

LOCAL AGENCY FORMATION COMMISSION
COUNTY OF KERN

PROCEDURES, STANDARDS AND POLICIES
FOR THE EVALUATION OF PROPOSALS

WHEREAS, the concept of the Local Agency Formation Commission, as established by state law, is based on the belief that the structure of local government in California should be determined and effected on a local basis rather than be determined and imposed by another level of government such as the state; and

WHEREAS, the function of the Local Agency Formation Commission, County of Kern, is to help bring about orderly development in the local governmental structure within the area of Kern County with the objective of assuring that the citizens of this area are provided adequate governmental services at a reasonable cost; and

WHEREAS, sections 56375(h) and (j) of the Government Code require that the Local Agency Formation Commission, County of Kern, adopt procedures, standards and policies for the evaluation of proposals for the creation of cities or special districts as well as proposals for the annexation of territory to local agencies within the County, and to serve as guidelines for use by the community in organizing its governmental structure to cope with present and future growth; and

WHEREAS, the historical development and tradition in the State of California is for municipal services in highly urbanized areas to be provided by city government rather than by county and special district government and

WHEREAS, the State Legislature in government Code Section 56001 recognizes that urban population densities and intensive residential, commercial, and industrial development necessitate a broad spectrum and high level of community services and controls. The Legislature also recognizes that when areas become urbanized to the extent that they need the full range of community services, priorities must be established regarding the type and levels of such services that the residents of an urban community need and desire; that community service priorities be established by weighing the total community service needs against the total financial resources available for securing community services; and that such community service priorities must reflect local circumstances, conditions, and limited financial resources. The Legislature finds and declares that a single governmental agency, rather than several limited purpose agencies, is better able to assess and be accountable for community service needs and financial resources and, therefore, is the best mechanism for establishing community services priorities; and

WHEREAS, the Local Agency Formation Commission, County of Kern, believes that in considering the intent and provisions of the law and also in considering the nature of the urban development taking place in the areas of Kern county, it should adopt standards which will tend to discourage further extensive development of single-purpose autonomous districts and the creation of a multiplicity of small municipalities;

NOW, THEREFORE, BE IT RESOLVED that the Local Agency Formation Commission, County of Kern, hereby adopts that following Procedures, Standards and Policies for the Evaluation of Proposals submitted to this Commission:

Section A: ENVIRONMENTAL IMPACT ASSESSMENT:

1. All environmental factors introduced by the proposals shall be considered as outlined in the “Local Agency Formation Commission, County of Kern, Regulations and Procedures for the Implementation of the Environmental Quality Act of 1970” (CEQA)

Section B: DETERMINATION OF BOUNDARIES:

1. Boundary descriptions of proposals for the annexation of territory to local agencies or the formation of new local agencies shall be definite and certain. (Section 56668 (f).)
2. To the greatest possible extent, boundaries should follow existing political boundaries, and natural or man-made features such as rivers, lakes, railroad tracks and freeways. Where boundaries do not meet this standard, the proponent shall justify the reason for non-conformance. (Section 56668 (a), (e), (f).)
3. Boundaries should not be drawn so as to create an island, corridor, or strip either within the proposed territory or immediately adjacent to it. Where such an island, corridor or strip is created, the proponent shall justify the reasons for non-conformance with this standard. (Section 56668 (f).)

Justification shall include, but not be limited to, any one of the following:

- (1) Written evidence that the proponent has held a meeting inviting the registered voters and land owners within the island, strip or corridor area (collectively hereinafter the “Island Area”) and that a majority of the land owners and registered voters do not wish to be annexed. Notice of the meeting shall also be in writing and given at least 21 days prior to the meeting to the landowners and registered voters and to the Executive Officer of LAFCo. This meeting must have been held within two years prior to the filing of the annexation proposal.
- (2) Proof that an annexation of the Island Area has been submitted by the proponent and either denied by the Commission or defeated by protests or election within the last five years.
- (3) Written evidence that the proponent has conducted a survey of all registered voters and land owners within the Island Area and that a majority of them do not wish to be annexed. This survey must have been completed within two years prior to the filing of the annexation proposal. Any mailed survey must allow at least 21 days for a response.
- (4) Written objection from the County of Kern or a special district serving the area.
- (5) Any other written evidence acceptable to the Executive Officer that annexation of the Island Area cannot be pursued by the proponent, or is contrary to general planning policies concerning agricultural land/open space conservation, growth and development, or providing urban services.

