



WEEKLY UPDATE
April 20 - 26, 2025

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PLANNING COMMISSION

SLOW PROGRESS ON LOW & MODERATE HOUSING

EXPEDITING ADU APPROVALS

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NO BOARD OF SUPERVISORS MEETING

APCD SPECIAL MEETING

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**AFTER A 3 DECADE BUILDING MORATORIUM,
CONSTRUCTION OF A \$200 MILLION SEWAGE
TREATMENT PLANT, MILLIONS SPENT ON A
HABITAT CONSERVATION PLAN, AND
HUNDREDS OF THOUSANDS SPENT ON AN
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CALIFORNIA NEEDS A DOGE:
*TAXPAYERS ARE FOOTING THE BILL FOR A STATE GOVERNMENT
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IT'S NOT EASY BEING GREEN
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MORAL POSTURING, MASKS A DEEPER AGENDA OF POWER,
PROFIT, AND CONTROL—OFTEN AT THE EXPENSE OF
TRUTH AND PROSPERITY*
BY ROGER KIMBALL

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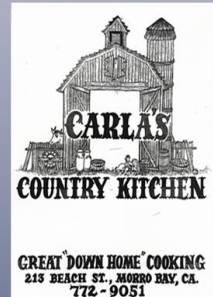
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THIS WEEK'S HIGHLIGHTS

No Board of Supervisors Meeting on Tuesday, April 22, 2025 (Not Scheduled)

In General: This week's newsletter is particularly light. The Easter break created a timing gap for the SLO County Board of Supervisors ranging from the last meeting of April 8 to the next meeting, which will be April 29. In those three weeks, very few business meetings have been conducted.

The April 24 Planning Commission is one of the few agencies that have scheduled a meeting in this period, albeit with a light agenda of just nine items – mostly technical in nature.

Item 8 has to do with amendments to the County Inland and Coastal Zone Land Use Ordinances and Local Coastal Program (County File Number: LRP2024-00014) to update regulations relating to the Density Bonus Program for consistency with recent changes in State law and to encourage affordable housing production.

Item 9 is to consider amendments to the County Inland and Coastal Zone Land Use Ordinances, Local Coastal Program, Real Property Division Ordinance, and Buildings and Construction Ordinance (County File Number: LRP2024-00013) to update regulations relating to accessory dwellings, urban dwellings, and urban lot splits for consistency with State law and to streamline and support affordable housing production, certainly a good thing in terms of aligning with state building laws and regulations.

Planning Commission Meeting of Thursday, April 24, 2025 (Scheduled)

Item 8 - Hearing to consider amendments to the County Inland and Coastal Zone Land Use Ordinances and Local Coastal Program (County File Number: LRP2024-00014) to update regulations relating to the Density Bonus Program for consistency with recent changes in State law and to encourage affordable housing production. The staff is checking in with the Board on its plans to amend the zoning ordinances to conform with recent State enabling legislation that requires more generous housing density bonuses. Projects that provide significant low and moderate units may receive higher densities above the underlying zoning. The general provisions include:

The benefits for a development participating in the Density Bonus Program may include:

- *Bonus Dwelling Units. The total number of allowable dwelling units may be increased up to 100% beyond what a project might otherwise be allowed to have.*
- *Concessions. Developers of affordable housing projects are entitled to one or more concessions based on the number of affordable housing units provided in the project. These concessions include reductions or modifications of development standards that result in identifiable and actual cost reductions for the project's affordable housing units. Development standards include, but are not limited to, height limits, setback requirements, floor-area ratio, on-site open space requirements, or minimum parking ratio. The concessions should have proof of resulting in identifiable and actual cost reductions for the project. If the applicable Review*

Authority finds substantial evidence that the requested concession does not result in identifiable and actual cost reductions, then the concession may be denied.

- *Waivers. Developers may request adjustments or waivers of development standards that would physically prevent the construction of the proposed density bonus project at the densities or with the concessions permitted under the density bonus program.*
- *Reduced Parking Requirements. Developers may receive a reduction in the number of parking spaces required per dwelling unit.*

The item also contains a table detailing the County’s progress to date on various Housing element goals:

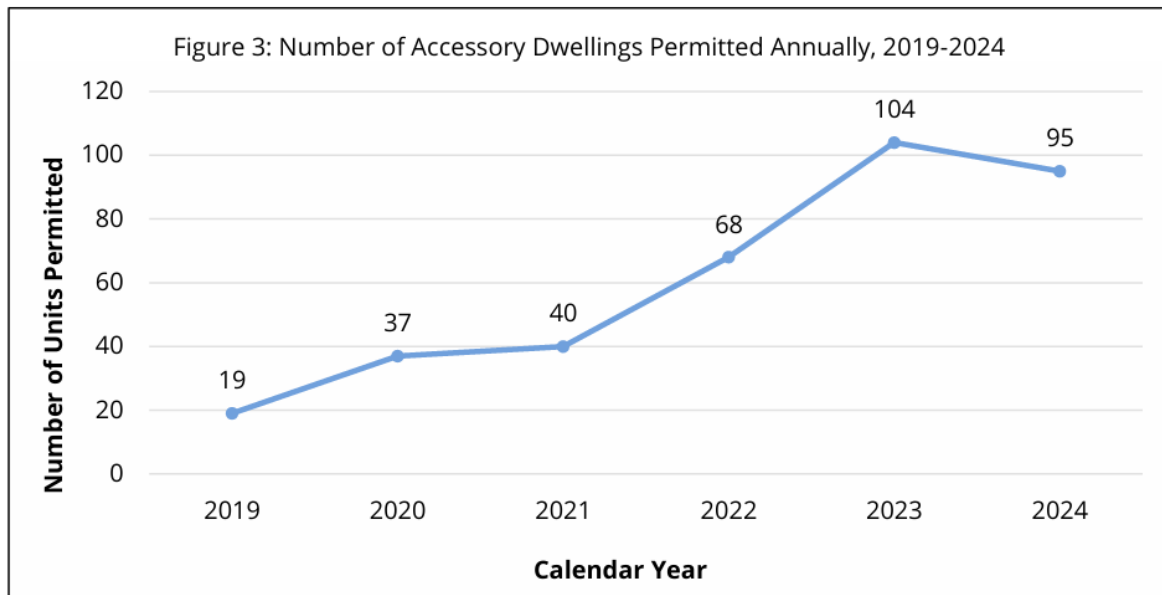
Table 1: Unincorporated County’s Regional Housing Needs Allocation Progress

Income Category and Example Occupations ¹	Number of Dwelling Units			Percent Completed
	Total Need	Permitted (2019-2024)	Remaining Need	
Very Low-Income (e.g., barista, farmworker, childcare employee)	801	7	794	1%
Low-Income (e.g., family social worker, community health advocate, roofer)	505	226	279	45%
Moderate-Income (e.g., occupational health worker, construction cost estimator, electrician)	585	246	339	42%
Above Moderate-Income	1,365	1,132	233	83%
Total	3,256	1,611	1,645	49%

The goals are to be attained by 2028.

