

Instructions to Candidates: ***Please provide your written responses before the end of the Sunday before the scheduled Zoom call for your District.*** Your responses will be posted on our website and on YouTube for voters to review. The forum moderators will select one of your responses and ask for additional detail during the forum. Thanks in advance for your participation!

Kevin McCarty for Supervisor 2024 – Questionnaire Answers:

- ***With the County's on-going struggle to fund its budget, how would you propose to either reduce the County's expenditures and/or increase the County's revenues? What services could be reduced or cut, to reduce expenditures? Where and how might revenues be increased?***

This is a big question with many variables and important to the sustainability of our county government operations. The easiest way to address a budget is to look at the larger line items for revenue and expenses and see where things can be changed to the greatest net effect on the bottom line. Most of the big line items on both sides of the ledger involve State and Federal programs, with incoming revenue conditional upon associated expenses / outlays for community services, so these are ultimately budget-neutral and not within the county's control.

For revenue, the largest line item within the county's control, by far, is property taxes. While our property tax rate is lower than the average for California, El Dorado County residents pay 3.31% of their income in property taxes, one of the highest median tax rates in the United States. I am certain that most residents are not willing to raise their property tax rates to address our budget issues, so other avenues need to be explored. The easiest and most effective way to generate additional revenue for our county budget is via sales and use tax. At 0.25%, we are currently tied with several other counties for the lowest sales tax rate in California. While this is a good thing for economic competitiveness, it leaves our budget strained and a marginal increase offers the easiest revenue generation opportunity. Increasing the sales tax rate to match that of Folsom would generate an additional \$40 million in annual revenue, without touching property taxes nor jeopardizing our relative competitive advantage.

For expenses, this is where the devil is in the details, and it is not as easy to look for big line items ripe to be trimmed. As noted above, most of the large outlays are tied to State and Federal funding and not in our direct control – we are just a funding vehicle. That said, a cursory review of county government expenses yields some numbers large enough to be concerning. For example, our new annual budget includes \$3.6 million for computer supplies, nearly as much as the entire annual payroll for the IT department. And yet our county building department largely operates on a paper basis and has barely implemented a functional web-based permit tracking system. There is \$2.1 million allocated for “special departmental expense” – a mysterious line-item header which should be split up for proper accounting. I would propose a percentage basis cost reduction program for all departments, to mitigate expenses while we work to build our revenue in line with a reasonable plan for additional growth and development.

- ***What is your position on the proposed Costco development in EDH and why? What benefits & drawbacks do you see this project having on EDC?***

This is a great example of an opportunity to apply principles of smart development – addressing the specific and legitimate concerns of community stakeholders to see if a feasible path forward can be found, rather than just saying “No” based on preconceptions of impacts to roadways and services. As one who regularly endures the traffic of Highway 50 and holds a Costco membership, I can say with certainty that people routinely drive to Folsom simply to visit the existing Costco store, and it already impacts our county’s traffic while providing zero financial benefit for our county services. It is also extremely crowded, and likely to become even more congested with the imminent development and population of Folsom Ranch.

I believe there are aspects of the proposed project that still need to be addressed to ensure surrounding neighborhoods and schools would not be adversely impacted, but several of the changes made from the original project proposal represent encouraging attempts on the part of the developer to address community concerns. Silva Valley Parkway offers the best roadway access in the area for this type of project, and Costco is well known for providing high quality jobs to local residents, both entry-level and for management. I know people who started working for Costco in high school and today comfortably support a family on their management salary having worked their way up the employment ladder.

Ultimately, the project approval will come down to terms, as with any agreement. The county holds all the cards and can extract any concessions it wants. Personally, I would like to see terms that include a mandatory percentage of the proposed Costco’s produce section be dedicated to local-grown fruits and vegetables from El Dorado County farms. If we can ensure this is the case and the surrounding community is well-protected from adverse effects, I think we should review the results of the Environmental Impact Report (EIR) and see if we can come to a mutually beneficial agreement to move forward with this project.

- ***In the last couple of years, the Planning and Building Dept has come under scrutiny to the point of there even being a Grand Jury investigation. What are your thoughts on the results of this investigation, the current BOS’ response to this, and what would you do to improve the shortcomings of this department?***

The Grand Jury report referenced in the question above is one of the primary reasons that I am running for Supervisor. Upon reading the report, I realized that my own difficulties dealing with the Planning and Building Department were not unique, and that on the contrary it is a universally agreed aspect among county residents regardless of ideology: our permit system is fundamentally broken. Fixing this system and making it easier for individual land and homeowners to pull permits to build secondary dwellings and ADUs, thus solving the housing crisis at the grassroots level, is the keystone element of my campaign platform.

On Tuesday 1/23, the Board of Supervisors approved a resolution supporting improvements to the department, specifically addressing staff responsiveness and treatment of residents as valued customers. While this is a positive step, the resolution was hidden within an agenda item pertaining to cemeteries and airports, and the document itself was fundamentally non-

binding. It had no timelines, nor tangible elements of follow-up or consequences. I propose that we assign specific staff to each permit application, terminate the eTRAKiT platform and replace it with Accela, set hard timelines for plan review cycles, and enforce mechanisms to fulfill State affordable housing mandates. We also need to review the organizational structure of the department from top to bottom and ensure its management structure is accountable to the needs of residents. This will only happen with active, focused leadership at the Board level.

- ***Would you support the building of the proposed Alder Creek Dam? What are the benefits or deterrents of this project as you see it?***

The Alder Creek Dam is a project that has been proposed for several years and its implementation would have numerous impacts upon a great number of stakeholders throughout the county, which deserve more consideration than they have been given.

