Financial Report is to disclose the financial position of San Luis Obispo County as of June 30, 2023, together with the results of its operations for the 2022-23 fiscal year. The Annual Comprehensive Financial Report is organized into four main sections: the introductory section, financial section, required supplementary information, and the statistical section.

In our opinion, based on our audit and the report of other auditors, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information of the County as of June 30, 2023, and the respective changes in financial position, and where applicable, cash flows for the year then ended in accordance with accounting principles generally accepted in the United States of America.

The report can be seen at the link below. The casual user may wish to read the introduction and then examine the statistical section in the back.

<https://www.slocounty.ca.gov/Departments/Auditor-Controller-Treasurer-Tax-Collector-Public-/Forms-Documents/Financial-Reports/Annual-Comprehensive-Financial-Report.aspx>

Item 29 - Request to receive and comment on a report and presentation by the San Luis Obispo Council of Governments staff regarding a potential Countywide Self-Help Sales Tax Measure and Draft Transportation Investment Plan. (Tax Increase) The 3 member

Board majority supported continued work on the feasibility of the proposed ½ cent sales tax increase. Arnold and Peschong dissented. The Board letter prepared by the Administration was actually an epistle recommending that the Board support a Countywide ½ cent sales tax. While it does not actually come right out and say that staff recommends the tax, it does state:

Support for the transportation sales tax measure moves the issue further to help deliver much-needed transportation improvements and repairs for our residents and to our communities.

It is loaded with handwringing about the need for more taxes for transportation.

Transportation funding for future infrastructure falls well short of the need, as demonstrated in the 2023 SLOCOG Regional Transportation Plan (RTP), which projects a shortfall of \$2.3 billion for regional transportation projects and programs, including a shortfall of \$400 million for needed pavement maintenance alone. Tax revenues traditionally used for improvement, operation, and maintenance of public transportation infrastructure have not kept pace with needs and escalating construction costs. Existing State and Federal funding are based upon an antiquated “gas tax” system of cents per gallon of fuel. The system predated the proliferation of miles per gallon improvements to vehicles, hybrids, ethanol fuels, and electric vehicles. While the cents per gallon fuel tax for the state is fixed to inflation, EVs (>20% of new car sales in California) will erode the total gallons purchased, decreasing the tax revenues collected. Further, the federal gas tax has had no adjustment in over 30 years; thus, available revenue from fuel taxes have not kept up and will only diminish over time.

COLAB NOTE: Why should the people be taxed even more to bail out the failed ideological State and local policies?

California State Senate Bill 1 (SB 1), approved in 2017, brings in over \$5 billion statewide and approximately \$1.2 million annually locally to San Luis Obispo for the purpose of funding street repairs. This additional revenue has been helpful; however, the costs for needed road maintenance and transportation improvement projects and programs of most cities and counties still often exceed the resources available.

COLAB NOTE: Right, it’s never enough. Of course the County reduced its own general fund effort for roads, once a little of the SB 1 money became available.

To address these issues, many counties and cities in California have chosen to tax themselves for transportation services and infrastructure and not rely solely on the State and Federal funding sources that can be volatile and unreliable. A dedicated local transportation sales tax has been approved in 25 counties in California. These self-help counties”1 represent roughly 89% of the state’s population. Local transportation sales tax measures can provide regional and local authorities with access to a stable funding source to allow for delivery of timely, cost-efficient transportation improvements to their communities, and provide additional leverage and “local match” contributions to compete for outside state and federal grant funding. Adding San Luis Obispo County to this list would help unlock hundreds of millions of dollars in additional transportation funding, guaranteeing, and delivering much-needed transportation improvements and repairs for our residents and to our communities.

A previous ½-cent transportation sales tax measure (Measure J) was presented to San Luis Obispo County voters in 2016 and received 66.3% support, just shy of the 66.67% (2/3rd) super majority support threshold required for special tax measures in California. With the failure of Measure J, the region lost out on over \$180 million in funding over the last six years, which could have easily doubled by leveraging these funds towards competitive State and Federal

grants. *Transportation conditions and needs have not notably improved in the region since 2016, while transportation funding through gas tax revenue has faces its latest challenge with a growing share of electric vehicles.*

COLAB NOTE: You bet, the cities and the County would not put any new skin in the game. They would only subscribe to a weak self-reported maintenance of effort promise. They would not include a provision in the ordinance requiring them to even slightly increase their capital committed to roads and other capital improvements.

The State, cities and the County continue to provide large year over year raises and to add staff. Now some of them want you to bail them out so they can continue to hand out the patronage of jobs, not-for-profit largess, and receive political campaign contributions in return. We do need money for roads, but we need elected officials who recognize that we already paid for them and that more taxes simply extend the problem forever. Why does Texas have great roads, thriving down towns in their large cities, lower State University tuition, better public schools, and all this with no State income tax? Meanwhile, Oakland, Berkeley, parts of San Francisco, parts of LA, parts of Sacramento, and others look like the dark hole of Calcutta.

The distribution of the tax money is proposed as follows:

1. *Sunset: 20-year duration.*
2. *Revenues: \$35 million annually, or \$700 million over 20 years (not accounting for escalation).*
3. *Leverage Potential: Potential to return an additional \$900 million over 20 years in competitive State and Federal Grants.*
4. *Funding Distribution:*
 - a. *Funds distributed to four (4) geographic sub regions based on population (North Coast, South County, Central County, North Coast)2*
 - b. *Within each sub region, 66% of funds are distributed based on population directly to each jurisdiction for local projects (with a \$3 million increase to the four smallest cities), with remaining 34% of funds allocated to regional projects within each sub region.*
 - c. *Eligible Local Transportation Improvement Categories:*
 - i. *Road Repairs*
 - ii. *Community Road Safety & Congestion Improvements*
 - d. *Eligible Regional Transportation Improvement Categories: i. Regional Road Safety Improvements ii. Mobility for All (i.e. transit, senior services, and active transportation)*

Item 30 - A presentation on Senate Bill 977 introduced by Senator Laird to create a County of San Luis Obispo Citizens Redistricting Commission. The Board voted 3-2, with Peschong and Arnold dissenting to request Senator Laird to push the bill through.

Background: The County Board majority adopted a policy to create a Supervisorial Redistricting Committee. In the past, the Supervisors themselves have performed this function. The decision to create such a Commission is, in part, retribution against conservatives for having the temerity to have adopted a legal map which replaced a gerrymandered map that undermined Templeton area voters and 5th District voters. That map was killed when a new leftist Board majority sold out the will of the people in a cheesy legal settlement with leftist advocates posing as reformers.

A special bill has been created for submission to the Legislature, authorizing and spelling out the function, qualification, and process for a San Luis Obispo County Commission.

1. Number of members and qualifications:

a. Eleven members and two non-voting alternates. At least two commission members shall reside in each of the five existing supervisorial districts of the Board.

b. Political party preferences shall be as proportional as possible to the total number of voters who are registered with each political party or who decline to state or do not indicate a party preference.

c. Must be a resident of the county of San Luis Obispo and registered to vote in San Luis Obispo county.

d. Have not changed registered political party affiliation or no political party affiliation within the past five years immediately preceding the date of their appointment to the commission.

e. Have voted in San Luis Obispo County in at least one of the last three statewide elections immediately preceding their application to be a member of the commission.

f. Must also be eligible under the provisions of California Elections Code § 23003 (Attachment 2) governing qualifications of commissioners for independent redistricting commissions. Section 23003 was recently amended and has codified the qualifications which include:

i. Cannot be appointed by the legislative body. ii. iii. In the eight years preceding a person's application, the person or person's spouse:

1. May not have served an elected or appointed position in the local jurisdiction.

2. May not have served as an officer of, employee of, or paid consultant to a campaign committee, candidate for elective office, political party or elected or appointed member of a political central committee in the local jurisdiction.

3. May not have served as a staff member or consultant to, or who has contracted with, or currently serving elected officer of the local jurisdiction.