Item 9 - Hearing to consider amendments to the County Inland and Coastal Zone Land Use Ordinances, Local Coastal Program, Real Property Division Ordinance, and Buildings and Construction Ordinance (County File Number: LRP2024-00013) to update regulations relating to accessory dwellings, urban dwellings, and urban lot splits for consistency with State law and to streamline and support affordable housing production. This item focuses on amendments to the zoning ordinances to facilitate additional dwelling units (ADUs) and the permitting of additional units on existing urban lots.

Figure 3 shows the number of accessory dwellings permitted annually in the past six years. The number of accessory dwellings permitted annually increased significantly from 2021-2023, peaked in 2023 at 104 units, and slightly reduced to 95 units in 2024.



Proposed Ordinances

This section summarizes the proposed regulations for each development type.

The revised provisions are extensive and, over time, could increase urban densities significantly.

For accessory dwellings in the inland areas and Coastal Zone, the proposed ordinances (Attachments 2, 6, and 10) would amend the Buildings and Construction Ordinance (County Code Title 19), Inland and Coastal Zone Land Use Ordinances (County Code Titles 22 and 23) and Local Coastal Program to:

- Streamline and simplify development standards
- Increase the allowable number of accessory dwellings per parcel, as required by State Law, if not limited by public health and safety site standards (e.g., access, fire drainage, flood control, water supply, and wastewater)
 - *Single-Family*: Allow up to three (3) accessory dwellings per parcel, in any combination of attached, detached, or junior accessory dwellings
 - *Multi-Family*: Allow up to eight (8) detached accessory dwellings per parcel, not to exceed the number of existing multi-family units and conversions of existing non-living space to accessory dwellings, not to exceed 25% of the number of existing multi-family units

- Require minimum water supply verification for accessory dwellings using on-site private wells
- Allow parcels with a single-family dwelling to have accessory dwellings and a guesthouse
- Increase the allowable maximum height to be as ministerially allowable for single-family dwellings (SB 897)
- Require approval/denial of applications within 60 days from application completion date (AB 2221) and within 30 days from application completion date if using pre-approved accessory dwelling plans² (AB 1332)
- Require that the Department cannot deny an accessory dwelling that is at least 800 square feet and meets 4-foot side and rear yard setbacks, except for health and safety violations (AB 2221)
- Require applicants to complete a pre-screening checklist, indicating the proposed development adheres to the County Code and applicable public health and safety standards (intended to ensure project feasibility before the applicant prepares construction plans)

The proposed ordinance (Attachment 8) would amend the Inland Land Use Ordinance (County Code Title 22) to:

- Define “urban dwellings” as an allowable land use in Residential Rural, Residential Suburban, and Residential Single-Family land use categories
- Define “primary dwelling” as a dwelling that is considered a primary use on a residential parcel, including multi-family dwellings, single-family dwellings, and urban dwellings
- Establish permit requirements and development standards for urban dwellings
- Allow one urban dwelling per parcel in eligible areas, if compliant with public health and safety standards
- Require applicants to complete a pre-screening checklist, indicating the proposed development adheres to the County Code and applicable public health and safety standards (intended to ensure project feasibility before the applicant prepares construction plans)

Urban Lot Splits (Inland Areas)

The proposed ordinance (Attachment 4) would amend the Real Property Division Ordinance (County Code Title 21) to:

- Define “urban lot splits”
- Establish permit requirements and development standards for urban lot splits
- Allow one urban lot split per parcel in eligible areas, if compliant with public health and safety standards
- Require applicants to submit a site layout plan for the proposed buildout of the resulting parcels, including the location of existing and anticipated dwellings
- Require applicants to complete a pre-screening checklist, indicating the proposed development adheres to the County Code and applicable public health and safety standards (intended to ensure project feasibility before the applicant prepares construction plans)

LAST WEEK’S HIGHLIGHTS

San Luis Obispo County Air Pollution Control District (APCD) Special Meeting of Monday, April 14, 2025 (Completed)

Item a - PUBLIC EMPLOYEE APPOINTMENT (Pursuant to Government Code section 54957) – Consideration of Appointment of Public Employee – Air Pollution Control Officer. The agency’s current Executive Director is retiring. Since this is a closed session meeting it is not known if the purpose is the make an appointment, interview candidates, or proceed otherwise. The attitude and beliefs of the new Director will be important with regard to the off road riding in the Oceano Dunes. It is not known, as of this writing, if anyone was selected.

Local Agency Formation Commission Meeting of Thursday, April 17, 2025 (Scheduled)

The small agency Board considered its work program and Budget (\$192,000) for FY 2025-26. It is not known any large scale annexations or dissolutions are planned for FY 2025-26. The trend of some of the smaller agencies going out of business is likely to continue, as salaries benefit cost increases continue to outstrip local revenue natural growth. A severe tooth jarring depression would collapse many and might force smaller cities out of business too.

EMERGENT TRENDS

Item 1 - California’s Carbon Crusade: A Reckless Assault on Prudence



Wind Turbines, Coachella Valley, Palm Springs, California. (Photo: Bill Perry/Shutterstock)

California’s leaders let the poor subsidize their eco-fantasies, driving misery for minimal gain By Jon Fleischman, April 14, 2025

California’s single-state war on human-produced carbon emissions is a case study in policy without prudence. From Sacramento, lawmakers tilt at climate windmills, imposing draconian measures that harm residents while achieving little globally. The state’s cap-and-trade program, punishing electricity taxes, and regulatory overreach drive up costs for those least able to afford them, exacerbate the housing crisis, and ignore the irony of wildfires dwarfing their efforts. This

column critiques the worst of these policies, highlighting their futility against the backdrop of California's self-inflicted wounds.