In the absence of any acceptable justification, the Executive Officer shall place a condition on the annexation that prior to recordation the proponent shall submit a proposal to annex the Island Area.

4. Whenever practicable, boundary lines of areas proposed to be annexed to cities and/or districts shall be so located that all streets and right-of-way will be placed within the same jurisdiction as the properties which abut thereon and/or for the benefit of which such streets and rights-of-way are intended. (Section 56668(f).)

5. The creation of boundaries that divide assessment parcels should be avoided, whenever possible. Where such division occurs, the proponents shall justify to the commission the necessity for such division. (Section 56668(f).)
6. Boundaries should avoid dividing an existing identifiable community, commercial district, or any other area having social or economic homogeneity. Where such division occurs, the proponents shall justify the reasons for non-conformance to this standard. (Section 56668(c).)
7. The following guidelines apply to the preparation of maps for proposals submitted to this commission.
 - a. The following should not be allowed:
 - (1) City limits within the road right-of-way.
 - (2) Road islands of County maintained roads.
 - (3) Islands of road caused by annexation on both sides.
 - (4) Strip annexation of road.
 - b. *In the following cases where the road is the boundary the street or road should be retained by the County. These roads would not have direct access from the property :
 - (1) County freeways - access is restricted.
 - (2) County arterials.
 - (a) roads which carry through traffic.
 - (b) planned development by developer or city which provides limited access and protects the capacity of the road..

*Note: Each case should be considered in its own merit.
 - c. The following roads should be annexed to the city. These roads would have direct access to the annexing property and would serve the residents of the property.
 - (1) Minor or local roads.
 - (2) When the street will be used for the city sewer lines, water lines, or storm drains.
 - (3) Piecemeal development by developer causing difficult coordination between two or more agencies.
 - (4) Where the annexation will complicate drainage or traffic control.

Section C: CONFORMANCE WITH CITY OR COUNTY GENERAL AND SPECIFIC PLANS:

1. Each proposal should be consistent with the appropriate city or county general and specific plans. Where the proposal does not abide by these plans, the proponent shall specify the reasons for plan non-conformance.

Section D: DUPLICATION OF AUTHORITY TO PERFORM SIMILAR FUNCTIONS:

1. The effect of the approval of a proposal which would result in two or more districts or a city and a district possessing, in any common territory, the authority to perform the same or similar functions shall be considered by the commission. The views of the governing body of the city or special district possessing authority to perform the same or similar function in the subject territory shall be made known to the commission. Proponents must justify the need for annexation proposals which result in duplication of authority to perform similar functions. (Section 56668(b), (c), (h), (i).)

Section E: CONSIDERATION OF ECONOMIC FACTORS AND EXISTING SERVICES:

1. If the proposal is for the formation of a new agency, the proponents shall demonstrate the economic feasibility of the proposed formation, taking into account both the assessed valuation of the subject territory as well as any other sources of revenue. (Section 56668(a), (b), (c),(j).)
2. Proposals which could result in significant or serious operational or economic problems for, or in the disruption of existing services provided by the county, cities and/or special districts shall be discouraged. The availability of feasible measures which would mitigate such adverse impacts shall be considered. (Section 56668a), (b), (c).)
3. Any proposal shall take into account not only the present needs of the subject area, but also the future growth and expansion. (Section 56668 (h).)
4. Territory shall be annexed to a city or special district only if such agency has or soon will have the capability to provide the requested services.