4. Been a registered lobby to a local jurisdiction.

5. Contributed five hundred dollars (\$500) or more in a year to any candidate for an elective office of the local jurisdiction. The same requirements apply to a family member (parent, sibling, child or in-law) of an applicant but limit the time frame to four years preceding the person's application.

g. Each applicant must:

1 i. Possess experience that demonstrates analytical skills relevant to the redistricting process and voting rights and possess an ability to comprehend and apply the applicable state and federal legal requirements.

ii. Possess experience that demonstrates the ability to be impartial.

iii. Possess experience that demonstrates the ability to be impartial. Possess experience that demonstrates an appreciation for the diverse demographics and geography of the county of San Luis Obispo.

Senator Laird will carry the Bill, and it is expected to pass and be signed by the Governor.

Background: Currently, the Supervisors determine the district boundaries. It is argued that this is an innate conflict of interest, which allows the faction in power to skew the boundaries to favor themselves. The current ideological and substantive divide between the progressive left Democrats and conservative of all types underlies the stakes. State law allows counties to establish a Commission to set the boundaries. The process to establish the Commission is lengthy and complicated. This meeting is designed to educate the public on the process and then have the Board give direction to proceed.

The current Board majority favors the establishment of a Commission.

From the COLAB standpoint, neither the current Board-run system nor the Commission system are bullet proof in securing an apolitical result. While the law provides a set of criteria to attempt to ensure that the districts are formed on a purely apolitical basis so as not to favor a particular faction, both versions require human management, which allows subjective judgement to leak in. It's somewhat like attempting to ban sex. The natural forces are just too strong to be entirely avoided.

Of course, all of this is rhetorical window dressing, as there are thousands of people who are politically partisan to their core who meet these qualifications.

The process for picking the Commissioners is quite complex and tedious. Moreover, it places the elected County Clerk Recorder in a very powerful role over the initial appointees.

Application Process:

a. An interested person meeting the qualifications may submit an application to the county elections official. The County Elections Official reviews the applications and eliminates applicants that don't meet the specified qualifications.

b. From the pool of qualified applicants, the County Elections Official selects the 45 most qualified applicants.

c. Nine applicants from each existing supervisorial district will be included in the list of most qualified applicants, unless there are less than nine applicants from the district that meet the minimum qualifications, in which case the total number of qualified applicants will constitute the pool.

d. The County Elections Official makes public the names of the forty-five most qualified applicants for at least thirty days. The County Elections Official shall not communicate with a member of the board, staff member or an agent for a member of the board, about any matter related to the nomination process or applicants before the publication of the list of the forty-five most qualified applicants. During the period described in this section, the County Elections Official may eliminate any of the previously selected applicants if the official becomes aware that the applicant does not meet the qualifications specified herein. After complying with the

above requirements, the county elections official shall create a subpool for each of the five existing supervisorial districts of the board comprised of qualified applicants residing in the district corresponding to the subpool to which they have been assigned.

e. At a regularly scheduled meeting of the board, the Clerk of the Board or designee, of the County of San Luis Obispo shall conduct a random drawing to select one commissioner from each of the five subpools established by the county elections official.

f. The five selected commissioners shall, at a separate public meeting review the remaining names in the subpools of applicants and shall appoint six additional applicants to the commission. The five initial commissioners shall interview finalists for appointment, allow public comment, and make the appointments during a public hearing

g. The six appointees shall be chosen based on relevant experience, analytical skills, and ability to be impartial, and to ensure that the commission reflects the county's diversity, including racial, ethnic, geographic, age and gender diversity. In order to be appointed, an applicant must receive the vote of at least three of the five selected commissioners.

h. Six additional applicants will be selected, one from each of the existing five subpools reflecting the five existing supervisorial districts, and one at large based on the criteria set forth in the draft ordinance.

h. Six additional applicants will be selected, one from each of the existing five subpools reflecting the five existing supervisorial districts, and one at large based on the criteria set forth in the draft ordinance.

Voters must approve the County ordinance, and the Legislature must approve it as a spot bill.

Timeline of Events

- If the Board provides direction to pursue legislation, a “spot bill” would need to be provided to Senator Laird’s office by February 16 (**Completed**)
- Last day to take action to place a measure on the ballot is June 18, 2024
- Late 2029, Request for Proposal to procure outside counsel for the Commission
- Full Commission created no later than December 31, 2030

If the Board provides direction to place an ordinance on the ballot for the November 2024 election, the last day for the Board to take action to place a measure on the ballot is June 18, 2024. If the Board provides direction to pursue legislation, a “spot bill” would need to be provided to Senator Laird’s office by February 16, 2024

FINANCIAL CONSIDERATIONS (This Year) *The cost of placing this ordinance on the November 5, 2024 Consolidated General Election is estimated to be \$51,000. California Elections Code Section 21552(c)(8) requires the Board of Supervisors to provide reasonable funding and staffing for the commission.*

*Depending upon the Board’s direction, there could be costs associated with an election, staff time, costs for a selection process, and costs of providing staff and expertise to a redistricting commission. **The County will incur anticipated consulting costs for administration, outreach,***

demographic analysis, translation services, mapping tools and map preparation, audio/visual support, and legal counsel to support the independent commission. Additionally, County staff costs from Elections, County Counsel, and the County Administrative Office will be incurred. If approved, it is anticipated that this request will result in costs of \$750,000 to \$1 million for the 2030 redistricting process which may be funded by the General Fund. Estimates were determined by evaluation of Santa Barbara County Redistricting actual costs and adjusted for 7 inflation. Due to additional requirements by AB-764 it is anticipated that costs will exceed the baseline estimate due to time requirements and costs associated with contracted support. County staff will return to the Board to request appropriations at a later date, subject to the needs and direction of the full Commission once seated.

In the end , this will be a long, tedious, and expensive process, which will favor the leftist activists and their elitist allies.

Item 33 - Closed Session: Among many cases, the docket included: San Luis Obispo County Homeless Union, et. al v. County of San Luis Obispo, et al, United States Court, Central District of California, Western Division, Case No. 2:24 CV-00616. The case involves the closure of the erstwhile Oklahoma Avenue homeless parking Camp. The County Counsel stated that the Board took no reportable action.

County Statement Re: Court Ruling on Oklahoma Parking Site

Author: Homeless Services Division

Date: 4/1/2024 4:00:00 PM

While a Temporary Restraining Order preventing the closure of the Oklahoma Parking Site was extended, the County of San Luis Obispo is preparing for the sites's closure after April 29, 2024.

Late on Friday, March 29, 2024, the U.S. District Court for the Central District of California issued a ruling in the case of San Luis Obispo County Homeless Union et al v. County of San Luis Obispo et al. that extended the existing Temporary Restraining Order. This renewed Order instructed the County to not close the Oklahoma Parking Site until Monday, April 29, 2024 at 3:00PM.

While disappointed by the extension of the Oklahoma Parking Site, the County of San Luis Obispo is grateful that the Court shared that it is not likely to further extend the Temporary Restraining Order. This allows the County to thoughtfully plan and prepare for the site's closure after the Order's expiration, which includes efforts to provide housing and shelter options to the 11 people remaining at the site as of March 29, 2024. We are hopeful that those currently living at the Oklahoma Parking Site will take advantage of the various options and resources made available to them.



Life at the homeless campground.



There are continuous problems.

Item 34 - Hearing on an Ordinance amending Chapter 7 (Public Peace, Safety and Morals) of the San Luis Obispo County Code prohibiting unreasonable noises. The ordinance was adopted by a unanimous vote. This is an effort to assist law enforcement to control noise complaints. The County’s efforts in the past have focused on compliance through Code Enforcement. The problem is that the code inspectors are not deployed at night and on weekends, when incidents are particularly bothersome. The Sheriff’s office gets the calls. Accordingly, the write-up states on part:

To address this gap in service, the Planning and Building Department, Sheriff’ Department, and County Counsel created a working group to identify a more effective enforcement process, which is the ordinance introduced today that would be codified under Chapter 7 (Public Peace, Safety and Morals) of County Code. This ordinance amendment would allow both departments (both Code Enforcement and the Sheriff) to work together to address, through a codified enforcement process, properties that habitually receive noise complaints.

There was some contention at this point relative to whether the ordinance should be in effect only at night. A number of residents are complaining about party noise and amplified music during the day time.