The cap-and-trade program, billed as a market-based fix for emissions, is a bureaucratic mess. It caps total emissions, letting companies trade allowances to pollute within that limit. In reality, it's a hidden tax, inflating costs for businesses that trickle down to consumers. A 2023 study pegged its impact at 10-15 cents per gallon of gasoline—painful in a state with sky-high fuel prices—while hiking electricity and heating bills. Small businesses drown in compliance costs, while corporate giants game the system. For all this, the climate impact is negligible: California produces less than 1% of global CO₂, and even zeroing out its emissions wouldn't sway the global trend when nations like China add coal plants weekly. Yet policymakers cling to this scheme, oblivious to its regressive sting, as if symbolic wins trump real-world harm.

Electricity prices, already crushing, showcase California's disdain for affordability. At 32 cents per kilowatt-hour in 2024—double the national average—the state's rates stem from relentless regulations and taxes. Mandates for wind and solar, which demand costly grid upgrades for their intermittency, and the phase-out of reliable natural gas plants have triggered blackouts, like those in 2020 and 2022. Low-income households suffer most; a 2024 California Public Utilities Commission report found 1 in 4 families struggle with electric bills, many facing shutoffs. Prudence would balance green goals with keeping the lights on, but California's leaders let the poor subsidize their eco-fantasies, driving misery for minimal gain.

This war on carbon also fuels California's housing crisis, a catastrophe of affordability made worse by reckless policy. Stringent environmental regulations, layered atop emissions goals, inflate construction costs. The California Environmental Quality Act often weaponized to block development, delays projects for years, adding legal and compliance expenses—estimated at \$100,000 per housing unit in some cases. Cap-and-trade and renewable energy mandates raise utility costs for builders, passed onto renters and buyers. In 2024, median home prices hit \$850,000, while rents in cities like Los Angeles average \$2,800 monthly. For working-class families, these costs—compounded by green policies—make homeownership a pipe dream. Prudence would streamline approvals and prioritize housing supply, but California's climate obsession chokes development, leaving millions priced out.

Meanwhile, wildfires mock the state's efforts, spewing carbon far beyond what regulations curb. In 2020, fires released 127 million metric tons of CO₂ equivalent—triple California's annual industrial emissions. Decades of forest mismanagement, including restricted burns and logging bans, have left landscapes primed to blaze. Yet instead of tackling this, Sacramento fixates on tailpipes and power plants. It's like mopping the floor in a flood—resources squandered on optics while forests burn. Prudence would fund firebreaks and brush clearing, but California's carbon tunnel vision prevails.

Contrast this with the Trump administration's pragmatic energy policies. From 2017 to 2021, and resuming in 2025, Trump prioritized domestic production—oil, gas, coal—and cut red tape, lowering electricity costs and boosting self-sufficiency. By 2019, the U.S. was a net energy exporter, enhancing security without California's punitive taxes. Emissions still dropped, driven by market shifts to natural gas, not mandates. This balance—growth and affordability—highlights California's folly.

California's leaders, with Governor Gavin Newsom atop the pack, lack the humility to see their limits. Their anti-carbon crusade ignores the state's poverty, housing woes, and global insignificance—less than 1% of emissions. Cap-and-trade burdens the poor for no climate gain. Electricity costs crush families to fund shaky renewables. Housing grows unattainable under regulatory weight. Wildfires expose the absurdity of it all. Prudence demands focus on what works—affordable energy, fire prevention, homes people can buy—not a quixotic quest to save the planet alone. California's reckless policies harm its people, proving that good intentions, unchecked by reason, pave a ruinous path.

FlashReport, April 14, 2025, Jon Fleischman is the Publisher of the FlashReport.org Website on California Politics, and has been a political strategist in California for over three decades.

Item 2 - After a 3 decade moratorium, construction of a \$200 million sewage treatment plant, millions spent on a Habitat Conservation Plan, and millions spent on an updated Plan of Development SLO Superior Court denies Los Osos housing project



Sample: Freestanding Townhomes (not the actual project).

The SLO New Times celebrated the defeat as follows:

Judge reverses Board of Supervisors' approval of Los Osos housing project map

BY BULBUL RAJAGOPAL

In a win for champions of the long-term viability of the Los Osos Groundwater Basin, a San Luis Obispo Superior Court judge ruled that San Luis Obispo County must vacate its approval of a tract map for a 98-housing unit development in Los Osos.