Section F: CONFORMANCE WITH DESIGNATED SPHERE OF INFLUENCE:

1. The proposal should conform with the appropriate local agency sphere of influence when adopted and determined by the Local Agency Formation Commission, County of Kern. Where a proposal is inconsistent with the adopted sphere of influence the applicant shall justify reasons for amending the sphere of influence.
 - a. Proposals for amendment or creation of a sphere of influence shall include information which will substantiate the written determinations required by Government Code Sections 56425 and 56430. The form of each proposal shall support the boundary policies in section B above so subsequent annexations will not create islands, illogical boundaries, road maintenance problems or assessment irregularities. The Commission requires written verification of compliance with the city/county development agreement process. Written verification shall be provided by both the city and the county.
 - b. Minor sphere amendments, which include (1) an area less than 1% of the total jurisdiction of the affected agency; if that is (2) an area less than 100 acres in size; or (3) an area more than 50% developed for which a general plan, adopted or updated within the past five years, depicts urban land uses shall provide the following information:
 - (1) The present and planned land uses in the area, including agricultural and open-space lands. (Section 56425(a)(1).)

- (a) General Plan designations of areas to be added.
 - (b) The agency's growth policies and annexation programs.
 - (c) Explanation of why the proposal would not conflict with the goals of Government Code Section 56377.
 - (d) Urban infill policies.
 - (e) Agricultural and open space conservation plan or policies if project includes prime ag land or open space.
- (2) The present and probable need for public facilities and services in the area. (Section 56425(e) (2).)
- (3) The present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide. (Section 56425(e) (3).)
 - (a) Availability of urban services and public facilities.
 - (b) Service agencies providing urban services.
- (4) The existence of any social or economic communities of interest in the area. (Section 56425(e) (4).)
 - (a) Identity of community of interest and needs (reason for application).
 - (b) Impediments to annexation and rationale to overcome said impediments.
- c. All other sphere amendments, except decreases, shall include all of the above information and shall also include a written summary of projected capital facilities and need of capacities.
- d. Government Code Section 56428 (B) prohibits a hearing on such a proposal until there has been compliance with CEQA.

Section G: OPEN SPACE AND AGRICULTURAL LANDS:

1. This Commission, through its actions, desires to maintain the physical and economic integrity of lands in an agricultural preserve as may be established by either the Board of Supervisors of the County of Kern or a city council within the county. (Section 56668(e).)
2. This commission will attempt to guide the provision of governmental services and development to areas other than those classified as prime agricultural lands as defined in Sections 56064 and 56016 of the Government Code except where such development would promote the planned, orderly and efficient development of that area. (Section 56377 (a).)
3. This commission encourages and will assist to implement the development of existing vacant or non-prime agricultural lands for urban uses within an agency's existing jurisdiction or within an agency's sphere of influence before it will consider with favor or will approve any proposal which would allow for or lead to the development of existing open-space lands for non-open-space uses which are outside of the agency's existing jurisdiction or outside of an agency's existing sphere of influence. (Section 56377(b).)
4. It is the policy of this commission to encourage and to seek to provide for planned, well-ordered, efficient urban development patterns while at the same time remaining cognizant of the need to give appropriate consideration to the preservation of open-space lands within such patterns. (Section 56301.)
5. In determining whether an annexation or incorporation proposal may affect prime land, the commission shall apply the definition of "prime agricultural land" established under section 56064.

6. Annexation or incorporation proposals which would allow or likely lead to the conversion of prime agricultural land or other open-space land to other than open-space uses shall be discouraged by the commission unless such an action would promote the planned, orderly efficient development of an area or the affected land use planning jurisdiction has accomplished the following:
 - a. Identified within its sphere of influence all “prime agricultural land” as defined under Government Code Section 56064;
 - b. Demonstrated to LAFCO that effective measures have been adopted to preserve for agricultural use those prime agricultural lands identified in (a). Such measures may include, but not be limited to, establishing agricultural preserves pursuant to the California Land Conservation Act; designating land for agricultural or other open-space uses on that jurisdiction’s general plan, adopted growth management plan, or applicable specific plan; adopting an agricultural element to its general plan; and undertaking public acquisition of prime agricultural lands for the purpose of leasing back such lands for agricultural use;
 - c. Prezoned pursuant to Government Code Section 56375(a) (3), both territory within the agency’s general planning area to be maintained for agricultural use, and also territory within the annexation area to indicate anticipated level of development.
7. In reviewing a proposal which will lead to the conversion of agricultural or open-space land to urban uses, the commission will consider the following criteria to determine whether the proposed action would (a) adversely affect the agricultural resources of the community, or (b) not promote the planned orderly, efficient development of an area;
 - a. The agricultural significance of the proposal area relative to other agricultural lands in the region (soil, climate, and water factors);
 - b. The use value of the proposal area and surrounding parcels;
 - c. Determination as to whether any of the proposal area is designated for agricultural preservation by adopted local plans, including the county General Plan, Land Use and Open Space Element and Growth Management Policies;
 - d. Determination of:
 - (1) Whether public facilities would be extended through or adjacent to any other agricultural lands to provide services to the development anticipated on the proposal property;
 - (2) Whether the proposal area is adjacent to or surrounded by existing urban or residential development.
 - (3) Whether surrounding parcels may be expected to develop to urban uses within the next five years.
 - (4) Whether natural or man-made barriers would serve to buffer the proposal area from existing urban uses.
8. The commission shall encourage proposals that result in in-filling, particularly where the prime agricultural land represents a small unit and is essentially surrounded by non-agricultural land.
9. The commission shall discourage proposals that intrude on prime agricultural land when such intrusion would lead to the disruption of viable agricultural units and the encouragement of further urban development on such lands.