TOPIC	ORDINANCE SECTION(S)	PROPOSED AMENDMENT
Unreasonable Noises Prohibited	7.18.010	<ul style="list-style-type: none"> Prohibits unreasonable noises in the unincorporated areas of San Luis Obispo. Defines and provides examples of unreasonable noises. Sets a time range of prohibited unreasonable noises from 10:00 pm – 7:00 am. Provides a site distance of one hundred (100) feet from the property upon which unreasonable noise is broadcast.
Exceptions	7.18.020	<ul style="list-style-type: none"> Provides exceptions to prohibited unreasonable noises. Exceptions include noises such as bells, chimes and similar devices for religious purposes or celebrations of public holidays, commercial agriculture operations and duly organized events such as public dances and sporting and entertaining events.
Liability of Property Owner	7.18.030	<ul style="list-style-type: none"> Establishes that the property owner is liable for the prohibited unreasonable noises. Establishes a requirement that the County provide written notice to the property owner if a peace officer or code enforcement officer determines a violation of the ordinance has occurred.

It is curious that the County staff could even consider that they have the power to ban church bells and that such intrusion should ever be the subject of government policy.

Apparently, the issue may have cropped up in the staff research. It will also be interesting to see how they react as Islam spreads into American society and Mosques broadcast the amplified call to prayer 5 times per day.

Item 36 - 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.

California Coastal Commission Meeting of Wednesday, April 10, 2024 (Completed)

Item W13a - Consistency determination by the United States Space Force to increase Space Exploration Technologies' (SpaceX) Falcon 9 launch and landing activities at Vandenberg Space Force Base (VSFB) from six to 36 per year as well as the addition of offshore landing locations in the Pacific Ocean Vandenberg Space Force Base, Santa Barbara County. The item was continued.

Here, the Commission was messing around with both our national security and our commercial use of space economic development program.

On May 5, 2023, the Executive Director of the Commission concurred with a negative determination (Negative Determination No. ND-0009-23) by the Department of the Air Force

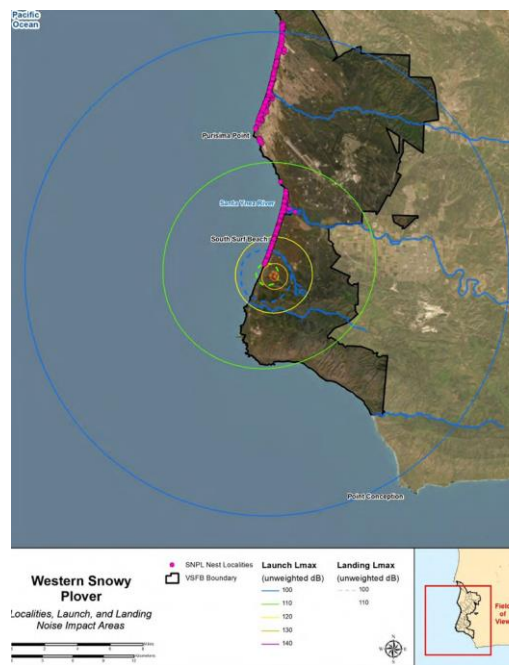
(DAF), U.S. Space Force for the proposed expansion of the Space Exploration Technologies Corporation's (SpaceX) Falcon 9 space program. The SpaceX program's expansion included increasing launch activities from an existing launch complex at Vandenberg Space Force Base (VSFB) from six to 36 per year as well as carrying out up to 12 landings per year of the rocket's first stage at a second existing launch complex at VSFB, associated payload and rocket processing activities and the addition of offshore landing locations in the Pacific Ocean.

Shortly after the Executive Director's concurrence with DAF's ND-0009-23, Commission staff learned through discussions with staff from Santa Barbara County's Parks and Recreation Department that the number of temporary closures and evacuations of the beach and campground at Jalama Beach due to SpaceX launches within the first seven months of the year had already surpassed the annual maximum that DAF committed not to exceed in its negative determination. Further, Commission staff learned that public coastal access and recreation at Jalama Beach was being affected by more than just the temporary closure and evacuation of the beach and campground.

These adverse impacts to public coastal access and recreation were not described or evaluated by DAF in its negative determination, and thus were also not considered by the Executive Director before issuing her concurrence. In addition, as noted by DAF in its negative determination and confirmed through review of publicly available SpaceX launch records by Commission staff, SpaceX carried out at least 13 launches from VSFB in 2022, more than double the six previously considered and concurred with by the Executive Director in a prior negative determination.

The project would also expose sensitive species to elevated sound levels from launches. DAF has conducted extensive monitoring across VSFB over the past two decades to understand wildlife responses to launch activity and, to date, has found that no adverse impacts have occurred and that significant wildlife populations continue to be present at VSFB despite periodic launch events and elevated sound levels.

The Commission staff has seemingly concluded that the Feds have more Marines than the Commission, so instead of shutting down the site, they have imposed a very elaborated Remedial Action Plan on the Air Force to allow it to continue operating in the near term.



1b. Western snowy plover nesting occurrences and the projected Launch Noise Effect

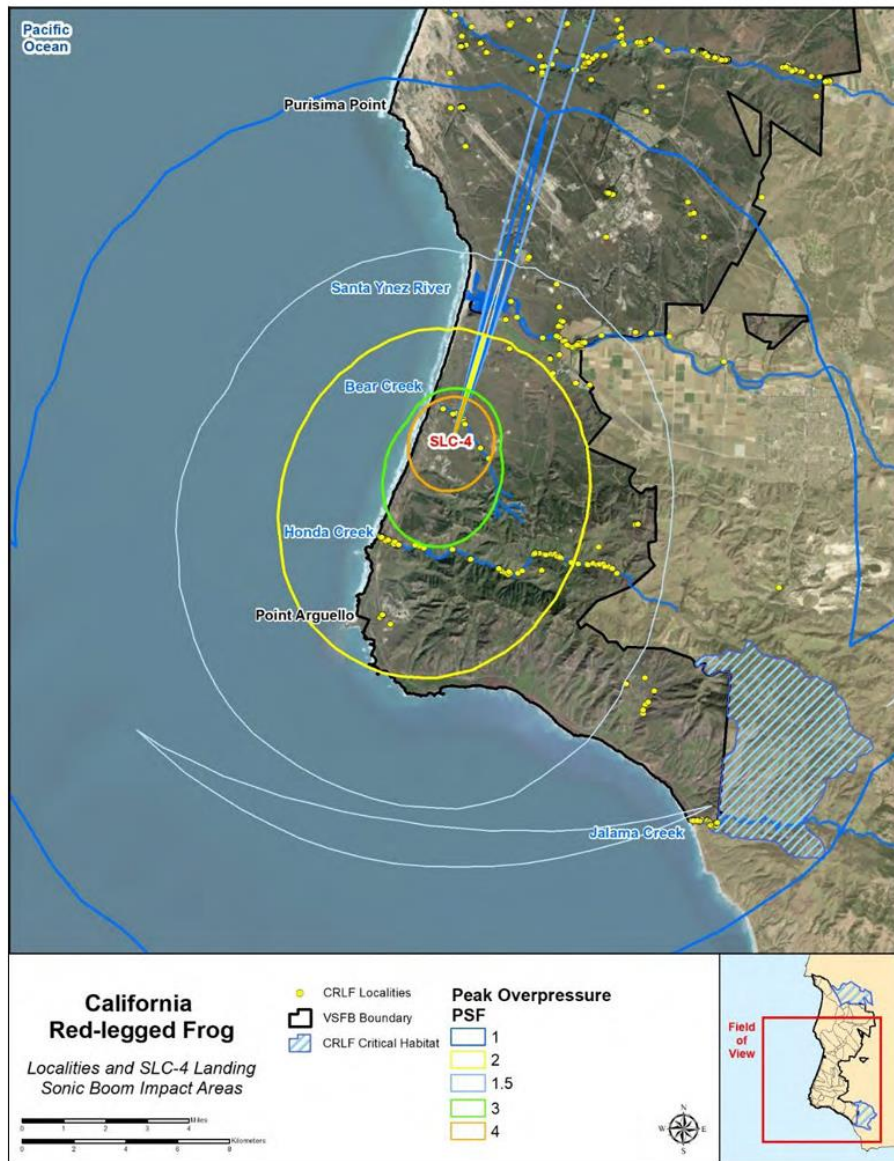


Figure 2c. California red-legged frog occurrences and the projected Sonic Boom Overpressure Effect Area produced during vehicle landing at SLC-4.