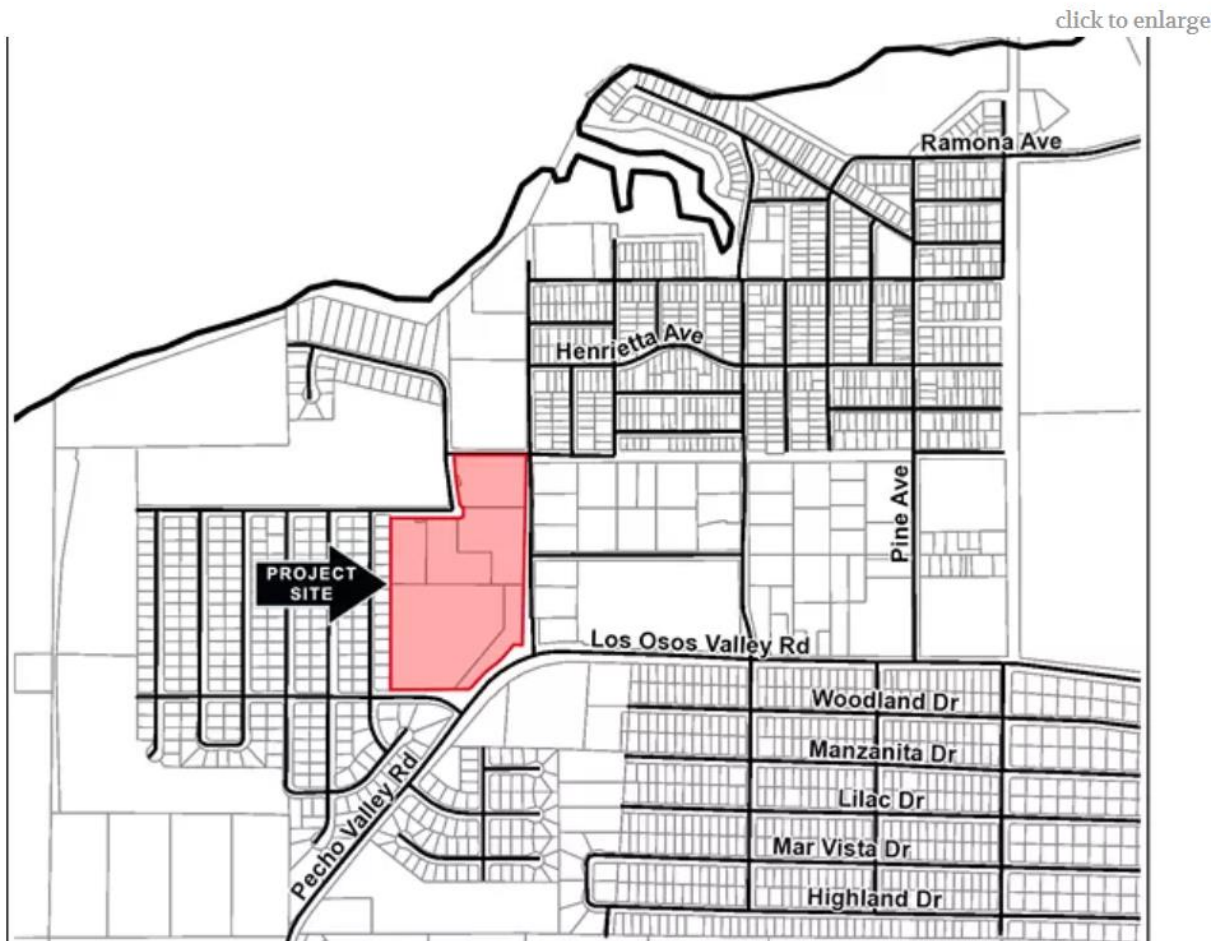


Photo Taken From SLO County Board Of Supervisors Staff Report

BACK TO THE DRAWING BOARD SLO Superior Court Judge Craig Van Rooyen granted Los Osos Sustainability Group Chair Patrick McGibney's petition against supervisor approval of a 34-year-old tract map that laid out boundaries to subdivide a 20-acre parcel on Pecho Road into 100 lots.

Judge Craig Van Rooyen's April 8 ruling granted a petition filed by Los Osos Sustainability Group Chair Patrick McGibney more than a year ago. McGibney's lawsuit disputed the County Board of Supervisors' 3-2 vote green-lighting the Anastasi Development Company's final map, which plots boundaries to subdivide a 20-acre parcel on Pecho Road into 100 lots. Second District Supervisor Bruce Gibson and 4th District Supervisor Jimmy Paulding dissented in the 2023 decision.

"Almost complying with the Subdivision Map Act is not enough to pass muster," Van Rooyen wrote in his ruling. "Nor is there legal authority for the restrictive covenant workaround the county creatively implemented in an apparent attempt to extend the Subdivision Map Act deadline. The court is compelled to grant the petition and vacate approval of the final map."

The lawsuit against the County, its supervisors, and the Redondo Beach-based development company asserted that officials approved a tentative version of the map along with a coastal development permit in 1991.

But the then Board of Supervisors also placed two conditions on the map to ensure sufficient water supply and sewer capacity for the project before approving a final iteration of the map.

Those conditions stated that the project must connect to a communitywide sewer system approved by the Central Coast Regional Water Quality Control Board, and the Anastasi company must show an adequate available water supply before filing the final map.

Los Osos has been tackling a lack of building growth and an overdrafted groundwater basin since 1988. Residents like McGibney and other members of the sustainability group asserted that the basin continues to be in overdraft - a stance the County disagrees with.

The Los Osos Water Recycling Facility provides sewer service to existing developments, but projects like Anastasi's cannot be hooked up to it because of a California Coastal Commission caveat in the coastal development plan. It prevents SLO County from providing sewer service to new development in Los Osos until the commission approves a change to the County's general plan.

At the time of the supervisor's 2023 vote, the Coastal Commission hadn't accepted the County's proposal for the amendment.

McGibney and his group also argued that the County didn't have enough evidence of a reliable water source for the proposed 98 homes.

"When the supervisors approved this on Oct. 31, 2023, they did it because the extension was about ready to expire, and it had to get done before the expiration date," McGibney told *New Times*. "So, they made up all sorts of reasons that the judge just didn't buy."

The extension he referred to prolonged the project's shelf life in the hands of the state, supervisors, the County Planning Commission, and through the COVID-19 pandemic.

"During the building moratorium in Los Osos, the 199? Anastasi development map had ← been 'kept alive' for 34 years by a series [of] time extensions," sustainability group member Charlie Cote wrote in a press release.

While Judge Van Rooyen said the court was "sympathetic" to the argument that the residential project is sustainable in the face of a dire need for housing, he found that sewer hookups for homes in the proposed subdivision weren't legally available at the time of the map's approval.

"The narrow question at issue here, however, is not whether the development makes sense and is sustainable, but whether there was substantial evidence to support the county's decision on Oct. 31, 2023, that sewer hookups *were available at that time* and that there was an adequate water supply," the ruling said.

McGibney frequently appeals permits for Los Osos development projects that land on the County Supervisors' desk. He told *New Times* that the two unfulfilled conditions are what made him take the Supervisors and Anastasi company to court.

"We had a lot of support from the community," he said. "We did a GoFundMe page, and we had a lot of people in the community that donated to that because they realized that this subdivision was not something that was going to be suitable for Los Osos."

County Counsel Jon Ansolabehere told *New Times* that the County doesn't intend to appeal the court's ruling at this time, but the Anastasi company could still do so.

"The ruling effectively means that the tentative subdivision map expired, and that the property owner would need to submit a new subdivision application," he said. Δ

Editor's note: This story has been updated to include an image and a link. This article first appeared in the SLO New Times of April 17, 2025.

COLAB NOTE: The article below details why development costs are so much higher than in other states. The article above recounts the two and one-half decade of a typical project in unincorporated San Luis Obispo County. The State, some of the Supervisors, Courts, and bureaucrats are all complicit. *The Legislature simply needs to pass a law stating that any government official in any branch of government denying or interfering with the development of or construction of any unit of housing as defined herein, shall be liable for a \$10,000 fine and one year in the State prison for each unit so denied. No unit of affordable housing that complies with various construction and safety codes shall be deniable.*

Further, the State and its cities and counties (and their officers) shall be liable for failure to provide adequate physical resources including water, sanitary sewer, drainage, and highways necessary to house the projected State population.

We have reached the point where State and local government must be prohibited from engaging in the regulation of home development and construction.



Anastasi Realty rental town home in Ventura.

Item 3 - Why is it so expensive to build affordable homes in California? It takes too long
APRIL 15, 2025, BY JASON WARD



The spiraling cost of housing in California has affected virtually every facet of life.