On the positive side, the project would generate a tremendous amount (110 megawatts) of hydroelectric power, and substantially increase water storage resources for the region. If these factors are considered in a vacuum, the project would be immensely beneficial.

That said, there are many unresolved issues and obstacles to the project. These include water rights, recreational uses of the south fork American river, environmental concerns, and a lack of stakeholder involvement with EID, who had previously elected not to implement the project. For many years, all water projects in the area had been managed under a Joint Powers Authority between El Dorado County Water Agency (EDCWA) and EID, until the Board of Supervisors terminated the agreement in 2019 without discussion from EID. For the last five years, EDCWA has studied the project and is now pushing to move forward with approval.

Several water rights are impacted by this proposed project, and many stakeholder agreements going back decades are contingent on Folsom Reservoir remaining the point of diversion rather than any upstream location, such as Alder Creek. Pushing forward with this project is likely to ignite conflicts on this basis. Several environmental concerns related to fish and wildlife apparently were not considered in the implementation plan for this project and are another likely source of obstacles. The funding mechanism for the project is unclear, and assuming all the above can be resolved, construction is likely to take over 10-15 years, a time period likely to accrue substantial budget cost overruns.

Finally, the truth is that the county has over three years' worth of water storage with existing reservoir capacity, and there is no acute need to increase water storage unless community consensus has been achieved. For these reasons, I am not inclined to support the current conception of the Alder Creek Dam project. I believe the Joint Powers Authority between EDCWA and EID should be reinstated, so that the array of concerns noted above can be addressed before seriously considering project approval and implementation.

- ***Wildfires are an ongoing concern for the citizens of EDC. CalFire has implemented what some might consider very restrictive and even intrusive regulations. The County is also looking at codifying its own set of fire prevention regulations. Do you feel this is appropriate, or not, and why?***

As a Board member of our local Fire Safe Council (FSC) in Omo Ranch, I am absolutely in favor of all measures that would increase our communities' resilience to wildfire. There are certainly property owners who are negligent in their responsibility to manage vegetative growth, and we need an ordinance that provides for enforcement in extreme cases.

That said, I have been vocal in opposition to the county's proposed vegetation management / defensible space ordinance which exceeds the mandates currently established under California State law. Staff maintain they are not seeking to punish landowners who are otherwise trying to do the right thing, but the existing text of the proposed ordinance does not support this interpretation. As it stands, half of rural property owners will become code enforcement cases overnight upon its approval.

In general, I would like to the county take an approach that favors the "carrot" over the "stick" and provide financial incentives for those property owners who voluntarily comply with the defensible space requirements, rather than threatening them with liens for non-compliance. I would have the county review the available means of offering these incentives and bring the ordinance back for review with these items included.

By coordinating with our network of community FSCs and the Resource Conservation District, we can swiftly achieve the goals of this ordinance without a single penalty or lien applied in the process. In the end, we can do a great deal to protect residential structures from destruction via wildfire but until the federal government pulls its weight and manages El Dorado National Forest effectively, we will unfortunately continue to live under threat of catastrophic wildfire.

- ***Do you support the concept of a 'constitutional' sheriff? Why or why not?***

All law enforcement entails some use of discretion in how strictly to apply the letter of the law. In theory, the county Sheriff is supposed to enforce local ordinance, State statutes, and federal law as written, but our law enforcement officers also swear an oath to defend and uphold the U.S. Constitution, and there are often instances of statutes which run afoul of the Bill of Rights. The role of the courts is to interpret these laws when challenged, and ideally the unconstitutional laws are overturned upon comprehensive judicial review. In the meantime, the only means of defense available to the American people is the discretion of our local Sheriff.

Especially considering our recent experiences during the COVID-19 pandemic era, where a whole slew of mandates came down from State governors following federal (CDC) guidance under the aegis of emergency powers – not legislation duly considered by the assembly and senate – the role of the 'constitutional' Sheriff has come more clearly into focus. I support the Sheriff's discretion in interpreting the constitutionality of emergency mandates, and in certain cases, even laws which have been considered and passed by the legislature. This is a tremendous responsibility and speaks to the importance of having a Sheriff well-versed in constitutional law to watch over the people of our county. Just as with the principle of jury nullification, the people deserve a "last line of defense" in cases of overreach by executive and legislative authorities.

- ***Recently, the Ranch Marketing Ordinance has been under scrutiny because of the accessory uses allowed to ranchers and farmers "by right" such as non-agriculture events. In some circumstances landowners were taking advantage of the fact that specific use definitions were not defined. Do you feel that the matter is covered appropriately now or do you feel it needs to be explored more?***

The Ranch Marketing Ordinance in general is an important milestone for our county, allowing our world-renowned farms and wineries to better capitalize on their beautiful landscapes and promote tourism throughout the region. I fully support its overall intent and implementation. That said, as with all policy, it is important to have clearly defined terms to avoid the potential for conflicts and challenges with neighbors.

Parcels in question should retain agricultural production as their primary use, and the threshold by which "primary use" is established should be clarified within the ordinance text. I believe non-agricultural events should be allowed under the provisions of the ordinance, though these also should be clearly defined and not subject to interpretation or misuse based on ambiguous terms. I do not believe these aspects have been adequately addressed as of this moment, but in my understanding, staff have been directed to follow up on these items and report back to the Board in June of this year. I will be closely following this subject and we will hopefully achieve clear policy objectives which satisfy all the relevant stakeholders and fulfill the goals of the ranch marketing ordinance.