Do you suppose the Russians, Chinese, or North Koreans are seeking permits in case they decide to nuke the place? **YOUR DEFENSE DOLLARS AT WORK!! – can’t wake up the frog.**

Central Coast Community Energy Authority (3CE) Operations Board Meeting of Wednesday April 10, 2024 (Completed) 10:30 AM

In General: The Authority continues to maintain the lower cost of the energy component of its bills to consumers. The other costs are the same as PG&E. 3CE is able to subsidize this due to its preferential status granted by the California State Legislature. All customers are automatically enrolled, it pays no sales or franchise taxes and has only recently entered the market to purchase energy (relative to the 100 year old utilities), and can thus cherry pick its energy sources. Moreover, PG&E is legally required to transmit its energy, maintain the infrastructure of the system, provide ongoing maintenance and repairs, and thus sustain a large engineering bureaucracy of tens of thousands of employees. In fact, the law requires that PG&E provide all the billing for the 3CE Customers. Most importantly, 3CE has started out without the ability to

generate any power whatsoever. While it is buying into new green energy suppliers and battery storage, most of its actual energy comes from PG&E. It achieves its savings by trading renewable energy certificates (RECS) for credit in the grid. While this government-created carve out appears to be working for now, as PG&E amortizes out older costs and obtains new low cost energy contracts, the current 3CE financial advantage gap will narrow.

At some point, someone is going to figure out that the State’s expropriation of PG&E’s assets was illegal. PG&E is supposedly being compensated for its accumulative past investments through the Power Charge Indifference Adjustment, but the reimbursement is tiny in relation to the value of the system. PG&E hasn’t been willing to pick the fight, but any stockholders group, or even a public interest advocacy group, could sue the State and the community choice aggregators such as 3CE

If such a group could win in the US Supreme Court, the member agency cities and counties could be liable for the losses imposed on PG&E as well as any punitive damages for not following Constitutional provision prohibiting government seizure of private property without just compensation - that, by the way, must be timely.

Tiered Rate Plan E-1*

Residential: E-1	PG&E	3Cchoice
Generation Rate (\$/kWh)	\$0.14202	\$0.09100
PG&E Delivery Rate (\$/kWh)	\$0.20894	\$0.20894
PG&E PCIA/FF (\$/kWh)	\$0.01412	\$0.00374
Total Electricity Cost (\$/kWh)	\$0.36508	\$0.30368
Average Monthly Bill (\$)	\$143.41	\$119.29

Monthly usage: 393 kWh

Item 3 - Regulatory Update. As depicted in the table above, 3CE currently offers 5 cents per kilowatt hour advantage. The regulatory agencies such as the CPUC, California Energy Commission, and the California System Operator (which balances the grid) are all concerned that the CCAs do not have access to enough power. They have to rely on the investor owned utilities. This again raises fairness and legal equity questions.

Accordingly, the CCAs have banded together to fight the regulatory agencies’ efforts to compel them to obtain more energy.

Portions of this Regulatory Update Board letter are informative on this issue:

Issue: The Resource Adequacy (RA) program is the California Public Utilities Commission’s (CPUC) main grid reliability planning program. All load serving entities (LSEs) under the CPUC’s jurisdiction, including CCAs, must demonstrate purchase of a specified amount of eligible RA generation capacity each month and year to comply with RA program requirements. Increasing demand for and a decreasing supply of eligible RA capacity over the past five years have resulted in sharply increased prices and unprecedented difficulty procuring sufficient RA to achieve compliance. The CPUC has launched a new initiative to enhance the Slice-of-Day (SOD) framework for the Resource Adequacy (RA) compliance period of 2025.

3CE, in collaboration with CalCCA, our industry association, has been actively contributing comments aimed at enhancing the grid's affordability and reliability. Our feedback has supported the idea of allowing hourly load obligation trading within the SOD framework, granting temporary exemptions from RA penalties during the framework's introduction,

incorporating an effective Planning Reserve Margin (PRM) into evaluations, and recommending postponing the SOD framework's launch to 2026 to ensure its smooth implementation.

Furthermore, CalCCA filed a Petition for Writ of Review in October 2023 against the CPUC's denial of a rehearing regarding Resolution E-5258, which suspended expansions of 3CE and Ava Community Energy. On March 22, 2024, the CPUC filed its answer to CalCCA's Petition for Writ. The response continued to maintain the CPUC's disposition that it has unlimited authority to enforce the RA program and penalties.

Provider of Last Resort (POLR) and Emergency Transition Planning - R.21-03-011 Issue

The Provider of Last Resort (POLR) is the backstop entity that provides electric service to customers of a load serving entity if that LSE fails suddenly. Historically the role has—by default—been held by the investor-owned utilities (IOUs, namely Pacific Gas & Electric, Southern California Edison, and San Diego Gas & Electric), but this proceeding is establishing a process to allow CCAs and other non-IOU LSEs to become POLR in their service areas. This proceeding is also considering rules designed to prevent LSE failures that have various implications for 3CE finances and operations. This includes changes to how much money CCAs must post as insurance against their own failure (called the Financial Security Requirement or FSR). 3CE's FSR has been set at \$147,000 since 2018, but that amount is likely to increase with the reforms being considered in this proceeding.

Status *The CPUC issued a long overdue Proposed Decision (PD) on FSR changes on March 14, 2024. The PD suggests various changes to the FSR calculation methodology, financial monitoring requirements, and registration process for CCAs. Staff analysis has shown that, if the PD is adopted, the minimum FSR required to post for PG&E will increase from \$147,000 to \$1.71M. The PD also calls for CCAs to provide audited financial statements twice per year. While the increase in the FSR will not have a significant financial impact and 3CE is amendable to providing financial documentation to the CPUC, staff are advocating for the regulations to remain consistent with existing statutory obligations for CCAs, which call for audited financial statements once annually.*

These paragraphs constitute just a small sample of the complex issues impacting 3CE and the other CCAs

Planning Commission Meeting of Thursday, April 11, 2024 (Completed)

Item 10 - Hearing to consider a request by the County of San Luis Obispo for amendments to the Land Use Ordinance (Title 22 of the County Code) and Coastal Zone Land Use Ordinance (Title 23 of the County Code) relating to Cannabis Activities (LRP2023-00013). The proposed amendments include modifying regulations pertaining to expiration of cannabis cultivation permits, hours of operation for non-storefront retail dispensaries, and abatement procedures and cost recovery relating to unpermitted cannabis activities. The Commission unanimously recommended that the ordinance be approved by the Board of Supervisors.

On September 26, 2023, the Board of Supervisors ("Board") directed staff to prepare a Cannabis Clean-up Ordinance Amendment. These ordinance amendments include modifying regulations pertaining to expiration of cannabis cultivation permits, hours of operation for non-storefront retail dispensaries, and abatement procedures and cost recovery relating to unpermitted cannabis activities. Detailed discussion on each of the three Board-directed items is

provided in the following section. The modified regulations described are taken from proposed amendments to the Land Use Ordinance, but would be reflected in the respective sections in The Coastal Zone Land Use Ordinance, which are named and would be amended as shown in Attachment 1, Exhibits A and B.

Expiration of Cannabis Cultivation Permits

Section 22.40.050.B.1 and Section 23.08.418.b(1), pertaining to land use permit expiration, would be modified to allow time for cultivation operations to get up and running before the initial 5-year permit term commences. These modifications are shown in Attachment 1, Exhibits A and B.

Hours of Operation for Non-Storefront Retail Dispensaries

The current ordinance limits mobile delivery hours of operation for dispensaries located in unincorporated areas of the county to occur between 8:00 a.m. and 8:00 p.m., daily. This limitation is inconsistent with State regulations (defined under §15403), which allows for hours of operation between 6:00 a.m. and 10:00 p.m.