California has the nation's largest unsheltered homeless population and among the highest rates of [cost-burdened renters](#) and [overcrowded homes](#).

One reason for the seemingly endless upward trajectory of rents is [how expensive it is to build](#) new apartments in California. Those costs are a major contributor to "[break-even rents](#)," or what must be charged for a project to be financially feasible.

I recently led a [study that compared total apartment development](#) costs in California to those in Colorado and Texas. The average apartment in Texas costs roughly \$150,000 to produce; in California, building the same apartment costs around \$430,000, or 2.8 times more. Colorado occupies a middle ground, with an average cost of around \$240,000 per unit.

For publicly subsidized, affordable apartments — a sector that California has spent billions on in recent years — the gap is even worse. These cost over four times as much as affordable apartment units in Colorado and Texas.

There's no single factor driving these huge differences. Land costs in California are over three times the Texas average. "Hard costs," or those related to improving the land and constructing buildings, are 2.2 times those in Texas. California's "soft costs," which include financing, architectural and engineering fees, and development fees charged by local governments, are 3.8 times the Texas average.

There are some unavoidable California-specific costs, like ensuring buildings are resilient to shaking from earthquakes. But the truly lifesaving seismic requirements explain only around 6%

of hard-cost differences, the study estimated. The state's strict energy efficiency requirements add around 7%.

California's high cost of living may drive up the price of labor, but we found that construction wage differences explain only 6% to 10% of hard-cost differences for market-rate apartments. However, for publicly subsidized apartment projects, which are often mandated to pay union-level wages, labor expenses explain as much as 20% to 35% of the total difference in costs between California and Texas.

"Soft costs" in California are a major culprit. California property developers pay remarkably high fees for architectural and engineering services — triple the average cost in Texas. It's five times as much or more if you're building publicly funded, affordable apartments in the Los Angeles and San Francisco metro areas.

Seismic engineering requirements play a role. The bigger factor are complex and burdensome design requirements for affordable housing. These are dictated by state and local funding sources, and have little to do with habitability or safety but contribute substantially to these astonishing differences.

Development fees to local governments make up the largest soft-cost difference in California. Such fees, which were the subject of a [2024 U.S. Supreme Court case](#), average around \$30,000 per unit. In Texas, the average is about \$800. (Again, Colorado occupies a middle ground at around \$12,000.)

In San Diego, for example, these fees on average eat up 14% of total development costs per apartment.

But the biggest thing driving up California apartment costs? Time.

A privately financed apartment building that takes just over two years to produce from start to finish in Texas would take over four years in California. It takes twice as long to gain project approvals and the construction timeline is 1.5 times longer.

That means land costs must be carried for longer, equipment and labor are on jobsites longer, and that loans are taken out for a longer term, and so on.

Most of the differences that the study uncovered stem from policy choices made by state and local governments. Many are legacies of the so-called "[slow growth movement](#)" in California, which has shaped housing production since the 1980s.

Those efforts worked. Population growth in the state went negative for a few years after 2020, [due primarily](#) to the high cost of housing. Even more recently, California's growth was

half the numbers seen in Texas and Florida, with [younger](#) and [higher earners](#) disproportionately leaving.

These departures have dire implications for the state's fiscal future and political influence nationally. California recently [lost a congressional seat](#) for the first time in its history. If current national population trends hold, it could lose four or five seats in 2030.

The California Legislature has become [increasingly focused](#) on reducing the cost of living, but meeting this goal requires substantial progress on lowering housing costs. New proposals to [exempt urban infill housing production from state environmental law](#) and a package of permitting reforms are steps in that direction.

Will policymakers also take lessons from Texas and Colorado's cheaper housing methods? That remains to be seen. But the future of California may well hinge on it.

Jason Ward is co-director of the RAND Center on Housing and Homelessness. He is also an economist at RAND and a professor of policy analysis at Pardee RAND Graduate School.

Item 4 - California Needs a DOGE: Taxpayers are footing the bill for a state government that disregards obvious waste and fraud

Past presidents of both parties, including Barack Obama and Bill Clinton, [railed](#) against federal waste and [promised](#) to make Washington more efficient. The Trump administration, though, is actually following through, including with Elon Musk's Department of Government Efficiency.

Californians must be looking on with envy. A recent series of audits has exposed how the Golden State squanders taxpayer money on everything from unemployment insurance to high-speed rail.

These findings aren't new—they echo years of similar reports on government waste. But residents shouldn't hold their breath for Sacramento to launch its own DOGE, even though it's clearly needed.

A [recent report](#) from the California state auditor, focused on federally funded state programs, found widespread "noncompliance" with federal standards—largely because the state is failing adequately to monitor and document how program funds are spent.

The most troubling finding: in 2023, the state failed to verify the eligibility of many individuals receiving unemployment benefits, resulting in an estimated \$198.8 million in potentially improper payments. To assess where the money might be going, auditors reviewed a random sample of claims and found that an astonishing two-thirds of recipients in the sample may not have been eligible for the program.

Nor is this the first-time auditors have uncovered widespread ineligibility in California's unemployment insurance system. During the Covid shutdowns, the state chose to process unemployment claims without verifying applicant eligibility. Subsequent audits [found](#) that an

astonishing \$55 billion was paid out to individuals who either didn't qualify or were outright fraudsters.

That put the state's entire unemployment system into financial distress. A California Legislative Analysis Office (LAO) report in late 2024 described the system as "broken" and warned about a "staggeringly large and growing loan from the federal government"—a \$20 billion debt the state took on to finance those phony claims.

Among other things, the LAO recommended what amount to significant tax hikes on employers to put the system on firmer financial footing. Those proposed increases will sting even more for businesses now learning that, even as the unemployment fund teetered on insolvency, the state kept paying out hundreds of millions of dollars in benefits to ineligible recipients.

All of this comes just weeks after the LAO reported that California's high-speed rail project—already one of the biggest boondoggles in U.S. infrastructure history—is short another \$7 billion in funding. When voters approved bonds for the project in 2008, the estimated cost was about \$33 billion. That figure has since ballooned to more than \$100 billion. The project was originally slated for completion in 2020; the first few miles of track were laid only this year.

California's auditors have repeatedly slammed the financial management of the project—to little effect. In 2018, for instance, the state auditor cited "flawed decision making and poor contract management," leading to "billions in cost overruns and delays." That followed a 2012 audit that described an "increasingly risky" financing scheme for the project and "weak oversight."

