

Honorable Board of Supervisors,

In many ways, I believe that the Portal Application System has been successful, and that the County should build on that success by extending the portal window, and amending the portal review/approval procedures slightly.

Based on what I have observed this month, I believe that the people who are most likely to miss the deadline fall into 3 categories: 1) applicants for whom English is their second language, 2) applicants, often older, who are not technologically savvy, 3) applicants struggling financially. Our consultancy has had to turn down many requests for help, primarily for folks in the above groups, for the past few weeks because we are already stretched beyond our capacity. Many of these are people with state provisional licenses, fully executed and very costly CDFW Lake or Streambed Alteration Agreements, etc.

Please consider extending the portal window to 12/31/21 and/or making the following procedural changes to the portal process.

1. Allow all those who submit before the deadline a chance to respond to deficiency notices and correct deficient application materials after the deadline.
2. Use 30-day letters to give applicants an opportunity to correct all documents as needed.

•Note - MCP is already planning on using 30-day notices to correct several items they acknowledge were caused by mistakes or unclear guidance on their part. It should be relatively simple to extend this to all deficient documents.

To provide some context, we have submitted 31 portal applications. All of them came back incomplete. Most of the deficiencies were due to either a) human error by our team or MCP, b) lack of clear criteria for what constitutes 'completeness' for each document, or c) nuanced project specifics that don't fit neatly into the portal review process. This is all understandable and could be resolved by simply having more time to achieve completeness.

Due to the deadline, the threat of denial, and the lack of clear criteria for completeness for each document, we have undergone a complex internal process to prepare applications for resubmission.

When we prepare a corrected resubmission packet after receiving an incomplete letter, we cannot simply respond to the deficiency notes provided by the first reviewer. The reviewers have not been using a consistent standard of review, and we have seen that sometimes a document that was deemed complete on the first review is deemed incomplete on the second review.

Therefore, in order to increase the completeness factor of our applications (and to decrease the chance of denial) we compiled all of the deficiency notes from all of our first round submissions and created a composite standard of review for all portal documents. If this review standard had been public, we could have better prepared the documents to meet this standard on the first round.

We then revised all of each application's documents to meet that highest composite standard of review. In most cases we find ourselves correcting, at least, an additional 4+ documents, beyond those explicitly identified as incomplete by the MCP in the incomplete notice.

I am confident that our internal audit/review process will prevent denials for our clients, but I have grave concerns about how this will play out for the masses who don't have consultants helping them, and don't have the benefit of seeing 30 incomplete notices to be able to ascertain what is and isn't ultimately required for completeness on each document.

Again, I do believe the portal process is working to increase the quality and completeness of application files. It's the limited timeframe and threat of imminent denial that are problematic and, in my opinion, unreasonable.

After years of disfunction, we finally have something functional. It just makes sense to build on that.

Thank you for the opportunity to comment.

Respectfully,

Patrick Sellers