Proposed Amendments

Consistent with Board direction, staff recommend amendments to Section 22.40.090.D.3. and 23.08.427.d.(3), pertaining to hours of operation to allow non-storefront retail dispensaries to operate in accordance with §15403 (See Attachment 1, Exhibits A and B). Proposed modifications ensure hours of operation reflect §15403, as updated by the State, rather than indicating the specific hours of operation, because if that section of State code is updated, the ordinance would remain consistent with the limitations set forth therein. This adds flexibility to the ordinance while ensuring consistency with State regulations.

Abatement and Cost Recovery for Unpermitted Cannabis Activities

The intent of these amendments is to allow for the full recovery of costs in the case of immediate abatement of illegal cannabis activities. Current abatement practice is for the Cannabis Compliance Team and Sheriff Department to abate (take illegal plants into custody) on the same day the notice of nuisance and hearing is provided. Since the Cannabis Ordinance was originally adopted, State law has become clearer regarding what is required to recover the costs of immediate abatement. The proposed amendments would ensure that the County may fully recover the costs of immediate abatement in accordance with State law.

EMERGENT ISSUES

Item 1 – California State Auditor’s Scathing Homeless Report: Where Did the Money Go?



Homeless transient living on sidewalk at Union 76 gas station, W Street, 16th Street.
(Photo: Katy Grimes for California Globe)

California State Auditor's Scathing Homeless Report: Where Did the Money Go?

The homeless-industrial complex – which stands between the state and the homeless person – is hoovering up vast amounts of cash with little or no oversight

By Thomas Buckley, April 10, 2024

The California State Auditor yesterday issued a scathing report on how very broken are the state's homeless programs.

In the last five years, the state has spent about \$24 billion dollars trying to eradicate – or at least lessen – California's enormous homelessness problem. Currently, there are about 183,000 homeless people in the state: that's up 53% in the past ten years and 30% in just the last five.

That puts the average annual spending per homeless person at about \$30,000 and that figure does not necessarily include local programs. For example, this fiscal year alone Los Angeles will spend another \$1.3 billion – about another \$19,000 per person – on top of the state money while other cities will do much the same. The LA figure does not include the billions set aside in bond money to build “permanent housing,” housing that it is coming in at a clip of about \$750,000 per unit for what is essentially a studio apartment.

Unquestionably, as the spending around the state has gone so has the homeless population. What is also unquestionable, according to the audit, is the fact that the state isn't really sure how its money is being spent.

In theory the California Interagency Council on Homelessness is supposed to oversee the labyrinth of homeless service programs. There are literally hundreds of “continuum of care” organizations – from government agencies to non-profits to the financial netherworld in between, see the HOPICS disaster in LA.

But the audit found that the Council is not accurately tracking a number of critical items, specifically, whether or not any of the programs it funds actually reduce homelessness.

“(The council) has not tracked and reported on the State's funding for homelessness programs statewide since its 2023 assessment covering fiscal years 2018–19 through 2020–21. Currently, it has no plans to perform a similar assessment in the future. In the absence of an up-to-date assessment, the State and its policymakers are likely to struggle to understand homelessness programs' ongoing costs and achieved outcomes,” reads the report. “(It) has neither ensured the accuracy of the information in the state data system, nor has it used this information to evaluate homelessness programs' success.”

There is of course the possibility that the Council does not do an effective job of tracking funding and outcomes because they do not really want to know – nor do they want the public to know – how much of a failure their efforts have been, but that seems a tad too cynical, considering Sacramento's reputation for probity and transparency.

A pair of examples given in the audit stand out. First, in looking through various programs, the auditors found “more than 100 enrollment records with client names such as ‘Mickey Mouse,’ ‘Super Woman,’ or a name indicating it was a test client, such as ‘Test Participant.’”

One can assume that that program’s Wi-Fi password was “guest.”

In another example, “a shelter reported nearly 1,100 people enrolled in fewer than 300 beds. When we asked about these entries, (council) staff explained that enrollment records do not always show when individuals stopped receiving services. As a result of these errors, some of the enrollment numbers we present in this report may be overstated.”

In other words, a bass ackwards “Hotel California” : You can leave anytime you want, but you can never check out.

The audit did opine that Project Homekey is, compared to other costs of permanent housing, at least financially more responsible, with its conversion units (think old motels) coming in at about \$144,000 each around the state compared to an average of \$480,000 per unit for new construction Note – that number is a statewide average – in Los Angeles the number is about double that.

Besides the meandering money trail, there is the issue of program effectiveness.

From 2019 to March of last year, the audit found that 274,000 homeless people had entered “interim shelter” while about 46,000 had entered a more permanent situation.

In that same period, 248,000 people exited interim shelter – the numbers are not the same because “Some placements of individuals showed that the person had not yet exited the program and was still enrolled and receiving shelter or housing services as of the date we obtained the data.”

Oops.

Of those exiting, 44% went back to homelessness. 24% found some type of shelter, and about 32% were listed as “other.”

Considering the definition of other – *worker unable to determine, client doesn’t know, client prefers not to answer, data not collected, or other* – it seems to be a good bet that they, for the most part, are homeless as well.

On the flip side, those homeless that went down the “permanent shelter” path did better, with only about 10%, the audit states, going back on the streets (note – that number may be higher as, again, the tracking of people was not exactly perfect.)

The entire audit can be found here and is surprisingly clear for a government document. And the conclusions is clear as well – the state is spending money faster than it can track it, that the money being spent is exorbitant, that spending money on homelessness, at least in California, actually increases the problem due to the induced demand (people from out of state coming for the benefits and yes it is a very high percentage,) and that the homeless-industrial complex – which stands between the state and the homeless person – is hoovering up vast amounts of cash with little or no oversight.

Nice work if you can get it Evil, but nice.

Thomas Buckley is the former Mayor of Lake Elsinore and a former newspaper reporter. He operates a small communications and planning consultancy and can be reached directly at planbuckley@gmail.com. Read more of his work at [his Substack 'The Point.'](#) This article first appeared in the California Globe of April 10, 2024.

Item 2 - The Daily Chart: Plastic Madness

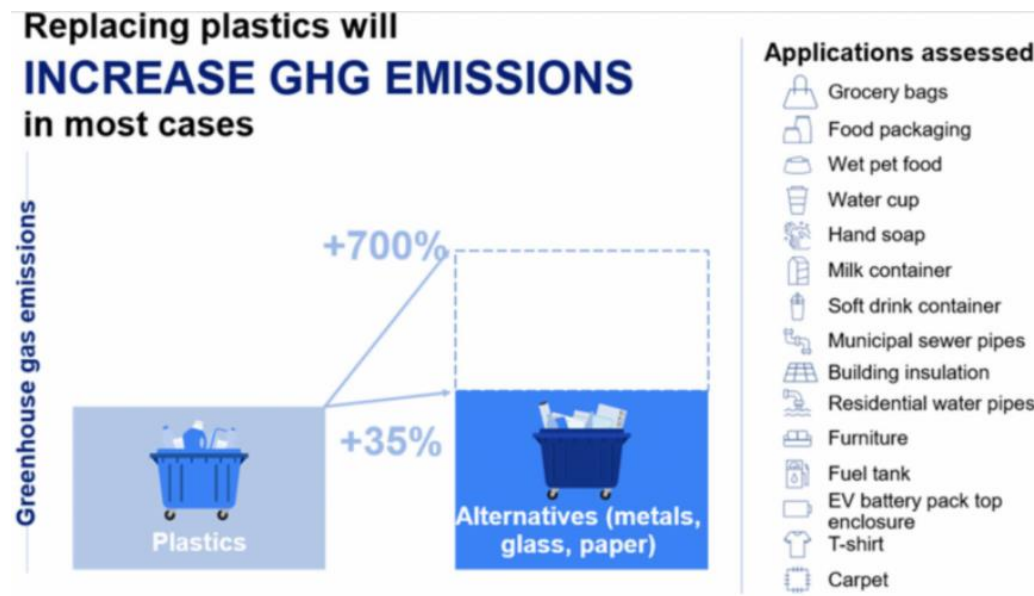
So we went and banned plastic straws and plastic bags in much of California and elsewhere because they are made from fossil fuels and a solitary turtle was once found snorting fentanyl through a plastic straw, or something. In any case, Greta/Gaia was displeased, so plastic products had to go.