This dismal track record has drawn attention from the Trump administration. In February, officials announced that they would investigate what happened to the \$3.3 billion in new federal funding committed to the project under the Biden administration. "We're going to look at whether California High-Speed Rail has actually complied with the agreements that they've signed with the federal government," Transportation Secretary Sean Duffy said. "We can't just say we're going to give money and then not hold states accountable to how they spend that money."

California representative Kevin Kiley echoed that skepticism. He has introduced legislation to cut off federal funds for the project before the state digs a deeper hole for itself. Kiley said the rail effort "exemplifies the failures of transparency and accountability, of governance and planning" in California. Given the findings of the state's own auditors, it's hard to argue with his assessment.

Defenders of Musk's DOGE have asked how anyone could oppose an agency focused on rooting out fraud and waste. California offers the answer: even the most basic, indisputable reforms can stall when they threaten entrenched interests. In government, saving taxpayers money is often the lowest priority.

Steven Malanga is a senior fellow at the Manhattan Institute and a City Journal senior editor. This article first appeared in the April 16, 2025 City Journal.

Item 5 - Ringside: Ways to Rein in the California Coastal Commission

The federal government could even put the California Coastal Commission into receivership

By Edward Ring, April 17, 2025

There is a growing bipartisan consensus even here in California that environmentalist restrictions have gone too far. It would be a dishonest oversimplification to pretend environmentalists have outlived their usefulness, or that many of the accomplishments of environmentalists over the past 50 years weren't magnificent and necessary. But when special interests define and exploit environmentalism in order to consolidate industries, destroy small competitors, raise the cost of living, create scarcity for profit, deny upward mobility, and lower the quality of life for everyone apart from themselves and their elite counterparts, a restructuring is in order.

A prime candidate for restructuring is the California Coastal Commission, a state agency that wields an astonishing degree of control over how any homeowner or business operating within five miles of the Pacific Ocean can manage their property. For people who had not previously thought environmentalist regulations went too far, the fires that destroyed thousands of homes in Pacific Palisades and Malibu were a clarifying moment. But even if Newsom's executive orders prevent the Coastal Commission from stopping rebuilding in this one case, a bright light now shines on the Coastal Commission's entire long history of abusing its authority.

It would be easy enough to focus on all the examples of this, from attempting to restrict Space X launches out of Vandenberg AFB in 2024, or denying final approval for a desalination plant in Huntington Beach in 2022, to the years spent harassing homeowners who just wanted to build a rock wall to protect their homes from storms. The whole premise of the Coastal Commission is flawed – they favor “managed retreat” from the coast, as if erosion and storms haven't been managed on coasts since the dawn of civilization.

If the Coastal Commission were founded a century earlier, there wouldn't be any homes occupied by middle class residents along the coast. A handful of powerful corporations and billionaire investors would own whatever developments were permitted. Nobody else could have possibly navigated the process. But if you're one of the growing millions in California who now recognize the Coastal Commission is a problem, let's focus on solutions. Here are some ways to attenuate their power.

Starting with the state, the Coastal Act can be amended by the Legislature. They can:

- Narrow the scope of “development” as defined by the Coastal Act to classify minor repairs, agricultural operations, accessory structures, and seawalls, as exempt from permitting.
- Place firm deadlines on Commission staff for processing permits, deeming them approved if they aren't processed within 90 days.
- Require the Commission to submit an annual property rights impact report, and to issue cost-benefit analyses to justify any denied permits, subject to appeal.
- Exempt from permitting any projects that are already approved by local governments pursuant to certified Local Coastal Programs (LCP).
- Tie administrative funding to measurable performance, such as permit processing times, appeals backlog reduction, and LCP update approvals.
- Introduce a constitutional amendment, subject to voter approval, that would read as follows “No state agency may condition the use, development, or enjoyment of private property in the Coastal Zone in a manner that constitutes a regulatory taking without just compensation or clear legislative authority.”
- Add a 10 year sunset provision to the Coastal Act, requiring joint oversight hearings where commissioners would have to justify their broad authority in order to obtain legislative reauthorization.

- Transfer Appellate Authority to the Office of Administrative Hearings (OAH) in order to remove the Commission’s ability to act as both regulator and judge. Instead, require that permit appeals or enforcement proceedings go before neutral administrative law judges under OAH.
- Reconfigure the Commission into a purely advisory or planning body, stripped of direct permitting authority and instead limited to an oversight role focused on plan reviews, LCP certification, and environmental data.

And then there are actions the federal government can take. California’s own Congressman Kevin Kiley has introduced legislation to amend the US Coastal Zone Management Act in order to “limit the scope of state authority to review certain activities, including national security-related activities, critical infrastructure projects, and activities with high economic impact, including post-disaster recovery and rebuilding.” If Kiley’s bill becomes federal law, it will make a difference.

But there is an even more transformative reform that can be done immediately by the Trump Administration without requiring an Act of Congress.

One of the roles of the California Coastal Commission is to implement the US Coastal Zone Management Act (CZMA), which applies to all coastal states. The federal government can use fiscal strings and/or an Executive Order to require the Commission to *only* implement federal CZMA requirements, and to submit for federal agency review and approval any state law or state regulations that impose restrictions and compliance obligations not set forth in CZMA. The federal government can specify that, until such time as such process has been completed, the California Coastal Commission is prohibited from implementing CZMA or receiving funding from CZMA.

The federal rationale for disapproval of California Coastal Commission implementation of any state laws or regulations would be their infringement of Constitutionally-protected property rights, and violation of public safety provisions of CZMA, which require protection of the coast and *not* “managed retreat” and oceanic erosion.

The federal government could even put the California Coastal Commission into receivership. The National Oceanic and Safety Administration is the federal agency that oversees the CZMA, and NOAA could appoint a California administrator within NOAA to take over the Coastal Commission. NOAA also administers the Endangered Species Act for fish occurring in the ocean and freshwater (e.g., salmon), which means NOAA along with Federal Fish and Wildlife Service also has authority over the Delta. NOAA’s California administrator can take the lead for freshwater fish (smelt, salmon) – so the NOAA point person could take over the Coastal Commission, as well as the Endangered Species Act for all aquatic species.

If California and the Coastal Commission were to refine the state regulatory requirements to conform with Constitutionally-protected property rights and the public safety provisions of the Coastal Zone Management Act, the state would then be able to apply to recover state administration of Federal CZMA authority. But until then, there would be no federal funding and the Commission would have no authority. Under this approach local land use authority would be restored without Commission oversight.