10. The commission shall encourage proposals for land uses adjacent to prime agricultural land which would result in compatible uses (i.e., green belts, greenhouses, linear parks, light industry). Similarly, the commission shall discourage proposals which would result in less compatible uses (e.g., residential and retail commercial uses).

Section H: STANDARDS AND PROCEDURES FOR EVALUATING SERVICE PLANS IN PROPOSALS FOR CHANGE OF ORGANIZATION OR REORGANIZATION OF CITIES:

1. No proposal petitioning annexation to a city should be submitted prior to rezoning of the subject territory by the city. Environmental review should be conducted at the time of rezoning by the city and the commission should be noticed as a responsible agency in accordance with CEQA.
2. Whenever a city submits a resolution of application for a municipal reorganization, a reorganization which includes a change of organization for such city, or a change of organization, the city shall submit with the resolution of application a plan for providing services within the affected territory. Such plan shall be in sufficient detail to enable the commission to determine the city's capability to provide services in a timely and financially feasible manner. The plan for providing services shall include, but not be limited to:
 - a. The changes in land use and land use controls which would occur if proceedings were completed.
 - b. The nature of each service to be provided.
 - c. The location from which each service is to be provided.
 - d. The service level capacity from that location
 - e. The service level to be provided.
 - f. Any action necessary to increasing service level capacities in order to serve the affected territory, and the costs involved.
 - g. A description of where such services will be provided within the affected territory.
 - h. A timetable for the feasible extension of services to the affected territory.
 - i. Any conditions which would be imposed or required within the affected territory, such as, but not limited to, improvement or upgrading of structures, roads and sewer or water facilities.
 - j. A description of how such services and improvements will be financed. The resolution of application shall not be accepted for filing by the Executive Officer unless accompanied by the plan for providing services. (Section 56653)
3. A plan for providing services may consist of:
 - a. A master plan for providing services throughout all or a portion of a city sphere of influence for use in evaluating all proposals affecting the area covered in the master plan; and
 - b. A proposal-specific supplement which updates and/or provides a higher level of detail than is contained within the master plan for services. Such supplement may include by reference or in summary form those pertinent sections of the master plan for services which remain valid. The supplement need discuss in detail only that information which is not current or discussed in sufficient detail in the master plan for services.

4. A city application for annexation of an unincorporated island without an election shall, in addition to the plan for providing services, be supplemented by sufficient information to enable the commission to determine within the affected territory:
 - a. The total acreage of the unincorporated island and the boundaries of all cities and/or counties which border thereon
 - b. The presence or absence of prime agricultural land as defined in Section 56064.
 - c. The availability of public utility services.
 - d. The presence of public improvements.
 - e. Existing zoning.
 - f. The presence or absence of physical improvements upon each parcel.
 - g. The benefits from such annexation or the benefits now being received from the annexing city.

Section I: POLICIES FOR FORMATION OF COUNTY SERVICE AREAS:

1. All proposals for formation of county service areas shall be accompanied by a certified copy of the resolution of intention of the Board of Supervisors initiating proceedings before this commission.
2. The commission shall make its approval conditioned upon the requirement that the services to be provided be limited to those specified in the resolution of intention adopted by the board of Supervisors and then only after a satisfactory showing that such services are needed and the county service area will be capable of rendering the same.
3. Authorization for additional services to be provided in addition to those initially authorized, shall, pursuant to Government Code Section 25210.31, be effective only after application by the Board of Supervisors and approval by the commission.