Well guess what: the substitutes for plastic products mostly produce higher greenhouse gas emissions than plastic. Not by just a little **but by a lot**.

A study in [Environmental Science and Technology](#) published in January has the goods, entitled "[Replacing Plastics with Alternatives Is Worse for Greenhouse Gas Emissions in Most Cases.](#)" **From the abstract:**

This article examines the greenhouse gas (GHG) emission impact of plastic products versus their alternatives. We assess 16 applications where plastics are used across five key sectors: packaging, building and construction, automotive, textiles, and consumer durables. These sectors account for about 90% of the global plastic volume. Our results show that in 15 of the 16 applications a plastic product incurs fewer GHG emissions than their alternatives. In these applications, plastic products release 10% to 90% fewer emissions across the product life cycle. . Furthermore, in some applications, such as food packaging, no suitable alternatives to plastics exist. These results demonstrate that care must be taken when formulating policies or interventions to reduce plastic use so that we do not inadvertently drive a shift to nonplastic alternatives with higher GHG emissions.

And here's the chart from the study that makes clear that the anti-plastic crusaders are morons:



By Steve Hayward. This article first appeared in the Freedom Archives of April 11, 2024.

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

IS THE GREAT ILLUSION IN RUINS?

The long-awaited Great Fundamental Transformation finally got its moment, crashed, and now has torched the nation—middle-class Americans most of all.

BY VICTOR DAVIS HANSON

In 2021, Joe Biden was elected after a bitterly fought campaign that deposed the incumbent Donald Trump. Democrats eventually captured, for a time, both the House and Senate, ensuring the most left-wing government in modern American history.

Americans were then set to witness a great experiment. For the first time in their lives, a truly radical socialist program would supposedly fundamentally transform the way America dealt with the border, immigration, the economy, race relations, foreign policy, energy, law enforcement, crime, education, and social questions such as religion, gender, abortion, and schooling.

In a sense, we were all to be lab rats of sorts, to be experimented on by the radical left and their various critical theories. Now in the last year of the Biden term, we can see the results of that experiment—and the unfortunate disasters that followed.

But first, how was such a radical move to the left even possible in a center-right America?

The Democratic nominee, Biden, had earlier united the left, but only through a Faustian deal. The handlers of a nearly non-compos mentis Biden had ushered all his 2020 primary rivals out of the primary races in unison.

But in exchange for their exits that ensured Biden the nomination, the left took over his general campaign—in which Biden was virtually relegated to his basement—and then set his agenda.

Who was running things?

The mysterious architects of White House ideology included, inter alia, the omnipresent, now-Washington-DC-dwelling Obamas, the old socialist gadfly Bernie Sanders, the fossilized tribunes of the black and Latino congressional caucuses, the DEI firebrand Squad, and the neo-socialist scold Elizabeth Warren.

As a result, for one of the few times in American history, the hard left now had undreamt of power. And it was enhanced by a chorus in our compliant media, academia, corporations, the administrative state, foundations, entertainment, and popular culture.

So we were all to embark on a great adventure led by the foot soldiers of DEI, the Chicken-Little green extremists, the critical race and critical legal theory crowd, the modern monetary theorists, the woke commissars, the transgendered zealots, Antifa, BLM, the hate-Israel lobby, and the Trump Derangement Syndrome media sorts.

Ostensibly, America was to be reset financially, economically, socially, culturally, militarily, and politically. The nation would be arbitrarily divided into oppressors and oppressed—with one caveat: hyper-rich, left-wing white architects had to be exempt from the damage inflicted on those they targeted. Thus, like Orwellian pigs who walked on their two hind legs, they were free to fly their private jets, get their kids into racially quota-bound Ivy League schools, burn lots of fossil fuels to heat and cool their massive homes, and be protected by their walls, security details, and zip codes from the crime wave they would soon unleash on others.

Now, as we enter the fourth year of the great experiment, America is \$35 trillion in debt, borrowing \$1 trillion every 100 days. Home mortgages are at 7 percent. Key prices for food, insurance, rent, and fuels are 30-40 percent higher than when Biden entered office.

The nation has been humiliated and emasculated abroad. Racial relations are the worst in a half-century. The military is in virtual receivership. Biden is polling about 40 percent approval and is behind in key swing states in most of the 2024 polls.

As a result, the Biden administration is furiously trying to find a way to release more of its hated oil and natural gas on the world market. It stopped refilling the strategic petroleum reserve that it had earlier drained to lower gas prices before the 2022 midterms.

So it will quietly pump more oil and gas, appease Iran in fear of a war in the oil-producing Middle East, plead with the once “pariah” Saudis, and order the Ukrainians not to hit Russian oil installations—all to get more oil produced to lower November 2024 gas prices.

It will head nod to eliminating fossil fuels, mandating EVs, banning natural gas stoves, and subsidizing more inefficient wind and solar farms. But it now realizes that its green agenda on its watch will wreck the United States economy and throw the left out of power. So it pivots to an old-fashioned “Drill, World, Drill” mantra—at least until the election is over.

Biden fulfilled his agenda of getting 10 million illegal aliens into the United States by destroying the southern border. The point was to swarm America with poor, unaudited migrants, all in need of massive federal and state assistance, all supposedly now loyal to their entitlement benefactors. Who could stop them from voting as repayment to their enablers in the new age of 70 percent mail-in ballots, same-day registration, inadequate authentication and audit of ballots, third-party vote harvesting, ballot curing, and Zuckbucks pouring into key precincts to absorb the work of the registrars?

Most of the illegals went to Texas and Florida, key swing states that the left still thinks it can flip to blue status. Long term, the 10 million will recalibrate congressional districts to favor neo-socialist agendas. Short-term, millions of new arrivals unlawfully may still try to vote in 2024.

Any who object to or publicize this agenda will be dammed with boilerplate smears of “election deniers,” “voter suppressions,” “racists,” and “xenophobes,” Yet all that said, the administration

is now desperately trying to distance itself from its greatest “new Democratic Majority” border success, given that public opinion abhors what Biden had done at the border to the country at large.

So it floated a phony “bipartisan border security” bill in hopes of luring naïve Republicans to support a stealth de facto amnesty agenda that would have still allowed 5,000 illegals in a day rather than the now customary 10-15,000. The hope was that when it failed (and the left knew it would), to blame Republicans for what the left had wrought.

Biden knows destroying the border will ruin America for generations to come, costing billions of dollars in subsidies and legal and policing costs to integrate the massive influx. So until the election, it is thrashing about, claiming that it never did such a thing at all. Its duplicity is again proof that the open borders agenda was hated by the public, a human catastrophe, and not sustainable before an impending election.

Biden’s foreign policy is also in ruins. Biden destroyed deterrence in an effort to beg, appease, and buy off America’s enemies to behave and not cause an election-losing war. But the more it fled from Afghanistan in humiliation, the more it appeased Russia as it massed on Ukraine’s border, the more it snored as a Chinese spy balloon traversed the United States, the more it put early holds on aid to Ukraine, the more it assured Putin a “minor” offensive into Ukraine would not elicit a US response, so all the more it convinced Putin that he could take Ukraine without an American pushback, the Chinese to threaten Taiwan, and Hamas to prepare for massacring Jews.

So here we are in Ukraine with nearly 800,000 dead, wounded, and missing Ukrainians and Russians. The administration has no clue how to stop the Verdun that its appeasement birthed. The entire therapeutic approach to foreign policy lies in ruins.

Ditto the Middle East. National security advisor Jack Sullivan’s “quiet” portfolio that he inherited from the Trump administration simply blew up. Biden is now scrambling to stop the Israeli response to the encircled Hamas remnants, trapped in their last redoubt in Rafah.

Biden is now replaying the 1950s CIA-stereotype of the “Ugly American,” as he does his best to overthrow the Netanyahu government, and to allow the trapped Hamas remnants to escape and claim they defeated the Zionist entity, despite butchering more Jews in a single day than any time since the Holocaust. No matter: the Biden administration is stealthily communicating with the Israeli opposition concerning the best joint strategies to force Netanyahu out. Mass protests in the streets of Tel Aviv attest to the success of destabilizing the current Israeli government.