As it is today, the California Coastal Commission is just one of the bigger tentacles on a regulatory green octopus that is squeezing the life out of the state’s small businesses and low/middle income households. We may hope that growing bipartisan recognition of the need to

rein in the Coastal Commission is just the first step in what may become a broader movement toward balance.

Edward Ring is the director of water and energy policy for the California Policy Center, which he co-founded in 2013 and served as its first president. The California Policy Center is an educational non-profit focused on public policies that aim to improve California's democracy and economy. He is also a senior fellow of the Center for American Greatness. Ring is the author of two books: "Fixing California - Abundance, Pragmatism, Optimism" (2021), and "The Abundance Choice - Our Fight for More Water in California" (2022)

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IT'S NOT EASY BEING GREEN

CLIMATE ALARMISM, CLOAKED IN PSEUDOSCIENCE AND MORAL POSTURING, MASKS A DEEPER AGENDA OF POWER, PROFIT, AND CONTROL—OFTEN AT THE EXPENSE OF TRUTH AND PROSPERITY

BY ROGER KIMBALL

Writing recently in *The Spectator World*, Joel Kotkin noted, “The crux of the green dilemma lies in part with the realities of physics as well as geopolitics.” You can say that again. The physics part has to do with “energy density.” Fossil fuels have a very high energy density; solar and wind power, not so much. Kotkin quotes Christian Bruch, the CEO of Siemens Energy, who estimates that green energy “requires ten times as much material to work effectively, regardless of whether the wind is blowing or the sun is shining.” The ineluctable pressure of that physical fact leads to subterfuge, fantasy, and outright lying. Kotkin also quotes John F. Clauser, a Nobel Laureate in physics, who tartly observed that “Climate science has metastasized into massive shock-journalistic pseudoscience.”

Indeed. In 2019, the commentator Rob Henderson coined the phrase “luxury beliefs,” beliefs that confer social status because only the well-off can afford to entertain them. “In the past,” Henderson wrote, “upper-class Americans used to display their social status with luxury goods. Today, they do it with luxury beliefs.” A belief that we are in the midst of a “climate emergency” is one such belief. Keir Starmer, the Prime Minister of Great Britain, can pretend that the sky is falling and promise to lead Britain into the promised land of “net-zero” emissions by 2050. But he won’t have to worry about heating his house or the cost of petrol for his car.

Al Gore can lecture the world about “inconvenient truths,” but cynics note that one major effect of his proselytizing on behalf of climate extremism has been to line his own pockets with that other green stuff, US dollars, and plenty of them. In 2000, Gore had a net worth of about \$1.7 million. By 2012, he had amassed a fortune of some \$250 million. Nice work if you can get it.

Regular readers may recall my fondness for the philosopher Harvey Mansfield’s observation that “environmentalism is school prayer for liberals.” Professor Mansfield delivered that mot more than thirty years ago. It seemed almost quaint at the time. It was, I thought, a comparison that had the advantage of being both true (environmentalism really did seem like a religion for certain leftists) and amusing (how deliciously wicked to put a bunch of white, elite, college-educated leftists under the same rhetorical light as the Bible-thumpers they abominated). Ha, I mean to say, ha!

Well, I am not laughing now. In the intervening years, the eco-nuts went from being a lunatic fringe to being lunatics at the center of power. Forget about Al Gore (if only we could): sure, he was vice president, but that was in another country (or so it seems) and besides . . . I trust that many readers will catch the allusion to Marlowe via T. S. Eliot. Despite his former proximity to the seat of power, Al Gore is relevant these days partly as comic relief, partly as an object lesson in the cynical manipulation of public credulity for the sake of personal enrichment. The collections come early and often in the Church of Gore. Who knew that pseudoscience, wrapped in the mantle of anti-capitalist moral self-regard, could pay so well?

But I digress. The issue is not Al Gore but the institutionalization of a radical, anti-growth ideology that was, until the election of Donald Trump, at the center of American political power, abetted by yes-men in the media and the academy. They parrot the party line in exchange for a chance to bathe in the warm effluvium of self-congratulation followed by a brisk turn on the soapbox of moral denunciation.

I thought about this unedifying spectacle the other day when I chanced upon “Environmental Activists Turn Up the Rhetorical Heat,” an earlier essay by Joel Kotkin for The Orange County Register. “The green movement’s real agenda,” Kotkin points out, “is far more radical than generally presumed.” And what is the green movement’s “real agenda”? It involves, as part of its emotional fuel, what the former Sierra Club President Adam Werbach called “misanthropic nostalgia,” a “deeply felt ambivalence,” to quote another eco-crusader, “toward the human race and our presence here on planet Earth.”

If that seems extreme, consider this statement from the Schumann Distinguished Scholar at Middlebury College (cross that college off the list), i.e., Bill McKibben, author of The End of Nature and other exercises in hectoring alarmism: “Meaning has been in decline for a long time, almost since the start of civilization.” Worse luck for us! No, really, titters aside, stop and think about that statement (from McKibben’s book Enough—again, if only!): “Meaning has been in decline for a long time, almost since the start of civilization.” So what do you think, Bill? Would the world be more meaningful if we could only obliterate civilization and return to the primordial ooze? What about your tenure? What about your royalties?

Returning to some pre-civilizational state in which the world was not cluttered up with humans building things might be the long-term goal of enviro-loons like McKibben. For the immediate future, plunging the Third World deeper into poverty while shackling the engines of economic prosperity in Europe and America is enough to be getting on with.

In a way, this is old news. Consider, to take one prominent example, Paul Ehrlich's neo-Malthusian jeremiad, The Population Bomb. Published in that *annus horribilis* 1968, it is a fittingly fatuous contribution to that most fatuous of years. "In the 1970s and 1980s," Ehrlich wrote, "hundreds of millions of people will starve to death in spite of any crash programs embarked upon now. . . . We are today involved in the events leading to famine and ecocatastrophe." Of the world's poor, he skirls, "a *minimum*" (Ehrlich's emphasis) of ten million, mostly children, will starve to death every year in the 1970s. And that's just for starters. Those tens of millions are but "a handful" of the hundreds of millions slated for starvation because (as per Little Father Time in Jude the Obscure) "we are too menny."