Section J: URBAN SERVICE AREAS:

1. It is the policy of the commission to not establish urban service areas or urban service area boundaries unless requested by the effected city to do so.

Section K: PROTEST HEARINGS

1. **Introduction.** Pursuant to Government Code Section 57000(a), LAFCO shall hold protest proceedings in any change of organization or reorganization which has been approved by LAFCO. Subject to all other requirements of state law regarding the noticing and conducting of protest hearings, the following procedures shall be followed in counting or valuing written protests
2. **Written Protests.** The following constitute the requirements for a valid protest of a change of organization or reorganization approved by LAFCO:
 - A. The protest shall be in writing and must be signed with the date of the signature shown thereon. Any protests which are unsigned or which are dated prior to the date of publication of the notice published by LAFCO of the protest hearing shall be disregarded for purposes of ascertaining the value of any written protest.

- B. Each protest shall state whether it is made by a landowner or registered voter and contain the name and address of the landowner and the address or other description of the property affected by the proceeding or the name and address of the registered voter as it appears on the voter's affidavit of registration.
- C. A protest must be filed with LAFCO prior to conclusion of the protest hearing.
- D. For purposes of evaluating the sufficiency of any protest signed by owners of land, the following rules will apply:
 - 1) The Executive Officer will determine, to the extent possible, the total number of landowners within the territory which is the subject of the protest hearing and the total assessed valuation of all of the land within such territory as determined by the most recent assessment roll being prepared by the county at the time the Commission adopts a resolution of application. The assessed value to be given land exempt from taxation or owned by a public agency shall be determined by the County Assessor, at the request of the Executive Officer, in the same amount as the County Assessor would assess that land, if the land were not exempt from taxation or owned by a public agency.
 - 2) The Executive Officer shall determine the total number of landowners represented by the protests filed and not withdrawn in the change of organization or reorganization and the total assessed valuation of the land owned by the landowners.
 - a) Protests submitted on behalf of an owner of land by an agent shall be accepted if the authority of the agent is in writing and a copy of the authority is filed with the protest.
 - b) Protests made on behalf of a private corporation which is an owner of land may be made by any officer or employee of the corporation without written authorization for same, provided however that the office of the officer, title of the employee, or other designation of the employee shall be so stated on the protest.
 - 3) In determining the assessed value of the land in Paragraph (2) immediately above, the value given to land held in joint tenancy or tenancy in common shall be determined in proportion to the proportionate interest in the land of the person signing the protest or on whose behalf the protest is signed.
 - 4) Any protest signed by a person not shown as owner on the most recent assessment roll being prepared by the County at the time LAFCO adopts a resolution of application shall be disregarded unless, prior to certification, written evidence is furnished to LAFCO satisfactory to the Executive Officer that the signer meets any of the following requirements:
 - a) Is a legal representative of the owner; or
 - b) Is entitled to be shown as owner of land on the next assessment roll; or

- c) Is a purchaser of land under a recorded written agreement of sale; or
- d) Is authorized to sign for, and on behalf of, any public agency owning land.

E. For protests signed by registered voters, the Executive Officer shall cause the names of the signers of the protests to be compared with the Voters Register in the office of the County Clerk or Registrar of Voters and ascertain both of the following:

- 1) The number of registered voters in the affected territory; and
- 2) Whether or not the person signing the protest appears on the Voters Register.

F. A form of protest for either landowner or registered voter is available from the Executive Officer. However, any voter or landowner wishing to file a protest may do so whether or not utilizing the foregoing forms provided the protest otherwise complies with the foregoing and the law.

Caveat. The foregoing represents some of the relevant and pertinent provisions pertaining to protest hearings contained in the Cortese-Knox-Hertzberg Government Reorganization Act of 2000 contained at Government Code Sections 56000 et seq. (the "Act"). However, the foregoing is only intended as a summary and reference is made herein to the Act for a review of all of the provisions relating to protest hearings and a more complete description of the requirements pertaining thereto. Nothing herein is intended to modify the Act and each and every provision of the Act is incorporated herein by reference.