Team Biden whispers to the media about slow-walking or stopping key arms shipments, abdicating America’s once protective role in the UN, or encouraging the “international community” to go after Netanyahu for “war crimes” for accidentally hitting a civilian team in Gaza. (By such logic, are Biden and Gen. Mark (“righteous strike”) Milley equally culpable for being in charge when a US strike in Kabul blew up 10 innocent civilians by similarly mistaken targeting?). Meanwhile, Biden keeps courting Muslim-American Michigan voters, who repay his appeasement with cries of “Death to Israel! Death to America!”.

The release of violent criminals and an uptick in property crimes, murders and assault follow a similar script. The Biden administration outsourced criminal justice to defund the police/critical

legal theorists at the federal, state, and local levels. No bail arrests led to violent offenders released the next day. Thousands were let go from jails and prisons.

The word spread in the criminal community that in the new Biden years, there were no real consequences, no serious punishments for violent assault or major felonies.

So in 2021-2023, crime exploded. When it reached the point of making life unlivable in the major cities and began to max out, the administration declared “crime is declining”—in the same way that hyper-inflation supposedly did so on the economic front.

After spiking the prices of key food staples, insurance, fuel, and interest rates, such hikes could not go too much higher without destroying outright the American way of life. So as the rate of inflation slowed, Biden bragged about “lowering inflation”—but not the 30-40 percent higher food prices since his own inauguration.

The common denominator for these disasters is the embrace of left-wing “theory.”

Critical legal theory mandates that jurisprudence is a construct. Laws have no morality since they favor the powerful. The latter use “white privilege” arbitrarily to invent crimes and punishments to protect their own power hierarchies. All that nonsense has now led to a pre-civilizational free-for-all in our dirty, dangerous, and dysfunctional cities.

Modern monetary theory—printing lots of money to spread around to those who have none while diminishing the value of money of those who have it—only led to hyperinflation and high interest rates.

When DEI theories were unleashed on the military, potential recruits hesitated, and thousands quit. After Pentagon grandees virtue signaled their fear of “white rage” and “white privilege,” after DEI made promotions and assessments often contingent on race, gender, and sexual orientation, and after the new military was humiliated in Afghanistan, it found it could no longer deter the enemy, recruit sufficient soldiers, or win back the confidence of the American people.

In all these cases, the woke genie left the bottle—and won’t go back in. So it will be hard for the administration to assure a long-suffering public that things are just wonderful, much less to reverse these policies, if indeed they are reversible, before November.

Expect instead nonstop distraction as the left beats the January 6 horse to death, calls for abortion on demand, and waits for its underling judges, prosecutors, and juries to jail or bankrupt Trump and therefore do what balloting cannot.

In other words, the long-awaited Great Fundamental Transformation finally got its moment, crashed, and now has torched the nation—middle-class Americans most of all.

Victor Davis Hanson is a distinguished fellow of the Center for American Greatness and the Martin and Illie Anderson Senior Fellow at Stanford University’s Hoover Institution. He is an American military historian, columnist, a former classics professor, and scholar of ancient warfare. He has been a visiting professor at Hillsdale College since 2004, and is the 2023 Giles O’Malley Distinguished Visiting Professor at the School of Public Policy, Pepperdine

*University. Hanson was awarded the National Humanities Medal in 2007 by President George W. Bush, and the Bradley Prize in 2008. Hanson is also a farmer (growing almonds on a family farm in Selma, California) and a critic of social trends related to farming and agrarianism. He is the author most recently of The Second World Wars: How the First Global Conflict Was Fought and Won, The Case for Trump and the recently released The Dying Citizen, and the forthcoming The End of Everything (May 7, 2024).. This article first appeared in the *American Greatness*, April 8, 2024*



TWO VISIONS FOR CALIFORNIA'S FUTURE

In an alternate vision of California, millions of good jobs would be created by increasing housing development, embracing the state's oil and gas deposits, and streamlining costly state regulations

BY EDWARD RING

The average retail price of regular gasoline in California as of April 3, 2024, was \$5.15 per gallon. Since that's an average, there are spots where the price of regular gasoline is significantly higher, as I learned over the weekend while spending \$6.15 per gallon to fill the tank. Californians now pay more for their gasoline than Hawaiians, which is quite an accomplishment. The state of Hawaii is a remote archipelago in the middle of the Pacific Ocean, with no in-state petroleum resources to speak of, whereas California is sitting on some of the most abundant reserves of oil and gas in the world.

Despite proven reserves of 2.3 billion barrels of oil and potentially another 10 billion barrels locked in California's so-called Monterey Shale formation, California imports over 70 percent of its crude oil. Most petroleum geologists agree that if oil exploration were permitted in California, the quantity of proven reserves is likely to triple. But through a relentless barrage of legislation, California's state legislature and the activist agencies that oversee the industry are doing everything in their power to shut it down. The same regulatory assault is underway with California's natural gas industry, where, despite plentiful in-state reserves, over 90 percent is imported.

It's not just energy that is expensive and in short supply in California. Every essential building block of a successful economy is subjected to politically engineered scarcity. The state's water infrastructure is neglected, and instead of investing in new ways to harvest and store the roughly 200 million acre feet of rain that hits the state even in dry years, billions are being invested in systems designed to ration urban water use while farms throughout the state are taken out of

production for lack of irrigation water. Freeways are neglected as billions are wasted on a high speed rail project that, even if it is ever completed, will do virtually nothing to alleviate freeway congestion.

California even has a shortage of developable land, which is absurd since the vast majority of California's nearly 40 million people live in urbanized areas that only consume 5 percent of the state's total land area. You could build homes for 10 million people, at four per household on quarter-acre lots, with an equal amount of space set aside for roads, retail centers, parks, schools, and commercial/industrial facilities, and you would only increase California's urban footprint to 6.5 percent. Such new "sprawling" developments would only consume 2,000 square miles in a state that occupies 156,000 square miles. But there's "no room." There's also not enough water, energy, or good roads and freeways to accommodate newcomers.

All of this is by design. All of this is a political choice. It is the result of a consensus reached between a coalition of special interests that together wield almost unimaginable power. California's public sector unions collect and spend nearly a billion dollars per year, using a sizable percentage of that money to make or break the campaigns of every elected politician, all the way from local water boards to the governor. They want endless environmental regulations so they can grow their regulatory and enforcement bureaucracies, and to pay for it, they don't want to see public money invested in practical physical infrastructure. They're not alone.

California's public utilities, quasi-private and owned by stockholders, are held to a fixed profit by regulators. This means that the only way they can increase their earnings per share is by raising their revenue. No wonder investing in "renewables" is so favored by these utilities. With no competition and captive ratepayers, their stock price will be a lot higher when they're charging \$.50 per kilowatt-hour and passing 9 percent down to the bottom line than when they're charging \$.05 per kilowatt-hour. How convenient that the state has decreed "net-zero" by 2045.

Anti-growth politics also benefit the homebuilding industry, at least what's left of it. With exorbitant fees, artificially inflated land prices, ridiculously overwrought building codes, unnecessarily costly building materials since almost nothing can be sourced in-state, and punishing delays in acquiring permits from a Byzantine array of hostile agencies, it is impossible to profitably build most types of housing in California without subsidies. But why fix that? The small builders give up and find new professions. The big builders that have opportunities to profitably build affordable market housing in less regulated states without crawling to the government for subsidies have done so. That leaves California with a handful of politically connected mega-builders collecting billions in subsidies to build "affordable housing."

If that were a complete list, it would be enough, but almost every special interest in California wants scarcity. Tech billionaires love it because elevated energy prices allow them to develop and sell every manner of green product, from energy management systems and electric cars to chipsets for "connected" appliances ala the "internet of things." The data gathering sector alone stands to gain billions in revenue by collecting and parsing behavioral data from consumers using connected appliances. In a state where energy and water were abundant, these products and services wouldn't sell. As it is, not only does the backdrop of high prices make them rational consumer choices, but just in case, the state legislature is mandating their adoption. Finally, there are financial special interests that profit from high asset values. From California's mammoth public employee pension systems to hedge fund investors and real estate investment trusts, the

contrived scarcity of land and resources makes investments in land and resources more rapidly appreciate in value. There's big money in scarcity.