Back in the 1970s, Paul Ehrlich was warning about the coming ice age. That was before the hysteria formerly known as "global warming" (now called "climate change," since the globe hasn't been cooperating on the warming front for more than twenty-five years). But there are two things to note about the *modus operandi* of Ehrlich and his like-minded extremists. 1) Whatever their campaign *du jour*—overpopulation, global warming, or global cooling—it's always too late. "Nothing can prevent a substantial increase in the world death rate," Ehrlich intones at the beginning of *The Population Bomb*. Should we all just pack up and go home then? All is lost. The sky is falling. Mass starvation is imminent and unavoidable. Nothing can prevent it. Nevertheless, you don't want to let a good crisis go to wasteTM. Although nothing can be done, we need to "take immediate action at home and promote immediate action worldwide."

What sort of action? "Population control," for starters. And this brings us to 2): No matter what the crisis, massive government intervention is always the answer. Ehrlich (albeit with shaky grammar) would have us denude the planet of humans "hopefully through changes in our value system, but *by compulsion if voluntary methods fail*" (my emphasis).

"By compulsion": there, in a single phrase, you have the secret to the appeal of climate hysteria to the Left. Where's Robespierre when you need him? The world is ending, Comrade, and although there is nothing you can do about it, a whole alphabet soup of government agencies is here to dictate what kind of car you drive, how you heat your home, where your electricity comes from, what you may eat or drink, and on and on and on.

Considered as a political movement, environmentalism may, as Harvey Mansfield said, betray a religious or cult-like aspect. But for every true believer in the religion of Gaia, there is a squadron of cynical opportunists eager to exploit the new paganism of earth-worship for decidedly secular ends. We've heard a lot about the radical community organizer Saul Alinsky in recent years. A fundamental rule of thumb for a paid-up Alinskyite radical is that "the issue is never the real issue." In the present context, that means that "climate change" is largely a pretext. For some, it is a pretext for personal enrichment. Think again about Al Gore, who peddles the philosophy of Chicken Little on the one hand and has managed to rake in hundreds of millions of dollars by exploiting various government-subsidized "green energy" initiatives on the other.

Climate alarmism can also be a pretext for the redistribution of wealth on a global scale. You can never be green enough, Comrade, and climate change offers a potent pretext for the consolidation of governmental power. It is, as one wag put it, the "killer app" for extending governmental control. Like the House of the Lord, governmental control is a domicile of many mansions, from intrusive, prosperity-sapping regulation to the silencing, intimidation, dismissal, and even the legal prosecution of critics.

Indeed, in its transformation of critics into heretics, we see once again the religious or cult-like aspect of radical environmentalism. One argues with a critic. One must silence or destroy a heretic. Galileo would have understood exactly how this new Inquisition would proceed. And this brings me to one of the most frightening aspects of the gospel of climate change: its subordination of independent scientific inquiry to partisan political imperatives.

Scientific inquiry depends upon the freedom to pursue the truth wherever it leads, regardless of political ideology or vested interest. Recently, climate hysterics and their political and academic enablers have begun describing those who disagree with them about the science of climate change as “climate deniers.” The echo of “holocaust deniers” is deliberate and pernicious. A “holocaust denier” is someone who denies a historical enormity. But a so-called “climate denier” is merely someone who disputes an ideological construct masquerading as a scientific truth. The irony, of course, is that this farce should proceed in an era in which science and technology have remade the world for the benefit of mankind. Climate-change hysteria takes issue with those benefits, which is why it has also been a pretext for the systematic attack on specific industries and technologies—the coal industry, for example, or fracking.

Al Gore is just a cynical mountebank, and Paul Ehrlich and Bill McKibben are just crackpot writers. Have you heard about John Holdren? Allow us to introduce you to the man who was President Obama’s top science adviser. Holdren was Assistant to the President for Science and Technology, Director of the White House Office of Science and Technology Policy, and Co-Chair of the President’s Council of Advisors on Science and Technology. He is also an acolyte of Paul Ehrlich and the co-author, with Paul and Ann Ehrlich, of *Ecoscience: Population, Resources, Environment*, another doomsday scenario in which the specter of overpopulation and putative exhaustion of the world’s resources is paraded in a cornucopia of imminent apocalyptic fantasy.

Never mind that the world’s chief population problem these days is collapsing birth rates throughout the industrialized world. In another thirty or forty years, there might still be a country called Italy, for example, but precious few Italians. But according to Holdren and the Ehrlichs, “compulsory population-control laws, even including laws requiring compulsory abortion,” might be just around the corner. Such interventions, they speculate, “could be sustained under the existing Constitution if the population crisis became sufficiently severe to endanger the society.” But never fear! “If effective action,” such as voluntary sterilization, “is taken promptly against population growth, perhaps the need for the more extreme involuntary or repressive measures can be averted *in most countries*” (my emphasis).

For the Ehrlichs and Holdren, though, the need for such “coercive control” is far from unimaginable. (Indeed, they note that “the potential effectiveness of those least acceptable measures may be great.”) They dream about “an armed international organization, a global analogue of a police force” to provide security, and they cheerfully note that “the first step” on the road to this utopia “necessarily involves partial surrender of sovereignty to an international organization.” Other steps include “a massive campaign . . . to restore a high-quality environment in North America and to de-develop the United States.” “De-develop”? Yes, that’s right. The authors note sadly that the idea of “de-development,” like the idea of mandatory sterilization, has met with “considerable misunderstanding and resistance.” They are not, they explain, anti-technology. They just want to put an end to technology they don’t like—“giant automobiles,” for example, or “plastic wrappings” or “disposable packages and containers.”

Their list is long and varied. “Environmentalism is school prayer for liberals.” It’s enough to make one indulge in a bit of selective misanthropic nostalgia.

Fortunately, Donald Trump is now president. Instead of climate hysteria, we have the cheerful exploitation of our energy resources (“drill, baby, drill”) and even a return to sanity in the matter of water pressure for your home shower, dishwasher, and washing machine. It couldn’t come soon enough.

Roger Kimball is editor and publisher of The New Criterion and the president and publisher of Encounter Books. He is the author and editor of many books, including The Fortunes of Permanence: Culture and Anarchy in an Age of Amnesia (St. Augustine's Press), The Rape of the Masters (Encounter), Lives of the Mind: The Use and Abuse of Intelligence from Hegel to Wodehouse (Ivan R. Dee), and Art's Prospect: The Challenge of Tradition in an Age of Celebrity (Ivan R. Dee). Most recently, he edited and contributed to Where Next? Western Civilization at the Crossroads (Encounter) and contributed to Against the Great Reset: Eighteen Theses Contra the New World Order (Bombardier). This article first appeared in the American Greatness of April 13, 2025.



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