Section L: PROCESSING TIMELINE:

- 1. All applications shall be deemed complete with all written documentation required by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Commission procedures, or the Executive Officer within one year of the date of the application being submitted to Kern LAFCo. If the application is not deemed complete within one year, the applicant shall be notified that the proposal will be returned unless a request for a hearing or extension is filed within 30 days. At that time the request for hearing or extension will be placed on the next available agenda and the Commission may grant the extension for up to 90 days or may agree to hear the proposal on the next available agenda. If the extension or hearing is not granted or if the proposal is not complete within the time extension the proposal shall be terminated and returned to the applicant. The applicant shall forfeit the processing fees and be responsible for any cost recovery fees associated with the proposal.

Section M: MAILED NOTICE:

- 1. In addition to all other notices required under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Government Code Sections 56000 et seq., it shall be LAFCO's policy to send mailed notice to all landowners and registered voters on public hearings for all applications and on all protest hearings. Notwithstanding the foregoing, LAFCO may, in its discretion and pursuant to such terms and conditions as it may impose, authorize the applicant to provide the mailed notices where the number of notices will exceed 1,000.

Section N: REQUIREMENTS FOR CITY ANNEXATIONS OF 10 ACRES OR MORE, ADJACENT TO DISADVANTAGED UNINCORPORATED COMMUNITIES

Government Code Section 56375 (8)(A) states that a city annexation may not be approved where the annexed territory is greater than ten acres if it is contiguous to a Disadvantaged Unincorporated Community (DUC) unless an application to annex the DUC has been filed. This requirement does not apply if there was a prior application for annexation of the DUC within the preceding five years or if the commission finds, based on written evidence, that a majority of the registered voters within the DUC are opposed to the annexation.

In reviewing applications for annexation to a city where this section applies:

1. An annexation application of the DUC is required even if the City is already providing services to the DUC.
2. Written evidence that a majority of the registered voters in the DUC oppose the annexation will be required even if evidence of majority opposition by “residents” was obtained under the prior law when majority opposition of residents in the DUC was required. “Written evidence” shall be a survey or petition circulated by the City, showing a majority of registered voters within the DUC opposed to the annexation.

****NOTE:** All numbers within parenthesis refer to California Government Code Sections.

BE IT FURTHER RESOLVED, that in the evaluation of a proposal this commission shall consider these Procedures, Standards and Policies, the staff report and the evidence presented by all interested parties at the public hearing, in relation to the functions and objectives of this commission as heretofore stated.

Revised 4/14

REGISTERED VOTER PROTEST

In accordance with Part 3, Division 3, Title 5 of the California Government Code (commencing with Section 5600, Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000), the undersigned hereby protest the following change of organization or reorganization:

Title of Proposal

Proceeding Number

Each of the undersigned states:

1. I personally signed this protest.
2. I am a registered and qualified voter of the City/County of _____
or the _____ District
3. I personally affixed hereto the date of my signing this protest and the address(es) and my place of residence, or if no street or number exists, then a designation of my place of residence that will enable the location to be readily ascertainable.
4. My residence and address are correctly written after my name.

NAME OF SIGNER	RESIDENCE ADDRESS	DATE	OFFICIAL USE ONLY
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			

Only protests dated and submitted between the date of publication of the hearing notice and the conclusion of the protest hearing will be considered in ascertaining the value of written protests.

LANDOWNER PROTEST

In accordance with Part 3, Division 3, Title 5 of the California Government Code (commencing with Section 5600, Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000), the undersigned hereby protest the following change of organization or reorganization:

Title of Proposal

Proceeding Number

Each of the undersigned states:

1. I personally signed this protest.
2. I am a landowner within the affected territory.
3. I personally affixed hereto the date of my signing this protest and the address(es) and/or the Assessor's Parcel Numbers(s) such that the location of the property is readily ascertainable

NAME OF SIGNER	ADDRESS AND/OR ASSESSOR'S PARCEL NO	DATE	OFFICIAL USE ONLY
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			

Only protests dated and submitted between the date of publication of the hearing notice and the conclusion of the protest hearing will be considered in ascertaining the value of written protests.