Another anti-growth special interest, if you want to call them that, are the Californians themselves. Not the newcomers, invited into the Golden Sanctuary State to take all those “jobs that Americans won’t do.” Rather, it is the group that’s been here for a few generations—those millions of Californians who live in homes paid for long ago, paying minimal property taxes, and don’t want another ten million people moving into their state. Many of them are retired and are indifferent to traffic congestion on the roads. Millions of them live close to the coast and don’t have significant expenses to heat or cool their homes. For them, the orchestrated panic over “climate change” provides moral cover for what they really want, which is to slam the door on opportunities for anyone moving here.

This extreme anti-growth vision defines California today. But there is another extreme worth imagining. California could be a state where the public decides it would be desirable to develop another two percent of the state’s geography with spacious suburbs filled with detached homes on spacious lots. They could embrace more drilling and refining of oil and gas within the state and set an example to the world of how to do it responsibly. They could build more safe nuclear power plants to generate additional gigawatts of electricity while substantially lowering the construction cost by streamlining costly state regulations and using their considerable clout to demand the federal government do the same. They could invest in practical ways to harvest additional millions of acre feet of storm runoff and build desalination plants to provide abundant water to coastal megacities.

In this alternate vision of California, millions of good jobs would be created, attracting talent from around the world, and since the cost of living would be dramatically reduced, even entry-level jobs would offer people willing to work hard the same opportunities for upward mobility that were present during the state’s last golden era, the 1950s and early 1960s, before the anti-growth forces began to take control.

It is left to the reader to decide which vision of California ought to prevail and which sort of example might inspire the rest of the world to emulate.

*Edward Ring is a senior fellow of the Center for American Greatness. He is also the director of water and energy policy for the California Policy Center, which he co-founded in 2013 and served as its first president. Ring is the author of *Fixing California: Abundance, Pragmatism, Optimism* (2021) and *The Abundance Choice: Our Fight for More Water in California* (2022).*

1 WAYS BIDEN AND HIS HANDLERS ARE HELL- BENT ON DESTROYING AMERICA

THE PATH TO CIVILIZATIONAL DESTRUCTION SHOULD BE VERY FAMILIAR BY NOW

BY VICTOR DAVID HANSON

Why are those controlling President Joe Biden using him to advance so much of a destructive agenda that it will likely end America as we know it?

If someone wished to destroy America, could he do anything more catastrophic than what we currently see and hear each day?

What would an existential enemy do that we have not already done to ourselves?

Here are 11 now familiar steps to civilizational destruction:

1. Wipe out a 2,000 mile border.

Allow 10 million foreign nationals to enter unlawfully. Have no audit of any; nullify all federal immigration laws. Let in toxic drugs that kill 100,000 Americans a year. Give free support to those millions who broke the law. Smear any objectors as racists and xenophobes.

2. Run up \$35 trillion in national debt.

Keep adding \$1 trillion to it each 100 days. Defame anyone wishing to cut wild spending as cruel and inhumane.

3. Appease or subsidize enemies like Iran and China.

Demonize allies like Israel. Allow terrorists to attack Americans without adequate response. See Islam as either similar or superior to Christianity. Make amends to leftist governments for supposedly past toxic American international behavior. Follow the lead of international agencies like the UN, ICC, and WHO to atone for past American neocolonial and imperialist behavior. Recede to second-tier international status, befitting American decline.

Victor Davis Hanson: 'These people are in freefall, almost unhinged' Video

4. In a multiracial democracy, redefine identity only as one's tribal affiliation.

Ensure each identity group rivals the other for victimhood and the state spoils it confers. Reboot all political issues by race and sex oppressors and oppressed. Destroy all meritocratic standards of admission, retention, promotion, and commendation.

5. Recalibrate violent crime as understandable, cry-of-the-heart expressions of social justice.

Ensure no bail and same-day release for arrested, repeat violent felons. Empathize with the violent killer and rapist; ignore their victims, especially if they are slain police officers.

6. Emasculate the military by using non-meritocratic standards of race, gender, and sexual orientation to determine promotion and commendation.

Deliberately impugn as racists and insurrectionists the largest demographic in the military who in recent wars died at twice their numbers in the population—so that they leave or never join the military. Encourage retired high officers to slander their commander-in-chief. Cut the defense budget. Stop producing sufficient weapons, but leave billions of dollars' worth of arms to terrorists.

7. Reinvent the justice system to indict, bankrupt, convict, jail and eliminate political opponents.

Use ballot removal, impeachment, civil suits, and state and federal indictments rather than elections to defeat an opponent. Mob the homes of non-compliant Supreme Court justices, and attack them personally by name.

Supreme Court members

Members of the Supreme Court (L-R) Associate Justices Amy Coney Barrett, Neil M. Gorsuch, Sonia Sotomayor, and Clarence Thomas, Chief Justice John G. Roberts, Jr., and Associate Justices Ketanji Brown Jackson, Samuel A. Alito, Jr., Elena Kagan, and Brett M. Kavanaugh pose in the Justices Conference Room prior to the formal investiture ceremony of Associate Justice Ketanji Brown Jackson September 30, 2022 in Washington, D.C. (Collection of the Supreme Court of the United States via Getty Images)

8. Encourage the fusion of the bureaucratic state with the electronic media to form a powerful force for political audit, surveillance, censorship, and coercion.

Marry the FBI to Silicon Valley and hire its contractors to warp the news and hound supposed enemies of the people.

9. Make war on affordable gasoline and natural gas.

Substitute inefficient, unreliable, and expensive wind and solar power, even as energy prices nearly bankrupt the middle class.

10. Marry late, but preferably not at all.

Consider males toxic, especially boys. Have no children, or as few as possible. Otherwise, assure children they are entitled, and must be sheltered. Raise them to have grievances against past generations and current norms.

Victor Davis Hanson: Biden has had the most 'remarkable meltdown' of any president we've seen in modern era Video

11. Turn world-class universities into indoctrination centers.

Suspend the Bill of Rights on campuses. Train youth to graduate despising their own culture and civilization. Recruit foreign students from hostile nations to subsidize campus commissar bloat. Replace the curriculum with therapeutic propaganda. Ban the SAT/ACT and do not evaluate comparative high school GPAs. Ensure merit does not select the student body. Charge tuition higher than the rate of inflation. Bill the government when students default on their loans.

Why could those controlling the president be doing all of the above?

1. *They are delusional and think their socialist and globalist agendas are working and will save us.*

2. *They are raging nihilists who do not like the U.S. and deliberately want it destroyed as a service to the world. A ruined U.S. is preferable to a strong America.*

3. *They are Jacobin revolutionaries who are intentionally erasing the old United States as a prerequisite for creating an entirely new America that will arise from the ashes with no trace or even memory of its past.*

4. *They have no agenda. They are aimless fools and utter incompetents. These bunglers just wing it day-to-day, in response to what their radical media, academic, and political masters dictate is necessary for them to retain power. They have no idea of the damage they are doing.*

5. *A bit of 1-3, but probably not 4.*

There is cause for hope among this nihilist remaking of America: the people are fed up and will demand an accounting in the fall.

*Victor Davis Hanson is a distinguished fellow of the Center for American Greatness and the Martin and Illie Anderson Senior Fellow at Stanford University's Hoover Institution. He is an American military historian, columnist, a former classics professor, and scholar of ancient warfare. He has been a visiting professor at Hillsdale College since 2004, and is the 2023 Giles O'Malley Distinguished Visiting Professor at the School of Public Policy, Pepperdine University. Hanson was awarded the National Humanities Medal in 2007 by President George W. Bush, and the Bradley Prize in 2008. Hanson is also a farmer (growing almonds on a family farm in Selma, California) and a critic of social trends related to farming and agrarianism. He is the author most recently of The Second World Wars: How the First Global Conflict Was Fought and Won, The Case for Trump and the recently released The Dying Citizen, and the forthcoming The End of Everything (May 7, 2024).. This article first appeared in the *American Greatness*, April 8, 2024*



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